



NIUE SHIP REGISTRY

Website: www.niueship.com

BEST MANAGEMENT PRACTICES FOR PIRACY & ARMED ROBBERY IN HIGH-RISK AREAS [Circular NMC2.2024 (rev0)]

PURPOSE: This Marine Circular provides guidelines on the application of Best Management Practices (BMP) as well as IMO guidance on the use of Privately Contracted Armed Security Personnel (PCASP) to deter piracy off the Coast of Somalia and other High-Risk Areas (HRA).

APPLICATION:

The guidelines in this Marine Circular apply to the following Niue-flagged vessels that are subject to the International Ships and Port Facility Security (ISPS) Code:

1. Passenger ships, including high-speed passenger craft;
2. Cargo ships, including high-speed craft, of 500 gross tonnage (ITC 69) and upwards;
3. Special Purpose Ships of 500 gross tonnage; and
4. Self-propelled mobile offshore drilling units capable of making international voyages unassisted and unescorted when underway and not on location.

This Administration requires vessels subject to ISPS Code to have their Ship Security Plans (SSPs) include security measures that meet the internationally accepted BMP, to protect against incidents of piracy, armed robbery, hijacking or terrorism. All Niue-flagged vessels transiting through any HRA as defined by BMP or in this Marine Circular shall raise their Security Level according to their Ship Security Plan [refer to Niue Marine Circular NMC1.2024 (rev0)].

RELATED DOCUMENTS:

1. MSC.1/Circ.1408/Rev.1, Revised Interim Recommendations for Port and Coastal States regarding the use of Privately Contracted Armed Security Personnel on board ships in High Risk Area, dated 25 May 2012
2. MSC.1/Circ.1406/Rev.3, Revised Interim Recommendations for Flag States regarding the use of Privately Contracted Armed Security Personnel on board ship in High Risk Area, dated 12 June 2015
3. MSC.1/Circ.1405/Rev.2, Revised Interim Guidance to Ship Owners, Ship Operators and Shipmasters on the use of Privately Contracted Armed Security Personnel on board ship in High Risk Area, dated 25 May 2012
4. MSC.1/Circ.1601, Revised Industry Counter Piracy Guidance, dated 8 December 2018 (revokes MSC.1/Circ.1339)
5. MSC.1/Circ.1333/Rev.1, Recommendations to Governments for preventing and suppressing piracy and armed robbery against ships, dated 12 June 2015
6. MSC.1/Circ.1334, Guidance to ship owners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships, dated 23 June 2009
7. Global Counter Piracy Guidance For Companies, Masters and Seafarers.
8. BMP5 - Best Management Practises To Deter Piracy And Enhance Maritime Security In The Red Sea, Gulf of Aden, Indian Ocean and Arabian Sea
9. Guidelines for Owners, Operators and Masters for protection against piracy and armed robbery in the Gulf of Guinea region (Version 3, June 2018)
10. Niue Marine Circular NMC1.2024 - Ship Security Level
11. Niue Marine Circular NMC3.2024 - Firearms & Privately Contracted Armed Security Personnel

CONTENTS:

A. Definitions

1. "Piracy" - consists of any of the following acts:
 - 1.1. any illegal acts of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:

- 1.1.1. on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
- 1.1.2. against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
- 1.2. any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft; or
- 1.3. any act of inciting or of intentionally facilitating an act described in subparagraph 1.1.1 or 1.1.2.
2. "Armed Robbery" against ships means any of the following acts:
 - 2.1. any illegal act of violence or detention or any act of depredation, or threat thereof, other than an act of piracy, committed for private ends and directed against a ship or against persons or property on board such a ship, within a State's internal waters, archipelagic waters and territorial sea;
 - 2.2. any act of inciting or of intentionally facilitating an act described above.
3. "Internationally Recommended Transit Corridor (IRTC)" – Since 1 February 2009, the Maritime Security Centre-Horn of Africa (MSCHOA) has established the IRTC where military assets (Naval and Air) have been strategically deployed within the area to best provide protection and support to merchant ships.

Niue-flagged vessels are strongly recommended to use the IRTC which includes the creation of separate eastbound and westbound transit lanes. Each lane will be 5 NM wide and will be separated by a 2 NM buffer zone.

As the IRTC is subject to change, by military authorities, according to prevailing circumstances, Niue-flagged vessels are urged to obtain up-to-date information from MSCHOA website: www.mschoa.org or NAV-warnings promulgated for that area.

- 3.1. Masters using the IRTC are not relieved of their obligation and should continue to maintain a strict 24-hour lookout using all available means to get an early warning of an approaching threat. Some vessels have been attacked/hijacked in the corridor.
- 3.2. Ships / Owners are advised to register their details on the MSCHOA website and obtain further information regarding the close support protection details for ships transiting the Gulf of Aden. Ships are encouraged to conduct their passage through the IRTC in groups based on their transit speed of 10, 12, 14, 16 and 18 knots.
- 3.3. Masters are also advised to maintain a listening watch on CH 16, CH 8 and CH 72 in order to hear the Maritime Advisory Calls from the warships in the area who will make general security broadcasts and in turn also listen to merchant ships calling them. Masters are also advised to monitor the International Maritime Bureau Piracy Reporting Centre (IMB PRC) broadcast and Warnings via Inmarsat C EGC Safety Net. All attempted and actual attacks and suspicious sightings reported to warships should also be reported to the IMB PRC.
4. "Best Management Practices (BMP)" – Refers to the industry BMP whose purpose is to assist ships to avoid, deter or delay piracy attacks in the HRA. Experience and data collected shows that the application of the recommendations contained within this booklet can and will make a significant difference in preventing a ship becoming a victim of piracy. The latest version of BMP (BMP5) can be downloaded from Maritime Global Security Website: <https://www.maritimeglobalsecurity.org/riskissues/piracy/>. It is anticipated that the BMP will be periodically updated based upon operational experience and lessons learned.
5. "High Risk Area" (HRA) defines itself by where pirate activity and/or attacks have taken place. For the purpose of the BMP, the HRA is an area bounded by Suez and the Strait of Hormuz to the North, 10°S and 78°E. Attacks have taken place at most extremities of the HRA and attacks to the South have extended into the Mozambique Channel. A high state of readiness and vigilance should be maintained even to the South of the Southerly limit of the HRA.

B. Interim Guidance on use of PCASP by IMO

1. Further interim guidance on the use of PCASP on board ships to counter Somali-based piracy has been approved by an IMO intersessional working group.
2. The IMO approved the following Maritime Safety Committee (MSC) circulars for dissemination:
 - 2.1. MSC.1/Circ.1408 on *Interim Recommendations for port and coastal States regarding the use of privately contracted armed security personnel on board ships in the High Risk Area*;
 - 2.2. MSC.1/Circ.1406/Rev.3 on *Revised Interim Recommendations for flag States regarding the use of privately contracted armed security personnel on board ships in the High Risk Area*;
 - 2.3. MSC.1/Circ.1405/Rev.2 on *Revised Interim Guidance to shipowners, ship operators and shipmasters on the use of privately contracted armed security personnel on board ships in the High Risk Area*; and
 - 2.4. a joint MSC and Facilitation Committee (FAL) circular (MSC-FAL/Circ.2) on Questionnaire on information on port and coastal State requirements related to privately contracted armed security personnel on board ships, which is aimed at gathering information on current requirements.
3. However, the IMO has stated that the interim guidance and recommendations does not endorse or institutionalize the use of PCASP and does not represent any fundamental change of policy by the IMO in this regard.
4. The Niue Administration recommends that ship operators take into account the guidance and recommendations contained in the above circulars when considering the use of PCASP, and in any case to refer to Niue Marine Circular NMC3.2024 with regards to this Administration's guidance on the use of PCASP.
5. It should be noted that the use of PCASP should not be considered as an alternative to the BMP and other protective measures which the officers and crew shall still closely adhere to when transiting HRA.
6. All Niue-flagged vessels are requested prior to transit, or leaving a port within HRA, to follow the BMP and to contact the local information centres for up-to-date instructions on transit and reporting.
7. Niue-flagged vessels are urged to keep to the latest BMP and verify these with the designated information centres when approaching the Gulf of Aden (GOA) and the Somali Basin. Any Niue-flagged vessels operating within the World Food Program in the GOA and Somali Basin shall implement as far practicable the BMP.
8. Owners / Operators / Masters / Officers are thereby encouraged to act accordingly to the latest version of the BMP while taking into account the guidance provided in IMO MSC.1/Circ.1333/Rev.1 and 1334.
9. The Niue Administration recommends all Owners / Operators / Managers to use the BMP, IRTC and the guidance of this circular as first option before considering other options.

C. High Risk Areas (HRA)

1. In addition to HRA as defined by BMP, the Niue Administration strongly recommends that Owners / Operators / Masters study the "Piracy & Armed Robbery Prone Areas and Warnings section" listed by the ICC Commercial Crime Services (CCS) - the anti-crime arm of the International Chamber of Commerce.
2. Below are the list of HRA that have been identified and Mariners are warned to be cautious and to take precautionary measures when transiting the following areas:

South East Asia and Indian Sub-Continent

- 2.1. **Bangladesh:** Attacks continue but with reduced numbers. Robbers are seen targeting ships preparing to anchor. Most attacks reported at Chittagong anchorages and approaches. Attacks in Bangladesh have fallen significantly over the past few years because of the efforts by the Bangladesh Authorities.
- 2.2. **Indonesia:** Anambas / Natuna / Mangkai / Subi / Merundung islands / Tanjung Priok – Jakarta / Dumai waters. Pirates / Robbers are normally armed with guns / knives and / or machetes. Generally be vigilant in other areas. Many attacks may have gone unreported. Pirates / Robbers normally attack vessel during the night. When spotted and alarm sounded, pirates / robbers usually abort the attack and move away.
- 2.3. **Malacca Straits:** Although the number of attacks has dropped substantially due to the increase and aggressive patrols by the littoral states authorities since July 2005, ships are advised to continue maintaining strict anti-piracy / robbery watches when transiting the straits. Currently, there are no indications as to how long these patrols will continue or reduce.
- 2.4. **Singapore Straits:** Attacks are increasing. Vessels are advised to continue maintaining adequate antipiracy watch and measures. Pirates/Robbers attack ships while underway or while anchored at the Straits.
- 2.5. **South China Sea:** in the vicinity off Anambas / Natuna / Mangkai islands / Subi Besar / Merundung area.
- 2.6. **Vietnam:** Vung Tau

Africa and Red Sea

- 2.7. **Africa:** Nigeria: Lagos, Bonny River and off the Nigerian / Benin coast up to about 150nm – pirates/robbers are well armed and violent. They attacked and robbed vessels / kidnapped crews along the coast, rivers, anchorages, ports and surrounding waters/off the coast. Crew members were injured/killed in some attacks. Vessels also advise to be vigilant in other areas as many attacks may have gone unreported.
- 2.8. **Benin (Cotonou):** Attacks are increasing. Pirates / Armed Robbers are violent and in some incidents, ships have been fired upon. A number of ships particularly tankers were attacked and hijacked. Pirates / Armed Robbers forced Masters to sail to unknown location where ship's properties and sometimes part cargos were stolen. Crew members have been injured in the past.
- 2.9. **Gulf of Aden / Red Sea:** Somali pirates continue to attack vessels in the northern Somali coast in the Gulf of Aden and southern Red Sea in the Bab El Mandeb TSS despite presence of warships. The pirates fire automatic weapons and Rocket Propelled Grenades (RPG) at merchant vessels in an attempt to board and hijack them. Once the attack is successful and the vessel hijacked, they would sail the vessel towards the Somali coast and thereafter demand a ransom for the release of the vessel and crew. All vessels transiting the area are advised to take additional precautionary measures and maintain strict 24 hours visual and radar anti-piracy watch using all available means. Watch keeping crews should lookout for small suspicious boats converging to own vessel. Early sightings / detection and accurate assessment will allow Master to increase speed and take evasive maneuvers to escape from the pirates and at the same time request for assistance from various Authorities / Agencies including the IMB PRC. Monitor and keep clear of all small boats if possible. Adhere to the latest BMP recommendations.
- 2.10. **Somalia:** Somali pirates continue aggressively to attack vessels in the northern, eastern and southern coast of Somalia. The attacks have spread and taken place very far reaching up to off Kenya, off Tanzania, off Seychelles, off Madagascar off Mozambique/Mozambique Channel and in the Indian Ocean and Arabian Sea / off Oman and off west coast India and off western Maldives. Somali pirates are dangerous and are prepared to fire their automatic weapons and RPG at vessels in order to stop them. Pirates are believed to be using "mother vessels" to launch attacks at very far distance from coast. Somali pirates are also using hijacked ocean going fishing vessels and hijacked vessels to conduct piracy operations. The "mother vessel" is able to proceed very far out to sea to launch smaller boats or skiffs to attack

and hijack unsuspecting passing vessels. Many attacks had taken place more than 1,000 nm from the Somali coast (towards Indian west and south coast in the Indian Ocean). Recent attacks showed that pirates are also attacking vessels close to the coast of Tanzania, Kenya, Somalia, Yemen and Oman. Masters are cautioned that attacks have taken place as far east as 76° E and as far south as 22° S and as far north as 22° N. Mariners are advised to report any attacks and suspicious boats to the IMB PRC. A 24 hour visual and radar watch must be maintained at all times while transiting these waters as early sightings / detection and accurate assessment will allow Masters to take evasive actions, increase speed and at the same time request for assistance and escape. Monitor and keep clear of all small boats if possible. Adhere to the latest BMP recommendations.

2.11. **Gulf of Guinea region:** Attackers in the Gulf of Guinea region are flexible in their operations so it is difficult to predict a precise area where a ship might fall victim to an attack. For the purpose of this guidance the area off the coasts of Ghana, Nigeria, Togo, Cameroon, and Benin can be regarded as an area in which this guidance should be applied. Attacks have occurred from as far south as Angola and as north as Sierra Leone. In addition, the LMA Joint War Committee defines the following "Listed Areas for Hull War, Piracy, Terrorism and Related Perils":

- 2.11.1. The territorial waters of Benin, Togo and Nigeria, plus
- 2.11.2. Nigerian Exclusive Economic Zone north of latitude 3° N, plus
- 2.11.3. Beninese Exclusive Economic Zones north of latitude 3° N plus.
- 2.11.4. Togolese Exclusive Economic Zone north of latitude 3° N.

The LMA Joint War Committee listed areas should be checked regularly for changes www.lmalloyds.com/lma/jointwar

South and Central America and the Caribbean Waters

2.12. **Ecuador: Guayaquil.** Attacks seen increasing.

Rest of the World

2.13. **Arabian Sea / Off Oman:** Attacks reported off Oman and Arabian Sea where several vessels were attacked and hijacked. Pirates believed to be Somali pirates extending their attack areas.

2.14. **Indian Ocean / Off Seychelles / Off Madagascar / Off West Maldives:** Suspected Somali pirates continue to operate in these waters to conduct piracy attacks. At times the pirates use hijacked ocean going fishing vessels and hijacked merchant vessels to conduct piracy operations as "mother vessels" to sail far from Somali coast to attack and hijack passing vessels. Smaller skiffs are launched from the pirate "mother vessel" to attack the merchant vessels. Pirates are heavily armed with automatic weapons and RPG. Attacks also extend to west coast of Maldives, India and Minicoy Island.

3. A 24 hour visual and radar watch must be maintained at all times while transiting these waters as early sightings / detection and accurate assessment will allow Masters to take evasive actions, increase speed and at the same time request for assistance and escape.

D. Reporting Requirements

1. The Niue Administration recognizes the important role that prompt reporting to the proper authorities and organizations, both during and post-incident, plays in preventing, deterring and suppressing attacks.
2. Ship Operators with vessels subject to the ISPS Code shall, together with the Master, carry out a risk assessment of their vessel(s) to determine the likelihood and consequences of a piracy attack and identify and incorporate prevention, mitigation and recovery measures in their SSPs, taking into consideration the guidance contained in MSC.1/Circ.1334, along with the BMP Guidelines.

3. Initial Notification

If attacked by pirates, a vessel should immediately activate its Ship Security Alert System (SSAS). This will alert the Company Security Officer (CSO) and the Niue Administration. If the vessel is a subscriber to Ship Security Report System (SSRS), it also will directly alert naval forces. [Note: The Niue Administration strongly recommends that vessels subscribe to the SSRS which offers real-time link between ship operations and naval operations by enhancing the counter-piracy effectiveness of the existing SSAS – more information at: www.ssrs.org]

4. Follow-up Reporting

Masters, owners or operators must immediately (within 24 hours) report by email the occurrence of all incidents of piracy and armed robbery, armed attacks, attempted or actual hijacking or terrorism on their merchant vessels to [Niue Ship Registry / Email: marsec@niueship.com]

The report should be submitted to the Niue Administration on Form NRSI which can be downloaded at: <https://niueship.com/form>, and can be used for submissions to the international organizations (e.g., MSCHOA, UKMTO, MARLO, IMB).

5. The following section contains the contact numbers in order of priority that should be called by a vessel under attack. It also is important to note that the coordinates for which ships should begin their position reporting have changed due to the expanded area of operations of pirates in the Indian Ocean.

E. Priority of Piracy Reporting Contact Details if under attack

1. Maritime Security Centre Horn of Africa (MSCHOA)

A Ship and its passage plan should be registered with MSCHOA at www.mschoa.org prior to transit of the Internationally Recommended Transit Corridor (IRTC), the Somali Basin or the Western Indian Ocean.

MSCHOA may be reached directly at:

- Tel: +44 (0) 1923 958545
- Fax: +44 (0) 1923 958520
- Email: postmaster@mschoa.org

2. UK Maritime Trade Operations (UKMTO)

The UKMTO based in UAE works closely with CMF headquarters passing on positional information and providing emerging and relevant information directly to ships improving responsiveness to any incident and saving time.

The preferred method of communication with UKMTO for routine reporting is email/fax/telex to the following:

- Emergency Telephone Numbers: +44 2392 222060 or +971 5055 23215
- Fax: +971 4 306 5710
- Telex: +51 210473
- Email: watchkeepers@ukmto.org; UKMTO@eim.ae

In case of emergency, the UKMTO may be reached by the 24-hour Duty Phone:

- Tel: +971 50 552 3215

3. **MARLO Information Exchange**

Passage information should be provided to MARLO 48 hours prior to transiting through the GOA via the following:

- Tel: +973 1785 1395
- Email: marlo.bahrain@me.navy.mil

In case of emergency, the MARLO may be reached by the 24-hour Duty Phone:

- Tel: +973 3940 1395

4. **IMB PRC**

It is recommended that Masters of vessels transiting the GoA include the IMB PRC as part of the reporting procedures by fax/telex/email to the following:

- Fax: +60 3 2078 5769
- Telex: MA 34199 IMBPCI
- Email: imbkl@icc-ccs.org / piracy@icc-ccs.org

Ships are advised to maintain strict anti-piracy watches and report all piratical attacks (actual and attempted) and suspicious sightings to the IMB Piracy Reporting Centre, Kuala Lumpur, Malaysia.

In case of emergency, the IMB may be reached by the 24/7 Helpline Number or by the 24/7 Help at the following:

- Tel: +60 3 2031 0014 (24 hours anti-piracy helpline)
- Email: imbsecurity@icc-ccs.uk

The IMB Piracy Reporting Centre website is: <http://icc-ccs.org>

5. **Other useful Piracy Reporting Contact Details**

Niue Ship Registry

- Mobile No.: +65 9768 5998
- Alternative Mobile No.: +65 9639 1892
- Tel: +65 6226 2001 (24 hours)
- Email: marsec@niueship.com

NATO

- Tel: +44 (0) 1923 956574
- Fax: +44 (0) 1923 956575
- Email: info@shipping.nato.int

Yours sincerely,

Deputy Registrar
Niue Ship Registry

APPENDIX - BRIDGE CHECKLIST FOR HIGH RISK AREAS

Vessel owners and operators, Master and crew should limit and avoid danger by taking these additional measures:

ADDITIONAL MEASURES TAKEN	Y/N
Transit the GOA by way of the Internationally Recommended Transit Corridor (IRTC).	
Maintain a minimum distance of 60° E Longitude from the East Coast of Somalia.	
Avoid sailing between Socotra and Somalia.	
Maintain at least 50 nm radius around Socotra.	
Establish special operating procedures for vigilance and for the event of an attack.	
Practice piracy drills, provide refresher training for the crew concerning anti-piracy measures.	
Ensure crew radios and in-vessel communications are in good working order.	
Secure a pre-designated area for crewmembers to muster (citadel mode).	
Secure alternative steering location, if possible.	
Maintain a single point of entry into the house.	
Secure deck lighting (except for mandatory navigation lights).	
Maintain contact numbers for MARLO and UKMTO in the wheelhouse.	
Increase monitoring of VHF communications on Channel 16 (back-up Channel 08).	
Keep unnecessary communications to a minimum except to make contact with naval units and other vessels as soon as the vessel enters the high risk area.	
Continue the use of AIS but limit information to Vessel Name and Maritime Mobile Service Identity (MMSI) so that it may still be identified by coalition forces. Coalition Maritime Forces have AIS monitoring capability.	
All available radars should be used and constantly monitored.	
Post additional 24-hour lookouts forward, amidships and aft.	
Maintain a 24-hour watch by crew for suspicious activity, including a sharp lookout for suspicious small boats operating in the vicinity.	
Increase and maintain speed to at least 15 kts. The faster the better.	
Maneuver to avoid small craft and take aggressive evasive measures, if necessary.	
Take defensive precautions prior to entering the area including rigging fire hoses, spotlights, concertina wire, etc. Experience has demonstrated the use of high pressure fire hoses to be very effective at repelling boarders.	
Consider other non-lethal measures such as focused sonic devices, guard dog security teams, etc.	
Transit the GoA by way of the Internationally Recommended Transit Corridor (IRTC).	
Any other security measures as Master and/or SSO deems necessary	