

Tom Ascot looks at why existing naval policies may be encouraging piracy, rather than preventing it

Year of the seafarer or year of the pirate?

THE International Maritime Organization's Year of the Seafarer seems more like a Disney fantasy than a political initiative. This year the IMO has done little that has effectively addressed the single biggest threat to seafarers: piracy.

Less understandable is why naval policies are often perceived to encourage piracy, instead of preventing it. For instance, if navies get lucky enough to catch any pirates, they are often let go, fearing they might win citizenship in a court system that defends barbarism. That kind of thinking makes it better to be a pirate than a seafarer in the Year of the Seafarer. Certainly seafarers are subject to greater penalties than pirates — at least in the European Union.

Consider the case of Apostolos Mangouras, master of the *Prestige*, who was prosecuted with greater vigour than any pirate has ever been in the last 50 years. In Capt Mangouras' case he was detained for three months and then released on a "provisional" bail of €3m (\$4m). That is more ransom than pirates get for about the same amount of time as keeping hostages.

Admittedly this is an extreme analogy. But extreme only in that Capt Mangouras was not threatened with death by the Spanish. However, he was deprived of his rights and he was detained by force, all in the same manner as pirates — so it is an analogous situation. While neither IMO nor the United Nation's Human Rights Commission nor any other nation, did little to help him, they are also doing little to help the seafarers held by pirates.

Now the EU's and Nato navies advise they will not even try to help a ship that has been boarded by pirates and advocate simply non-resistance. It is a regrettable state of affairs that shipowners are moving to rectify by self action.

Can anyone blame the owners? Instead of support, governments warn owners that arming their ships may be illegal and if they take unilateral lethal action they may be subject to criminal arrest. Whatever happened to the right of self-defence?

If marine accidents occurred at the rate of pirate attacks the world community would be in an uproar. The EU and US would rush, with their navies to arrest more seafarers like Capt Mangouras. Yet instead we are advised that the piracy problem occurs over an area of ocean that is too big for the world's navies to cover. They remain free even though navies know who the pirates are, where they live, as well as the cars they drive, the banks where they deposit their money, and even their mobile phone numbers.

As a result, the burden falls to owners to provide crews with the means to protect themselves. It is a daunting task that is especially frustrating for masters as they are cautioned that if they respond lethally they may be held as criminals.

But daunting or not, owners are taking action. Ships are now routinely routed further out to sea when transiting the



Captured but for how long? Many pirates remain free even though navies know where they are. *Nato*

coast of Somalia. That adds a lot of distance to a Cape-routed ship. First it was 150 miles further out. Then 600 miles. Now tankers rounding Africa typically are going as far east as 75° E longitude to avoid pirates. The latest attacks mean that they will be even east of that. Isn't it time to do something when ships have to go to India before they can go around the Cape of Good Hope? This kind of deviation will add at least 11 days to a round trip from the Middle East Gulf to the US Gulf at a cost of over \$1m dollars per voyage.

But how far out can owners go? With each high-profile, high-ransom hijacking, the pirates move further out. There is literally no further to run. The US response to that is to make payment of ransoms illegal and further subject owners to economic peril for aiding terrorists. In the meantime who saves the captured crews?

Still, shipowners cannot afford to sit idly by. Some the actions being taken to prevent pirate boardings are self evidently logical. Others are more drastic in nature. The more logical ones are: Keeping a flow of water over the side of a ship at all times will definitely inhibit boarders. This is typically done by directing the ship's fire fighting water cannons over the side to

create a water curtain. There is also a system to spray large quantities of water through nozzles, along the ship's side. In addition to the water curtaining devices, the erection of razor wire barricades outside the rail are also being used often in conjunction with drum bumpers (akin to 55 gallon drums lashed together outboard of the rail). These are intended to make it harder for pirates to attach boarding ladders to the vessel's fish plate and climb up. Of the most drastic measures is the fitting of pipes from the ship's manifold extending a few metres overboard to flood attacking pirates with crude oil.

Another ingenious idea is to fit a citadel deep inside a ship's engine room, usually in the steering gear room, where the crew can wait out a pirate attack until they leave. Few pirates are likely to enter a pitch black engine room for fear of finding armed (and really angry) crew there.

Perhaps the best solution to piracy is the most drastic; the use of armed guards or fast escort vessels. The armed guards can only respond with lethal force when pirates attack. Armed guards also mean the ship's crew is involved with the defence of the ship, a difficult question to defend in a court of law.

It appears the best course of action proposed is to employ the use of fast, heavily armed escort ships. This offers an owner and/or masters the best piracy deterrence because it is totally separate from the ship.

This service uses the same high speed security craft as the US Coast Guard to keep pirates away from ships and would use lethal force to prevent a boarding and keep the escorted ship itself free of any direct response to its defence. This ensures the safety of the crew and cargo without liability to the owner. The cost of this service is a fraction of the million dollars worth of deviation and is a far better deterrent than merely running away. ■

Tom Ascot is a senior technical executive and former seafarer working for a leading global shipowner

"We are advised that the piracy problem occurs over an area of ocean that is too big for the world's navies to cover. They remain free even though navies know who the pirates are, where they live, as well as the cars they drive, the banks where they deposit their money, and even their mobile phone numbers"