

Superintendent Lawrence Wong, a Hong Kong police officer who is attached to the International Criminal Police Organisation in Lyon, described the work of Interpol in fostering cooperation and information exchange, including maintaining databases on known and suspected pirates and attempting to trace the 'money trail' to find out who is financing the pirates and what happens to the ransom money paid to them.

He pointed out that piracy is, by its very nature, a cross-border crime, so that rapid sharing of intelligence is essential in combating it. He also made the point that Interpol's primary function is not to investigate crimes itself, but to coordinate the investigations carried out by the police forces of its member countries.

The Revd Stephen Miller of the Mission to Seafarers in Dubai, described the human element, particularly the stresses on seafarers and their families in the piracy zone, especially when a ship is taken by the pirates. The most important things for those who have survived the ordeal are rest, reassurance and professional counselling. Shipping companies have become much better at providing these in recent years than they were at the start of the piracy crisis.

However, the strain on mariners or their families should not be underestimated. Mr Miller illustrated this with the story of a Russian captain whose ship was captured. Throughout the weeks of captivity, the captain's wife was the main contact point for the wives of other crew members. Every day, in addition to her own worries, she was dealing with the concerns of all the other families, and this affected her deeply. After the captain had been released, and had taken a period of leave, he discovered to his horror that he had again been assigned to a ship operating in the piracy area.

Since he could not afford to turn the job down, but was worried about the effect on his wife, who could not handle the stress, he pretended to his wife that he had been sent to a ship trading in the Atlantic, and even went to the extent of enlisting the help of other mariners to support him in the deception, by reporting to his wife that they had seen him there.

Meanwhile, he was at sea in the Indian Ocean, with not only the fear of capture by pirates occupying his mind for a second time but also the fear that his wife would discover his deception. This man was probably a prime candidate for post traumatic stress disorder, which is common among seafarers who have been victims of a piracy attack.

Unfortunately, in some countries a crew member who declares himself unfit in order to be treated for post traumatic stress is likely to suffer prejudicial discrimination by his employers, and may even be blacklisted from taking up further employment, so many seafarers do not seek help for the condition.

Jon Davies, of the Maersk Training Centre, gave a presentation on ways of protecting ships and their crew. He described 'best practice' as carried out by the world's leading shipping companies. He showed many examples of ingenious methods seafarers had used to defend their vessels. Emphasising the need to review safety plans regularly, he also discussed the pros and cons of using a piracy muster station and ways of minimising potential damage during an attack.

Jon Davies pointed out that in addition to small arms, some pirates are now using heavier weapons such as rocket propelled grenades in their attacks, and that several ships have caught fire in piracy incidents. He recommended that flammables should be kept safely stowed away in areas prone to piracy.

He also gave some useful advice on the need to train crews in new methods. In addition to knowing how to repel pirates, they also needed to be trained how to withstand the mental stress of transiting a piracy zone, and how to react if pirates do board the vessel.

In addition to understanding how to defuse a potentially dangerous situation, they needed to know how to avoid confrontation with the pirates, and must be prepared to withstand the rigours of captivity.

Three local speakers described the legal and insurance aspects involved with piracy, and informed delegates of the sensible steps they need to take to ensure that their ships and crews have the best possible protection.

Benson Chu, of Richards Hogg Lindley, made the point that there is no really satisfactory and universally accepted definition of piracy. This can cause problems with underwriters and charterers after the event.

Harry Hirst, of Ince & Co, also touched on this, and pointed out that where piracy involves political, religious or terrorist motives, it may not be considered normal piracy, which is covered by hull and protection and indemnity insurance as a 'peril of the seas', but may be considered a war risk and may require additional war risks cover. He expressed the opinion that at the present time piracy in the Indian

Ocean appears to be carried out for purely commercial motives, so it does not require cover against war risks. However, he warned that the situation could change. He stressed the importance of owners' checking their various insurance clauses and charterparties to ensure that they are as well protected as possible.

Mr Hirst also mentioned some of the potential pitfalls if a ransom is paid. For example, in some jurisdictions a person paying a ransom may fall foul of money laundering or anti-terrorism legislation. Although this would not appear to be the case in Hong Kong or the United Kingdom, one also has to take into account the laws of the flag state and the state from which the money comes. Finally, he pointed out the need to collect evidence during and after a ship is attacked, in order to be in the best possible position to prosecute pirates and deal with claims.

John Martin of Gard P&I Club gave some valuable insights into what is covered by the clubs. Ransom payments, for example, are excluded, but the cost of counselling the crew after an incident will be covered. Like the majority of speakers, John was against the idea of arming ships' crews or carrying armed private security personnel, pointing out the potential such armed crew or guards would have for involving the ship and club in liabilities. He stated, however, that for the moment, the clubs still cover vessels which use them.

A lively panel discussion followed speaker presentations and the seminar ended with a final address by Kenneth Koo, a committee member of the Hong Kong Ship Owners' Association, who has been chosen to be its next Chairman.

Mr Koo gave a neat summing-up of the points raised by the various speakers, and also expressed the thanks of the Hong Kong shipping community not only to the organisers of the conference and the speakers and delegates who had taken the time and trouble to attend, but also to all the people and organisations engaged in the worldwide fight against piracy.

Terrorism, piracy and war risks

Captain Harry Gale FNI
London and Solent Branches
6-7 November 2009

'We are making a difference, we are arresting pirates,' Captain Richard Farrington, Chief of Staff for the European Union Naval Force (EUNAVFOR), assured delegates to the London and Solent Branches terrorism, piracy and war risks

conference. He said that the military presence in the Horn of Africa was helping to counter piracy problems there. Ships, supply tankers and patrol aircraft are all used by EUNAVFOR to escort ships carrying food under the World Food Programme, to protect vulnerable ships from piracy attacks and to deter and disrupt pirate activities.

Captain Farrington highlighted the arrests made by the force and the fact that pirates were being put on trial in several countries, while other countries in the region were putting legislation in place that would allow trials of pirates to take place. He appealed to all vessels transiting the region to follow best practice guidance and report to the Maritime Security Centre Horn of Africa (MSCHOA) and the United Kingdom Maritime Trade Operation (UKMTO) in Dubai before transit, to ensure protection from pirate attack.

Ships being attacked and taken by pirates form part of the 25 per cent of the vessels transiting that do not follow this advice. However, patrols outside the region could not assist in every attack, he pointed out, and vessels should follow best practice regardless of their position. Ships and their managers or owners should monitor the maritime security centre website for daily updates on activities in the region. The centre, based at Northwood near London, has several ship masters seconded to it to assist with advice to merchant shipping.

Pirates are entrepreneurs, Captain Farrington declared, and if their activities are made more difficult and thwarted by ships taking proper measures, they will seek other means of earning money.

The conference naturally focused on the main area of concern which is the Horn of Africa. However, the two sessions also covered the global picture. Delegates heard Captain Amol Deshmukh MNI give a dramatic account of how he followed best practice to escape a pirate attack, using evasive tactics and increasing to maximum

speed. The pirates eventually gave up the pursuit after two hours.

The Revd Canon Ken Peters, Mission to Seafarers' Director of Justice and Welfare, spoke of the effects that capture can have on the victims of piracy, the needs of the seafarers and their families during detention and more importantly, of their needs after release. This was addressed at the IMO Maritime Safety Committee (MSC) meeting earlier this year, with the current UN guidance on surviving as a hostage taken into account in a revised edition of MSC Circular 623, the IMO circular on piracy and armed robbery against ships.

While most attention at the moment is on East Africa, pirate attacks are still taking place in other areas of the world, Canon Peters reminded the conference. He finished by pointing out that 2010 was designated the Year of the Seafarer and we should ensure that seafarers and their families are at the centre of industry concern.

Nick Taylor, global security advisor at Chevron Shipping Company, showed how a major shipping company has addressed the threat of piracy. Security information teams take into account vessel schedules, and the latest security information, on all events which may affect business, not just piracy.

The best management practice takes into account all information from industry including that from Intertanko, the International Chamber of Shipping (ICS), the Oil Companies International Marine Forum (OCIMF) and BIMCO.

Mr Taylor showed some of the measures taken by owned and chartered vessels, all with the aim of deterring, delaying and denying the pirates the ability to board the vessel. This ability to delay and deny will either result in the pirates calling off the attack, or delay the capture long enough for help from the naval forces to arrive in time. He concluded by saying that secure operations depended upon the engagement, participation, commitment and accountability of ship's crews and operators.

George Erdos, a chartered clinical psychologist, gave an insight into the psychology of piracy and terrorism. He outlined the relationships common to pirates and terrorists and the differences, noting that pirates wish to escape with their booty and lives, while the terrorist aims to cause maximum damage with no regard for his survival. The psychological aspects to be considered in crew versus pirates include the psychology of fear and power. The art of war is in bluff, deception, disinformation and intimidation.

Cyrus Mody, from the International Maritime Bureau (IMB), briefed the

conference on the latest global piracy incidents. After a steady decline year on year in global pirate attacks, the activity in Somalia has reversed this trend and increased activity in other areas of the world has been observed. IMB continues to be the essential independent reporting and coordinating centre for global pirate attacks.

After delegates heard of the insurance position, legal implications and role of the underwriters, Kevin O'Leary from Securewest International gave an account of the do's and don'ts of hostage negotiation, from the moment of capture to the vessel being released, and of the importance of having contingency plans in place for any terrorism or piracy event. Negotiation was necessary because the preservation of the lives of the crew was the priority, but it was also vital to try to influence the captors, identify motivation and demands and to buy time. With negotiation one could also manage expectations, reduce the tension, secure the safe release of the hostages, vessel and cargo. However Mr O'Leary warned against complacency, adding: 'The most dangerous time in negotiation is when you think you are winning.' Among the golden rules of hostage negotiation: you should clearly communicate all intentions; don't invite deadlines; don't drop your self-discipline; keep up morale and do expect feelings of frustration, anger and guilt afterwards.

Summing up the conference, Captain Deshmukh said he took heart from the presentations made, and that maximum effort was being made to resolve the piracy problem. However, he added, it was not going to be resolved soon and mariners must expect to follow best practice guidance in seas around the world for the foreseeable future.

~~10th International Symposium on Maritime Health~~

~~Philip W. Wake MSc, FNI~~

~~Goa, India~~

~~23-26 September 2009~~

~~This symposium is held every two years. It is organised by the International Maritime Health Association (IMHA), with which the Institute has been developing cooperation over the past couple of years. As a result, we were invited to chair this session on maritime safety and to present a paper.~~

~~A feature of many international maritime conferences is that too few serving seafarers manage to attend and fewer still are invited to present their views. We therefore selected~~



▲ Delegates to the London and Solent branches conference on terrorism, piracy and war risks