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ICC Commission on Transport and Logistics

ICC Recommendations with regard to Piracy in the Indian Ocean

ICC views with grave concern the rising incidents of vessels hijacked in the Indian Ocean since 1 September 2009 by Somali pirates. The attacks so far out to sea are unprecedented. The attacks affect the trade routes from the Arabian Gulf to the Cape of Good Hope used by many large vulnerable vessels as well as the trade routes into neighbouring Kenya and Tanzania. This area accounts for over 60% of all sea traffic in the Northern Indian Ocean.

This is an extraterritorial crime against crew and vessels which needs to be resolved as soon as possible. Coalition naval operations in the Gulf of Aden have had a significant effect. Thanks to the excellent efforts of the navies there were no hijackings in the Gulf of Aden from 8 July to 28 December, 2009, when a product tanker was unfortunately taken.

The Indian Ocean presents different challenges. The navies in the area must bring these incidences under control. The vast sea area of the Indian Ocean cannot easily be monitored or patrolled by naval vessels operating off the Horn of Africa. The options for responding to this crime in this area are few.

According to the ICC International Maritime Bureau (IMB), since October, there have been 33 attacks of which 13 vessels were successfully hijacked in the Northern Indian Ocean. Rocket propelled grenades are fired at the accommodation and bridge of a vessel to force it to slow down or stop. A loaded Very Large Crude Carrier (VLCC) was hijacked on 29 November 2009 and another one was fired upon. Large bulk carriers and a container vessel were also among those hijacked. The dangers of pirates firing indiscriminately at a laden VLCC cannot be overstated.

Many of these attacks have taken place around 1000 nautical miles from Mogadishu, the capital of Somalia. These attacks could not have taken place without the pirates' use of motherships – vessels that travel deep sea and launch smaller attack skiffs in the vicinity of the target vessel. In a high risk piracy area where, due to the size of the area at risk, only a few response options are available, taking robust actions against the motherships is a tactical priority.

ICC finds it unacceptable that such violent activities continue to cause disruption to international trade, and more importantly threaten the lives of thousands of seafarers on a daily basis. The protection of shipping from piracy – regardless of flag, or the nationality of the crew – is a clear and legitimate responsibility for governments under the United Nations Convention on the Law of the Sea.



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ICC calls upon the governments to strengthen the protection of merchant shipping in the Horn of Africa and the Northern Indian Ocean by increasing the navies patrolling in these areas. ICC further calls upon the navies in these areas to provide naval commanders with clear rules of engagement and instructions to act against motherships, in line with UN Security Council Resolution 1851 which call for seizure and disposal of boats, vessels, arms and equipment used by pirates or suspected of being used by them.

About ICC

ICC is the world business organization, the only representative body that speaks with authority on behalf of enterprises from all sectors in every part of the world. ICC promotes an open international trade and investment system and the market economy. Business leaders and experts drawn from the ICC membership establish the business stance on broad issues of trade and investment, transport policy and on vital technical subjects. ICC was founded in 1919 and today it groups thousands of member companies and associations from over 130 countries.