

ANAVE – Circular de Régimen Interior

Madrid, 16 de marzo de 2017
Ref: SMA 15/2017/AB

Asunto: Piratería: secuestro del buque tanque "ARIS 13" en aguas de Somalia

Muy Srs. nuestros:

El pasado lunes, 13 de marzo, el buque tanque "ARIS 13", abanderado en Islas Comoras, fue secuestrado por piratas cerca de la costa norte de Somalia, tras casi 3 años sin que se hayan producido secuestros de este tipo en la zona. Adjuntamos en un Anexo el informe elaborado por la Fuerza Naval de la UE (EU NAVFOR) con los detalles del incidente. Si bien dicho informe se ha circulado con la notación de "confidencial", se ha solicitado a las empresas que lo consulten cuando lleven a cabo la evaluación (o revisión) de riesgos de sus buques.

La Cámara Naviera Internacional (ICS) llama la atención sobre los siguientes puntos extraídos del informe:

- El buque navegaba muy cerca de la costa de Somalia y no había puesto en práctica medidas visibles de las Mejores Prácticas de Gestión desarrolladas por el sector para luchar contra los actos de piratería (Best Management Practices, BMP 4).
- El buque no había informado de su tránsito por la zona registrándose en la base de datos del Centro de Protección Marítima del Cuerno de África (Maritime Security Centre – Horn of Africa, MSCHOA).
- El buque viajaba a velocidad reducida y con bajo francobordo, exponiéndose como objetivo vulnerable y fácil de atacar por los piratas.

La EUNAVFOR ha recomendado que todos los buques que naveguen por esta zona sigan las BMP 4 y usen el Corredor de Tránsito Recomendado Internacionalmente (Internationally Recommended Transit Corridor, IRTC) en especial en la Zona de Alto Riesgo (High Risk Area, HRA) y en las aguas próximas a la costa de Somalia, para reducir las posibilidades de que organizaciones criminales lleven a cabo ataques piratas. También deben llevar a cabo un análisis exhaustivo de los riesgos del viaje, registrar cada tránsito en el MSCHOA e informar a la oficina del United Kingdom Marine Trade Operations (UKMTO) y aplicar medidas de autoprotección específicas.

El IRTC está operativo y la incorporación a grupos de tránsito o convoyes puede ser conveniente para algunos buques.

Como es conocido, algunos aspectos de la normativa vigente en España (en particular, la Orden PRE 2914/2009) imponen restricciones en materia de logística de armas a las empresas españolas autorizadas a prestar servicios de seguridad y protección con armas a bordo de los buques mercantes de bandera española que, en la práctica, resultan insalvables.

Por ello, desde finales de noviembre del año pasado, y a la vista del repunte de los ataques con armas de fuego y explosivos en aguas de Oriente Próximo y Nigeria, ANAVE y varias empresas asociadas afectadas directamente, estamos manteniendo reuniones con representantes del Ministerio del Interior, Defensa, Fomento y varias empresas de seguridad, con vistas a la modificación de dicha Orden.

A raíz del ataque sufrido el pasado día 10 de marzo (afortunadamente sin daños a personas o al buque) por un metanero español en la zona de Nigeria, y del secuestro del "ARIS 13", ANAVE ha pedido al Gobierno que, sin perjuicio de que continúe el proceso de revisión de la citada Orden, dado el riesgo grave e inminente, se tomen medidas urgentes y extraordinarias por las que se autorice a las navieras españolas a contratar servicios de seguridad privada armada con empresas registradas y acreditadas en otros Estados miembros de la UE. Mañana, viernes 17 de marzo, hemos sido

convocados a una reunión en el Ministerio del Interior para tratar concretamente sobre el contenido y forma de estas posibles medidas extraordinarias y urgentes.

Les mantendremos informados sobre el resultado de estas gestiones.

Saludos cordiales,

Manuel Carlier
Director General

	<p style="text-align: center;">CJ2 Operation ATALANTA Northwood HQ</p> <p>CJ2 INTREP 14/03-004</p> <p>ICOD: 141500ZMAR17</p>	
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The Certainty Yardstick						
Qualitative Statement	REMOTE / HIGHLY UNLIKELY	IMPROBABLE / UNLIKELY	REALISTIC PROBABILITY	PROBABLE / LIKELY	HIGHLY LIKELY / VERY PROBABLE	ALMOST CERTAIN
Probability Range	<10%	15-20%	25-50%	55-70%	75-80%	>90%

CONTEXT

1. **INCIDENT REPORT.** 131657Z MAR 17 / ARIES 13 / TANKER / SUSPICIOUS EVENT / CONTACT NOT ESTABLISHED WITH SHIP’S MASTER. CTF151 TASKED KIRISAME TO INVESTIGATE BUT DUE NATIONAL CONSTRAINTS SHE CANNOT ENTER SOMALI TW. SHE IS TRACKING SHIPS MOVEMENT FROM DISTANCE. PUNTLAND MINISTER OF FISHERY AFFAIRS STATED THAT ARIS 13 WAS HIJACKED. MPRA SENT PICTURES OF THE SHIP TAKEN AFTER INCIDENT; FROM IMINT IT IS NOT POSSIBLE TO CONFIRM THAT THIS IS AN ACT OF PIRACY. LAST POSITION OF ARIS 13 AT 132030Z MAR IS 11 57,5N 051 29,49E.

2. The Merchant Tanker (MT) ARIS 13 is a PANAMA owned, UAE managed and COMOROS flagged ship with eight Sri Lankan nationals on board. It was reportedly taken by an unknown group and taken to the shore in the vicinity of CALUULA, PUNTLAND.



Fig.1 Imagery of the ARIS 13 dated 13 Mar 17.

3. At the beginning of Feb 17 MT ARIS 13 travelled from SRI LANKA to DJIBOUTI, but made a halt in BOSSASO from 14-22 Feb 17. It then set course back to DJIBOUTI. Leaving port on 8 Mar 17, fully loaded with gasoline, towards MOGADISHU (SOMALIA). It transited at a low speed south of the IRTC. On 130520Z Mar 17, while still apparently heading to MOGADISHU, ARIS 13 changed course towards the PUNTLAND coast. At 1158Z, the ship contacted its owner claiming it was being followed by two speedboats and that weapons had been seen on one of them. At 1245Z a

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EUNAVFOR Maritime Patrol Aircraft flew over the ARIS 13 and spotted one dhow approaching the ARIS 13. A few minutes later, two skiffs departed from the dhow and exchanged packages with the ARIS 13. There were no weapons visible and both skiffs did not demonstrate any threatening behaviour. At 1256Z, the ARIS 13 suddenly changed direction again and headed to the town of CALUULA in PUNTLAND, where it is now anchored a few hundred meters from the coast. On 140412Z a distress signal was sent from the ship. The ARIS 13 was last spotted at position 11 59 00 N, 050 45 42 E by EUNAVFOR MPRA who determined that the ship didn't display any damage, its AIS was shining and radar spinning. Two people were present on the bridge, one of them was possibly armed, neither was wearing any uniform.

4. At approximately 14 1820Z a representative from EUNAVFOR spoke to the crew and the men holding them captive. The crew stated they were all alive and unharmed. They confirmed the fact they had been hijacked and stated that shots had been fired by the pirates whilst attempting to board the vessel. The pirate leader said he was a 34 year old man called Jacfar Saciid CABDULAAHI from the town of BURCO. He stated that he was negotiating with the owner of the vessel for a ransom for the crew. He additionally stated that he would kill all of the hostages if the PMPF attempted to enter the area.

CJ2 COMMENT: The ARIS 13 was transiting very close to the shore of SOMALIA without visible BMP measures or an embarked PAST. It didn't register with MSCHOA before leaving DJIBOUTI. The low speed (6knt at the time of the incident) and low board made it a vulnerable target for pirates. The only local maritime security force in the area is the PMPF; until now they haven't reacted to the incident. The Somali narrative around this incident is that local fishermen were protecting their waters against toxic waste dumping. **CJ2 COMMENT ENDS.**

CJ2 ASSESSMENT: There are currently no certainties about the criminal networks involved in this hijacking, but there is a REALISTIC POSSIBILITY that they are one of the same networks who were involved in piracy prior to 2012 operating in the PUNTLAND region. There is currently no corroborative reporting to firmly assess what the current or future intent of this criminal organisation might be. It is assessed however as HIGHLY LIKELY that the crew of the ARIS 13 are being held against their will by a pirate group operating out of CALUULA. All vessels navigating through this region should adhere to BMP4 and use the IRTC, so as to remove the opportunity for criminal organisations to conduct pirate attacks. It is assessed as LIKELY that the current political instability in PUNTLAND coupled with the crisis surrounding the ongoing drought is responsible for the increase in the freedom of manoeuvre for criminal organisations in this region. **CJ2 ASSESSMENT ENDS.**