

> CHRISTER LINDVALL TALADE I EU OM PIRATANGREPP

Den 21 januari anordnade EU-kommissionen ett seminarium i Bryssel med titeln "Piracy and Armed Robbery against Shipping: To Prevent, Deter, Protect and Fight against an actual threat".

SFBFs VD Christer Lindvall var som president i IFSMA och expert inbjuden att tala. NT återger här hela talet.

// As an Association representing the Shipmasters and of course also indirectly their ship crews we are very concerned about the rapidly increasing piracy activity in Gulf of Aden and in and off Somalian waters, which could be separated from other piracy attacks around the world, where the pirates sneak onboard and try to steal as much as possible and then disappear. Off the Somalian coast they seize the ships bringing them into port or keeping them at anchor in their national waters and are demanding a ransom sum. According to the Foreign Minister Moses Wetangula of Kenya more than 150 mil USD has been paid out to the pirates, until the end of November, so today it might be close to 200 mil dollar as the estimated average sum per ship is around 5 mil USD, if correct. He also believes that those high figures encourage the pirates to continue. That also means that the pirates are prepared to take higher risks.

Of course we have had piracy attacks for many years in other parts of the world like the Malacca Strait, the China Sea and in coastal waters off Lagos in Nigeria and Latin America but not as well organized as in the Gulf of Aden where warlords co-operate with the pirates and also share the ransom money. They have clearly stated: "we can do what we want, we can think out the unthinkable and do the unbelievable".

In October last year, on one separate day more than 370 seafarers were kept hostage. Many seafarers have also been murdered around the world by pirates.

About 20 000 ships pass through the Gulf of Aden yearly, which gives about 50-

60 ships a day. Most of them on the way to or from the Suez Canal. 30 % of the world transport of crude oil passes through this way. It is not an easy task for anyone to protect a coast line of 3 898 km which could be compared to the distance between North Cape and Rome, which means that a ship making 15 knots has to sail for more than 5 days in the area along the entire coastline. The passage through the Gulf of Aden with the same ship will take about two and a half days.

According to IMO, the attackers usually employ one of two methods: they either attack ships on the high seas, often at considerable distances from the shore, making use of so-called "mother ships", as was the case in the hijacking of the fully laden ULCC Sirius Star in the Indian Ocean some 450 nautical miles from the coast of Kenya; or they attack and hijack ships in Somalia's territorial sea, sometimes under the eyes of warships outside those waters but, until the adoption of UN resolution 1816, not empowered to intervene for fear of breaching international law.

Generally it does not take more than 20 minutes from detection until the pirates have taken over the ship. The introduction of a Maritime Security Patrol Area (MSPA) 500 nm established by the Combined Maritime Forces in the Gulf of Aden in late August is not enough. They can just assist to stop an attack, when the ship is captured and the crew is taken hostage they can not intervene anymore. In one case the navy was 160 nm away (6-8 hours away) and considering it just takes a couple of minutes for the pirates to



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seize the ship this will be an almost impossible task for the armed forces. So you can understand it is not an easy task for the naval forces to stop an attack.

The pirates are normally from the Puntland region of Somalia and they use mainly the ports of Eyl and Haradhere as safe havens or pirates' nests. The incomes from the piracy have become a vital part of the financial situation and daily life in Puntland. The piracy provides more than 30 percent more money than the total turnover of the region. It is estimated that more than 1200 pirates are directly involved. No money-laundering is needed because there is no control- or formal bank system, and they can spend the money freely and build palace-like mansion houses without anyone interfering or risk getting caught. Many people are indirectly involved and dependant of the incomes. This way of living is of course also a ground for recruitment.

How do they look at themselves?

An interview in The Guardian with the pirate leader Asad 'Booyah' Abdulahi can give us a picture. He started to attack ships in 1998 without any training, but he was not afraid. The first ship gave them 300.000 USD; money that made it possible to buy speedboats and Kalashnikovs. Since then he has seized some 60 ships he believes. They prefer European ships, as they get more money for them. "Booyah" tells further that they treat the kidnapped in a fair way. They make friends with them, but we (the pirates) stay onboard until they get what they want from the shipowners. When the pirates get the money, the ship and its crew is free to go.

When they get ashore they share the money among themselves. They see themselves and their piracy and robbery activities as heroic and as some who have succeeded to get away from poverty. From their perspective the kidnappings are not criminal acts, - on the contrary - as legal customs duty. This instead of the lack of income tax for the country, as there is no central government which is responsible for income to finance the needs of the people. Booyah admits that they will face some problems with all the foreign surface units, maritime patrol aircraft and helicopters coming into the area. But they will also get new boats and new weapons and they will not give in that easily. "We will finish when we have got a central government which can control our waters", Booyah finishes.

This way of thinking of course also leads to an increased recruitment of new pirates.

To give you an idea what the crews are facing as we usually just see the short notices in the media about the name of the ship and the number of crew captured, I would like to describe a real event that took place last autumn:

The ship was under full lockdown with anti-piracy lookout posted on both bridge wings night and day and navigating in the Gulf of Aden safety corridor (MSPA).

A quote from the report from a master:

"The first attack took place at 08:00 (in position 13-26N, 48-27E). Three high speed craft approached the ship with a direct intent to attack from port side 45 degrees on the bow.

There were two of the typical white type, but the centre and forward attack boat was actually a Yemeni skiff fitted with a large outboard engine and it was being used as a screen to mask the other two craft. I called the company, I made evasive manoeuvres, mayday call on VHF, mustered all in our security muster station (the Conference room) and kept the third officer on the bridge together with a helmsman. We came under automatic small arms fire targeted at the bridge. No damage or injuries. I was also sounding the whistle whilst making S-turns and calling Mayday on VHF16. After about ten minutes the attackers gave up the chase and stopped and re-grouped. We escaped. When I was sure the situation was under control I debriefed the crew to calm them down and assured them that we should remain on high alert.

The second attack was more serious and came at 15:00 (in position 12-54N, 46-40E) where three fast attack boats were seen departing from a mother ship, a fishing vessel painted in white colour. I initiated the Ship Security Alert System [SSAS]. The boats were the same as in the photos earlier sent out being white, and there were four men in each. I immediately called Mayday on VHF, mustered the crew in a safe place and we were again fired upon by automatic small arms but with more aggression. It lasted about five minutes into the accommodation-block. Fortunately a Spanish navy ship responded by sending out a patrolling Russian aircraft to our area. I was told that it would take some 20 minutes until it could arrive. We were actually being fired upon at that time. The fire was much more intense than the morning attack. I maintained taking the ship S-turns, but was unable to determine visually if we had been boarded or not due to the intensive fire.

I maintained my "Mayday" calls and I was assured by the Spanish warship on VHF that it would be only ten minutes until they would arrive to help.

The attackers were then seen to retreat, re-group then re-attack. I was contacted by the aircraft and the crew told me they had us in sight and would be there in a few minutes. I was very happy and relieved to see the echo on my radar of the inbound aircraft. The pirates were within 100 meters when the small Russian bomber arrived and passed very low. The pirates withdraw. The aircraft then proceeded to them and made them go away. The situation became safe very quickly with the bomber present. About 20 minutes later a French attack-helicopter arrived to check if our situation was under control and we informed him about the estimated position of the pirate mother-ship. I thanked them all and communicated with the Company office and UK Mediterranean Theater of Operations (MTO) commanding forces to inform that all was ok and debriefed.

The danger here in the Gulf of Aden is absolutely real. I will be in the Red Sea in 12 hours and clear of the hazardous area. Except for some paint on the ship which was damaged by the gunfire, we are in fine condition and have no damage or injuries at this time". End of quote.

This report shows the stress and fright that innocent seafarers just trying to do their job meet in this area."

IFSMA have also received a letter from a brother of one of the kidnapped Captains, which I want to share with you. He was Captain on the Hongkong flagged bulk-carrier MS Delight. It was captured on its voyage to Bandar Abbas with 36 000 tons of wheat.

'Dear Sir/Madam

MS Delight was kidnapped in the Gulf of Aden on November 18th 2008, with 25 Crewmembers onboard. My Brother Captain Syed Hassan Haseeb and other crew members in their conversations with family members are extremely worried about the ongoing situation. The pirates are getting very aggressive with the crew with each passing day as they claim that owners are not seriously negotiating to end this.

Please help the kidnapped crew by emphasizing to the owners about the urgency of the situation. Any more delay will jeopardize the welfare of the crew. We the family members are looking towards you for help in these hard times for safety and security of our loved ones.

Thanks

Syed Hassan Azhar'

In spite of what "Booyah" said earlier, the kidnapped crewmembers from Stolt Valor after they were released, reported that it was a life of horror and it was terrifying. I wish no one to go through or experience anything like this. The pirates are not human, more like beasts, another Indian seafarer reports who was kept onboard during the seizure. We were watched twenty-four hours a day. No-one was allowed to leave the bridge, except for taking a shower or going to the bathroom. Day and night they had to stay in a very small and narrow area.

How will the crews and their relatives be taken care of after having been attacked, kidnapped and released.? Some have had threats to their lives, even if according to some of the freed seafarers, usually they were treated well. A risk allowance on 100 percent on top of the salary is of course an incentive to take the risk, but it does not help the very day you get attacked or kidnapped. I strongly believe that many of those crewmembers who are released are suffering from post dramatic traumas and/or shocks. They really need to be taken care of.

In IFSMA's mind I think that the international community now has the opportunity to pay back something to the seafarers who really have been mistreated since the intro-

> duction of the ISPS-Code and all the negative measures which have been implemented on the seafarers, to protect the flag and the port states from the seafarers, who all seems to be regarded as potential terrorists. Now we are asking the international community to protect our lives and the global shipping industry as a pay-back.

(We are of course grateful for all the efforts that have been done and shown by the United Nations Security Council, which I think you are all aware of, for example the strengthening and prolongation of resolutions 1816 and 1838, by EU and the ATALANTA program, the NATO co-operation and all other countries that have supplied naval forces to protect us but unfortunately it does not seem to be enough to stop the activities even if it has stopped some attacks and some pirates have been killed or captured.)

IFSMA and I think many other organisations within the shipping industry share this gratefulness with us, and especially wishes to thank IMO Secretary-General Admiral Efthimios E. Mitropoulos for his efforts to persuade the international community to take action to protect and prevent the shipping industry from piracy and then especially the seafarers. He issued a call at the highest level for a co-ordinated and cohesive response, both internationally and nationally, to combat the scourge of piracy off the coast of Somalia.

On 20th November, in a personal briefing to the UN Security Council in the context of the latter's consideration of UN Secretary-General Ban Ki-Moon's report on the situation in Somalia, Admiral Mitropoulos told Security Council members about the scope and extent of the problem which, he said, was a matter of grave concern. He also outlined a series of actions the Security Council might consider taking to address the situation. In particular, he requested that the Security Council take appropriate actions on especially three concerns:

- Protect seafarers, fishermen and passengers.
- Ensure the safe delivery of humanitarian aid to Somalia in accordance with the World Food Program (WFP).
- Preserve the integrity of the shipping lane through the Gulf of Aden.

