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International Transport Workers' Federation
Federación Internacional de los Trabajadores del Transporte
Fédération internationale des ouvriers du transport
Internationella Transportarbetarefederationen
Internationale Transportarbeiter-Föderation
Международная федерация транспортников
التنظيم عالمياً، النضال من أجل حقوقنا

To all ITF Affiliates organising Seafarers and Dockers

ITF Circular No: 090/S.32/D.32/2011

Our Ref: SMC/KVM/jj

25 March 2011

Dear Colleagues,

Warlike and High Risk Areas

This is to inform you about some important developments with regard to the status of Warlike and High Risk areas affecting all ITF agreements for FOC vessels.

1. Gulf of Aden and Indian Ocean.

An agreement has been reached at the IBF to designate, in addition to the existing High Risk Area, an Extended Risk Zone covering wider part of the West Indian Ocean. The full text of the agreement is attached as Annex 1. From 01 April 2011 it applies to all IBF agreements.

2. Libya

In view of escalating military operations in Libya, the IBF agreed to designate a Warlike Operations Area covering Libyan waters within 12 nautical miles off the coast line. The full text of the agreement is attached as Annex 2. From 01 April 2011 it applies to all IBF agreements.

Following a decision by the ITF FPC Steering group on 23 March 2011, the same arrangements as outlined in both these IBF designations should also apply to all ITF non-IBF agreements, with effect from 01 April 2011.

The designations should remain in force until further notice.

Thank you for your cooperation.

Best regards,

Stephen Cotton
Maritime Coordinator

**Revision of the IBF High Risk Area
in the Gulf of Aden and Indian Ocean**

**agreed on 25 March 2011
London, United Kingdom**

Given continuing pirate attacks on merchant ships despite the presence of a number of international navies, the Joint Negotiating Group (JNG) and the International Transport Workers Federation (ITF) agreed in London, United Kingdom to extend the geographical coverage of the IBF High Risk Area and terms and conditions applying in said area as follows:

1. With effect from 0001Z on 1st April 2011 the Extended Risk Zone is as follows:

“The western border of the Zone runs from the coastline at the border of Djibouti and Somalia to position 11 48 N, 45 E; from 12 00 N, 45 E to Mayyun Island in the Bab El Mandeb Straits.

The eastern border is set at 78 E, the southern border is set at 10 S and the Northern Border set at 26 N.”

The IBF Extended Risk Zone Map is attached in **Annex**.

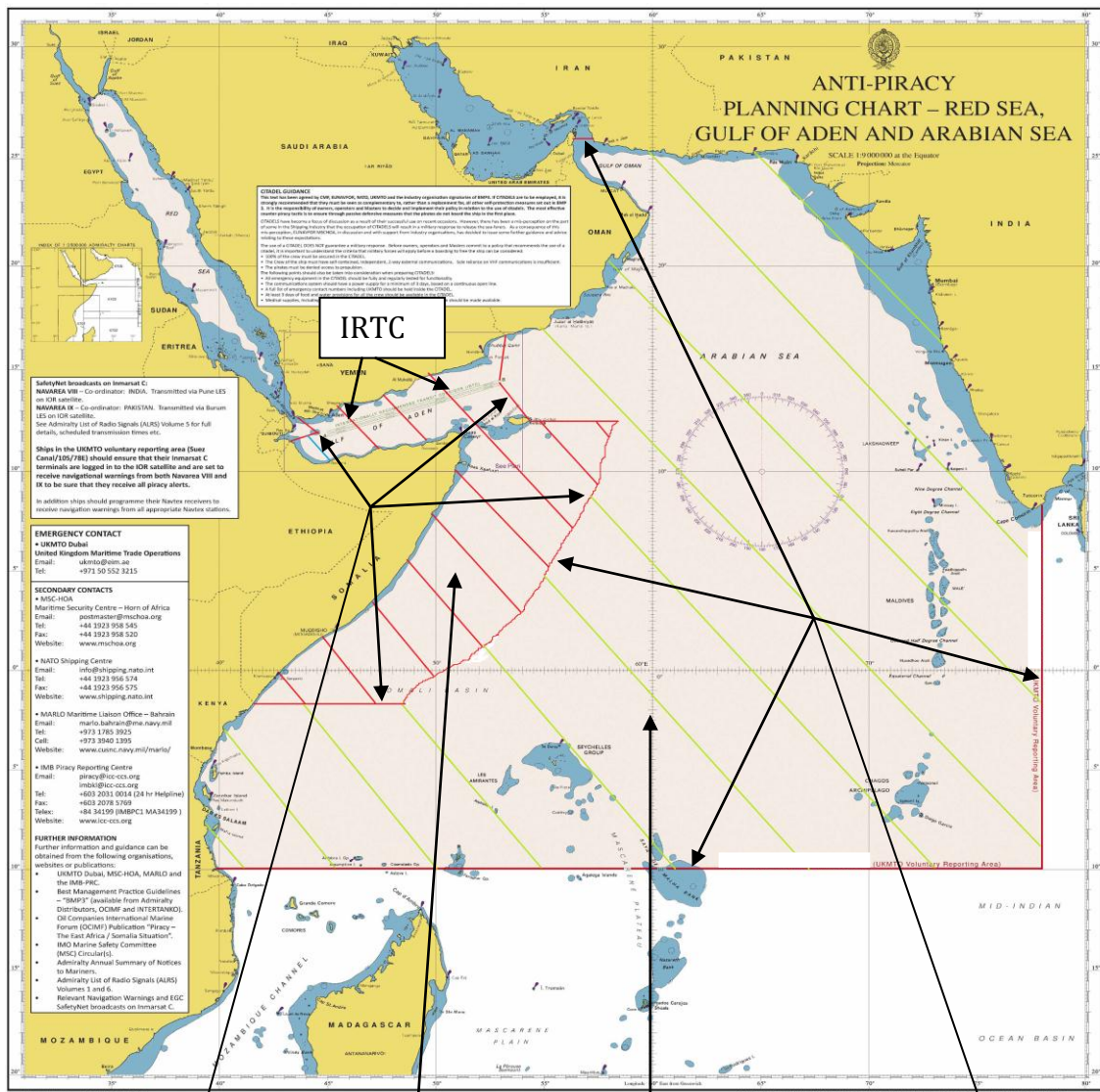
2. The IBF constituents have agreed that during a vessel's transit of the Extended Risk Zone protection of seafarers through the provision of increased security measures should be adopted. Such measures must be above the latest Best Management Practice level and may include the provision of personnel or systems which appropriately reduce the vulnerability of a vessel. The sufficiency of such extra security measures should be determined depending on vessel type, size, freeboard during transit and speed, with consulting and seeking advice of respective ITF union(s) where necessary.
3. The IBF constituents confirm that the adoption of Best Management Practice is required of all vessels operating under IBF agreements as a minimum standard of protection.
4. Within the Extended Risk Zone the IBF constituents agree to retain the previously designated IBF High Risk Area as it is recognised that the pirate attacks emanate mainly from bases in this region. The Western Border of this High Risk Area runs from the coastline at the border of Djibouti and Somalia to position 11 48 N, 45 E; from 12 00 N, 45 E to Mayyun Island in the Bab El Mandeb Straits. The Eastern Border runs from Rhiy di-Irisal on Suqutra Island to position 14 18 N, 53 E; from 14 30 N, 53 E to the coastline at the border between Yemen and Oman, together with a 400 mile zone off the eastern coast of Somalia, i.e. from Suqutra Island down to the Kenyan border in the South.

5. During the period of transit of the area designated as the IBF High Risk Area seafarers shall be entitled to compensation amounting to 100% of the basic wage and a doubled compensation payable in case of death and disability. This entitlement should apply on each day of the vessel's stay in the High Risk Area.
6. In the case of vessels that will transit the IBF High Risk Area **outside** of the east bound and west bound lanes created under the International Recommended Transit Corridor (IRTC), seafarers have the right not to proceed with the passage. In such an event, the seafarer concerned shall be repatriated at the company's cost with benefits accrued until date of return to the port of engagement. This entitlement shall only apply in respect of vessels which are bound to enter the IBF High Risk Area, and will not apply in case of crossing the rest of the Extended Risk Zone.
7. Vessels may deviate from the International Recommended Transit Corridor (IRTC) lanes without affecting the terms and conditions for the seafarers onboard for collision avoidance purposes only, as long as they are returned to the original lanes as soon as it is safe and practicable to do so.
8. During the period of transit of the IBF Extended Risk Zone, outside the area which is designated as High Risk Area, each seafarer shall be entitled to a bonus equal to 100% of the basic wage and a doubled compensation in case of injury or death - on any day during which the vessel he serving on is attacked. The proof of these entitlements shall be subject to a confirmed entry into the ship's log book and a report of attack being lodged with recognised international reporting authorities, such as UK MTO. The maximum period when these entitlements may apply shall not exceed the number of days of the vessel's transit of the IBF Extended Risk Zone outside the area designated as High Risk Area. For the purpose of this article an attack means any unauthorised and obvious action taken by a third party in a wilful attempt to board or damage the vessel or to harm the crew which leads to the activation of the relevant vessel contingency plans including the alerting of the whole crew.
9. The IBF constituents believe that, in order to assist the military efforts to counter piracy in this region, all vessels that are subject to a confirmed attack should report to international navies present in the area or other relevant authority, to assist in the deployment of naval resources to appropriate areas, where piracy attacks are occurring.
10. Within all of the IBF Extended Risk Zone, including the High Risk Area, the above identified entitlements to double basic pay and double compensation for injury or death will not apply while vessels are alongside a berth, at anchor in secure anchorages off ports or attached to SBM facilities - with exception of Somali waters and ports. It is understood that vessels will have to transit the high risk area in order to proceed to certain ports and as such the bonuses mentioned in above should cease when a vessel is either all secure alongside, brought up to

her anchor or fully coupled to a SBM in any port of the IBF Extended Risk Zone, excluding Somalia. Likewise when sailing, the applicability of bonuses etc. should commence when the vessel is “all gone”, i.e. the last line is let go from a berth, when the anchor is aweigh or a vessel has de-coupled from a SBM.

11. This Revision of the IBF High Risk Area remains in force from 0001Z on 1st April until any further revision or amendment is adopted by the constituents of the International Bargaining Forum.

ANNEX: IBF Extended Risk Zone



Limits of High Risk Area

Extended Risk Zone (Green Shade)

High Risk Area (Red Shade)

Limits of Extended Risk Zone

**IBF Warlike Operations Area
in Libyan waters**

**agreed on 25 March 2011
London, United Kingdom**

In recognition of developments in Libya since the adoption of UN Resolution 1973 the IBF have agreed:

- (1) to declare the territorial waters of Libya as a warlike operations area, backdated to Friday 18 March
- (2) war bonus payments of 100% of basic pay for seafarers on ships covered by IBF agreements that enter the area, payable in daily increments
- (3) that seafarers on ships due to sail to the area be given the right to decline to sail
- (4) to review the position jointly, not later than the first day of each calendar month, if not earlier.