



**EUROPEAN COMMISSION**  
SEVENTH FRAMEWORK PROGRAMME  
SEC-2013.2.4-2  
GA No. 607685



### **Protection Measures for Merchant Ships**

<b>Deliverable No.</b>	5.2	
<b>Deliverable Title</b>	Final Report of the Ethics Advisory Board: Part I; Review and Analysis of the Ethical Aspects of Countermeasures (EXTRACT)	
<b>Dissemination level</b>	Restricted (RE)	
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<b>Status</b>	Final	2016-01-28

## SEC-2013.2.4-2- Protection Measures for Merchant Ships

**Acknowledgement:**

The author(s) would like to thank the partners in the project for their valuable comments on previous drafts and for performing the review.

**Project partners:**

- 1 – MARSS – Marine and Remote Sensing Solutions Limited - EN
- 2 – CMRE – Nato Science and Technology Organisation - BE
- 3 – WMU – World Maritime University - SE
- 4 – UoA – University of the Aegean-Research Unit - GR
- 5 – SAMI – Security Association for the Maritime Industry Limited - EN
- 6 – UNR – Uniresearch B.V. - NL
- 7 – TNO – Nederlandse Organisatie voor Toegepast Natuurwetenschappelijk Onderzoek - NL
- 8 – EII – Engineering – Ignegeria Informatica Spa - IT
- 9 – Oldendorff – Oldendorff Carriers GMBH & Co KG - DE

**Disclaimer:**

*This project has received funding from the European Union's Seventh Framework Programme for research, technological development and demonstration under grant agreement no 607685.*



## Executive summary

Ship operators often adhere to the Best Management Practices (BMP) guidelines published by MSCHOA. They register with MSCHOA and submit, prior to reaching high risk area, the Vessel movement form. They also report accordingly to the UKMTO who acts as the intermediary between shipping vessels and naval forces in the region. However, despite their precautionary measures and risk assessment, ship operators are frequently faced directly with the imminent threat of pirates at sea. They may find themselves in a situation where they must execute recommended countermeasures in order to ward off or repel pirates and armed robbers attempting to reach their vessels. This is simply because naval forces cannot possible guard the entire vast shipping lanes.

Although it is evident that the use of force be that lethal or non-lethal, can be an effective method for deterring the aggressor and keeping the pirates off the vessel, it must be used in accordance with the Universal Human Rights declaration and the EU HC charter along with other international treaties. This paper outlines a subset of effective countermeasures recommended by PROMERC in relationship with the Human Rights Treaty and EU Legal framework.

## 1 Introduction

The Final Report of the Ethics Advisory Board takes the form of a letter to the PROMERC Technical Coordinator and two supporting papers, of which this is the first.

This document addresses the subset of non-lethal countermeasures that have been previously compiled in a comprehensive database within the PROMERC project. For each relevant countermeasure described here within, the respective human rights and ethical explanations have been detailed as to aid the Seafarers in understanding the implication that might be associated with each of these measures. Additionally, this documentation should serve as a framework to guide seafarers and other maritime industry personnel in executing, in accordance with international human rights and EU charters, each of the highlighted countermeasures that is likely to be taken during an imminent piracy attack or armed robbery at sea.

The premises of these explanations have been thoroughly documented in part II of this deliverable (D 5.2) which, in turn is divided into two relevant documents: 1) Use of force and 2) ethics and human rights in the field of piracy.

The extensive set of countermeasures provided within PROMERC project was categorized in WP 1 into the following six phases: Plan; Communicate; Avoid; Deter; Detect; Defend. The section below adheres to the same format.

## 2 Methods and results

### 2.1 Methods

This report examines ethical justification arising from the use of certain countermeasures included within the PROMERC Counter-Measures catalogue and software tools. It also provides guidance for seafarers and ship managers on how these issues can be managed in accordance with EU laws and ethical commitments. For some of the countermeasures which will be used by seafarers, the report explains the ethical issues that may arise illustrating these with realistic examples. It also provides an overview of the laws, regulations, directives, and recommendations addressing these issues at the EU level.

### 2.2 Results

The conclusions of this report have been considered by the Ethics Advisory Board in their evaluation of the PROMERC deliverables.

(...)

## 5 Recommendations

For further information on ethics and human rights principles, please refer to paper 2 of the part II, WP D5.2.

### 5.1 References

Documents of reference:

D.5.2. Part II: Section 1: Use of forceD.5.2

Section 2: Ethics and Human rights in the field of piracy

(...)

## Acronym List

BMP: Best Management Practice  
EU HR: European Human Rights  
ITF: International Transport Workers  
ILO: International Labor Organization  
IMO: International Maritime Organization  
MLC 2006: Maritime Labour Convention



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