

	GOVERNMENT OF ANTIGUA AND BARBUDA	Document	Circ. 02-003-11
	DEPARTMENT OF MARINE SERVICES AND	Revision	00
	MERCHANT SHIPPING (ADOMS)	Page	1 of 3
	<p align="center">Circular 02-003-11</p> <p align="center">Counter Piracy and Armed Robbery at Sea Preventative Measures for ships operating in the Gulf of Aden, the Arabian Sea, and the wider India Ocean</p>	Reference	MSC.1405/Rev.1 MSC.1/Circ. 1406 Rev.1 MSC.1/Circ. 1408 MSC.1/Circ. 1339 BMP 4

Circular letter to:

all Shipowners and Ship Operators having registered their ships under the flag of Antigua and Barbuda W.I.
all Masters and Officers on board Antigua and Barbuda Flagged Ships.

1. General

- 1.1** The continued threat of piracy and armed robbery at sea against ships and their crew navigating the Somali Basin, the Gulf of Aden and the Wider Indian Ocean is of grave concern to this flag State Administration. The Department of Marine Services and Merchant Shipping (ADOMS) therefore wishes to draw the attention of all parties to its position on counter piracy efforts.
- 1.2** The Administration actively participates in, and fully endorses, the International Maritime Organization efforts to provide guidance to contracting Governments, shipowners, ship operators and shipmasters on counter piracy efforts. We also monitor all initiatives undertaken by the shipping industry and expert groups to inform our position on this critical issue.
- 1.3** The Administration is guided by the provisions of **MSC.1/Circ. 1406/Rev.1** on *Revised interim guidance for flag States regarding the use of privately contracted armed security personnel on board ships in the high risk area.*
- 1.4** All documents and IMO Circulars referred to in this Circular Letter will be available on the Administration's website.
- 1.5** This Circular letter revokes **Information Letter 001-2011- Counter Piracy and Armed Robbery at Sea – Preventative Measures for Ships operating in the Gulf of Aden and off the coast of Somalia.**

2. The Best Management Practices (BMP 4)

- 2.1** This Administration would like to highlight **MSC.1/Circ. 1339** regarding *Piracy and armed robbery off the coast of Somalia – Best Management Practices for Protection against Somalia Based Piracy*, and advise all ship owners, ship operators and ship masters of Antigua and Barbuda flagged ships navigating the High Risk Area that their vessels must, as far as practicable, implement the anti-piracy measures expressed therein.

2.2 Shipowners, ship managers and company security officers are advised to instruct their masters, ship security officers and crew in order to be familiar with the BMP4, as revised, and all other relevant IMO Circulars dealing with the issue of piracy.

2.3. The Administration wishes to iterate the three fundamental requirements of the BMP4:

2.3.1 All ships intending on transiting the High Risk Area should register, by Fax or Email with the Maritime Security Centre Horn of Africa (MSCHOA); registration forms for vessels can be found at www.mschoa.org.

2.3.2 All ships should provide an initial report to the UK Maritime Trade Operations Office (UKMTO) at ukmto@eim.ae Tel: +971 50 552 3215 Fax: +971 43065710, on entering The UKMTO Voluntary Reporting Area.

1.3.3 All ships should, as far as practicable, implement the basic measures that are likely to be effective at reducing the risk of a piracy attack as prescribed in the *Implementation of Ship Protective Measures (SPMs)*.

3. Employment of Armed Security Personnel

3.1 The laws and regulations of Antigua and Barbuda do not explicitly prohibit the employment of Privately Contracted Armed Security Personnel (PCASP) on board Antigua and Barbuda flagged ships.

3.2 This Administration supports the IMO's position that the use of PCASP should not be considered as an alternative to best management practices and other protective measures.

3.3 Notwithstanding paragraphs **3.1** and **3.2**, this Administration recognizes that ship owners, ship operators and ship masters have the right to take or execute any decision which is necessary for the safety and security of the vessel and its crew.

3.4 It is therefore recommended that shipowners, ship operators and ship masters of Antigua and Barbuda flagged ships should only consider placing armed guards on board after a ***risk assessment indicates this is a necessity***, under the prevailing circumstances.

3.5 In conducting the risk assessment ship owners, ship operators and ship masters may wish to refer to either of the following for valuable intelligence on pirate activities, in addition to the Useful Contacts as outlined in Annex A of BMP4:

3.5.1 U.S. Navy, Office of Naval Intelligence, *Piracy Analysis and Warning Weekly reports and World Wide Threat to shipping reports* at www.oni.mil

3.5.2 The International Maritime Bureau (IMB) Piracy Report Center at www.icc-ccs.org

3.7 As Antigua and Barbuda seeks to streamline its maritime security policy through enabling legislations and regulations, it is advised that shipowners and ship operators should, having determined that the use of PCASP will complement the Best Management Practices - based on the vulnerability of a particular vessel, contact ADOMS St. John's at marineserv@candw.ag for

information regarding its policy and the requirements for the approval of the use of PCASP.

- 3.8** Ship owners, ship operators and ship masters are to be guided by the provisions of **MSC.1405/Rev.1** 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* in considering the company that will provide armed personnel. This Administration continues to monitor the maritime industry's efforts at establishing an accreditation body for Private Maritime Security Companies (PMSCs).
- 3.9** Ship owners, ship operators and ship masters are also required to exercise due regard for the content of **MSC.1/Circ. 1408** on *the interim recommendations to port and coastal States regarding the use of privately contracted armed security personnel on board ships in the High Risk Area*, as it affects the embarkation, disembarkation and transit of PCASP in these States.

4. Command and Control of PCASPs

- 4.1** All ship owners/operators shall, when entering into a contract with a PMSC, ensure that there is a clearly defined and documented command and control structure linking the ship owner/operator, the Master, the ship's officers, and the PCASP team leader.
- 4.2** In complying with paragraph **4.1** the documented command and control structure shall have a clear statement that indicates that the Master remains in command and retains the overriding authority at all times.

5. Additional Reporting Requirements

- 5.1** The master on board an Antigua and Barbuda flagged ship should, when conforming with paragraphs **2.3.1** and **2.3.2** of this circular, also report the presence of PCSAP, firearms and security related equipment embarked on board.
- 5.2** Ship owners and ship operators are to, as soon as practicable, provide a report on all incidents of piracy attacks on Antigua and Barbuda ships to this Administration in accordance with *Flag State Notification Procedures* as set out in **Appendix 1** to **Information Letter 006–2010 - Notification of Incidents to Flag State**.

October 2011

**Department of Marine Services and Merchant Shipping
Antigua and Barbuda W.I.**

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