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PIRACY AND ARMED ROBBERY AGAINST SHIPS

Directives for Maritime Rescue Co-ordination Centres (MRCCs)

1 The Maritime Safety Committee, at its seventy-second session (17 to 26 May 2000), approved Directives for Maritime Rescue Co-ordination Centres (MRCCs), which, in most incidents of piracy and armed robbery against ships, are the first point of contact between the ship and coastal authorities concerned, following the Master's decision to request assistance. The text of the Directives is given at annex.

2 Member Governments and international organizations are recommended to bring this circular to the attention of their national MRCCs, shipowners, ship operators, shipping companies, shipmasters and crews.

ANNEX

DIRECTIVES FOR MARITIME RESCUE CO-ORDINATION CENTRES (MRCCs)**1 General**

While all Governments may grant their maritime rescue co-ordination centre(s) (MRCC) powers in addition to those of search and rescue (SAR) in applying the national regulations and instructions, piracy¹ and armed robbery against ships is the only one of these extensions that forms part of the IMO regulations². In this way, the MRCC are incorporated in the organization the Governments have to set up to deal with piracy and armed robbery against ships, which may occur suddenly in the zones not considered at risk from this phenomenon.

For these reasons, this circular has been drawn up specially for the MRCC³, taking into consideration their own situations and normal activities, which are not specially geared towards problems of piracy or armed robbery. It is included in the overall provision based on circulars MSC/Circ.622/Rev.1, geared towards Governments, and MSC/Circ.623/Rev.1, geared towards shipping companies, masters and crews.

Until the Governments give the MRCC additional powers that go beyond the IMO regulations, this circular could be sufficient as operating documentation for the MRCC within the field of piracy and armed robbery against ships.

2 Preparatory measures

The heads of the MRCC should:

- .1 check that the MRCC is in possession of the appropriate national instructions (and if not, ask to receive these) with regard to what authority is responsible for the operational application of the urgency plans (counter-measures), with a view to report immediately to that authority (referred to below as the Security Forces Authority, or SFA)⁴, in the event of receiving an alert signal from a ship under attack or threat of attack;

¹ "Piracy" is defined in the 1982 United Nations Convention on the Law of the Sea (UNCLOS) (article 101) as follows:

"Piracy consists of any of the following acts:

- (a) 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:
 - (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
 - (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
- (b) 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;
- (c) any act inciting or of intentionally facilitating an act described in sub-paragraph (a) or (b)."

² Certain missions, which MRCCs have to carry out, in addition to search and rescue, are however set out in chapter 7 of the IAMSAR Manual, volume II.

³ All the aspects laid down for the MRCC in this circular should be taken as valid for the joint rescue co-ordination centres (JRCC) and, if the national authority so decides, for the maritime rescue sub-centres (MRSC) and joint rescue sub-centres (JRSC).

⁴ In accordance with the organization of and the decisions by the national Governments, the SFA (Security Forces Authority) is generally a national or regional command of a public agency such as the Navy, Coast Guard or Police.

- .2 reach a joint decision with the SFA on a fast and effective method of communications to be used between the MRCC and the authority in question;
- .3 if appropriate and feasible, repeat points .1 and .2 above for each State whose coastal waters are included in the search and rescue region (SRR) of the MRCC (and thus have not a proper MRCC);
- .4 determine the most effective way of issuing an attack warning for the other ships in the vicinity using appropriate systems and procedures of Maritime Safety Information (MSI)⁵; and
- .5 train the MRCC personnel or issue them with instructions:
 - .5.1 on the phenomenon of piracy and armed robbery in general, and in the SRR covered by the MRCC in particular;
 - .5.2 on the messages and communications regarding attacks or threats of attack that the MRCC might receive; and
 - .5.3 on the reports to be sent in the event of alert and all other action to be taken (see section 3).

3 Operating measures

The messages of alert received from ships under attack or threatened with attack should be in accordance with the format described in appendix 1. If appropriate, the ships may use the distress procedure existing in the GMDSS elements. On receiving a message of this kind (even if not in the appropriate format), the MRCC should take the following action:

3.1 Action regarding the Security Force Authority (SFA) and/or the other MRCC, depending on the position of the attack or threat of attack

- .1 If the position is within the SRR of the MRCC, the MRCC should immediately inform the SFA of its country, using the method of communications set out in 2.2. In addition, if the position is close to the boundaries of the SRR, the MRCC should also inform the appropriate neighbouring MRCC;
- .2 If the position falls within the SRR of the MRCC but is in the territorial waters (or internal waterways) of another State or in a maritime zone where this latter State is concerned over acts of piracy and armed robbery against ships, the MRCC should pass the information to its usual point of contact in this latter State; and
- .3 If the situation is outside the SRR of the MRCC, the MRCC should relay the alert to the appropriate MRCC using the normal methods of communication among MRCC for search and rescue operations.

⁵ Refer to format and drafting guidance in COMSAR/Circ.15 – Joint IMO/IHO/WMO Manual on Maritime Safety Information (MSI).

3.2 Action to be taken concerning the ship under attack

3.2.1 The MRCC alerted should immediately:

- .1 acknowledge receipt of the message of alert; and
- .2 if necessary, advise the master or crew, as described in appendix 2.

3.2.2 When the information received in the initial message of alert, or later, indicates that the ship or a person on board it require immediate assistance, the MRCC should carry out a normal SAR operation, as soon as such an operation is possible.

3.2.3 If the ship covertly sends a message, care must be taken in any communications sent back to the ship so as not to warn the pirates or armed robbers.

3.3 Action concerning other ships

3.3.1 On receiving a message of alert or any other information concerning a threat of attack (from the SFA or another MRCC, for example), the MRCC should ask the NAVAREA co-ordinator (or any other competent authority in accordance with local arrangements) to send out a warning through the appropriate MSI network (NAVTEX or SafetyNET) and the other broadcasting networks for warnings to shipping, if these exist⁶.

3.3.2 The other ships shall offer their assistance (in the normal way, as described in chapter V of the SOLAS Convention) in the situation described in 3.2.2 above (SAR operation).

3.4 Additional action

If laid down in the national regulations and instructions, the MRCC may also have to report directly:

- to the national authority empowered to deal with piracy and armed robbery against ships, if this is different from the SFA referred to above; and
- to the person or body entrusted with the inquiries into cases of piracy and armed robbery against ships.

4 Additional Observations

4.1 Bilateral agreements between States may be reached for the application of co-operation procedures that might differ from those set out above.

4.2 Although they are generally covered by the definition of piracy, *unlawful acts which threaten the safety of ships and the security of their passengers and crews* (that is, acts of terrorism) are a different problem for the IMO to that of piracy and armed robbery against ships. However, in the absence of special instructions, the MRCC may apply these directives to such *unlawful acts*.

4.3 Emphasis should be made that the situation described in the first sentence of point 3.1.3 concerns every MRCC in the world (not only those located in or close to zones at risk). If the MRCC that receives a message of alert from a distant location is unable to transfer this message to an appropriate MRCC, this should at least attempt to apply 3.2 and 3.3 directly.

⁶ Refer to format and drafting guidance in COMSAR/Circ.15 – Joint IMO/IHO/WMO Manual on Maritime Safety Information (MSI).

APPENDIX 1

FORMAT OF THE MESSAGES SENT OUT BY THE SHIPS

(Reference: MSC/Circ.622/Rev.1, appendix 3)

SHIPS' MESSAGE FORMATS

Report 1 - Initial message - Piracy/armed robbery attack alert

1 Ship's name and, callsign, IMO number, INMARSAT IDs (plus ocean region code) and MMSI

MAYDAY/DISTRESS ALERT (see note)

URGENCY SIGNAL

PIRACY/ARMED ROBBERY ATTACK

2 Ship's position (and time of position UTC)

Latitude	Longitude
Course Speed	KTS

3 Nature of event

Note: It is expected that this message will be a Distress Message because the ship or persons will be in grave or imminent danger when under attack. Where this is not the case, the word MAYDAY/DISTRESS ALERT is to be omitted.

Use of distress priority (3) in the INMARSAT system will not require MAYDAY/DISTRESS ALERT to be included.

Report 2 - Follow-up report - Piracy/armed robbery attack alert

1 Ship's name and, callsign, IMO number

2 Reference initial PIRACY/ARMED ROBBERY ALERT

3 Position of incident

Latitude	Longitude
Name of the area	

- 4 Details of incident, e.g.:
 - While sailing, at anchor or at berth?
 - Method of attack
 - Description/number of suspect craft
 - Number and brief description of pirates/robbers
 - What kind of weapons did the pirates/robbers carry ?
 - Any other information (e.g. language spoken)
 - Injuries to crew and passengers
 - Damage to ship (Which part of the ship was attacked?)
 - Brief details of stolen property/cargo
 - Action taken by the master and crew
 - Was incident reported to the coastal authority and to whom?
 - Action taken by the Coastal State
- 5 Last observed movements of pirate/suspect craft, e.g.:
 - Date/time/course/position/speed
- 6 Assistance required
- 7 Preferred communications with reporting ship, e.g.:
 - Appropriate Coast Radio Station
 - HF/MF/VHF
 - INMARSAT IDs (plus ocean region code)
 - MMSI
- 8 Date/time of report (UTC)

APPENDIX 2

ADVICE TO BE ISSUED TO MASTERS OR CREWS

IN THE EVENT OF ATTACK OR THE THREAT OF ATTACK

(Extracts from the "Decalogue of Safety " (MSC/Circ.623/Rev.1, appendix 5))

(...)

"8 In case of an assault

- I - do not hesitate to sound the ship's general alarm in case of a threat of assault;
- II - try to keep adequate lighting to permanently dazzle the opponents, in case of an attempt by strangers to climb the ship's side;
- III - raise the alarm, by VHF - channel 16, to the ships in the area and to the permanent watch system of the authorities ashore (cite the existing structure in the port). The efficiency of assistance by the security forces depends on an early alarm;
- IV - sound the alarm with intermittent blasts on the siren and use visual alarms with floodlights and signalling rockets;
- V - if appropriate, to protect the lives of those onboard, use measures to repel the boarding by employing powerful floodlights for dazzling the aggressors or using jets of water or signalling rockets against the areas of boarding; and
- VI - do not attempt any heroic acts."
