

Circular 102 / 2015**To: Vessel Owners, Managers, Masters, Officers, Deputy Registrars, Surveyors and Other Interested Parties****Subject: Airstrikes against shipping in Libyan Ports and Security in Suez Canal****Date: 4 June 2015****Summary**

On 10 May 2015, the Cook Islands vessel Tuna 1, whilst on innocent passage to Tobruk Port Libya, was attacked from land and air. The attack resulted in 1 fatality, 3 injured and damage to the vessel

Maritime Cook Islands vessels are advised NOT to transit waters off the Libyan Coast held by rebel forces or militias, nor to attempt to trade to Ports in such areas.

Vessels that choose to, transit Libyan waters, do so at risk of interaction with armed elements in Libya. Vessels intending to transit through this area are encouraged to conduct thorough risk assessments in advance of their voyages and when travelling through, to do so expeditiously and with increased vigilance.

Helpful links / resources

- <http://www.shipping.nato.int/>
- <http://www.igpandi.org>
- <http://www.imo.org/pages/home.aspx>
- Admiralty Sailing Directions NP49 Mediterranean Pilot, Vol. V, 12th Edition 2014 (please see first attachment paragraphs 1.44 , 1.45 & 1.46)
- Circular of the International Chamber of Shipping notifying that the Commander of the Libyan Air Force has declared that (effective 9th January) airstrikes will be carried out against ships calling at the port of Misrata. (Please see second attachment)

For further information on the matters contained within please contact the Registrar of Ships at fleet@maritimecookislands.com

protect the marine and coastal environment. Measures available to EU states include:

- (a) a restriction on the movement of a ship or an instruction to follow a specific course;
 - (b) a notification to put an end to the threat to the environment or maritime safety;
 - 2 (c) sending an evaluation team aboard a ship to assess the degree of risk and to help the master remedy the situation;
 - (d) instructing the master to put in at a place of refuge in the event of imminent peril, or, causing the ship to be piloted or towed.
- The owner of the ship and the owner of the dangerous or polluting goods onboard must co-operate with the coastguard authority when requested to do so.

1.41

- 1 **Places of refuge.** EU states are required to designate places of refuge where a vessel which has undergone an accident or is in distress can receive rapid and effective assistance to avoid environmental pollution.

For further details see www.eur-lex.europa.eu.

Marine pollution

1.42

- 1 **Combating oil pollution.** European countries have agreed to combat oil pollution by means of surveillance and the pooling of resources in the event of an emergency incident. Other EU measures to combat pollution include:

Port State Control Inspections (Directive 95/21/EC, as amended).

Expanded Inspection Notification (Directive 2009/16/EC).

- 2 Port Reception Facilities for Ship-Generated Waste and Cargo Residues (Directive 2000/59/EC).

Sulphur Content of Marine Fuels (Directive 2005/33/EC).

For the full text of EU Directives see www.eur-lex.europa.eu.

Border controls

1.43

- 1 The Schengen Convention is an association of European Union countries established to increase freedom of movement between participating states, while strengthening border controls with other nations. Within the area covered by this volume, Greece is a member of the Convention.

- 2 Vessels intending to enter a port of a member country are required to give advance notification to the appropriate Coast Guard command centre no later than 24 hours before arrival at the port using the form *Notification in Advance* (6 hours notice is required for fishing vessels).

National regulations

Libya

1.44

- 1 **Caution.** Vessels not complying with Libyan regulations when within Libyan territorial waters will be subject to punitive penalties. For limits claimed see 1.69.

- 2 **Advance information.** Vessels bound for any Libyan port must inform the appropriate Port Authority or agent in Libya, after leaving the last port of call, giving the following information:

Vessel's name, call sign and nationality.
Name and address of the owner.

Name and nationality of the master.
Number of crew and any passengers.
Gross tonnage.
Cargo type and quantity.
Destination port.
Expected duration of stay in the port.
Date of arrival (ETA).

- 3
- 4 Vessels must then contact the nearest Libyan coast radio station 24 hours before arriving at one of the Approach Reporting Points (1.45), confirming the above, and in addition supply the following information:

- 5 Position, speed and course at that moment.
Approach Reporting Point to be used.
Sea state.
Vessel's condition.

Flags. When in Libyan waters vessels must display their national flag, and at the foremast the Libyan flag.

1.45

- 1 **Approach reporting points.** The Libyan authorities have stated that all vessels making for Libyan ports must pass through one of the following designated Approach Reporting Points:

<i>Destination</i>	<i>Approach point(s)</i>
Zuwārah (Zuara) (2.33)	33°03'N 12°15'E
Ṭarābulus (Tripoli) (2.56)	33°00'N 12°58'E 33°05'N 13°04'E 33°07'N 13°10'E 33°05'N 13°19'E
Qaşr Aḥmad (2.120)	32°34'N 15°16'E
<i>Destination</i>	<i>Approach point(s)</i>
Ra's Lānūf (2.175)	32°43'N 19°06'E
Marsá al Burayqah (El-Bréga) Oil Terminal (2.202)	32°43'N 19°06'E
Az Zuwaytīnah (Ez Zueitina) Oil Terminal (2.226)	32°43'N 19°06'E
Banghāzī (Benghazi) (2.256)	32°03'N 19°50'E 32°09'N 19°49'E 32°17'N 19°53'E 32°20'N 20°06'E
Darnah (Derna) (2.301)	32°58'N 22°42'E
Ṭubruq (Tòbruch) (2.321)	32°10'N 24°02'E

- 2 On arrival at an approach point vessels must report their position, course and speed to the appropriate Port Authority.

1.46

- 1 **Radio communications.** Within Libyan territorial waters all vessels must maintain communication with Libyan coast radio stations and keep continuous watch on VHF. For the correct VHF channel on which to call individual ports see *Admiralty List of Radio Signals Volume 6(3)*.

- 2 **Anchoring.** Ships may anchor only in the anchorage areas shown on the charts. All vessels must anchor as instructed by the Port Authority, and must not shift berth except on the instruction of the Port Authority.

- 3 **Pollution.** Refuse and contaminated water must not be dumped. See also information at 1.31.

Movement between ports. Permission must be obtained before proceeding from one Libyan port to another.

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15 January 2015

To: MARINE COMMITTEE MC(15)02
Copy: All Full and Associate Members (for information)

AIRSTRIKES AGAINST SHIPPING IN LIBYAN PORTS AND SECURITY IN SUEZ CANAL

Action required: Members are invited to note information provided on the threat of airstrikes against shipping in Libyan Waters and to advise the Secretariat of any additional information or guidance on the situation of which they may be aware.

It has been reported that the Commander of the Libyan Air Force has declared that (effective 9th January) airstrikes will be carried out against ships calling at the port of Misrata. Along with the airstrike of 5 January which killed two seafarers on board the oil tanker Araevo and a reported attack in the last two days, the declaration represents a significant security concern to ships operating in and near to Libyan waters.

The continued conflict between rival factions in Libya limits the ability of Government forces to clearly differentiate between legitimate threats and innocent vessels. Coupled with the presence of armed militant groups in coastal regions, there is an increased risk of commercial ships being attacked.

ICS has learned that 'vessels transiting through the Mediterranean are advised to remain clear of Libyan waters. Vessels intending to call at Misrata are advised to contact port and flag State authorities and local shipping agents for further instructions'.

The Secretariat has been advised that some flag Administrations have issued notices to the effect that shipowners should carefully consider whether to continue with scheduled calls at Libyan ports given the change in the security situation. Notices pertaining to the situation are uploaded to the NATO Shipping Centre Website:

<http://www.shipping.nato.int>

to which reference should be made on a regular basis.

ICS strongly recommends that shipowners should contact the P&I Club and War Risk Underwriters for further advice on each specific voyage.

ICS has also been made aware of an increased risk of attack on merchant traffic in the approaches to, and in, the Suez Canal. The recent hijacking of an Egyptian warship indicates a capability on the part of militants in the Sinai Peninsula to operate in the maritime environment and to attack maritime targets, and along with the rocket attack against the Cosco Asia in 2013 indications are that a threat may exist to commercial shipping in the area. As such, the general advice must be to exercise increased caution and maintain vigilance particularly when ships are waiting in the approaches to the Canal.

Members are requested to note the above, and advise ICS of any information or guidance on the situation of which they may be aware.

John Stawpert
Manager (Environment and Trade)