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國際運輸勞連

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

To all Affiliates organising Seafarers and Dockers  
To ITF FOC-POC Inspectorate

ITF E-Circular No: 279/S.91/D.79/SS.37

15 December 2015

Dear Friends

### Amendments to IBF and ITF Lists of Warlike and High Risk Areas

Please be advised that following consultation with the Seafarers Section, an agreement was reached with the Joint Negotiating Group of employers (JNG) to amend the current IBF List of Warlike and High Risk Areas.

The following changes were agreed:

- **New coordinates of the Extended Risk Zone in West Indian Ocean and the Gulf of Oman**, bringing the boundaries of the zone in line with the latest definitions of BMP 4.
- **Designation of an Extended Risk Zone in southern Red Sea**, to recognise potential threats associated with the continuing military operation in Yemen by a coalition of countries.
- **Recognition of enhanced protection within identified parts of the current High Risk Area in the Gulf of Guinea**, with a new status of an Extended Risk Zone.

For details please refer to **Annex 1** for the new List of areas with Charts and its Attachment featuring respectively the summary of all applicable designations (page 1), the exact coordinates (pages 2-4) and the applicable terms and conditions (pages 5-10).

### The new provisions are in effect from 16 December 2015.

Please be reminded that Article 17.1 of the IBF Framework CBA requires that *'an updated list of IBF Warlike Operations areas shall be kept on board the vessel and shall be accessible to the crew'*. For this purpose, please utilise the attached document to amend respective annexes in your IBF CBAs.

Your partner companies are to be informed along similar lines through separate circulars from their respective JNG representatives.

In regards to non-IBF agreements, please be advised that the same designations and same terms and conditions should also apply to ITF TCC and Standard agreements from the same date.

Yours in solidarity

Jacqueline Smith  
Maritime Coordinator

**IBF LIST**

**of warlike and high risk designations, with main applicable benefits  
(as of 16<sup>th</sup> December 2015):**

**1) IBF Warlike Operations Area –12 n.m. off Somali North Coast\***

**1a) IBF Warlike Operations Area – all ports in Yemen**

- bonus equal to basic wage, payable for 5 days minimum + per day if longer;
- doubled compensations for death and disability;
- right to refuse sailing, with repatriation at company's cost and compensation equal to 2 month's basic wage

**2) "IBF High Risk Area" – Gulf of Aden + 400 n.m. off Somali East Coast\***

(Shown in red shade on Chart 1 below, excluding the IRTC as detailed in Chart 1a)

- bonus equal to basic wage, payable for the actual duration of stay / transit;
- doubled compensations for death and disability;
- right to refuse sailing, with repatriation at company's cost
- increased BMP level

**3) "IBF Extended Risk Zone" – West Indian Ocean and the Red Sea, excluding Yemeni ports\* (shown in green shade on chart 1 below, including the IRTC as detailed in Chart 1a)**

- bonus equal to basic wage, payable only on the day the vessel is attacked;
- doubled compensations for death and disability if occur on the day the vessel is attacked
- increased BMP level

**4) "IBF High Risk Area" – Gulf of Guinea: territorial waters (12 n. m.), ports and inland waterways of Nigeria and Benin, excluding the MEZ, SAA and the STS\***

(Shown in green shade on chart 2 below, excluding the Maritime Exclusion Zone (MEZ), the Secure Anchorage Area (SAA) and the Ship-to-Ship Zone (STS) which are to be treated as IBF Extended Risk Zones with identical treatment as Designation 3 above)

- bonus equal to basic wage, payable for the actual duration of stay / transit;
- doubled compensations for death and disability;
- right to refuse sailing, with repatriation at company's cost  
(by submitting respective notice)
- increased security requirements

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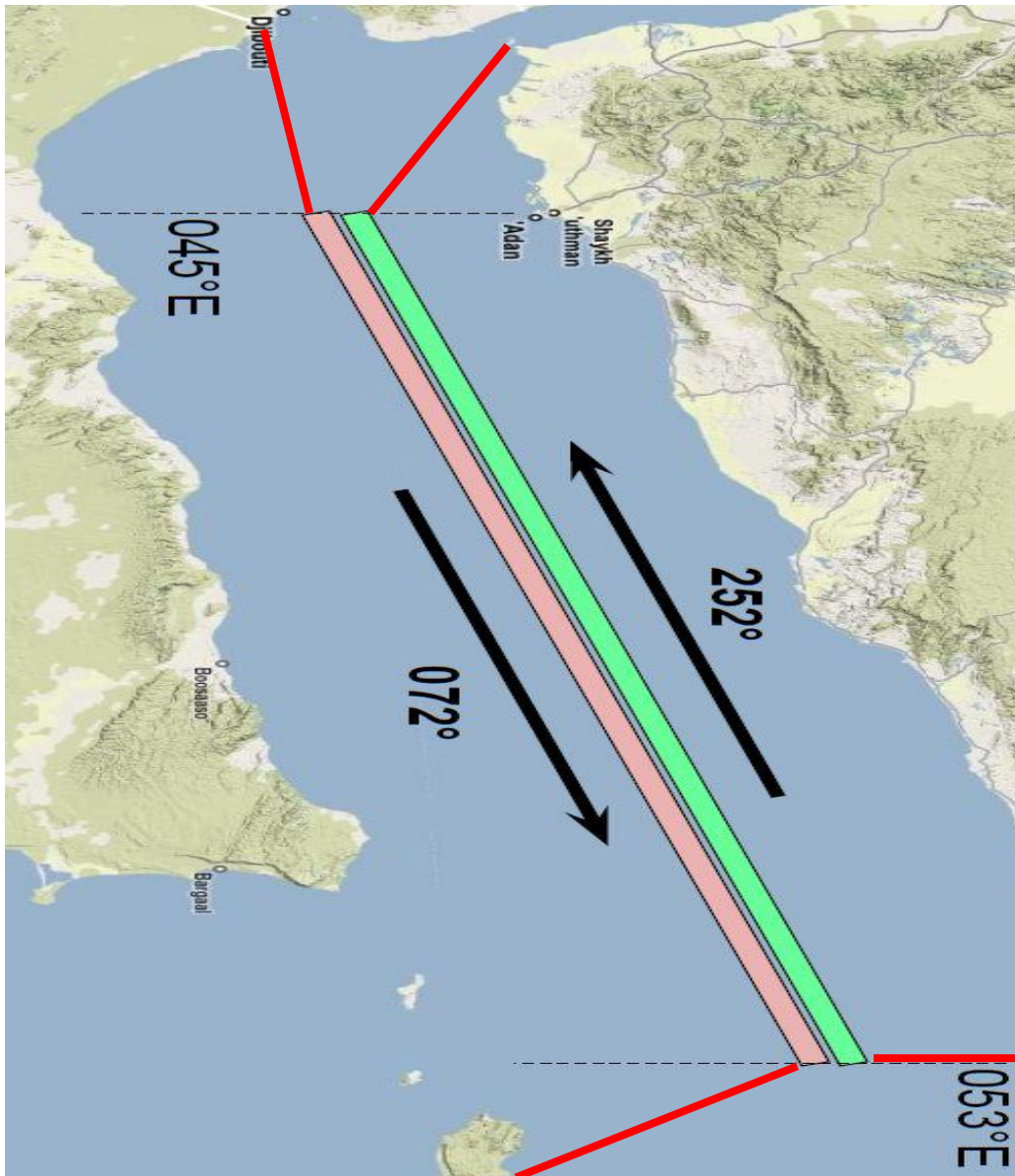
\* Please see the Attachment for exact coordinates and details.

**Notes:**

- In Areas 2 and 3 above, bonuses and compensations are not payable when the vessel is anchored or berthed in secure ports, except in Somalia.
- In Area 4 above, secure berthing in guarded port areas is excluded.

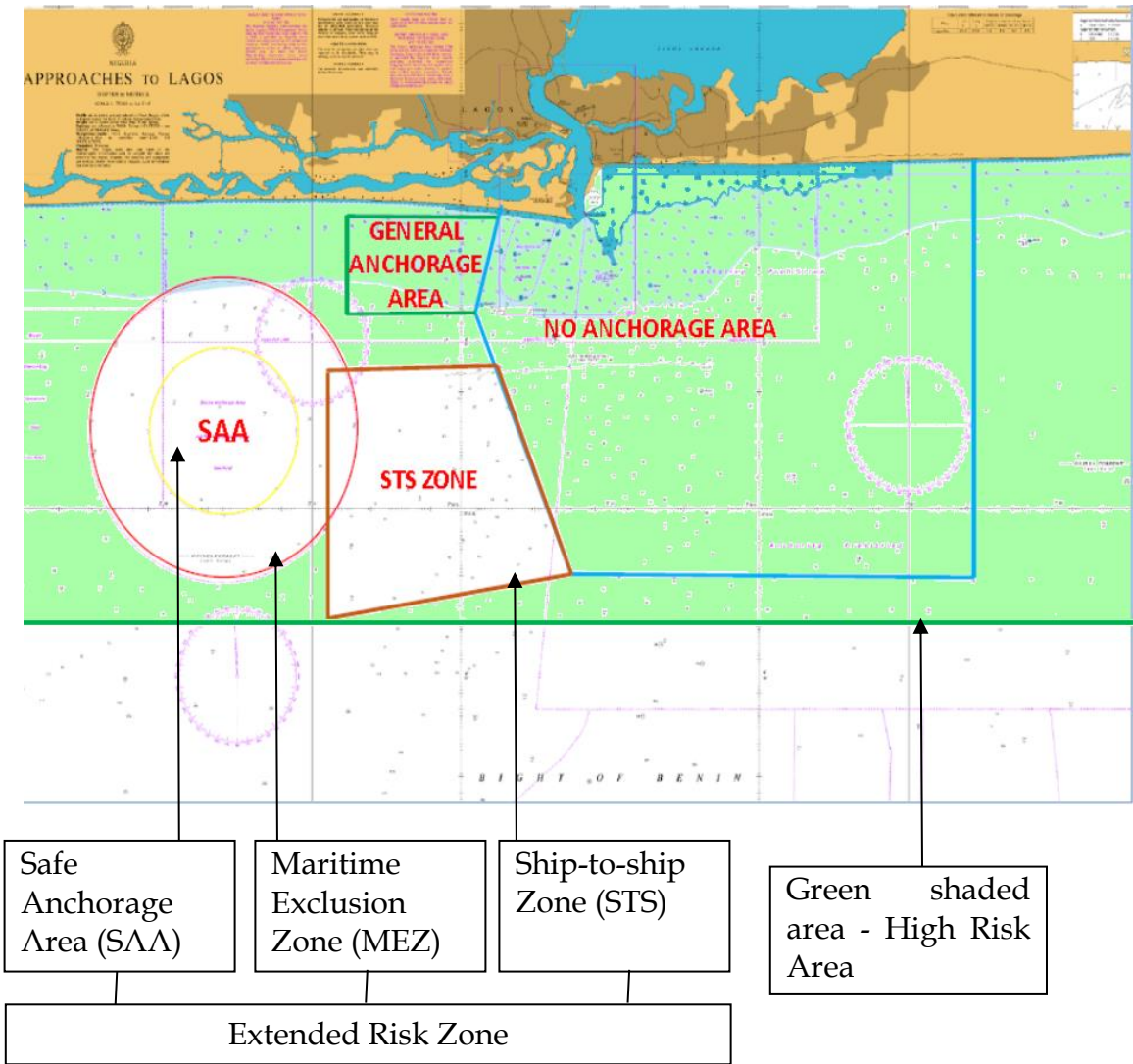


Chart 1a: The Internationally Recognized Transit Corridor (IRTC)



Vessels transiting within the IRTC are in the Extended Risk Zone, not the High Risk Area

Chart 2: West Africa





**Attachment to the IBF list of warlike and high risk designations**

**The details of the areas included in the List are as follows:**

**DESIGNATION 1.**

**IBF Warlike Operations Area: 12 n.m. off Somali North Coast**

- *This Warlike Operations Area includes the territorial waters extending up to the 12 nautical miles limit from due north of the north-western border of Somalia with Ethiopia to due north of Cape Gardafui.*

This designation has been in effect from 6<sup>th</sup> October 2005.

**DESIGNATION 1a.**

**IBF Warlike Operations Area: all ports in Yemen**

- *This Area includes all ports within the country of Yemen and applies to all vessels from the time that they are berthed "all fast" alongside. As soon as a vessel departs a berth within Yemen and the last line is let go for departure on passage, the status of being within a Warlike Operations Area shall end.*

The designation is in effect from 17 April 2015 until terminated by either party, with a minimum of 7 days' notice required

**DESIGNATION 2.**

**"IBF High Risk Area": Gulf of Aden + 400 n.m. off Somali East Coast, excluding the IRTC.**

- *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 Kenian border in the South.*

During a vessel's transit of this Area protection of seafarers through the provision of increased security measures should be adopted. Such measures must be above the latest Best

Management Practice (BMP) 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.

The adoption of Best Management Practice is required as a minimum standard of protection.

During the period of transit of this 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.

The above identified entitlements to extra basic pay and extra 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 area, 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.

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.

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.

This designation is in force from 0001Z on 1<sup>st</sup> July 2014.

**DESIGNATION 3.**

**“IBF Extended Risk Zone” – West Indian Ocean and the Red Sea, with the addition of the Internationally Recognised Transit Corridor (IRTC).**

The coordinates of this area comprise of and stretch further than the IBF High Risk Area as outlined above.

- *“The western border of the Extended Risk 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 65 E, the southern border is set at 5 S and the Northern Border set at 22 N in the Gulf of Oman and 20 N in the Red Sea.”  
Additionally, the IRTC in the Gulf of Aden.*

During a vessel’s transit of this area protection of seafarers through the provision of increased security measures should be adopted. Such measures must be above the latest Best Management Practice (BMP) 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.

The adoption of Best Management Practice is required as a minimum standard of protection.

During the period of transit of the 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 willful 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.

Within all of the IBF Extended Risk Zone, including the High Risk Area, the above identified entitlements to extra basic pay and extra 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 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.

Vessels may deviate from the 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.

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.

This designation is in force from 0001Z on 16<sup>th</sup> December 2015

#### DESIGNATION 4.

##### **“IBF High Risk Area” – Gulf of Guinea, excluding the Maritime Exclusion Zone (MEZ), the Secure Anchorage Area (SAA) and the Ship-to-Ship Zone (STS)**

This IBF High Risk Area includes:

- *the territorial waters of Benin and Nigeria, including ports, terminals and roads anchorages, the delta of the Niger river, other inland waterways and port facilities, except only when the vessel is attached securely to a berth or SBM facility in a guarded port area. MEZ, SAA and STS are excluded from this High Risk Area and are considered Extended Risk Zones.*

Within this Area the following provisions should apply:

All companies operating vessels or installations in the above Area should have sufficient security arrangements to safeguard their personnel, given the nature of the risk, and should provide adequate protection, advice and compensations to the crews. Specifically, the following requirements should be complied with:

Upon the vessel's entry into and, further, throughout the entire stay in the Area as specified above, seafarers must be protected by increased security measures that will provide adequate levels of safety and security on board, such as the Best Management Practice.

In the ports of the above listed countries and inland waterways and approaches to these ports, including offshore installations, extra security measures for reducing the vessel's vulnerability to an unsanctioned approach and boarding should be adopted. Such measures should, inter alia, provide for an enhanced look-out and an emergency alert/action plan securing sufficient safety for the crew and reliable contact with the authorities. The sufficiency of such extra security measures should be determined depending on the vessel's type, size and freeboard.

Prior to approaching a port, detailed local advice about the security situation should be obtained and arrivals and departures timed to coincide with security patrols operated by respective government forces, if available.

Shore leave should be prohibited unless exceptional circumstances or emergencies may demand otherwise.

Normal crew changes should not be effected in any above listed country unless absolutely essential.

Under normal circumstances the company shall notify the seafarer if the vessel on which he/she is due to serve/is serving is planned to call into the Area at least 30 days prior to the entry. On receipt of this notification, the seafarer may request to exercise his/her right of repatriation at Company expense, with benefits accrued until date of return to final destination. If it proves impossible for a Company to notify a seafarer more than 30 days prior to the entry (for example due to schedule changes), the Company shall make all reasonable endeavors to repatriate the seafarer at the earliest opportunity, at Company expense, with benefits accrued until date of return to final destination.

The company should pay each seafarer agreeing to proceed into the Area a compensation amounting to 100% of the basic wage for each day of the seafarer's stay in the Area and a doubled compensation in case of death and/or disability.

In the event of an attack regular liaison should be maintained with seafarers' families to advise them of the status of respective crewmembers working in the Area and the security measures being adopted to safeguard and assist them.

Compared to the terms and conditions of the respective IBF Collective Bargaining Agreement, this agreement may lead to more favourable treatment for seafarers serving in the Area, but in no case will it undermine any existing contractual entitlements.

This designation is in force from 16<sup>th</sup> December 2015