

DGS Order 4 of 2011

DGS Order No. 04 of 2011

NO:35-
NT(6)/2010

11.05.2011

Dated:

1. Incidents of piracy on the high seas have continued unabated and Indian seafarers have been held captive on some of the ships.
2. India being a major supplier of seafarers, it is not unlikely that in the future incidents of successful hijack of ships, Indian seafarers may be held captive alongwith other international crew.
3. While the owners and ship management companies are usually the best placed for taking necessary measures for securing release of ships and its crew members, instances have come to the notice of this Directorate, where some of the welfare measures related to counseling and communication with the family members of the seafarers in captivity, as well as the seafarers themselves after their release from captivity, need to be streamlined. The following guidelines are, therefore, issued to provide an overall framework for welfare measures related to seafarers and their family members.

3.1 Pre-joining vessel

It is important that seafarers are appropriately trained to acquire skill-set necessary to safeguard their ships from a possible piracy attempt and, in a unfortunate case, to contend with captivity. This training module should be imparted by concerned ship-owners / managers and should ideally contain issues such as:

- i. Familiarity with Best Management Practices (BMPs)
- ii. Actions, communications in the event of an attack
- iii. Company specific issues
- iv. Case studies
- v. Cultural sensitivity training to avoid offending the pirates
- vi. Intimidation tactics used by pirates i.e. providing frightening information about family members, suggestions that ship-owners will desert them and other psychological tactics aimed at breaking the morale of crew and increasing their desperation, for pressurizing negotiations
- vii. Shipping and military perspective
- viii. Employment through registered manning agents

3.2 Piracy incident

3.2.1 In an unfortunate incident of successful hijacking of a vessel, there is a need for immediate intimation of the event. The owner, the ship management company or the Recruitment and Placement Service (RPS) agent concerned, should immediately communicate the relevant information to the Directorate, through DG Comcentre, (email: dgcommcentre@satyammail.net; dgcommcentre@vsnl.net; dgcommcentre@gmail.com; Tel:91-22-226146/ 22610606/91-22-32959320; Fax:91-22-22613636) which operate on a 24/7 basis.

3.2.2 The owner, through the ship management company or the RPS agent should arrange to communicate with the family members of the hijacked crew and counsel them appropriately. In cases where there is vacuum in terms of communicating with the family members, the Seafarers' Welfare Fund Society (SWFS) will organize such communication, as interim measure, taking into confidence the Shipowners' Associations, the concerned unions and such other members of the shipping industry, as appropriate.

3.2.3 The reporting on the progress of the negotiation has to happen not later than at least once a week and on upon, any significant development immediately thereafter. An indicative format for reporting is [annexed](#).

4. Financial Support:

It is imperative that the owner / ship management company / RPS agent ensures necessary financial support to the family of the seafarers during his period of captivity. Where such efforts fail on account of all the three said entities working outside the purview of the Maritime Administration, the matter will be taken up with the Flag Administration, the International Transport Workers' Federation (ITF) and the International Maritime Organization (IMO).

5. Professional counseling for the family members

The periodicity of counseling with the family members will be incident specific. Professional counseling for the family members has to be organized by the owner / ship management company / RPS agent or where there is a vacuum by the SWFS, as prescribed above, at appropriate intervals or the Directorate will step in to prescribe the periodicity where required.

6. The period close to the conclusion of negotiations and immediately thereafter -

Whenever conclusion to negotiations is imminent, the family members are to be advised to exercise complete restraint. There have been instances of unpredictable delays, last minute re-scheduling and potential slips after being released from captivity and reaching to a suitable place of safety. This is important, given the possibilities of intrusive media interference at this stage on one hand and the fact that one is not dealing with a coordinated or a disciplined group.

7. Post release:

A de-briefing session should be conducted by the shipowner /manager/RPS for medical examinations and for addressing any welfare issues, including grievances, of the released crew. The purpose of a medical evaluation is to determine whether the seafarer is at risk of developing any persistent physical or emotional condition that would impede a crewmember's ability to return to work or that would pose a risk of life. Similarly, it should be appreciated that seafarers may need follow-up care for post release trauma counseling and therefore, shipowner/manager /RPS, and in cases where these entities work outside the reach of maritime administration, the SWFS, shall facilitate such help to the affected seafarer appropriately.

Sd/-

([Dr. S. B. Agnihotri)

Director-General of Shipping &

ex-officio Addl. Secretary to the

Government of India.