

BY JOHN A. WITTE JR., PRESIDENT, AMERICAN SALVAGE ASSOCIATION

AN OUNCE OF PREVENTION

The recent attack on the *Maersk Alabama*, the capture of Captain Richard Phillips and the subsequent targeting of other vessels demonstrates an escalation in the range and scope of modern day pirate attacks. A week after the attack on the *Alabama*, with the U.S. Navy and other naval assets on high alert operating in the area, pirates attacked the American freight vessel *M/V Liberty Sun* with gun fire and grenades. While the *Liberty Sun* escaped with no harm to the crew, it sustained damage as a result of the attack.

While the goal of any act of piracy is to take the vessel intact, adding gunfire and explosives to flammable, volatile cargoes can equal disaster. In fact, the *Alabama* was said to be carrying oil and relief supplies to Africa. As these types of attacks continue and grow in intensity, the possibility of a stray bullet or explosive setting off a flammable fuel or toxic cargo will increase as well.

Is the international community ready to respond to a salvage situation resulting from an act of piracy? At this time, the answer is probably no.

could be to have a properly outfitted salvage tug on station in the danger zone to be ready to respond to an incident. But the problem with this scenario is that there would need to be security provided to the salvage tug on a 24/7 basis to ensure that the vessel and crew do not also become victims of the pirates themselves.

Another possible solution could be to stage fly away capable salvage teams and equipment in a safe landside area close enough to the danger zone to provide a response if needed, but far enough aout of harms way.

It is safe to say that there are a number of response scenarios which, if given time to flesh out and money to implement, would allow a proper response to the threat. The problem is that the global economy is weak, and there is a lack of willingness in the marine community and in the government to recognize the possible threat and to spend the money necessary to respond to the issue.

The U.S. has been reactionary rather than proactive when it comes to security threats in the maritime domain. In an attempt to be more proactive, there are now many nations that have contracted large salvage tugs to be stationed along coastlines and positioned to respond to a stricken vessel before it winds up on the beach. In areas where commercial assets are typically not readily available due to international trading patterns, these types of preventative measures

have often saved the day.

Throughout the world, and especially here in the U.S. where we have recently seen the strengthening of the salvage portion of OPA-90, the value of the professional salvage community is on the rise. As opposed to being on the outside looking in, the American Salvage Association (ASA) and its membership is being asked by federal, state and local regulatory communities to participate in the process rather than to react once the process is complete. The professional salvage community is proud of its increased role through organizations like the ASA to positively influence the regulatory process and the world around us. U.S. and other governments should begin to formulate contingency plans to address the ever-growing threat of modern day piracy.

While there is no definitive answer to the question of how to provide salvage response to piracy, this is an issue that should be considered now more than ever before as we see events transpire with more regularity. While we hope the issue of modern piracy on the high seas quickly becomes a distant memory, we must be prepared for every eventuality.

And as my very wise grandmother used to say, an ounce of prevention is worth a pound of cure.



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In an open ocean salvage situation, where land-based assets will be of little or no value until delivered to the site, how does a marine salvor respond? One solution

MARINELOG

ISSN 08970491 USPS 576-910

A Simmons-Boardman Publication

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