The Human Cost
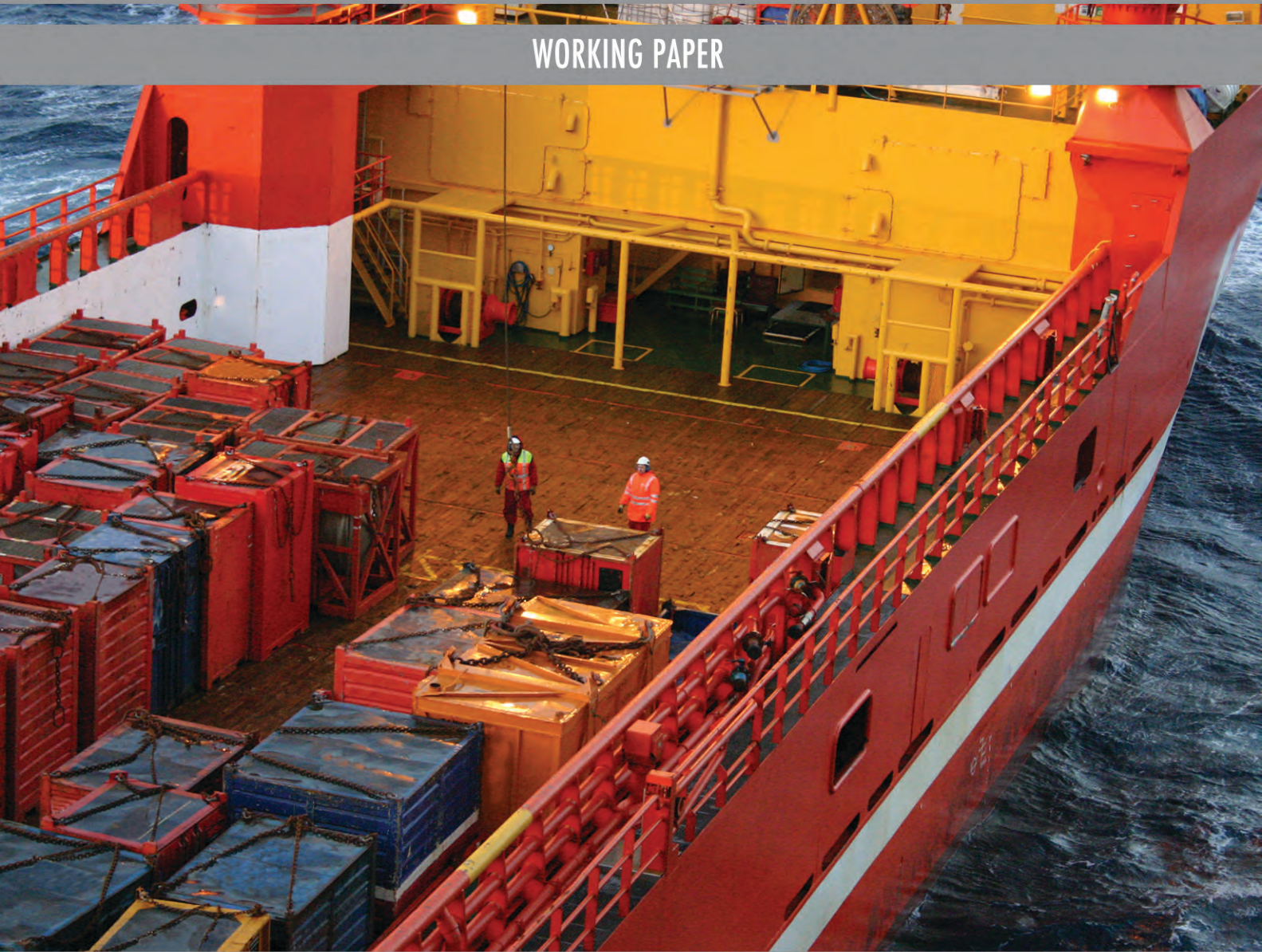# of Maritime Piracy 2012

WORKING PAPER

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Founder's Letter

On behalf of the One Earth Future foundation, I am proud to deliver the "Human Cost of Maritime Piracy, 2012." This report underscores the real and serious impact of piracy on the staff of the maritime industry and on their families, and helps to explain why the problem of piracy needs a solution. Our goal with this report is to provide insights on the scope and severity of the problem of piracy. As with all of our research, it is based on objective empirical data wherever possible. I hope that industry leaders and policy makers will find that the data in the report adds value to their own work.

In this report, it is important for us to pay tribute to the achievements of the many stakeholders involved in countering piracy off the coast of Somalia. This includes the seafarers who implement self-defense and deterrence measures aboard the targeted vessels, the shipping industry which developed and funds practices and policies for avoidance and deterrence of attacks, and the international navies that patrol the pirated waters to disrupt and deter attacks. They have accomplished the daunting task of reducing by 78% the number of people attacked by Somali pirates.

However, these efforts continue at an unsustainable cost. Five seafarers and three security personnel died in 2012 because of piracy in Somalia and in the Gulf of Guinea region, and our report on the Economic Cost of Somali Piracy calculated the cost in 2012 to be $6 billion, $5 billion of which was shouldered by the shipping industry. Nearly 80 hostages remain in captivity and require concentrated efforts to secure their release. Furthermore, the risks of piracy and armed robbery are intensifying in some parts of the world, such as the Gulf of Guinea region. Despite the growing number of seafarers affected by violence in that region, the area has not yet received the attention that was brought to Somalia.

The challenge of piracy cannot be resolved solely at sea. Piracy needs to be addressed on shore–where it starts–if it is ever to be resolved. In both Somalia and the Gulf of Guinea region, this will require cooperation between efforts at sea and those on land to build maritime security and provide job opportunities to potential pirates.

Piracy affected not only the seafarers caught up in this violent crime, but ordinary Somalis, who also suffer the negative effects that pirates have brought to their communities. Some Somali youth, jobless and drawn to the financial rewards of crime, have been recruited to piracy by pirate leaders and financiers. Many teenage Somali lives have been lost at sea while they might still be earning a living on shore.

Communities in West Africa are also suffering because of piracy. While there is little documentation of these attacks, West African fishermen are the most directly affected. Pirates attack fishermen so frequently that many are afraid to go to work at sea, where they risk attack, loss of their equipment, or even loss of life. This not only hurts the well-being of the individual fishermen; it also reduces the availability of fish, a vital source of protein throughout the region.

We remain committed to contributing to the dialogue on how to create a sustainable governance solution to the piracy problem. This is a multi-phase process. Off the coast of Somalia, the first phase has largely been accomplished: stakeholders at sea are doing their part to avoid piracy. The second phase will involve Somalia taking over this role, leaving seafarers with the freedom to do their jobs without assuming the additional responsibility of defending their ships. In the Gulf of Guinea region, coordination between the shipping industry and the regional countries is still under development.

For our part, the Oceans Beyond Piracy team is working with Somalis to draft their maritime strategy. This will be a long-term project given the rebuilding that Somalia will need to undergo. It is clear that the cost of suppression is large and unsustainable while the cost of building Somalia offers the opportunity to develop a permanent and lasting solution.

Once Somalia becomes an effectively functioning nation, piracy will be solved sustainably. The problem will disappear permanently from the oceans once it is solved on shore. An onshore solution is the effective and

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permanent way to eliminate piracy and the hazards that affect seafarers, and also to eliminate the $5 billion a year that piracy costs industry. While there are still tragedies at sea, the costs remain high and the solution lies on shore.

It is important to remember that suppressing piracy and solving piracy are very different things. In the end, piracy can only be solved effectively on shore. Only when Somalis and West Africans have greater access to jobs than to guns will they turn to work rather than to piracy.

Sincerely,

Marcel Arsenault

Acknowledgements

Acryonyms

ECOP	Economic Cost of Piracy
EU NAVFOR	European Union Naval Force
EUISS	European Union Institute for Security Studies
HCOP	Human Cost of Piracy
HRA	High Risk Area
IBF	International Bargaining Forum
IMB	International Maritime Bureau
ITF	International Transport Workers Federation
JWC	Joint War Committee
K&R	Kidnap and Ransom Insurance
MPHRP	Maritime Piracy Humanitarian Response Program
MT	Motor Tanker
MV	Motor Vessel
NATO	North Atlantic Treaty Organization
OBP	Oceans Beyond Piracy
OECD	Organization for Economic Cooperation and Development
OEF	One Earth Future
OWWA	Overseas Workers Welfare Administration
PAG	Pirate Action Group
PCASP	Privately Contracted Armed Security Personnel
POEA	Philippine Overseas Employment Agency
P&I	Protection of Indemnity Club
RPS	Risk Placement Services
UNODC	United Nations Office of Drugs and Crime
WRA	War Risk Area

Executive Summary

Oceans Beyond Piracy (OBP), a project of the One Earth Future Foundation; the International Maritime Bureau (IMB); and the Maritime Piracy Humanitarian Response Programme (MPHRP) are pleased to present the Human Cost of Maritime Piracy, 2012. This is the third assessment of the impact of piracy on seafarers and their families. While previous reports focused exclusively on Somali piracy, this report includes an analysis of the Gulf of Guinea region. Overall, the report incorporates several new approaches to its analysis including firsthand accounts from seafarers based on interviews conducted for this report and seafarer perceptions of the piracy threat based on online surveys conducted by the IMB.

The major findings of the report are:

- As of 2012, West African piracy directly affects more seafarers than Somalia-based piracy
- All hostages still held in Somalia are considered High Risk (More than 50% have been held for 2+ years)
- Both East and West African piracy cause roughly equal levels of concern for seafarers
- Long-term effects of piracy on seafarers and their families can be significant
- Despite gains made, not all seafarers have benefited from seafarer welfare initiatives
- Lack of information has prevented a comprehensive picture of the human cost of piracy

The report is divided into four sections to assess: (1) The Human Cost of Somali Piracy, (2) West African Piracy and its Economic Impacts, (3) The State of Seafarers, and (4) Reporting Challenges.

Part 1 of the report is an analysis of the Human Cost of Somali Piracy in 2012. This section considers the total number of seafarers on vessels that were fired upon, boarded, or hijacked by Somali pirates. It also analyzes the violence inflicted upon hostages in these attacks.

The report found that the total number of seafarers attacked decreased significantly in 2012, reflecting success by all stakeholders involved in the counter-piracy response.
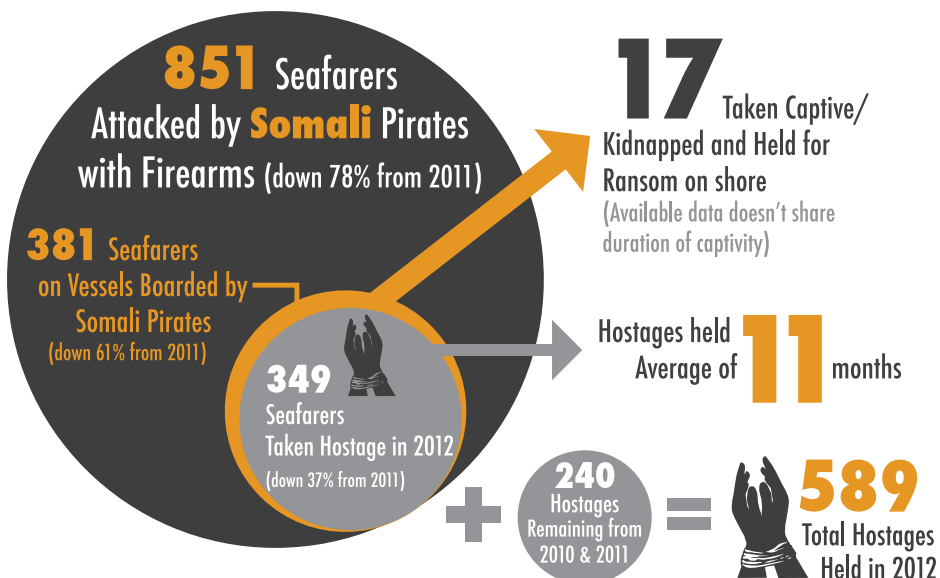
Another positive change noted in this report is that the information channels and reporting mechanisms have improved as a result of proactive efforts of Seafarer Advocacy Groups, Flag State commitments and other initiatives. This yielded new information about the treatment of seafarers both during and after a pirate incident.

While the number of attacks decreased, there was a rise in the reported success rate of pirate attacks in 2012 (from 14% of seafarers fired upon by Somali pirates to 41%). This may be an indication that piracy tactics have improved, or that reporting anomalies have distorted the true picture at sea. Furthermore, all hostages remaining in captivity have been held for over one year and are considered to be at High Risk.

Part 2 of the report assesses the threats in the Gulf of Guinea region. This section describes the different types of attacks that occur and their impact on seafarers. It also includes a preliminary analysis of the direct economic cost of piracy for the region.

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966 — Seafarers
Attacked by
West African Pirates

800
Seafarers
on Vessels Boarded by
West African Pirates

206
Seafarers Taken
Hostage in 2012

5
Kidnapped and Held
for Ransom on shore
(Available data doesn't share
duration of captivity)

Hostages held
Average of **4** days
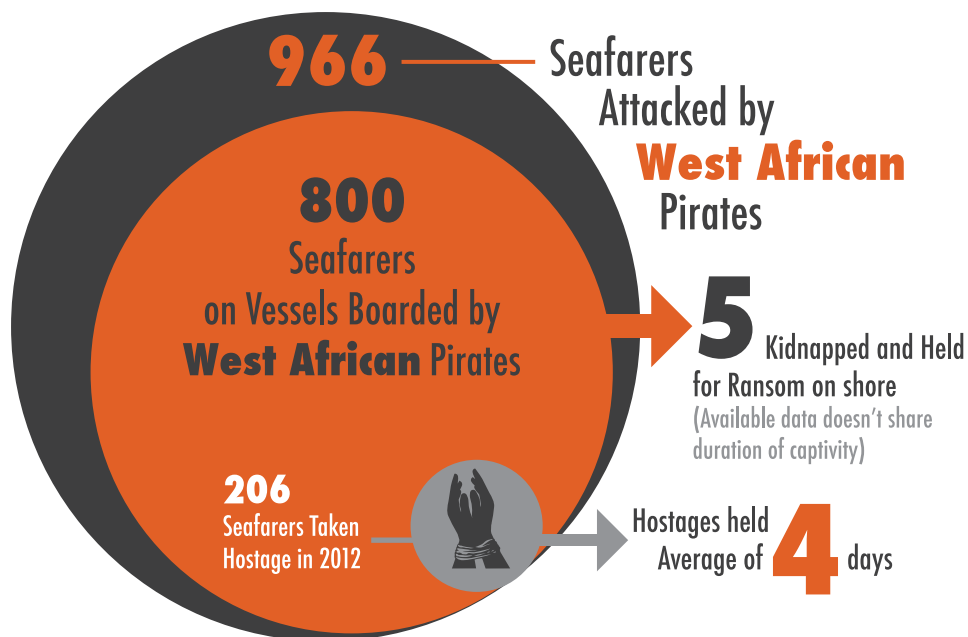
The report finds that while periods of captivity are much shorter in the Gulf of Guinea region, there are more seafarers subject to close, and often violent, contact with pirates than off Somalia.

Additionally, seafarers in the waters off West Africa are potentially at greater risk than are seafarers transiting through the Gulf of Aden and Western Indian Ocean for many reasons: long wait times in hazardous areas, challenges associated with private security regulation in territorial waters, and the propensity for violence exhibited by pirates. As a result, seafarers are growing increasingly wary of working in the Gulf of Guinea region.

An ongoing challenge for the counter-piracy response, and thus the ability to minimize the human cost, is a limited picture of the risks and associated violence. This is complicated by underreporting of piracy attacks including armed robbery off West Africa, which is allegedly acute. Underreporting may be complicated by a lack of expected response (and prosecution) and the fear of burdensome investigations by local authorities.

Part 3 examines the long term psychological and financial effects of violence on seafarers and their families following attacks and periods of time spent in captivity. We find that, while the number of hostages decreased in 2012, the long-term effects of piracy on seafarers are becoming more evident. As a result, the impact of piracy on seafarers will continue even if no additional hostages are taken.
In addition to the abuses suffered by seafarers, families are now the targets of harassment by pirates and secondary victimization by exploitative lawyers or criminals. A further challenge is created by perceived gaps in the awareness and benefit programs available to reduce risks to seafarers.

Part 4 considers the challenges that limited reporting on both pirate attacks and the types of comprehensive support resources available to seafarers.

First, there is a continued lack of transparency and information regarding the extent of piracy attacks in both geographic areas. Additionally, and as documented through interviews in Part 3, seafarers are often unaware of the programs which have been implemented for their benefit. Finally, seafarers are not always aware of where to turn for assistance after release.

Introduction

Piracy off the coast of Somalia saw a dramatic decline in the number of attacks in 2012. This translates to improved circumstances for seafarers transiting these waters. This report seeks to recognize this positive trend, while highlighting the ongoing challenges that seafarers, fishermen, and their families continue to face because of piracy. It builds on previous versions of the report by including a new section on the impact to seafarers and fishermen in the Gulf of Guinea region.

Fifty-seven hostages were released in 2012 and 2013, all of whom had been flagged in the 2011 report on the Human Cost of Somali Piracy because they faced an especially high risk of abuse or trauma. It is important to celebrate the long-awaited release of these hostages. These included the surviving 22 seafarers aboard *MV Iceberg I*, who experienced the deaths of two crewmates and who endured 1,000 days in captivity. Additionally, the six crewmembers from the *MV Leopard* were released after 839 days in captivity, during which time they had been forced to participate in videos about their fears and hardships, knowing that the videos would be watched by their loved ones back home, thereby causing additional worry and concern. The four crewmembers held back after the release of the *MT Gemini* also gained their freedom after 581 days in captivity, roughly a year of which took place after the release of their other crewmates.

Despite these releases, at least 78 hostages continue to be held captive by Somali pirates and hundreds more continue to face the stress and risk of physical harm associated with being attacked by pirates. There were at least 851 seafarers attacked off the coast of Somalia and 966 seafarers attacked in the Gulf of Guinea region in 2012.

Seafarers and their families suffer many hardships because of piracy. In some cases, the initial attack is just the beginning of the ordeal, especially for those who are taken and held hostage. But this hardship is not limited to the abuse inflicted by the pirates. It can also include financial difficulties during and after the period of captivity, or following a pirate attack, because of disruptions to or cessation of the payment of wages or the loss of personal items. It also includes the psychological trauma, or fear of transiting through pirated waters. This report analyzes these risks based on interviews with and surveys of seafarers. With this information, we hope to draw out the gaps and vulnerable areas that can then be filled by increased support systems for seafarers and their families.

Methodology

This third annual report on the Human Cost of Maritime Piracy was developed through the combined efforts of the Oceans Beyond Piracy (OBP) project of the One Earth Future foundation (OEF), the International Maritime Bureau (IMB), and the Maritime Piracy Humanitarian Response Programme (MPHRP).

The research is built from a base of information on piracy and armed robbery provided by the IMB from its annual report on worldwide incidents of piracy and armed robbery against ships perpetrated between January 1 and December 31, 2012. This information is a collection of incident reports provided directly to the IMB Piracy Reporting Centre by ship masters. The IMB data was then cross-checked against reports by the European Union Naval Forces (EU NAVFOR), the NATO Shipping Centre, and the Oceanus newsletter. This provided a general understanding of the number of seafarers attacked and held captive in 2012.

This report supplements the data described above with firsthand accounts from seafarers. OBP conducted a series of interviews with Filipino seafarers and their families who had been directly exposed to pirate attacks. These interviews included seafarers who had endured pirate attacks, hostage experiences, and rescue-related violence, and included seafarers who were exposed to piracy in both Somalia and West Africa. These interviews provide a perspective on these issues that is more immediate and humanizing than the perspective afforded by attack statistics.[1]

In addition, this is the first Human Cost of Piracy Report to include information about the views that seafarers in general have about piracy. The IMB conducted an online survey for all seafarers to assess their perceptions of piracy and mitigation measures. This survey asked seafarers about their concerns and perceptions of piracy in three regions where piracy and armed robbery at sea are prevalent: the Gulf of Aden/Western Indian Ocean, the Gulf of Guinea region, and Southeast Asia.[2]

A recent addition to this report that was not available in previous versions is the inclusion of West African piracy and its impact on seafarers. As industry awareness of the violence associated with West African piracy increases, this region is becoming an increasingly important part of the discussion around the human cost of piracy. Our analysis of the violence suffered by seafarers and fishermen who encounter these pirates and armed robbers utilizes the same research model as was used with Somali piracy, but because there are fewer public organizations looking at the Gulf of Guinea region, the sole data source is the IMB. Media reports and seafarer interviews are used here as well to supplement the IMB data and to describe in greater detail the impact on seafarers.

Finally, this report includes an analysis of the support available to seafarers and their families, including what is mandated by union or employment agreements and what is provided by governments or non-profit organizations. This includes an assessment of the economic impacts of the crimes of piracy and armed robbery specifically.

## Part 1: The Human Cost of **Somali Piracy**

PRIMARY FINDINGS

- While the total number of hostages is down, those that remain in Somalia are considered to be High Risk.

- Information channels and reporting mechanisms have improved as a result of proactive efforts of seafarer advocacy groups, Flag State commitments and other initiatives.

- The reported rise in the success rate of pirate attacks in 2012 (from 14% to 41%) could indicate that piracy tactics have improved, or that reporting anomalies have distorted the true picture at sea

1.1 Somali Piracy Attacks

May 10, 2013 marked one full year since a commercial vessel had been hijacked and held for ransom by Somali pirates. While the threat of piracy attacks remains very real, the attack rates overall dropped precipitously in 2012. As shown in Figure 1.1, the number of seafarers involved in reported attacks by pirates off the coast of Somalia decreased by nearly 80% between 2011 and 2012. These figures indicate that there are fewer pirate action groups (PAGs) engaged in piracy. A number of initiatives have been credited for this dramatic drop, including the intelligence-centric and proactive targeting of PAGs by international navies, the increased use of the procedures outlined in the most recent version of the shipping industry's Best Management Practices for Protection against Somalia Based Piracy (BMP), and the increased use of armed security aboard ships. Other factors may include better organized shore-based policing and advances by the new Somali Federal Government and its supporters, which are driving pirates out of their traditional operating areas.

Figure 1.1 Fired upon, boardings, and hostages taken by Somali pirates 2010-2012
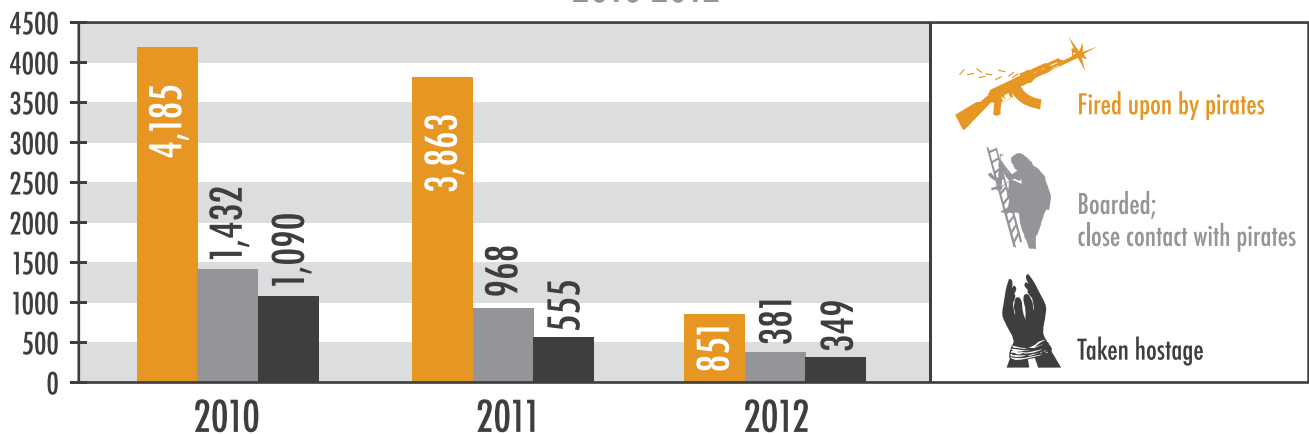
While the number of seafarers attacked and taken hostage dropped 37% in 2012 (after falling 50% the previous year), the rate at which seafarers were ultimately taken hostage after the vessel was fired upon increased from 14% in 2011 to 41% in 2012. In effect, this figure indicates that the success rate of pirate attacks improved at the same time that the total number of attacks where the vessel was fired upon dropped. There are a variety of potential explanations for this shift, including the possibility that the percentage of attacks reported to the IMB, EU NAVFOR, and Oceanus may have decreased. These statistics may also indicate that pirates have learned to fire upon and attack only the more vulnerable vessels, for example vessels that do not carry armed guards or show no evidence of implementing protective measures as per BMP. As described in NATO Shipping Centre's *Weekly Piracy Update* (15–22 May, 2013):

Pirate Attack Groups have made "soft-approaches" on merchant ships transiting the HRA [high risk areas]. A skiff will often approach a vessel to probe the reactivity of its embarked security team, if present. If they elicit no response, the pirates may then proceed with an attack, sometimes accompanied by a second skiff. This practice seems designed to allow pirates to avoid needless expenditures of ammunition and personal risk without a significant probability of success.

It is important to note that most reporting agencies focus only on "metal-skinned ships." As such, there continues to be limited reporting on dhows that are captured by pirates for ransom or for use as mother ships. However, the NATO Shipping Centre established its Dhow Project in 2011 to identify which vessels are in use as mother ships, and this has helped to highlight the seafarers aboard captured dhows who are forced to work under pirate control.

1.2 Hostages Held Captive in 2012

In 2012 there were 589 people held captive by Somali pirates. This number included the 345 seafarers and fishermen, one journalist, and three aid workers who were captured in 2012. The majority of these hostages were released by mid-2013. Hostages held in 2012 included many who were also included in previous versions of this annual report; this total of 589 included 133 hostages who had been attacked and taken captive in 2010 and 107 hostages who were taken captive in 2011.

Figure 1.2 Seafarers Attacked in West Africa

851 Seafarers Attacked by **Somali** Pirates with Firearms (down 78% from 2011)

381 Seafarers on Vessels Boarded by Somali Pirates (down 61% from 2011)

349 Seafarers Taken Hostage in 2012 (down 37% from 2011)

17 Taken Captive/ Kidnapped and Held for Ransom on shore (Available data doesn't share duration of captivity)

Hostages held Average of **11** months

240 Hostages Remaining from 2010 & 2011 = **589** Total Hostages Held in 2012

As in previous years, the vast majority of people held hostage in 2012 were from developing countries that are not members of the Organization for Economic Cooperation and Development (OECD), as shown in Figure 1.3. However, 2012 saw a substantial decrease in the percentage of hostages from OECD countries; a total of 2%, down from 6% in 2010 and 7% in 2011.

Figure 1.3 Nationality of 589 Hostages Held Captive in 2012

- India 15%
- Philippines 12%
- Iran 10%
- China 7%
- Other non-OECD 39%
- OECD 2%
- Unknown 15%

Table 1.1 describes the number of hostages held captive in 2012 based on the year they were originally captured; it also shows the average duration of captivity for all these hostages. Assessing the duration of captivity for dhows and small fishing vessels required special care because they have low rates of reporting initial attacks and even lower rates of reporting release. This makes it difficult to determine how long pirates held these vessels. In cases where there is neither a known release date nor knowledge that the vessel remains in captivity, we estimate that the vessel was held for 187 days, which is the average duration of captivity for fishing vessels based on OBP's database of seafarers and vessels held in 2012. For all 589 hostages held in 2012, the average duration of captivity increased to more than 11 months for the 589 hostages held captive by Somali pirates in 2012.

It is promising to see that there have been no vessels taken by Somali pirates in over a year. However, all 78 of the hostages remaining in captivity are classified by OBP as High Risk Hostages

Table 1.1 Hostages Held in 2012 & Average Duration of Captivity

YEAR HOSTAGES TAKEN CAPTIVE	HOSTAGES HELD IN 2012	HOSTAGES IN CAPTIVITY (AS OF JUNE 2013)	
Hostages remaining from 2010	133	38	
Hostages remaining from 2011	107	5	AVERAGE DURATION OF CAPTIVITY
Hostages taken in 2012	349	35	
Total hostages held in 2012	589	78	11 Months

(see Box 1: High Risk Hostages). This represents an increase from the 60 High Risk Hostages who we reported in 2011. Nearly all (57) of these 2011 High Risk Hostages have fortunately been released, but 75 additional seafarers were classified as High Risk in 2012 due to their prolonged duration of captivity. The remaining 78 High Risk Hostages include 72 seafarers and fishermen, 11 of whom are being held on land without a vessel. There are also six people who were kidnapped by pirate gangs on land rather than taken from vessels, including five aid workers and one journalist, all of whom are believed to also be held on land. All hostages that remain have been in captivity for over a year, and more than half (41 hostages) have been held for over two years.

Concern for High Risk Hostages is especially acute because of the extra risks they face due to their extended periods of captivity. These risks include physical impacts from both direct abuse from pirates and health problems resulting from enduring more than a year of limited food, water, and medical support. There is also the psychological challenge of being held by pirates for extended periods of time, which may lead to loss of hope that they will be released.

While the number of attacks may be reduced, the plight for the remaining hostages cannot be forgotten. The goal of counter-piracy operations should be zero hostages; as such, success will not be achieved until all vessels and hostages are released.

Box 1: High Risk Hostages

While there is no internationally accepted definition for these hostages, the Oceans Beyond Piracy project classifies them as "High Risk." In order to meet this classification, hostages must fulfill at least two of the following conditions:

1. They have been held for more than one year, leading to a greater likelihood of abuse or death as tensions and anxiety amongst both pirates and hostages increase.

2. They are being held on land, where there are greater risks to hostages.

3. No ship owner or insurance company is actively negotiating for the release of these hostages, meaning tensions are rising and there is no clear way forward.

4. The captured vessel was a sailing yacht or fishing vessel or the hostages were kidnapped on land, in which case there is no requirement that insurance cover a ransom for these hostages.

1.3 Violence Against Hostages

Since there is no consistent system for reporting maritime crime, comprehensive reporting on the extent of violence against hostages is not available. Therefore, in order to provide insight on the specific treatment of hostages, this section looks at reports received from eight ships that were hijacked between 2010 and 2012 and then released from captivity in 2012 or 2013. These reports were submitted to the International Maritime Bureau by Flag States, per the Washington Declaration (see Appendix 1), ship owners and operators, seafarers, and the Maritime Piracy Humanitarian Response Programme. Due regard has been given to the sensitivities surrounding the identities of the seafarers and their families as well as the vessels, owners, operators, and other parties involved in each hijacking case. Hence the report provides only aggregate information on the treatment of the seafarers and their concerns while in captivity. Statistics regarding these eight ships do not necessarily provide a representative sample of the treatment of all hostages, and therefore this data should be considered illustrative of the kinds of treatment to which seafarers have been exposed.

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This section analyzes the treatment of the 183 crewmembers of various nationalities who were held on these eight ships. These seafarers were held for an average of 504 days with individual periods of captivity ranging in duration from 218 to 1,000 days. The average length of captivity is more than double that of the vessels reported on in the 2011 Human Cost of Somali Piracy report, which included 23 vessels that were released in either 2010 or 2011 and which were held for an average of 196 days. The change between these figures is largely due to the release of vessels that were held captive for over two years. As a result of the increased duration of captivity, this analysis of the treatment of the seafarers aboard these eight ships reflects significantly prolonged periods of physical and psychological abuse, as well as severe uncertainty and fatigue related to the length of captivity.

The information reported to the IMB parallels that highlighted in the 2011 report, which described the abuse faced by hostages. As in 2011, captured seafarers suffer violations of their basic human rights to life, liberty and security. The seafarers from the eight ships reported upon here were abused both physically and psychologically. The vast majority of the captured crewmembers reported some degree of physical violence ranging from pushing, slapping, and punching to direct assaults that put their lives in danger. They also faced daily psychological abuse. Some seafarers experienced direct threats of execution or other extreme stressors, and even those who did not suffer that degree of abuse faced the uncertainty and stress associated with forced captivity. One seafarer articulated this anxiety by explaining that: "every minute in captivity is a mental pressure."

The reports received from vessels released in 2012 and 2013 showed a notable increase in the rates of mistreatment during captivity, especially for the number of seafarers who experienced physical abuse, which increased from 50% to nearly 100%. Some amount of this change may be due to the wider acceptance and participation among seafarers of the reporting process. There was also an increase in the number of seafarers subjected to extreme abuse, which some described as torture.

Table 1.2: Rates of abuse reported to the IMB by seafarers upon their release

ICC International Maritime Bureau *Helping business stay in business*	23 Vessels released in 2010 and 2011	8 Vessels released in 2012 and 2013
Hostages suffered regular threats of physical violence, continuous psychological stress and abuse, confinement, loss of privacy, and loss of self-esteem.	100%	100%
Hostages experienced physical abuse, including being punched, pushed, slapped, and burned by cigarettes.	50%	100%*
Hostages subjected to extreme physical abuse, including being tied up in the sun for hours, locked in freezers, and having fingernails pulled out with pliers.	10%	15%

* Personal accounts from seafarers delivered to the IMB suggest that all hostages were subject to some abuse, but detailed numbers were not available.

Physical Abuse

The reports that were received showed significant physical abuse suffered by hostages, especially against those held for longer periods of time. Several seafarers reported physical abuse arising from the pirates' violent reaction to seafarers' inability to meet demands related to ship performance. In one example, a vessel lost both anchors during heavy weather, and the seafarers were beaten and forced to rig the spare anchor using only chain blocks.

In another case, the pirates did not understand the capabilities and limitations of the ship's engine, leading to the continual physical abuse of the engine room crew. The pirates demanded unsustainable speeds resulting in the engine surging, overheating, and finally bursting into flames. Even at this point, it has been reported,

the pirates did not allow the crew to stop the engine. They continued to run it in this manner until the engine seized. While the crew worked to extinguish the fire, the vessel grounded and started flooding, which led to the pirate leader cutting the ears of a senior crewmember as punishment and then putting him in solitary confinement for six months. The remaining seafarers were beaten with rods and wires while they tried to remove the water from the engine room manually.

Other reported abuses included systematic physical isolation and deprivation including being forced to stand on deck in the sun without any water, kneeling on the hot deck plates causing second degree burns, being crammed together in a small cabin without ventilation on a hot day, being tied up and kept isolated, and being removed from the ship and taken ashore. Other reported examples of serious abuse included one crewmember's fingers being squeezed with pliers, seafarers being hung overboard and immersed in the sea up to their shoulders, and some even being taken by boat a few miles away from the main vessel, thrown overboard, and abandoned in the water for a period of time.

In addition to these forms of abuse, there were reports of serious and lasting injuries. Seafarers aboard these ships reported incidents including a crewmember being shot in the knee by pirates after an argument about drinking water while pirates stabbed another seafarer in the leg and shot off another crewmember's finger. Another captured crewmember died of an apparent heart attack, which was likely brought on in part by the stress he suffered in captivity.

Psychological Abuse

In addition to the physical abuse reported above, pirates inflicted daily discomfort and psychological abuse. These abuses and threats included:

- Telling seafarers that they had no hope because nobody back home cared about them.
- Allowing the seafarers to speak to their families, then taunting them, abusing them, and firing shots into the air while their families were on the line.
- Making the hostages sleep in cramped conditions without privacy.
- Forcing hostages to drink water from cans contaminated by diesel oil, chemicals, or other toxic substances.
- Isolating hostages both on the vessel and, at times, on shore.
- Telling hostages that because negotiations were not going well, the hostages' organs would be cut out and sold on the open market.
- Threatening to slit the seafarers' throats and feed their bodies to the sharks.

The impact of such abuses can be severe: given the duration of captivity experienced by the crews aboard these ships and the lack of external information or communication with the outside world, the psychological abuse inflicted by pirates could have a disproportionate impact. Aboard one of these ships, a crewman died after intentionally jumping overboard.

1.4 Fatalities

The reports available on seafarer deaths associated with piracy are more comprehensive than the reports of abuse. The number of seafarer and hostage deaths declined in rough proportion to the overall drop in piracy attacks in 2012. As in 2011, the greatest number of fatalities occurred during rescue operations. Two seafarers were killed while they were being used as human shields by the pirates, and another died afterwards due to the severity of his gunshot

Figure 1.4:
Hostage deaths from Somali Piracy 2009-2012

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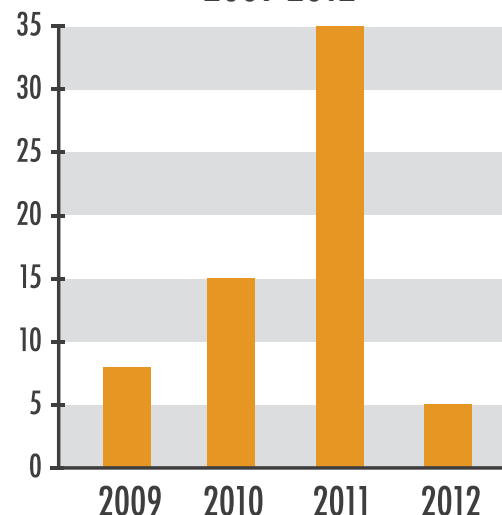
wounds. Two additional hostages died during their periods of captivity.

The majority of fatalities in 2011 and 2012 occurred during rescue attempts when hostages were used as human shields. One seafarer described the experience of being used as a human shield during a rescue operation:[3]

> I was the first one that the pirates picked up to stand up outside. I thought all the while I was going to be used as example and they are going to shoot me in the head. A pirate pointed a .45 caliber in my head, when they brought me at the door of the bridge… [I thought] they would shoot me while the navy is watching. I was shocked, very shocked at that time. I was so scared as they picked me up…we were made to stand up on each side of the wings and you can see the bullets [from the navy] coming…flying towards us.

> Interviewer: Do you think the navy saw you, the crew, standing on the wings of the bridge and that they never stopped shooting?

> Respondent: No, they never stopped firing.

The dangers faced by seafarers during rescue operations indicate a high level of risk associated with firefights between pirates and naval vessels due to the willingness of pirates to put seafarers in harm's way. Some seafarers were distressed at the apparent lack of concern for their safety during some rescue attempts. Recalling one such rescue operation, an interviewed seafarer directed his anger at the naval forces rather than the pirates, saying: "What they did was terrible and wrong when the navy attacked our vessel. We may have been much more thankful if the pirates brought us to Somalia and they pay the ransom. No one could have been killed from our crew."[4]

1.5 Analysis of the IMB Seafarer Survey on the Fears of Seafarers Regarding Somalia

The impact of piracy on seafarers is broader than can be stated by just assessing the number of seafarers attacked or held hostage. Many seafarers transit the high risk areas and deal with increased fear and uncertainty even if they do not experience pirate attacks directly. In 2013, the IMB began collecting data from seafarers in general about their perceptions of piracy in Somalia, the Gulf of Guinea, and Southeast Asia. This survey offers an opportunity to directly assess how seafarers feel about piracy, and to look at what seafarers in general are most concerned about when they consider the potential for pirate attacks.

One set of questions asked seafarers to articulate their emotional responses when sailing through high risk waters. On a scale of 1 to 5, seafarers were asked to show how much they felt normal, stressed, scared, or unable to focus in pirate waters. Figure 1.4 shows the results of these questions: seafarers reported feeling all of these responses when in any of the highrisk areas. Seafarers reported experiencing similar degrees of distress in Somali waters, and West African waters, although slightly more in Somali waters. Seafarers reported less distress in Southeast Asian waters.[5]

Figure 1.5: How seafarers feel about piracy across regions
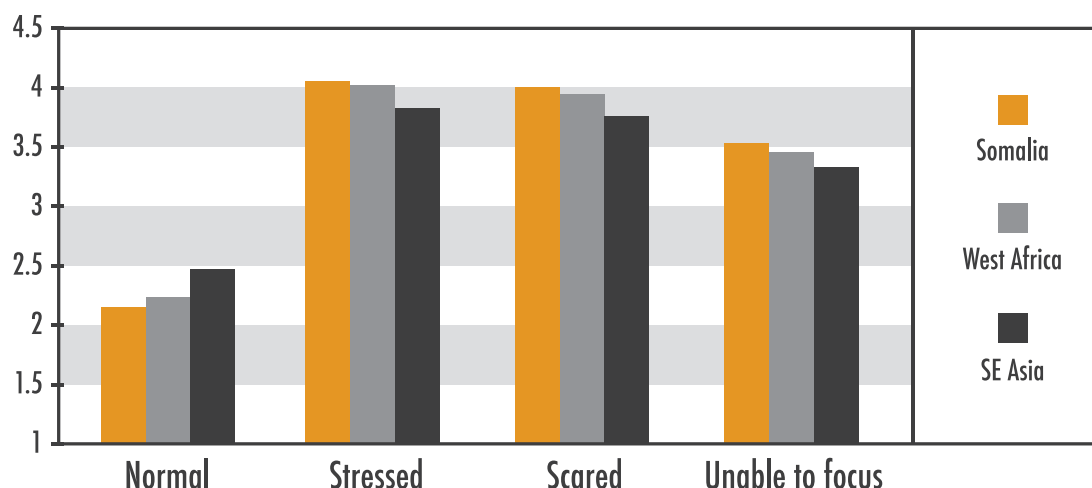
Looking specifically at Somali piracy, seafarers were asked how concerned they were about specific negative events associated with piracy. Seafarers also reported their degree of concern about a series of specific scenarios on a scale of 1 (least concerning) to 5 (most concerning). Levels of fear about specific events are shown in Table 1.3. Average reported levels of concern across all items was 4.09, suggesting that seafarers were quite concerned about all of the potential scenarios the survey asked about. The most serious concern was for their families: seafarers responded that they were most concerned about the risk that their families would be worried about them. Closely following this were concerns about being kidnapped, being on a vessel boarded by pirates, and being held hostage by pirates. Seafarers reported slightly less concern, although still fairly high levels, over the risk that their company would be unable to pay a ransom or the risk that their families would not be informed about what had happened to them.

Table 1.3: Seafarer concerns about specific events in Somali piracy (listed from most to least concerning)

Concerns	Rating
My family being distressed by worry about my well being	4.38
Being kidnapped and taken away from my ship (held on land)	4.36
Being boarded	4.35
Being taken hostage and isloated from my colleagues	4.34
The uncertainty of my personal safety during the hostage and captivity period	4.33
Being killed	4.31
Being fired upon	4.28
Being beaten	4.27
My relationships with my loved ones getting difficult	4.16
My family experiencing financial hardship because my salary is stopped	4.06
Hiding in a citadel	4.01
My personal effects and possessions being stolen	3.86
Other crewmembers not being able to cope due to cultural or language differences	3.85
My family not being taken care of if something happens to me	3.84
My family being harassed by pirates	3.76
My family not being informed about what happens to me	3.71
My company not being able to pay for my release	3.68

In addition, respondents were asked whether they felt safe sailing in Somali high risk areas under a variety of conditions, and whether they would tell their families that they were passing through Somali waters. Figure 1.6 shows the results of questions about feelings of safety. Seafarers suggested that they felt the most safe when travelling with armed guards and aboard a ship following Best Management Practices. Feelings of safety appear to be impacted fairly similarly by the presence of armed guards alone, briefings on how to react to piracy, or BMP alone.[6] These data suggest that seafarer-focused briefings on how to cope with piracy were considered a comforting intervention. However, it is important to note that this survey did not ask whether seafarers had experienced such briefings in the past, nor did it track whether they felt that any actual briefing information that they received was useful. Because of this, readers should be cautious in assuming that the predicted impact of such briefings will translate to actual benefits post-attack. However, at minimum these data suggest that seafarers see such interventions as useful in principle.

Figure 1.7 shows the responses to questions about seafarer willingness to disclose sailing through Somali waters to their families. Patterns in the willingness of respondents to share information with their families suggest that having BMP plus guards is perceived as being the most reassuring scenario. Seafarers were most

Figure 1.6: **How seafarers feel** about piracy **across regions**
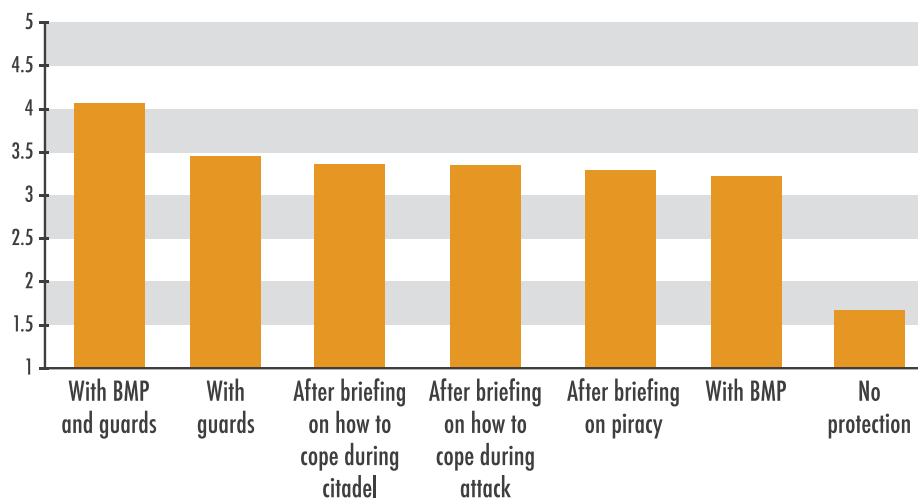
willing to tell their families that they would pass through Somali waters when their ship would have both armed guards and would be employing BMP, next most willing with BMP alone, then with armed guards, and would be unwilling to tell their families that they would be passing through Somali high risk waters aboard a ship with no protection.[7]

This survey was a general survey of seafarers and did not focus specifically on seafarers who have transited high risk waters or who have had direct experience with piracy. As a result, these figures should be interpreted as a snapshot of what a group of seafarers in general felt about piracy, rather than as reflecting the opinions of those directly affected. With that caveat in mind, these data suggest that seafarers feel relatively high levels of concern about potentially transiting Somali waters. They reserve the most concern for the impact of piracy on their families, but they are also directly concerned about being attacked or kidnapped. The combination of BMP plus armed guards appears to be the most useful for ensuring feelings of security, but in the absence of that combination seafarers reported a perception that having armed guards alone, having briefings on coping approaches, and the use of BMP were all useful in supporting a perception of safety in Somali waters.

1.6 Impact on Somalis

Piracy causes harm to more than seafarers and their families; it is also devastating for Somalis and their communities. While only a tiny portion of Somali people gain any financial benefit from piracy, for the vast majority, maritime crime has brought misery. Although it is difficult to quantify the extent of the suffering endured by Somalis, there is evidence to suggest that the piracy problem has adversely impacted them in a broad range of areas:

Figure 1.7:
Would you tell your family about passing through the **Somali high risk area?**

- Deaths of innocent fishermen:

Somali fishermen are reportedly afraid to put to sea for fear of being mistaken for pirates and attacked by warships or armed guards. Some senior Somali leaders have suggested that a number of Somali fishermen have been killed after being mistakenly identified as pirates.

- Economic impacts:

The general deterioration in security, both real and perceived, brought about by maritime crime has eroded the already fragile Somali economy. A primary Somali export is livestock, a livelihood made increasingly difficult by piracy's interference with export by sea. This is hurting the financial well-being of already-poor people.

- Community impacts:

The concerns of communities are reported to include inflation (because pirates have no sense of the value of money), increased drug and alcohol abuse, and loosening morals (including an increase in prostitution).

Furthermore, pirate strongholds bring lawlessness and increased crime, which in turn preclude international support and development in those regions and which provide safe havens to militant and terrorist groups. Finally, many of the pirates who put to sea are young, disaffected Somalis who are in many ways victims themselves. Many young Somalis die at sea and suffer great hardship on behalf of the pirate kingpins who profit from ransoms. Further research is needed to quantify the extent of the human cost to Somalis, a people who have already suffered enormously for decades.

Part 2: **West African Piracy** and its Economic Impacts

PRIMARY FINDINGS

- While periods of captivity are shorter, more seafarers are subject to close, and often violent, contact with pirates than off Somalia.
- As reports of violence become more wide-spread, seafarers are increasingly wary about working in the Gulf of Guinea.
- Seafarers off West Africa are potentially more at risk than off Somalia because of long wait times in hazardous areas, the nature of PCASP regulation, and the violence exhibited by pirates.
- Underreporting of piracy attacks off West Africa is allegedly acute based on the lack of expected reponse (and prosecution) and the fear of burdensome investigations by local authorities.

2.1 Background on Piracy and Armed Robbery at Sea in the Gulf of Guinea

Piracy and maritime violence in West Africa is attracting international attention as the number of reported attacks on commercial vessels increase in frequency and geographic range. The year 2012 marked the first time since the surge in piracy off the coast of Somalia that the reported number of both ships and seafarers attacked in the Gulf of Guinea surpassed that of the Gulf of Aden and of the Western Indian Ocean.

Although many attacks in the Gulf of Guinea occur in territorial waters, the term "piracy" is often used to describe both piracy and armed robbery at sea despite the fact that many of these crimes may not fulfill the precise legal definition for piracy under the United Nations Convention on the Law of the Sea. (See Appendix 2 for the definition of piracy.) While recognizing the legal limits of the term, this paper will use the term "pirate" to describe those who conduct both piracy and armed robbery at sea.

The rise in maritime crimes against merchant shipping inspired Lloyd's Joint War Committee to extend a high risk area to include Nigeria and Benin's EEZs north of 3 degree latitude in 2011. The high risk area will be expanded to include Togo's EEZ (also north of 3 degrees latitude) in 2013 (See Figure 2.1).

Figure 2.1 **JWC high risk area** for the **Gulf of Guinea**

▨ 2012 War Risk Area for the Gulf of Guinea   ▮ Expanded to include Togo in 2013
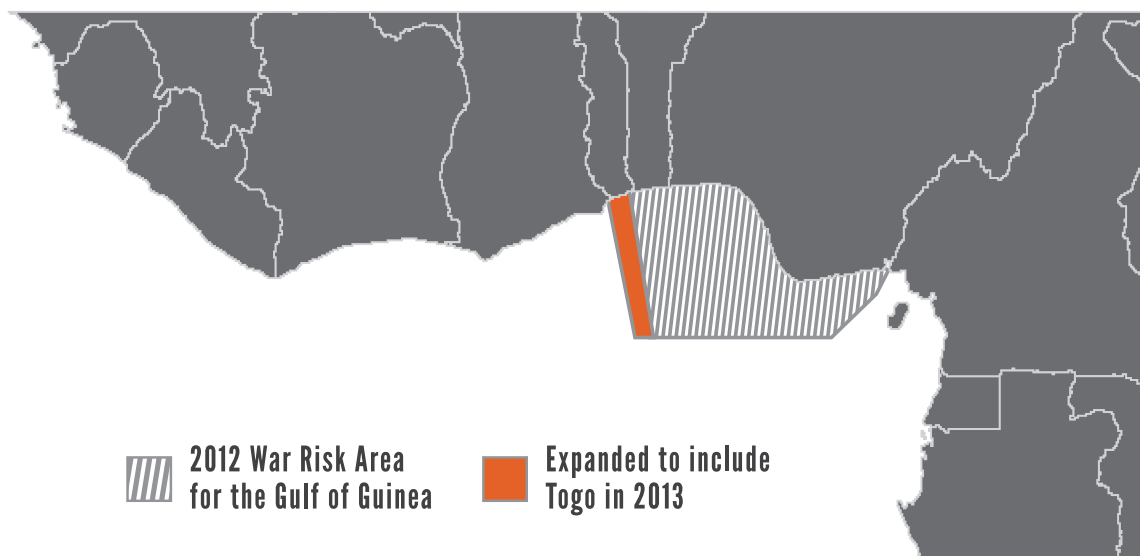
As a result of this change, vessels are recommended to carry additional war risk insurance when entering this area. The International Maritime Bureau similarly includes Nigeria, Benin, Togo, and Cote d'Ivoire in its list of Piracy and Armed Robbery Prone Areas.
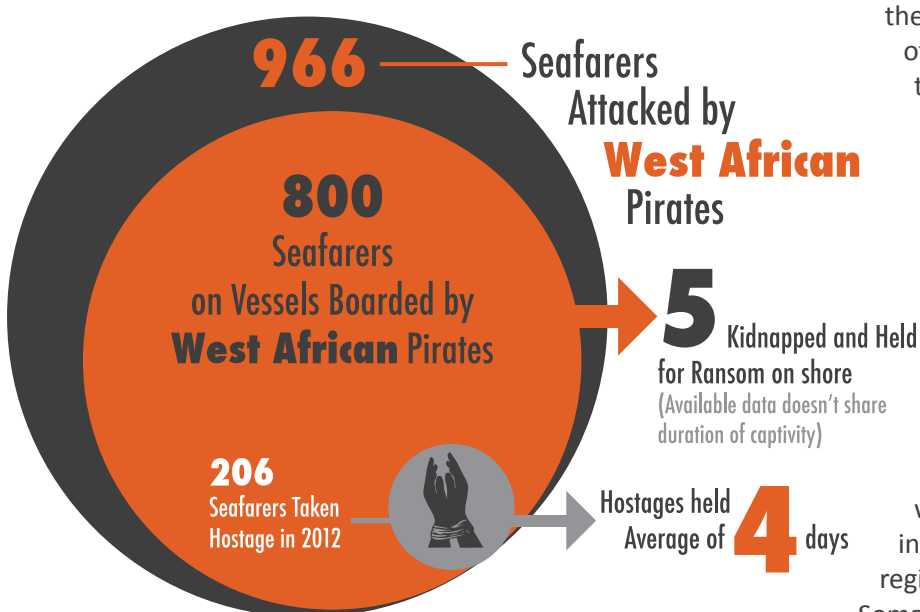
The specific challenges posed by piracy and armed robbery in the Gulf of Guinea region are not as clearly understood (by either the general public or those impacted by the crimes) as they are off the coast of Somalia. This is due in part to limited reporting of events, which hampers the creation of a complete picture of the maritime situation. As a result, the counter-piracy responses in that region, including self-defense recommendations and measures, are not as well developed or widely accepted as they are in the Gulf of Aden and Western Indian Ocean. Accordingly, ship owners and operators are generally left to their own devices in developing self-defense measures which creates greater vulnerability to pirate attacks. To address this vulnerability, the Round Table of International Shipping Associations launched a set of interim guidelines for owners, operators, and masters in the Gulf of Guinea region in December 2012 with support from the NATO Shipping Centre. However, these have not yet been adopted across the industry and region, and other organizations are developing additional versions of guidelines.

Another challenge is the limited capacity across the expanse of the Gulf of Guinea for naval or coast guard support for vessels under attack, and the lack of a dedicated international naval force to supplement this capability. This not only leaves vessels more vulnerable to attack, but it also means that reporting is less likely to result in naval or coast guard support. As a result, ship owners and operators have less incentive to report attacks, contributing to the incomplete picture of maritime crimes in the region. This both increases the risks for seafarers in the region and makes it more difficult to determine the human cost of piracy and armed robbery in the region.

2.2 West African Piracy Attacks

The International Maritime Bureau received reports from a total of 43 vessels that were attacked in the Gulf of Guinea in 2012. Figure 2.2 presents the numbers of seafarers and fishermen attacked. These reports indicate that there were 966 seafarers attacked by pirates armed with either guns or knives, 800 of which were on vessels boarded by these criminals. While hijacking and hostage-taking are not the principal aim of pirates in the Gulf of Guinea, 206 people (21% of those attacked) were held captive by pirates who were seeking to steal refined oil. There were also reports of five people kidnapped in 2012 and held onshore until a ransom could be secured.

Figure 2.2 Seafarers Attacked in West Africa

966 Seafarers Attacked by **West African** Pirates

800 Seafarers on Vessels Boarded by **West African** Pirates

206 Seafarers Taken Hostage in 2012

5 Kidnapped and Held for Ransom on shore (Available data doesn't share duration of captivity)

Hostages held Average of **4** days

There is a much higher boarding rate in the Gulf of Guinea region than off the coast of Somalia. In the Gulf of Guinea, 83% of attacks lead to boardings. A portion of this high rate of boarding may be explained by the likelihood that some unsuccessful attacks by West Africa pirates are not reported. It may also be related to the fact that many vessels are attacked while at anchor, drifting, or conducting ship-to-ship transfers of refined products cargo. Only 33% of vessels were attacked while actively in transit in the Gulf of Guinea region. In contrast, attacks off Somalia almost always occur while they are underway. Furthermore, the

OCEANS BEYOND PIRACY a project of One Earth Future Foundation

geography of the Gulf of Guinea region and the fact that vessels must stop at or near a port to offload or load cargo provides criminals with greater opportunity to gain access to vessels. It also removes the ability of vessels to reduce the risk of being boarded or hijacked by travelling at increased speeds, which is one of the key recommended self-defense measures for minimizing the possibility of being boarded while transiting the Gulf of Aden and Western Indian Ocean.

2.3 Nationality of Seafarers Attacked by West African Pirates

Figure 2.3 shows the impact of West Africa piracy on seafarers by nationality. Among the 966 seafarers reported as having been attacked by West African pirates, including those incidents in which the vessel was fired upon with high-caliber weapons, boarded by pirates wielding guns or knives, or hijacked, the greatest number were Filipino. This number, 25%, matches the approximate composition of Filipinos working in the seafaring industry, and is greater than the 13% of Filipinos who were affected by Somali piracy. Figure 2.3 also shows the breadth of impact on seafarers from multiple countries. Only about 5% of attacked seafarers were from the same region as their attackers, including seafarers from Nigeria, Ghana, and Cameroon. Less than 1% of seafarers who were reported as attacked in the Gulf of Guinea region were from OECD countries.

Figure 2.3:
Nationality of
966 Seafarers Attacked
in the
Gulf of Guinea Region
2012

UNKNOWN 36%
PHILIPPINES 25%
OTHER 10%
INDIA 9%
RUSSIA 7%
NIGERIA 5%
CHINA 5%
UKRAINE 3%
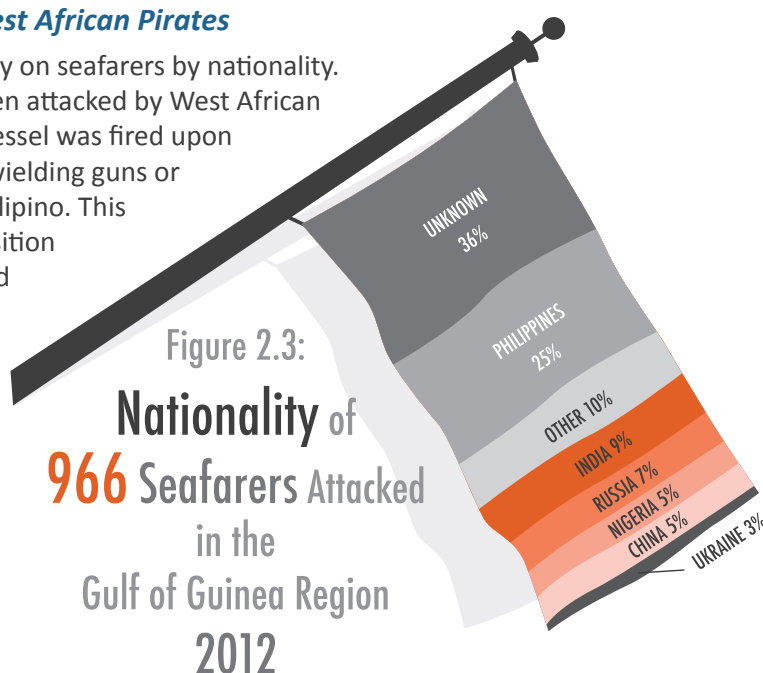
2.4 Types of Attack and Associated Violence

A 2013 report by the EU Institute for Strategic Studies (ISS) noted that pirates in the Gulf of Guinea are more violent than Somali pirates. This may be due to their greater level of familiarity with weapons, as many pirates are former members of militant groups such as the Movement for the Emancipation of the Niger Delta. The Gulf of Guinea region additionally has a large number of firearms available from previous armed conflicts that are being recirculated through the region. According to a UNODC report, criminals can get weapons from the local security forces, buying or renting them from corrupt elements in the police and military.[8]

It is no surprise then, that West African pirates' knowledge of and access to sophisticated weapons gives them an advantage. Their knowledge and weapon quality can even surpass that of the security personnel hired to protect vessels. One seafarer described the limitations of security guards, who are contracted from the regional government, when queuing outside a West African port: "They had a soldier guarding our vessel. It happens in daytime, but during the night, they are actually hiding. They hide too. The soldiers. They leave their arms behind. They hide, just like that. When we ask them why they hide, their answer is simple, 'The weapons of rebels and pirates are stronger.'"[9]

There is also fear that the pirates' weapons have the capacity to breach citadels: "The citadel is part of the contingency plan. That is where we run. The doors of the citadel are made of iron. But nowadays, we have heard and seen in the news that iron is useless. Their weapons are able to penetrate it."[10] In effect, seafarers have limited security and self-defense measures, leaving them especially vulnerable to attack.

There are four broad types of pirates and maritime criminals operating in West Africa. Seafarers appear to encounter different degrees of violence at the hands of each of these types of criminals. The greatest violence occurs when seafarers face heavily armed robbers seeking to quickly steal items from the stores of the ship and from the crewmembers' personal belongings.

Tanker Hijackings
- Product and chemical tankers are targeted with the intention of stealing the cargo of refined products for resale.
- Tanker hijackings occur both in territorial waters and on the high seas, though attacks most commonly occur near ports while vessels queue outside of the port or undergo ship-to-ship cargo transfers.
- Vessels in tanker hijackings were held for an average of four days in 2012, during which time the vessel would be relocated to meet another tanker for oil transfer.
- Where information is available on attackers, it indicates that they originated from Nigeria.[11]
- Impact on seafarers in 2012:
  - There were 206 seafarers on vessels hijacked.
  - Seafarers may be fired upon by pirates with automatic weapons, including assault rifles and grenade launchers: 20% of the reported attacks included these weapons.
  - Seafarers are held in confinement with constant threat of violence from pirates armed with knives and/or guns who were noted in some interviews to be high on drugs: "At times, when the pirates are high on drugs their behavior changes. … He would swing his machete and hit the wall of the mess room/hall."[12]

Kidnap & Ransom:
- Pirates will usually take the crew off of a vessel or off-shore rig and hold them on shore during negotiations.
- Offshore supply vessels are the most frequently targeted, and there is some evidence that some fishing boat captains are taken as well. Attacks on fishing vessels are severely underreported.
- Incidents are concentrated in the Niger Delta region, occur predominantly in Nigerian territorial waters, and have historically been correlated with militant activities in the Niger Delta.
- Semi-failed attacks where the vessels are boarded but crewmembers are not accessible tend to develop into armed robberies.
- Impact on seafarers in 2012:
  - There were five seafarers reported as kidnapped from vessels that were boarded by armed pirates.
  - There is extremely limited reporting on these incidents to indicate the degree and type of violence faced by victims.

Armed Attacks not for Hijack:
- Attackers seek to steal the ship's stores, cash, and crewmembers' personal belongings; cargoes are not targeted.
- These attacks are conducted by heavily armed groups; the attackers are often ex-militants.
- Extreme violence is commonly used in these attacks.
- Impact on seafarers in 2012:
  - There were 372 seafarers subjected to robberies by heavily armed pirates.
  - There were two seafarers and two security guards killed by armed robbers.
  - An additional 14 seafarers were reported as either beaten or shot, and 41 were threatened with guns.

Subsistence Piracy:
- Pirates using knives or machetes seek to steal the ship's stores and/or personal belongings from the crew.
- Criminals flee quickly rather than risk getting caught.
- Incidents occur across the Gulf of Guinea and the territorial waters of West African countries.
- These are not a new phenomenon and show no significant increases in incidents.
- Impact on seafarers in 2012:
  - There were reports of 222 seafarers on vessels that were boarded by criminals carrying knives.

2.5 Fatalities

In 2012 there were reportedly five people killed by or because of West African pirates, matching the fatality rate for victims of Somali piracy during the same year. Four people were shot and killed by West African pirates. Three of these individuals were security or naval personnel and one was a ship master. The violence against security personnel may reflect on-shore tensions between local criminal groups and security personnel and may not reflect intent to target seafarers, but it underscores the security challenges in West African waters. The fifth fatality listed was a seafarer who sustained fatal injuries while trying to escape from a pirate attack after seeing the ship master shot and killed. Four of the deaths occurred when pirates armed with guns boarded a vessel and one occurred when a vessel was fired upon by pirates in a skiff. There were no seafarers killed on hijacked vessels.

Figure 2.4:
Deaths caused by West African Piracy
2012

2.6 Duration of Captivity

Vessels that are hijacked by West African pirates are held for significantly shorter periods of time, four days on average, than those captured by Somali pirates. There are a number of factors that play into this difference. First, West African pirates who take seafarers hostage rarely do so with intent to negotiate a ransom. In most cases they intend to steal the cargo (refined oil) to sell for profit. Second, when a ransom is demanded, the hostages are taken off of the vessel and held on shore during the negotiation process. Third, the ability of pirates to hold vessels in the region is limited by a lack of long-term safe havens where they can keep captured vessels during the lengthy negotiation process that is common off the coast of Somalia.

2.7 Seafarers' Views on Transiting the Gulf of Guinea

There is anecdotal evidence to suggest that seafarers are increasingly worried about attacks in the Gulf of Guinea region. Seafarers talking to Maritime Piracy Humanitarian Response Programme indicated that they experience fear and anxiety when told they will be going to the Gulf of Guinea. This fear is related to their awareness of the high rate of violence used in attacks in this area. It is also affected by the knowledge that they will not just be traveling through pirated waters, but will have to enter a port or anchor closely offshore to deliver and pick up cargo. This scares seafarers because they say they have heard many stories about violent attacks on vessels in port or anchored offshore. There are also concerns that all authorities cannot be relied upon for support. One seafarer told MPHRP that there are no reputable authorities who will assist them if incidents happen. He said, "We had a 'port inspection' and they took eight tins of paint, two coils of rope, and several bottles of whiskey. If the 'authorities' do this, who do we rely on for help?"

Data from the IMB Seafarer Survey suggests that rates of fear reported by seafarers related to West Africa are comparable to rates of fear related to Somalia,[13] and are higher than rates related to Southeast Asian piracy. The seafarers polled reported relatively high rates of fear, stress, and an inability to focus related to West African piracy. When asked about specific fears, they reported being concerned about many different aspects of piracy in West Africa. Table 2.1 shows the mean levels of concern for each of the specific scenarios seafarers were asked about, rated on a scale of 1 (least concerning) to 5 (most concerning). These items show a similar pattern of concern to responses to Somali piracy. Average levels of concern across all items were high: 4.08 out of 5. As with Somali piracy, seafarers' primary concerns had to do with:

- Their families being worried.
- Fear about being boarded by pirates.
- Being kidnapped by pirates.
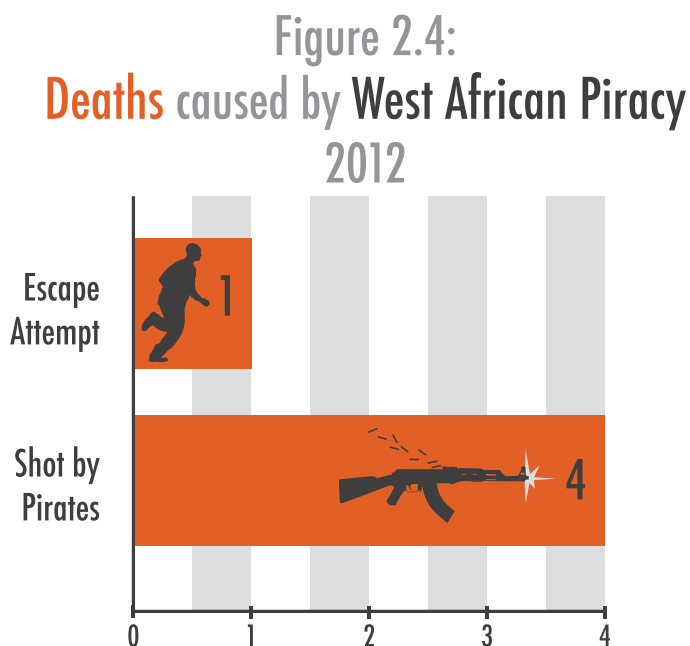- Being at risk if held hostage.

Table 2.1: Seafarer concerns about specific events in West African piracy (listed from most to least concerning)

Concerns	Rating
My family being distressed by worry about my well being	4.38
Being boarded	4.32
Being kidnapped and taken away from my ship (held on land)	4.32
The uncertainty of my personal safety during the hostage and captivity period	4.30
Being taken hostage and isolated from my colleagues	4.29
Being killed	4.28
Being beaten	4.26
Being fired upon	4.23
My relationships with my loved ones getting difficult	4.15
My family experiencing financial hardship because my salary is stopped	4.06
Hiding in a citadel	3.99
My personal effects and possessions being stolen	3.86
My family not being taken care of if something happens to me	3.86
Other crewmembers not being able to cope due to cultural and language differences	3.85
My family being harassed by pirates	3.77
My family not being informed about what happens to me	3.71
My company not being able to pay for my release	3.70

As with Somali piracy, seafarers reported more of a sense of safety aboard ships using both armed guards and BMP protection, even though BMP was designed for the risks specific to Somali piracy. Figure 2.5 reports their levels of feelings of safety under various circumstances. These findings suggest that seafarers feel significantly safer when aboard ships that use both BMP and armed guards. After this, however, there is no major difference among their reactions to different safety interventions, but all interventions are seen as increasing their feelings of security relative to no intervention at all.[14]

The responses to Somali piracy were repeated in the willingness of seafarers to tell their families they would be sailing in West African waters. They report that they are most likely to tell their families if they are aboard ships with both BMP and armed guards, then with BMP alone, then with armed guards, and are unlikely to tell their families if they are in West African waters aboard a ship with no protection.[15]

Figure 1.6:
How seafarers feel about piracy in the region
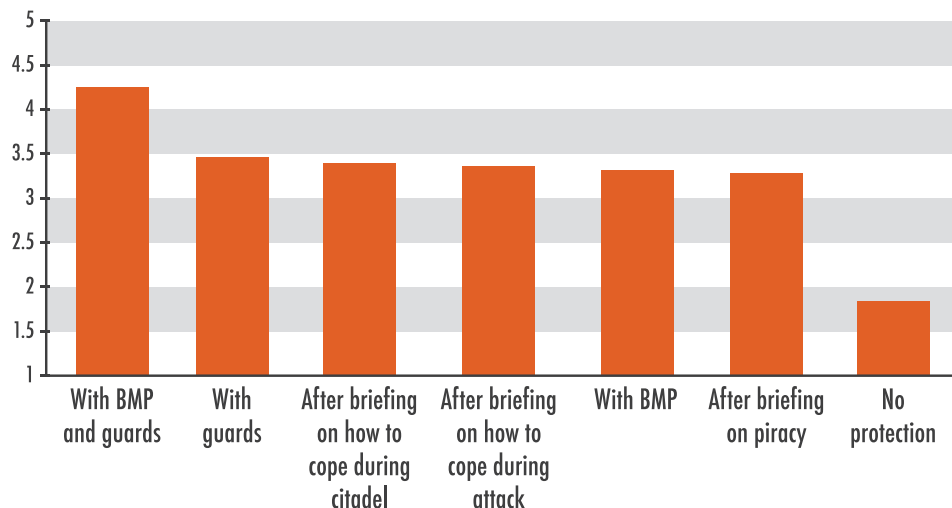
2.8 Preliminary Economic Impacts on the Gulf of Guinea Region

Although the focus of this report is the human cost of maritime piracy, very little has been written about the economic effects of West African piracy and they are worth discussing. A large part of the reason for this omission is that there is minimal documentation on the specifics of these crimes. This section therefore takes an extremely modest and cautious approach. After surveying the publicly available information on potential economic impacts and supplementing that information with background conversations with industry experts, it became clear that providing a specific cost range would be impossible. Instead, the information is described in terms of orders of magnitude.

All told, West African piracy has imposed direct costs to stakeholders in the high hundreds of millions of dollars and indirect costs to affected industries in the billions of dollars.

Figure 2.6: **Would you tell your family** about passing through the **Gulf of Guinea?**

Value of Stolen Property

Of all the costs imposed by West African pirates, the most obvious is the economic value of the property stolen. This property theft can be direct, in the form of cargo and the personal effects of the crew, or indirect, in the form of ransom.
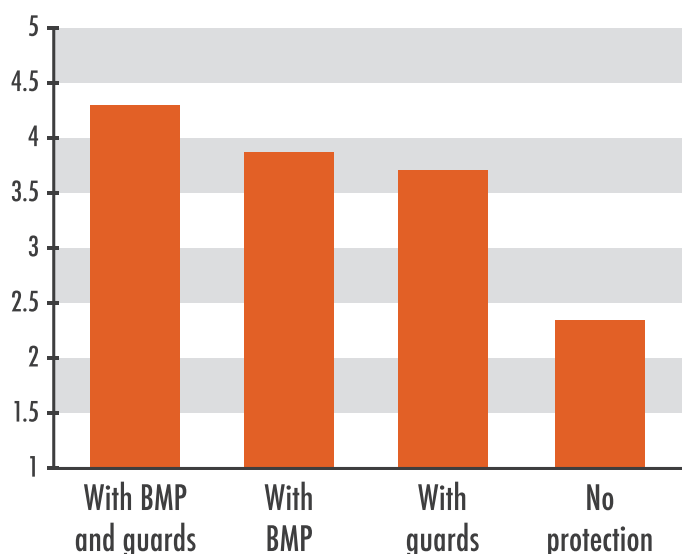
- In the course of their attacks, West African pirates steal refined petroleum products estimated to be worth between $2 million and $6 million on average, with values reaching as high as $10 million.[16] With seven incidents of oil theft reported, the value of stolen petroleum in 2012 is estimated to have been between $14 million and $42 million.

ESTIMATED VALUE OF STOLEN GOODS IN 2012
$34 - $101 million

- According to the UNODC, the value of the property stolen from seafarers, ships' stores, and company cash is between $10,000 and $15,000 per attack. The IMB reported 35 incidents of property theft in 2012, resulting in a value of between $350,000 and $525,000 in stolen property.

- West African pirates also hold seafarers hostage for ransom, but there is little to no publicly available data on ransoms paid in 2012.[17]

As such, the reported value of stolen goods multiplied by the alleged reporting rate is the best measure of the economic cost of stolen property. Using that measure, the value of stolen goods was between $34 million and $101 million in 2012.

Cost of Piracy-Related Insurance

The marine insurance market has responded to piracy in West Africa in a way that mirrors the East African response, with Lloyd's Joint War Committee designating it a war risk area and with a market emerging for marine kidnap and ransom (K&R) insurance to complement the traditional K&R insurance that has been available in the region for years.

Calculating the cost of insurance in West Africa is an exceedingly difficult proposition. Conversations with industry experts suggest that both costs and industry practices are very similar in East and West Africa. Using OBP's 2011 cost formula for East Africa,[18] it appears that $275 million is spent annually on war risk premiums and between $83 million and $152 million in K&R premiums in West Africa. This result closely corresponds to a conversation with an industry expert who suggested that the annual insurance-related cost is around $285 million for war risk premiums and $149 million for K&R. The total insurance cost for the Gulf of Guinea region is therefore estimated to have been between $423 million and $437 million in 2012.

Total Cost of
War Risk
and K&R
Insurance
GULF OF GUINEA
2012

$423
to
437
Million

Cost of Private Armed Guards

It is often stated that no ship transiting the Gulf of Aden or the Western Indian Ocean with private armed security has been successfully hijacked by pirates. However, the West African market differs significantly from the East African, in large part because vessels desiring armed protection enter territorial waters where local laws require that all armed guards be from local security forces.[19] The most common arrangement requires ship owners and operators to exchange their armed team for a new one each time the ship crosses from one country's territory to another's if it wishes to enter ports in multiple countries.

This arrangement imposes significant costs on ship owners and operators. For example, the logistical cost of the embarkation and disembarkation of an armed team is around $8,400, the cost of an armed escort is around $5,000 per day, and the cost of a team of armed guards is between $1,000 and $3,000 per day.[20] For $2,000 more per day, companies can hire unarmed British security advisors. There are additional costs associated with regulatory compliance, time lost due to embarking and disembarking during the transitioning of armed guards, and investment in security equipment, which represents a one-time cost of between $15,000 and $20,000 per ship.

The cost of armed guards is extremely difficult to calculate with any certainty. However, assuming a 25% rate of their use, the amount spent on armed security was likely around $150 million in 2012, though this estimate is almost certainly a conservative one.

$150
Million

Total Cost of
Private Armed Guards
2012

Military Expenditures

Estimating piracy-related military expenditures in the Gulf of Guinea is extremely difficult, if not impossible. With no fewer than five nations devoting thousands of personnel and almost 100 vessels of all sizes to combatting a host of maritime crimes, separating piracy-related costs from other security costs is a daunting task. Yet publicly available information suggests that navies are spending money on piracy in the form of vessel acquisition, training, and conducting patrols and military exercises.

Total Cost of
Military Expenditures
2012

$100-150
Million

Military forces operating in the Gulf of Guinea region spent significant sums for vessel acquisition in 2012. For example, Nigeria signed a $23.5 million contract for two patrol boats, and its defense budget calls for an additional $13.7 million in funds for new vessel acquisition.[21] Additionally, the U.S. government provided two $460,000 U.S. Coast Guard Defender Class speedboats to Benin's navy and two $800,000

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gunboats to Togo's navy. Germany donated $35 million worth of vessels to Ghana's navy.[22] Though there is evidence suggesting that these acquisitions were made in response to maritime piracy, the extent to which they will be used specifically for defense against piracy is unclear, making it difficult to assess the specific piracy-related costs.

Once these ships are acquired, additional resources must be employed in order to make productive use of them, as illustrated by the $3.8 million spent per week by Nigeria to keep eight ships on patrol. That expense covers personnel costs, fuel, spare parts, routine maintenance, and training exercises at sea.[23]

The final piracy-related military costs are those associated with training and military exercises. In 2012, France pledged $10.8 million for Benin's naval training. Additionally, there were at least four bilateral or multilateral piracy training exercises.[24] The most expensive of these lasted for six months and cost $9.32 million per month.

Again, it is extremely difficult to calculate an exact cost spent by the militaries of these nations in 2012, but assuming that somewhere between 25% and 50% of reported costs went towards combatting piracy, military costs in 2012 were likely between $100 million and $150 million.

Labor Cost

Like industry practices regarding marine insurance, labor practices in West Africa track closely to those used in East Africa. In 2012, the International Bargaining Forum (IBF) of the International Transport Worker's Federation designated the territorial waters of Benin and Nigeria as a high risk area (HRA), with a provision for double base pay for seafarers who transit it.[25]

Total Cost of Labor 2012

$30-105 Million

As reported in our Economic Cost of Somali Piracy report released in 2012, approximately 70% of the world's seafarers should be entitled to hazard pay. The cost of hazard pay is around $10,000 per vessel for each week spent in the HRA, but it is unclear how many seafarers are actually paid the increased wages to which they are entitled. These parameters hold true in the West African context, but the extent of participation is even less certain. Nonetheless, assuming that approximately one half of the 30,000 ships that pass through the Gulf of Guinea each year nominally pay increased wages in accordance with the IBF agreement,[26] and that somewhere between 20% and 70% of those ships actually disburse hazard pay, labor costs related to piracy were between $30 million and $105 million in 2012.

Prosecution & Imprisonment

As of December 2012, there had not been a single prosecution of a pirate suspected of operating in the Gulf of Guinea.[27] Though it is extremely disappointing that West African pirates operated with impunity in 2012, the Nigerian Maritime Administration and Safety Agency presented the Draft Piracy and Other Unlawful Acts at Sea Bill in Lagos in March of 2012,[28] and the agency detained 11 individuals suspected of being involved in maritime piracy.[29] Nonetheless, the total absence of piracy-related prosecutions results in an easily identifiable figure of $0 having been spent in 2012 on these efforts.

$0

Total Cost of Prosecutions & Imprisonment 2012

Capacity-Building Efforts

Though nothing was spent in 2012 on prosecutions and imprisonment, several long-term capacity-building efforts were undertaken, not including military training efforts, with more planned for the near future.
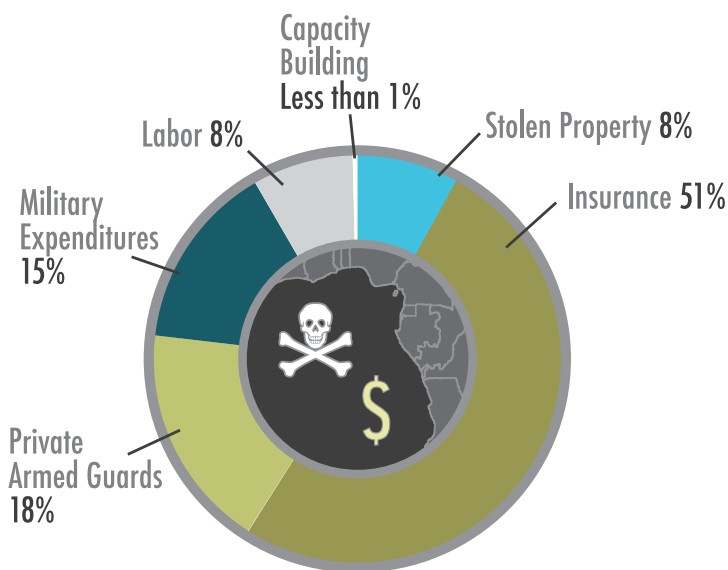
The first of these capacity-building efforts is the Priority Solidarity Fund, a $1 million three year program funded by the French government and dedicated to building the capacities of the national maritime security forces of Benin, Ghana, and Togo.[30] The second capacity-building effort comes in the form of a UK contribution of $3 million for a radar network aimed at disrupting maritime criminal activity.[31] Additionally, the United States pledged $300,000 to help with the development of a national maritime security strategy in Benin, and the United States and Australia have pledged to deploy teams to Benin to conduct needs assessments.[32] Finally, the European Union has taken a trans-regional approach to piracy, so the littoral states within the Gulf of Guinea have been benefitting from those ongoing efforts.

Taken together, a figure between $2 million and $6 million was spent on capacity-building efforts in 2012, depending on the proportion of allocated funds actually spent. These capacity-building efforts appear to be intensifying, with a January 2013 announcement from the European Union about a $6 million project to enhance the safety of maritime routes in the Gulf of Guinea.

Total Cost of
Capacity Building Efforts
2012
$2-6 Million

Direct Economic Cost of West African Piracy

$740-950 million

Capacity Building Less than 1%
Labor 8%
Military Expenditures 15%
Private Armed Guards 18%
Stolen Property 8%
Insurance 51%

Total Direct Economic Impact on West Africa

In all, maritime piracy in the Gulf of Guinea cost an estimated $740 to $950 million in 2012. It is clear that West African piracy costs considerably less than its East African counterpart. This is true for several reasons. First, ship owners and operators are unable to employ the self-protection tactics of re-routing and of increasing speeds that cost $2 billion – one third of the total cost – in East Africa in 2012. Second, the Gulf of Guinea is much smaller than the Indian Ocean, both in terms of geographic area and traffic. Third, there is significantly less international involvement in West Africa than in East Africa. Before a more definitive economic cost study can be conducted, however, increased transparency is required.

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Part 3: The State of Seafarers

Primary Findings

- Even as the number of hostages has declined, the long-term effects of piracy on seafarers are becoming more evident.

- In addition to the abuses suffered by seafarers, families are now the targets of harassment by pirates and secondary victimization by opportunistic con men.

- There are gaps in the awareness and benefit programs available to reduce risks to seafarers.

3.1 Long-Term Impacts

The impacts of piracy do not end when the attackers stop firing or the hostages are released. Seafarers and the families of seafarers who are directly affected by piracy may suffer a variety of long-term effects even after the active elements of the event are over. The decline in Somali piracy is a heartening trend, but even if all new instances of piracy were to stop tomorrow there would be a large number of seafarers who are still dealing with the impact of past pirate attacks. As reported below, the rates of long-term distress are difficult to quantify, but if even a small percentage of the thousands of seafarers who have been attacked and held hostage off Somalia showed lasting problems, this would translate to a large number of people who are still dealing with the effects of piracy. This section reviews some of the specific impacts that can be measured, including the long-term impact on seafarers' physical health, psychological or behavioral impacts, impact on economic well-being, and the potential for secondary victimization: negative impacts that seafarers experience specifically because they were previously exposed to piracy. Fortunately, seafarers are a resilient group, and this section also highlights some less-negative long-term effects by showing examples of seafarers who displayed effective coping skills during and after the event, including some seafarers who report feeling that their experience has made them stronger.

Physical Effects

The headlines following piracy attacks often emphasize the number of people captured and killed, and may unintentionally downplay the number of people injured. In 2012, there was a significant reduction in media coverage of hijackings and releases. As a result, there was minimal information available on how many seafarers were physically abused beyond the reports received by the IMB. According to these reports, only three of the 349 seafarers taken captive by Somali pirates reported a significant injury as a result of piracy. Additionally, five seafarers died because of Somali piracy either during captivity or in rescue operations. The incidence of injuries from West African pirates was higher with 18 people reported as injured. This included two people who received non-fatal gunshot wounds on vessels that were fired upon by pirates, 14 who were beaten or shot at by pirates who boarded their vessels, and a final two who were beaten or shot at during a hijacking. Additionally, five people were killed because of West African piracy: two seafarers and three security guards. In total, ten seafarers or guards died and 21 seafarers were abused by or because of piracy either off the coast of Somalia or in the Gulf of Guinea region. It is likely that the actual number of seafarers injured is higher than these reported figures.

Specific information about the detailed prognosis of seafarers is not available, but when considering long-term effects of piracy it is important to remember that physical abuse and physical injuries can have lasting effects. Recuperation from serious injuries such as non-fatal gunshot wounds can take months or longer, and injuries can lead to lasting impairment. The physical impact on injured seafarers should be considered in any consideration of the long-term impacts of piracy: even seafarers who were not killed may still face serious injuries that will need support throughout their recuperation.

Psychological and Behavioral Effects

In addition to the physical effects of their experiences, many people exposed to pirate attacks may experience long-term psychological or behavioral effects. Pirate attacks are extremely violent: even before pirates board ships, seafarers are exposed to the fire of automatic weapons and in some cases, an attack with rocket-propelled grenades. Seafarers whose ships are boarded may additionally suffer the stress and uncertainty associated with waiting in citadels, and those captured face abuse on board ships or on shore as the hostages of pirates. Post-release or recovery reintegration is not always conducted with sufficient appreciation for the need for psychological support, potentially increasing the risk in these cases that the seafarer will experience challenges with recovering.

There are a number of reasons to believe that these experiences might lead to long-term distress in some people. Being held hostage, threats of death, and other forms of severe and long-duration stressors have been found, in prior research, to be significant risk factors for behavioral problems in the long term.[33] For some people who have been through traumatic events, the event can trigger lasting problems including physical health issues, psychological problems including post-traumatic stress symptoms and depression, and behavioral problems including substance abuse and problems at work or at home. While rates of distress vary according to both individual characteristics and characteristics of the event itself, for experiences similar to pirate attacks, such as combat and long-term hostage experiences, rates of distress in other populations have been found to be relatively high. These experiences are associated with long-term rates of distress of 20% or more.[34] Currently, there is little direct research looking at the psychological impact of piracy on seafarers specifically. However, what little there is clearly suggests that seafarers are not immune to these impacts.

A Seamen's Church Institute study released in 2012 found that in their sample of seafarers who have had piracy experiences, most showed some form of clinically significant disturbance afterward. The most frequently reported symptom was concern about returning to work, followed by sleep disturbances, diminished energy, and increased use of alcohol.[35]

In the interviews conducted by OBP, there were 13 seafarers who experienced a direct attack by pirates. These 13 seafarers and provided an illustration of the impacts of a pirate attack on a seafarer and his family. Of this sample, 77% of the seafarers were on ships that were boarded and captured by pirates and 23% were attacked but not captured. Of these seafarers, 100% reported some form of lasting impact from the experience. The most frequent effect was some form of persistent fear about piracy: 85% of interviewees reported that they now have a lasting or pervasive fear of piracy. One seafarer put it this way: "Even if I show to my family that I am fine or I can still manage, deep inside there is still fear. The fear is there and it is because of the thought that the same thing might happen again. What could happen could be worse than what I went through."

Many participants reported more clinically significant symptoms. The majority of participants (54%) reported unwanted, intrusive, or sudden memories of piracy– particularly when something happened that reminded them of the event. Other commonly reported problems included emotional disturbances such that participants felt more anxiety (39%) or anger (31%) than before the event. One seafarer described the feeling: "When we arrived back home, there are times that I get easily irritable. I would get angry easily." A second seafarer reported challenges with both sleep and irritability: "Sometimes when I sleep, I suddenly scream. It feels like there's still trauma…I easily get mad. It doesn't matter what I take hold of, I would smash it." A smaller group reported experiencing other common symptoms of post-traumatic stress, including repeated disturbing dreams about piracy (23%), feeling distant or cut off from their day-to-day lives (15%), or persistent vigilance and an inability to relax (15%).

> "Even if I show to my family that I am fine or I can still manage, deep inside there is still fear. The fear is there and it is because of the thought that the same thing might happen again. What could happen could be worse than what I went through."

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The behavioral impact of these distressing experiences can be profound. In our sample, one quarter of our participants made the decision not to return to sea. Because our sample was recruited from social networks of seafarers and survivors of piracy, it's likely that this number is not representative: seafarers who refused to return to sea are more likely to be available to be interviewed. However, the seafarers we talked to made it clear that there was a concrete relationship between their experiences and their unwillingness to return to sea. Interviewees who chose to quit working at sea explained that their experiences with piracy shaped their decisions: "It really is because of the piracy incident. If only there is a livelihood or employment here [on shore], I would not return to work on board." Another seafarer explains his reasons for quitting work at sea: "You'll have money if you work on board, but you are risking your life as well. It is inevitable that in those high-risk areas, pirates will board the ships. For me, it would not matter if I would lack some financial resources as long as I am alive." Another seafarer explained that his family's desire for him to stay safe shaped his decision: "First of all my children do not allow me to. 'Dad, do not go back. Do not go back, you are already old.' And besides, we're already professionals." He continues to explain, "I survived the first attempt. If there is a second attempt, I would not be able to go home alive…100% of my plans have changed. That is why I will not sign another contract."

> "You'll have money if you work on board, but you are risking your life as well. It is inevitable that in those high-risk areas, pirates will board the ships. For me, it would not matter if I would lack some financial resources as long as I am alive."

These psychological impacts were not limited to the seafarers themselves. Though there was limited information in the interviews on the psychological reactions of family members, some interviewed family members reported distress and anguish at the captivity of their husbands and fathers. One wife of a seafarer describes, "I was anxious. When they hit the fifth month, I was very nervous because the captivity was already too long. Around that time, we also heard that the pirates would kill someone if the money will not be released after a month." Another family member described her son's reaction to his father's captivity: "He hates pirates. He was crying all the time. I asked the fleet manager about what I should do with my son. I asked him to talk to my son because he would not believe me when I tell him that his father is okay." Another wife of a seafarer explained that although her husband has returned home, her son continues to have physical reactions to the idea of his father working at sea and possibly being taken captive again: "Every time our son hears that his father is going, he would feel bad and even had fever. He'd demand that his father go home immediately." To fully understand the human costs of piracy, understanding the distress that family members experience and how piracy affects their lives would be beneficial.

> "I was anxious. When they hit the fifth month, I was very nervous because the captivity was already too long. Around that time, we also heard that the pirates would kill someone if the money will not be released after a month."

3.2 Resilience and Positive Coping

Our interviews also demonstrated the resilience of seafarers. An act of piracy is an extreme event, but many of the seafarers in our sample demonstrated effective methods for coping during the attack, reporting that they had used many different tools to help them deal with their experiences. Seventy-seven percent of our interviewed seafarers reported consciously using tools to regulate their fear and emotional responses during the experience. The most commonly reported tool used was prayer. One seafarer described the experience of using prayer and a state of acceptance to help: "I prayed and I accepted that fact: this is it, this is where it ends, as I cannot do anything else." Another talked about how his crew used collective prayer to help cope: "I grew up in that church and there are verses in the Bible that I become very familiar with and recall. Psalms 23:1, I kept repeating that verse–'The Lord is my shepherd…' I kept repeating that verse. That prayer helped me, we were all praying at that time…we never panicked."

One reason why traumatic events can cause long-term problems for recovery is that it is often difficult for people to understand why the traumatic event occurred to them. Research on recovery has found that an important step in the recovery process is developing an understanding of what happened and what it means that does not blame the survivor, or provides some positive explanation for what the event means to the survivor. More than half of the survivors in our sample (54%) reported finding some degree of positive impact or some meaning in their experience. One seafarer reported that he feels that he is now better prepared for anything similar in the future: "At least my experience taught me something when that incident would happen again. If it would happen again, I know what to do, what to say to my crew, when the time comes that I become a master/captain. When that time comes, I would know what to do because of my experience." Another reported pride in how he had handled himself during the attack: "I think that's one thing that I'm proud of about myself. That I was able to handle the situation well."

Some participants even reported that their experience had given them a different outlook on life. Some felt that they had developed a healthier attitude. One reported that he has relaxed significantly since the experience: "There is a significant change in me. In the past, I get easily irritated. Right now, I observe that I want to relax. I am calm right now. I am a bit mellow. I do not get easily irritated now. This is what I observe right now in myself. As if I became gentle." Another reported that after the event, he experiences less fear: "After the incident I do not easily get rattled by physical confrontations or fights; in the past I easily get scared. But now I do not easily get scared, as if all my fears were taken away by the incident. It is not that I want some physical confrontation or trouble, of 'I want a fight,' but with what happened to me I am now more alert. I think in advance but I am not scared." More than a third, 39%, of the seafarers in our sample reported positive changes after the event.

These findings underscore an important fact about traumatic experiences: the majority of people who have a traumatic experience recover without lasting distress. A pirate attack is a significant event that may have significant long-term effects on the seafarers who face them. However, many seafarers report having used coping tools during the attack, and for several seafarers, the long-term impact has had some positive elements in addition to the negative effects.

3.3 Financial Impacts on Seafarers

In addition to the physical and psychological ramifications of piracy, seafarers risk of financial difficulties in both the short and long term. There are a number of ways in which piracy can negatively impact seafarers financially. Some of the most common include the loss of personal belongings for which they are not reimbursed, loss of pay, and financial loss from changing careers to avoid returning to sea.

Our interviews with Filipino seafarers and their wives included a number of questions about the impact of the incident on their personal finances. Their responses are outlined in Table 3.1.

Table 3.1: Financial hardship experienced by seafarers after a piracy incident

Type of Financial Hardship	Yes	No	NA
Received compensation for loss of personal belongings	23%	62%	15%
Received normal salary	69%	31%	0%
Received double pay	54%	38%	8%
Received payments without delay	23%	62%	15%
Family's travel expenses reimbursed by company	23%	31%	46%
Plan to return to work as seafarer	69%	31%	0%

The interviewed seafarers displayed a range of views about their companies' role in their financial situation after a piracy incident. Some showed appreciation at the response from their companies. Others expressed feelings of betrayal and anger toward companies that did not properly compensate seafarers for the turmoil

they experienced during their employment. One seafarer explained that being taken hostage by pirates interrupted his contract, resulting in a loss of pay as well as a loss of personal belongings, and made him question whether to continue his career as a seafarer: "First of all, I did not finish my employment contract. They should have paid me for six months. So, they did not honor my contract. Also, my personal belongings were lost; they were worth more than $2,000. I only received $2,000 for my losses. Plus the impairment that I feel, which is the feeling that I do not want to go back to work on board again, is not addressed. This should be compensated."

Seafarers are frequently robbed of all or most of their personal belongings when they encounter piracy, both off the coast of Somalia and in the Gulf of Guinea region. According to our interviews with Filipino seafarers, it is common for this loss to be worth more than $2,000, which is the amount of insurance required per the Philippine Overseas Employment Agency (POEA). In many cases, the company ensures that the seafarer receives payment for this loss: "They paid for our belongings that were stolen from us by the pirates. They paid for everything. All we needed to do was to list these things. So that is what we did. They did not even ask for any declaration whatsoever to verify our list. They just asked us to make a list of what was taken away from us." However, the process of listing the lost items can add to the stress they experience because it requires them to recall what they lost and place a monetary value on those items. Additionally, there are cases in which the seafarer did not receive compensation, causing anger and frustration with the company: "Moreover, in our case, not only were we taken hostage, we were also robbed. The company did not even bother reimbursing our personal losses. What was painful was they doubted my claim that I lost $7,000 [of onboard pay], my wedding ring, mobile phone and other personal items. Again, the reason for this is that there is no proper law. It is the seafarers who are suffering." Given that most insurance coverage for loss of possessions has a maximum of $2,000, or in some cases $3,000, this leaves many seafarers undercompensated. Also, discussions between MPHRP and seafarers previously held captive by pirates indicate that many seafarers tend to only claim their high value possessions, forgetting the value of clothing and other smaller items. Furthermore, the emotional loss of pictures and video on cell phones stolen by pirates is something that cannot be reimbursed.

> "Moreover, in our case, not only were we taken hostage, we were also robbed. The company did not even bother reimbursing our personal losses."

Another challenge is that pirate attacks interrupt the voyage and thus limit the ability of the company to make payments. Under normal circumstances, a seafarer's salary may go directly to the seafarer, directly to his family, or may be split between the two depending on the agreement made by the seafarer. In the case of a hijacking, especially off the coast of Somalia where captivity may last for months or years, direct payment to the seafarer is not possible. Money cannot reach the vessel and any cash that is held on the ship for payment of wages is stolen by pirates. If the wage agreement specifies all or part of the salary should go directly to a family member, funds may continue to be distributed. One seafarer said "When it comes to income, it was not affected because we signed a contract." However, this is not always the case. Our research shows that there are also cases in which this allotment is either not received or the payments are delayed, causing difficulties for the families who need to keep paying for their homes, school fees, and other expenses.

Cessation of a contract, even if at the seafarer's choice, can cause financial difficulties. There are a number of situations in which the contract may be interrupted. For example, some contracts provide the individual with the right to decide against transiting through high risk waters. If the seafarer takes this option, he must forgo his wages for the remaining months of his contract. An interruption to the contract may also occur because of a piracy incident that results in a seafarer being sent home before the completion of his contract. This may occur in the case of shorter periods of captivity that end before the conclusion of a seafarer's contract period. An interruption may also result from a violent robbery, as is more common in the Gulf of Guinea region, causing seafarers to be taken ashore for medical support or debriefing while the vessel continues the voyage with replacement seafarers. In these situations, the seafarer receives a smaller total payment than anticipated when he signed his contract.

Another financial consideration is additional pay when in pirated waters. This is sometimes called hazard pay and is available to seafarers whose contracts include a provision for receiving double the basic wage when in high risk waters. This is obligatory under the POEA for all Filipino seafarers, so it was required for all seafarers interviewed for this report. Many companies honor this agreement: "What the company did was give us four months of pay for the two months that we were in captivity." There are other situations in which this pay is either not provided or is significantly delayed. In cases where seafarers do not immediately receive all of their back wages after release from captivity, the period of hardship for the seafarer and his family is further drawn out.

> It was normal and expected that we asked for seven months' worth of wages on board. We need clothes and shoes at least for our flight back home. What happened was they gave us each $500. I should have received $4,900 as I have a monthly onboard wage of $700. They only gave us $500. How are we supposed to function if we do not have money? After giving us $500, they promised that all wages will be settled in the Philippines. Even here in the Philippines, they paid us in installments. Yes, they did pay, but it was in installment.

Seafarers described instances in which companies had seafarers sign legal documents before they could receive any pay. One said "Our company was wise because they asked us to sign a declaration from an attorney before they gave our money… we have no claim against them because we already signed." The quit-claim system is supposed to signify that the claim has been settled but is often used to stop seafarers from claiming their full compensation. This quit-claim is usually used within a short period of time after the event and involves an offer of cash up front for signing a document that ends the seafarer's claim to damages. While an attorney may be present to testify that the seafarer understands what he is signing, this attorney is appointed by the company or Protection and Indemnity Club (P&I) and represents their interests.

Many of the interviewed seafarers found the resulting financial struggles they experienced with their companies after being held hostage by pirates to be as distressing as the traumatic event itself. Some families incurred additional expenses trying to meet with and get information from their seafarer's company. For example, members of some families were invited to meetings in Manila to update them on the status of their husbands at sea, but were not reimbursed for the cost of traveling to those meetings, which often required air travel given the distance between their homes and Manila. One seafarer explained, "The company did not even give our wives/partners fare allowance to travel back and forth to Manila. The company did not also provide any support for our wives' or partners' accommodations while they were in Manila." His wife added: "I have collected all my tickets. I thought all the while 'they will refund or reimburse us for our travel expenses.'" This situation also meant that some wives were unable to travel to company meetings, meaning that they did not receive updates and support.

One of the most long-lasting financial difficulties occurs when a seafarer is traumatized or injured to such a degree that he does not feel that he can return to sea. This requires the seafarer to find a new line of work, which may not be readily available and is not likely to pay as well as seafaring. Many of our interviewees therefore found the decision to not return to sea to be especially difficult. One seafarer who chose to stop going to sea described the economic hardships this caused his family: "There are changes especially concerning our financial resources. I have no more work; our financial resources suffer. Our lives have really changed. We no longer use, for example, gas when we cook. We use instead firewood. We have to give up the tutorial [lessons] of our child."

Some seafarers chose not to return to sea because they understandably believed that the risk of encountering another pirate attack was not worth the financial incentives of continuing to work as a seafarer. One explained, "Yes, I do not feel like going back to work at sea anymore. I would prefer to live poorer than to be dead, isn't it? For me, it would not matter if I would lack some financial resources as long as I am alive." Many seafarers struggle with the dilemma of either risking their lives by going to sea or facing financial difficulties by staying at home.

These ongoing issues can interact with the potential for psychological distress; the process of recovery from stressful events requires that the survivor be able to move past the event to develop routines and find a

"new normal." Ongoing battles and disputes about owed salary and compensation can interfere with this recovery by adding new stressors and challenges, and by keeping the seafarers' focus on the events of the attack. In addition, quit-claims or other approaches which ask the seafarer to specify immediately after release what support and compensation he needs do not consider the challenge that behavioral impacts may not manifest for months or years after the event. As such, companies and P&I Clubs must accept that quit-claims cannot apply in trauma situations and should be prepared to assist seafarers in getting the best medical care possible in order to recover.

3.4 Secondary Victimization

One particularly problematic issue is the challenge of secondary victimization. In addition to their experiences with pirates, seafarers and the families of seafarers who have been exposed to piracy may be targeted by other predatory agents or open to new negative events specifically because of these experiences. Seafarers' families in India reported to MPHRP that they were contacted by Somalis in India asking for money to arrange for specific captives to be fed better or treated better on board. Some were also approached by businessmen or people who claimed to represent nongovernmental organizations raising money to release their seafarers, or asking them to provide money for pictures of loved ones in captivity to prove that they were still alive. In yet another situation, family members of hostages aboard a vessel were contacted by a Nigerian claiming to be the brother of another hostage on the same vessel and asking for money to be sent via Western Union to release the crew.[36]

Families have also had to cope with media and the press, who have hounded them for stories, without protection from the ships' owners and companies. One Dutch captain's wife discovered that the press had telephoned everyone in her town who had the same name while trying to find her. In other countries, television news teams filmed families live, exposing them to the public eye while they struggled to cope with the danger to their loved ones. [37]

When captives return home, many ship owners and companies arrange for their medical care and ongoing support. However, there were also cases in 2012 in which the owners and companies left the seafarers to their own resources. This included their needing to arrange their own travel from their arrival airport and even travelling in the clothes they had worn throughout the captivity period. It is often unaffiliated groups, such as MPHRP, who step in to assist in these cases, especially when there was medical need. One example of this was a seafarer who had contracted tuberculosis while in captivity; MPHRP helped to fly him home upon his release and made arrangements to isolate and hospitalize him so that he could recover.

Another group of vulnerable people are the widows of seafarers killed by pirates. The time following release is an emotional time for them, having waited throughout the period of captivity to find that their husbands are not returning. In this period, they are vulnerable to predatory lawyers who offer to represent the widows when, in most cases, the widows do not need any representation. These lawyers engage widows for their services and include clauses that remove her ability to get out of the contract. The lawyer assures the family that they will receive millions more in compensation and may even provide cash advances without informing the widow of the interest rate on this advance. These cases usually take a number of years and frequently end when the lawyer settles for less than he had quoted. At this point, the lawyer takes his fee of between 25–40% as well as the interest on the cash advance, leaving the widow with only a small amount. In the meantime, this process has unnecessarily prolonged an emotional situation for the families. Often the lawyer will encourage the siblings of the seafarer to make legal claims also, which can cause family tension and estrangement. MPHRP is actively involved in addressing some of these reported cases, but they need to be prevented from the outset.

It is also unfortunately true that seafarers may face social problems and suspicion on their return from hostage experiences or pirate attacks. Traumatic events such as pirate attacks are extreme events, the nature of which most people do not have experience with and may not understand. Seafarers deal with a lack of understanding about how these events can affect behavior, and in some cases they even face suspicion that they may be "crazy" or are likely to have emotional problems because they experienced a trauma. They may also encounter a social impact from any economic problems that they face upon their return.

In OBP interviews, 15% of the seafarers reported social problems or rejection from their communities on their return. One of these seafarers reported having issues with crews on ships after he had returned to sea: "When I went back to work, it was okay. Of course my co-workers knew that I'm a piracy survivor and they look at me differently. Even [our officers] were a bit cautious around me. They were probably thinking that they do not know what was going on in my mind and if they shouted at me I could have done some crazy things because of my experience." Another seafarer reported that he had problems with his local community and friends: "They are looking down at me after the incident. I think they are looking down on me as now I have no more money. It seems like that. In the past, we would have drinks together. I tend to get a feel of the same group of people whom I drink with in the past. Now, they are a bit avoiding me as if they are saying, 'This guy looks as if he lost it.'" He added: "I notice that they seem to be assessing me, whether I am ok or not…there is that feeling that they are observing me and assessing my state [of mind]. I can observe in the way they behave as if they are saying, 'He seems to lose it.' As if they are saying, 'He seems to have a war shock.'"

3.5 Availability and Impact of Resources for Seafarers

Seafarers' mandatory training includes navigation, ship and cargo handling, and general safety, among other skills, in order to help them face the unforgiving elements and deal with the stress of commercial pressures that are part of their work at sea. However, a seafarer is generally not trained to cope with the physical and psychological pressures of being held captive, nor is his family given the tools to survive these ordeals. In many cases this includes suffering from a lack of information, receiving threats from pirates, hearing their loved ones begging over the phone, being conned by opportunistic con men, and being financially deprived due to the non-payment of salaries by unscrupulous ship owners and staffing agents.

> "We didn't receive anything [in support]. My wife did not receive any help."

A number of the family members of seafarers who were interviewed reported receiving limited or no support from companies, their home governments, or community organizations during the period of captivity. Similarly, when seafarers returned home they were given no extra support. One seafarer explains, "All our savings are practically spent. We did not receive any support from anyone, like programs for alternative livelihood. On top of that, you are suffering from whatever traumatic experiences you went through." Another seafarer explained, "We didn't receive anything [in support]. My wife did not receive any help." The majority of interviews highlighted that no outside support was received. When support was mentioned, it was in terms of prayer from friends, family, and local religious organizations.

The void in the training on and awareness of risks faced by hostages and their families after release is slowly being filled by the development of a pre-departure piracy awareness training program to be delivered by industry partners and MPHRP. For example, the Hostage Support Programme was recently implemented by the UN Political Office for Somalia (UNPOS) and UN Office on Drugs and Crime (UNODC), with funding from the Trust Fund to Support Initiatives of States Countering Piracy off the Coast of Somalia. The program tracks and monitors those held hostage by Somali pirates, delivering humanitarian support if possible, and repatriating those abandoned on shore in Somalia.[38] In December 2012, the Hostage Support Programme supported the released crew of the MV Iceberg 1, and as of March 2013 the program has supported 46 released hostages in total.[39]

3.6 Initiatives by Major Seafaring Nations

Based on interviews with released seafarers, there was little knowledge within the seafaring community of specific funds available to provide resources and support to families who are facing financial hardship while their seafarer relative is being held hostage by pirates. However, two major seafaring nations, the Philippines and India, have legislation in place to provide protection to seafarers. This includes the provision for double pay when in high risk areas off the Somali coast. Currently there is no provision for West African piracy. The Philippines additionally requires all seafarers to undergo training on piracy prior to departure with each contract, but there is no humanitarian or coping element. The specific provisions are outlined in Table 3.2 below.

Table 3.2: Comparison of legislation in the Philippines and India relating to seafarer protection

Seafarer Nation	Philippines	India
Signatory of the Maritime Labour Convention	Yes	No
National Ruling Body	Philippine Overseas Employment Administration (POEA)	Directorate General of Shipping (DGS)
Governmental Support	POEA ● All Filipino seafarers are entitled to double wages & compensation benefits while transiting High Risk Areas (HRAs) Overseas Workers Welfare Administration (OWWA) ● Members-only ($25, collected from salary) ● Provides monetary compensation for death; educational, training, repatriation, and reintegration benefits	Indian Merchant Shipping Act provides wage protection Seafarers' Welfare Fund Society provides a welfare program that includes: ●Monthly ex-gratia monetary assistance (Rs.200) ● Ad-hoc ex-gratia one-time financial assistance (Rs.5,000) ●Educational scholarships for the children of seamen, ●Ex-gratia death assistance (Rs.40,000) Governmental support applies only to those seafarers on board Indian ships or whose contract is ruled by state law (i.e. through union or Indian staffing agent) DGS released guidelines in 2011 detailing the support that seafarers are entitled to. Responsibility falls on owner/management company/agent; if they fail the DGS will take the matter up with the Flag State administration, the ITF, and the International Maritime Organization. Owner/management company/agent should provide family counseling and support. DGS will step in where required.
High Risk Area Boundaries	IBF boundaries: POEA adopted IBF's designated HRA for the Gulf of Aden and Western Indian Ocean in 2011	NA
Compensation in HRA	Yes, double compensation for each day spent in the IBF HRA	If a member of an ITF-affiliated union
Repatriation Benefits	Yes, if member of OWWA and/or an ITF-affiliated union	● If member of an ITF-affiliated union ● Guidelines state that owner/ship management company/RPS agent shall facilitate and financially support repatriation
Reintegration Benefits	Yes, if member of OWWA and/or an ITF-affiliated union	● Yes; provided under Crew Branch Circular 2 of 2007; NO: 8(6)-CR/2005 ● Physical and psychological care to be provided by the owner/management company/agent after release

Personal Belongings Reimbursement	Up to $2,000	Depends on union; Forward Seamen's Union covers personal effects with Rs.48,000 compensation (with documentation)
ITF-Affiliated Unions	● Associated Marine Officers' and Seamen's Union of the Philippines (AMOSUP) ● Philippine Seafarers' Union ● Many Filipino seafarers are covered by overseas unions	● Forward Seamen's Union of India ● National Union of Seafarers of India ● National Union of Seamen of India ● The Maritime Union of India (Merchant Navy Officers)

Beyond the support and resources provide by seafarers' home countries, there are efforts to provide additional compensation to seafarers when they are transiting high risk areas. The details of these provisions are agreed to during negotiations in the International Bargaining Forum, which facilitates discussion among the International Transport Workers' Federation, its member unions, and maritime employers. The IBF declared a high risk area to include the Gulf of Aden and 400 nautical miles off of Somalia's east coast. This entitlement to additional compensation should apply on each day of the vessel's stay in the designated high risk area. The IBF added the territorial waters of Nigeria and Benin in 2012. This makes seafarers on vessels owned by signatories to the IBF Agreement eligible for:

- Enhanced security measures
- The right to advance notice of intent to enter the area
- The right to refuse to enter the area, and
- A doubling of the daily basic wage and of death and disability compensation for each day that the vessel is within the area of risk.

While these provisions do not remove the risks that seafarers face, they are a step towards relieving some of the negative impacts that piracy has on seafarers.

Part 4: Reporting Challenges

Primary Findings

- There is a continued lack of transparency and information regarding the extent of piracy attacks in both geographic areas (East and West Africa).

- Seafarers are often unaware of the programs which have been implemented for their benefit.

- Those seafarers who have been abandoned and possibly stranded following release are not aware of where to turn for assistance.

4.1 Challenges and Dangers Associated with the Lack of Data

The biggest challenge in producing this report on the Human Cost of Piracy over the last three years has been the lack of consistent data surrounding this topic. Therefore, this report is limited to open source information and information voluntarily shared by sources close to the issue. The most challenging issue is that piracy and armed robbery incidents continue to frequently go unreported, and some estimate that the rates of underreporting, particularly in the Gulf of Guinea region, could be as high as 50%.[40] As such, this report does not presume to describe all incidents and impacts, but seeks to provide a broader and more complete picture of the hazards faced by seafarers and other victims of piracy and armed robbery at sea.

The non-reporting of incidents can have both direct and indirect consequences on crews. These include:

- Endangering those on other nearby vessels, which will be unaware that pirate action groups or skiffs are in the area; this is especially problematic if the attack was unsuccessful, indicating the continued presence of a motivated pirate action group.

- A lack of understanding of the true nature and magnitude of danger faced by seafarers about to embark on vessels transiting areas affected by this crime.

- The loss of intelligence that could provide valuable information needed for naval vessels to intercept and disrupt pirate action groups.

- The loss of potential evidence that could be used for later prosecutions.

- A false sense of security for seafarers that may lead to complacency based on the lower number of reported attacks.

- Loss of public and political support to supply resources for continued counter-piracy missions.

4.2 Alleged Non-reporting off the Coast of Somalia

In addition to a lack of reported attacks, there appears to be an issue of "underreporting" on the severity of attacks and associated responses. One example of underreporting is a case in which a vessel was carrying Privately Contracted Armed Security Personnel (PCASP). In March 2012, a video was released of an incident, in which armed guards used significant force against a pirate skiff.[41] This incident was reported to the IMB as the firing of warning shots by the embarked security team, after which the pirates aborted the attack.[42] However, the video shows that while the words "warning shots" are spoken, the actions of the private security team clearly indicate that the skiff and its occupants took heavy fire.[43] Additional examples are less clear-cut, but nonetheless suggestive of underreporting: a 2011 shooting of a Yemeni fisherman was blamed on shots fired from a nearby tanker, but there were no reports of security personnel firing from the ship.[44]

The lack of complete reporting by security personnel could impact estimations of the human cost on regional fishermen who work in areas transited by vessels carrying armed guards, and could make it difficult to ascertain the number of actual pirates who perish during attempted attacks. For example, there have been reports of fishermen being killed by armed guards off both Oman and Yemen.[45]

There has been frustration associated with the lack of reporting of incidents in the Gulf of Aden and the Indian Ocean. This frustration prompted the following announcement by the United Kingdom Maritime Trade Operation (UKMTO): "It has come to our attention that some private military security companies are reporting suspicious incidents through their internal communication channels and then to their customers. It is in all seafarer' interest that any concerns are reported immediately by phone to UKMTO in accordance with BMP4."[46]

Additionally, NATO also issued a call for more timely and accurate reporting in a weekly report from February 2013, saying that "It has been observed that some Masters are choosing to phone their Company Security Officer (CSO) first in the event of a piracy incident. However, one of the fundamental requirements of BMP4 is that UKMTO is the primary point of contact for merchant vessels during piracy incidents in the HRA. This aims to avoid unnecessary delay and prevent inaccurate or incomplete information from reaching military commanders."[47] A recent article in Lloyd's List further elaborated the need for more reporting. In this article, Lieutenant Commander Andres Loevik of NATO said, "I know that some incidents are not being reported; there are things we do not know about and this means we can't do anything." Later in the same article, Giles Noakes of BIMCO acknowledged that underreporting may be caused by the presence of unauthorized armed teams.[48]

4.3 Alleged Underreporting in the Gulf of Guinea

As with Somali piracy, underreporting is an ongoing challenge in the Gulf of Guinea. A February 2013 UNODC report on Transnational Organized Crime in West Africa estimated that actual incidents of piracy and armed robbery are approximately 100 per year, roughly double the figure reported by the IMB.[49] Furthermore, private organizations report higher numbers of attacks than publicly available sources. For example, Risk Intelligence, which provides consulting services to private and governmental clients, lists 89 vessels attacked in 2012 in the Gulf of Guinea region; this is more than twice the 43 vessels reported to the IMB. This discrepancy partly reflects the lack of reporting by smaller, local vessels. The IMB did not receive any reports from fishing vessels that were attacked in the Gulf of Guinea over the course of 2012, and a May 2013 report from the European Union Institute for Security Studies stated that "Fishing vessels, for instance, hardly ever send in reports, although they do get attacked."[50]

A further complication is that there is little incentive for vessels to report incidents in the Gulf of Guinea region. While vessels in the Gulf of Aden and Western Indian Ocean may report incidents because doing so may result in a military response to disrupt the piracy attack, maritime security resources and regional cooperation are limited in the Gulf of Guinea. Reporting is not therefore tied to an increased likelihood of receiving assistance if attacked. Furthermore, some shipping companies apparently consider that the cost of reporting outweighs the potential benefits. According to Jakob Wandel, international analysts estimate that some companies fail to report relatively small losses from assaults or attempted hijackings because they fear it will lead to costly delays if the reporting process requires the ship to be subsequently inspected at the nearest port.[51]

4.4 Incomplete Implementation of Seafarer Welfare Programs

In response to dangerous conditions off the Horn of Africa and in the Gulf of Guinea, several initiatives were launched by various seafarer nations and flag states, industry, labor organizations and advocacy groups. The intent was to both increase seafarer awareness and to compensate seafarers for the extra risks faced in industry-defined High Risk Areas, the Warlike Operating Areas, and High Risk Areas agreed to through the International Bargaining Forum.

In 2012, issues related to seafarer welfare, in particular the responsibility to assist and protect seafarers who are at risk of being attacked by pirates, increasingly emerged high on the agenda of the Contact Group on Piracy off the Coast of Somalia (CGPCS). Under the Chairmanship of South Korea, Working Group 3 (WG3) of the CGPCS is currently developing a document entitled "Comprehensive Guideline for the Welfare of Seafarers and Their Families Affected by Somali Pirates" in close cooperation with the maritime industry and seafarer welfare organizations.[52] This work has been complemented by the "efforts of WG3 to analyze applicable clauses and implications of existing international conventions, agreements and guidelines to protect the rights of piracy victims."[53]

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While the work on the guidelines is still ongoing, several areas related to protecting seafarers before, during and after voyages to high risk areas are under consideration, or have already been implemented to some degree by the stakeholders mentioned above. These programs and considerations include:

- Pre-departure education and training.
- Ensuring contracts support continuation of employment status and entitlements through repatriation.
- Providing updated information on safety and the rights to avoid the risk from piracy and compensation for enduring the risk and knowledge of whether ship intends to comply with BMP.
- Properly embarking equipment and planning the safety and security on board.
- Establishing family liaisons and humanitarian support of seafarers' families.
- Providing of onboard drills and exercises.
- Understanding of who has responsibility for repatriation when released from captivity.
- Providing compensation and post-release care.

While all these efforts and programs are generally considered as essential to ensure seafarer welfare in high risk areas, there are currently no systems or authorities that track the percentage of eligible seafarers who are able to actually take advantage of these programs. The lack of tracking of compliance appears to exist across the entire spectrum of welfare programs. This was further supported in several of the seafarer interviews conducted for this study and an upcoming long-terms study. OBP also discovered this inconsistency in 2011 when trying to determine costs associated with seafarer welfare as part of its Economic Cost of Piracy series. Over the three years of printing the Economic and Human Cost of Piracy reports, this information has remained elusive.

Appendix 1:

DECLARATION CONDEMNING ACTS OF VIOLENCE AGAINST SEAFARERS

Recognizing the increasing problem of acts of piracy and armed robbery against merchant vessels and their seafarers and the increasing use of violence as an instrument of piratical acts;

Recalling the flag State's pledge to continue to work within the Contact Group on Piracy off the Coast of Somalia (CGPCS), the International Maritime Organization (IMO), and with military, intelligence, industry and other contributing partners to find a solution to this crisis;

Further Recognizing that the collection and reporting of such information will be of value to the maritime community as a whole and the global fight against piracy;

Committing to further work with ship owners and seafarers to ascertain the specific information needed to determine the human cost of these attacks;
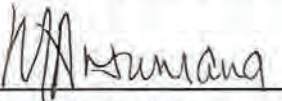
Noting that the International Maritime Bureau, of the International Chamber of Commerce, has undertaken to collate and report information provided by vessel owners, operators, or seafarers following acts of attempted acts of piracy or armed robbery;

Agreeing that there are significant sensitivities associated with the reporting of information regarding acts of piracy and armed robbery against merchant vessels and their seafarers and the increasing use of violence as an instrument of piratical acts, and that all reporting bodies or agencies should be sensitive to the concerns of the owners, seafarers, and their families, and, unless already within the public domain, refrain from reporting or confirming the names of any vessel upon which an act of piracy or armed robbery has been committed, until such time as the vessel owners or operators can confirm notification to next of kin;

The undersigned flag States:

Affirm, in consideration of the potential sensitive nature of such information, their commitment to supply information provided to them by vessel owners, operators, or seafarers following acts or attempted acts of piracy or armed robbery to the International Maritime Bureau, in accordance with each flag State's internal procedures.

Signed on August 3, 2011 by:

Republic of Liberia

Republic of the Marshall Islands

Republic of Panama

Signed on March 19, 2012 by:

Signed on June 22, 2012 by:

Commonwealth of the Bahamas

Federation of Saint Kitts and Nevis

Appendix 2:

Piracy as defined in the United Nations Convention on the Law of the Seas is:

> (a) any illegal act of violence or detention, or any act of depredation, committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:
>
> > (i) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;
> >
> > (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
>
> (b) any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
>
> (c) any act of inciting or of intentionally facilitating an act described in subparagraph (a) or (b).[54]

Endnotes:

1. Interviews were conducted as a part of a larger project being conducted by One Earth Future/Oceans Beyond Piracy in partnership with the Maritime Piracy Humanitarian Response Programme and funded by OEF with support from the TK Foundation. Twelve seafarers and three family members were interviewed in their native languages by research assistants trained in interviewing people who have had traumatic experiences. One family member shared information about the seafarer's experiences and reactions, meaning that these interviews in total include information about the experiences and reactions to piracy of 13 seafarers, 3 wives, and 1 child. Of these 13 seafarers, 11 had experienced pirate attacks near Somalia, and 2 had experienced piracy in West Africa.

2. Seafarers were recruited through marketing materials for the survey distributed by the IMB. The data reported includes responses from 324 seafarers representing 14 nations.

3. OBP interview, April 26, 2012.

4. Ibid.

5. Statistical analysis finds significant differences such that Somali piracy leads to more reported fear than piracy in either of the other regions, and West African piracy provokes a significantly higher level of fear than Southeast Asian piracy. The data were collapsed into one composite score for fear by reverse-scoring "I feel normal" and calculating a mean score across all measures. Paired-sample t-tests (with Bonferroni correction for multiple comparisons) were used to assess significant differences: all items were different from all other items at $p<.001$. For all other statistical analyses reported in this report, comparisons were made using paired-sample t-tests with Bonferroni correction.

6. BMP plus guards is significantly higher than all other items at $p<.001$. No protection is significantly lower than all other items ($p<.001$). There are no significant differences within the other interventions, except that guards alone is higher than BMP alone ($p<.05$).

7. Each item is different from all other items at $p<.001$, except the comparison between guards alone and BMP alone. These two items approach significant difference, but are not significant ($p=.058$).

8. United Nations Office of Drugs and Crime, *Transnational Organized Crime in West Africa: A Threat Assessment*, (February, 2013) available at: http://www.unodc.org/toc/en/reports/TOCTAWestAfrica.html.

9. OBP interview, April 9, 2012.

10. Ibid.

11. United Nations Office of Drugs and Crime, supra note 8.

12. OBP interview, April 25, 2012.

13. As reported in note 7, mean level of concern for Somali piracy is higher than for West African piracy. However, the actual difference between these two averages is not large: mean level of reported distress for Somali high-risk areas is 3.86, while for West African waters it is 3.79.

14. BMP plus guards is rated as leading to significantly more feelings of security than are all other interventions ($p<.001$), no significant differences between any of the specific interventions, and no protection significantly less safe than all other interventions ($p<.001$).

15. As with Somali waters, each item is significantly different from all others at $p<.001$ with the sole exception of the comparison between BMP alone and guards alone, which approaches significance ($p=.05$).

16. Joint War Committee estimates, available at: http://www.lmalloyds.com/Web/market_places/marine/JWC/Joint_War.aspx; *see also* Joshua Hammer, "Africa's New Pirate Problem," *Men's Journal* (October, 2012) available at: http://www.mensjournal.com/magazine/africas-new-pirate-problem-20121109.

17. Seth Miah, "Pirates of the Gulf of Guinea," *Ghanaweb* (November 1, 2012) available at: http://www.ghanaweb.com/GhanaHomePage/NewsArchive/artikel.php?ID=254986; *see also* James Bridger, "Pirate Horizons in the Gulf of Guinea," *CIMSEC* (January 13, 2013) available at: http://cimsec.org/pirate-horizons-in-the-gulf-of-guinea/.

18. 2011's formula was chosen because it reflects a lower rate (25%) rate of armed guard use. The calculation was made after reducing the number of ships in the region to 30,000. *See also* David Eagles, "The Royal Navy's Response to Maritime Security Concerns Off West Africa," *Nautilus International* (2012) available at: (https://www.nautilusint.org/atwork/pages/RoyalFleetAuxiliary.aspx).

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19. Gard, "Togo Implements New Anti-Piracy Measures," *Gard Alert* (July 4, 2012) available at: http://www.gard.no/ikbViewer/Content/20651727/Gard%20Alert%20Togo%20implements%20new%20 anti-piracy%20measures.pdf; *see also* Lloyd's List, "Privately Contracted Armed Guards in West Africa Would Lead to 'Bloodbath,'" *Lloyd's List* (January 17, 2013) available at: http://www.lloydslist.com/ll/sector/regulation/article415156.ece; *see also* North of England P&I Association, "North P&I Club Publishes Guidance on Employing Armed Guards in West Africa," (February 5, 2013) available at: http://www.nepia.com/publications/pressreleases/general/1325/.

20. OBP Interview with Anuj Chopra, January 28, 2013.

21. Defenceweb, "KND Supplying Patrol Boats to Nigerian Customs Service," available at: (http://www.defenceweb.co.za/index.php?option=com_content&view=article&id=25971:knd-supplying-patrol-boats-to-nigerian-customs-service&catid=51:Sea&Itemid=106; *see also* Defenceweb, "Nigerian Navy Commissions First Locally Built Warship NNS Andoni," (June 4, 2012) available at: http://www.defenceweb.co.za/index.php?option=com_content&view=article&id=25973:nigerian-navy-commissions-first-locally-built-warship-nns-andoni&catid=51:Sea&Itemid=106

22. Joshua Hammer, supra note 16. *See also* gCaptain Staff, "West Africa has a Serious Pirate Problem," *gCaptain* (September 14, 2012) available at: http://gcaptain.com/west-african-piracy/; *see also* Defenceweb, "Ghana Navy Receives Ex-German Fast Attack Craft," (July 9, 2012) available at: http://www.defenceweb.co.za/index.php?option=com_content&view=article&id=26644:ghana-navy-receives-ex-german-fast-attack-craft&catid=108:maritime-security&Itemid=233.

23. Funso Ajewole, "Navy Can Secure Nigerian Waters - Ezeoba," *Daily Times Nigeria* (November 17, 2012) available at: http://www.dailytimes.com.ng/article/navy-can-secure-nigerian-waters-–-ezeoba#.UKe5dVTC79Q.

24. These include the following four exercises: 1. Exercise Obangame: *see* Defenceweb, "Gulf of Guinea Naval Exercise Concludes Successfully," *Defenceweb* (March 5, 2013) available at: http://www.defenceweb.co.za/index.php?option=com_content&view=article&id=29701:gulf-of-guinea-naval-exercise-concludes-successfully&catid=51:Sea&Itemid=106; 2. Operation Prosperity: *see* United Nations Security Council, *Secretary General's Report of the United Nations Assessment Mission on Piracy in the Gulf of Guinea*, (*S/2012/45)* 7th to 24th November, 2011, available at: http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Guinea%20S%202012%2045.pdf; 3. A one-week bilateral exercise between the United States and Nigeria: *see* Chiemelie Ezeobi, "Brazilian Navy Partners Nigeria on Anti-Piracy Training," (September 5, 2012) available at: http://maritimesecurity.asia/free-2/piracy-2/brazilian-navy-partners-nigeria-on-anti-piracy-training/; and 4. A trilateral exercise among Brazil, Nigeria, and Benin, *also at*: http://maritimesecurity.asia/free-2/piracy-2/brazilian-navy-partners-nigeria-on-anti-piracy-training/.

25. Seafarers International Union, "IBF Declares Piracy High-Risk Area in West African Waters," (March 30, 2013) available at: http://www.seafarers.org/news/2012/Q1/IBFNews.htm

26. This assumption is based on a review of satellite AIS data provided by exactEarth.

27. Irin, a Service of the UN Office for the Coordination of Humanitarian Affairs, "West Africa: Defining Piracy in the Gulf of Guinea," *IrinNews* (December 10, 2012) available at: http://www.irinnews.org/report/97004/.

28. Oluwakemi Dauda, "NIMASA Seeks Support for Piracy Bill," *The Nation* (March 27, 2012) available at: http://www.thenationonlineng.net/2011/index.php/business/maritime/41083-nimasa-seeks-support-for-piracy-bill.html.

29. Channels Television of Nigeria, "Iheanacho Denies Alleged Oil Theft Following NIMASA's Arrest," (September 17, 2012) available at: http://www.channelstv.com/home/2012/09/17/iheanacho-denies-alleged-oil-theft-following-nimasas-arrest/.

30. United Nations Security Council, *Secretary General's Report of the United Nations Assessment Mission on Piracy in the Gulf of Guinea*, (*S/2012/45)* 7th to 24th November, 2011, available at: http://www.securitycouncilreport.org/atf/cf/%7B65BFCF9B-6D27-4E9C-8CD3-CF6E4FF96FF9%7D/Guinea%20S%202012%2045.pdf.

31. David Eagles, supra note 18.

32. United Nations Security Council, supra note 30.

33. For a review of the (limited) research on the impact of hostage experiences on survivors, see David A. Alexander and Susan Klein "Kidnapping and hostage-taking: A review of effects, coping, and resilience." *Journal of the Royal Society of Medicine*, 102(1): 16-21 (2009).

34. For example, a study of combat-exposed US military veterans from across multiple conflicts found a 24% rate of PTSD. *See* Blake et al (1990): "Prevalence of PTSD Symptoms in Combat Veterans Seeking Medical Treatment," *Journal of Traumatic Stress*, *3*(1), 15-27. (1990). *See also* Holly G. Prigerson, Paul K. Maciejewski, and Robert A. Rosenheck (2002). "Population Attributable Fractions of Psychiatric Disorders and Behavioral Outcomes Associated with Combat Exposure Among US Men." *American Journal of Public Health*: *92*(1), pp. 59-63 (2002).

35. Michael Stuart Garfinkle, Craig Katz, and Janaka Saratchandra, "The Psychological Impact of Piracy on Seafarers." New York, NY: Seaman's Church Institute (2012).

36. OBP interview with Roy Paul, March 26, 2013.

37. Ibid.

38. Contact Group on Piracy off the Coast of Somalia, "13th Plenary Session Communique," (11 December 2012) available at: http://www.thecgpcs.org/plenary.do?action=plenarySub&seq=22.

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