



Do not switch off the AIS in Nigerian waters

Despite the elevated piracy risk in the Gulf of Guinea, ships operating in the region should maintain their automatic identification systems (AIS) in operation at all times.

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On 5 October 2020, the Nigerian National Petroleum Corporation (NNPC) issued a notice warning its clients and other stakeholders that the Nigerian Navy will investigate, and has arrested, ships that switch off their automatic identification system (AIS) when operating in Nigerian waters. It further reminds masters of their obligations under SOLAS Reg.V/19 to maintain their AIS in operation at all times, when underway or at anchor. [NNPC Memo Oct20.pdf](#)

AIS as a safety measure

The objective of AIS is, according to the [IMO](#) , to enhance the safety of life at sea, the safety and efficiency of navigation and the protection of the marine environment. By providing information about the ship to other ships and to coastal authorities automatically, the system can be used to assist in collision avoidance decision-making, target tracking, search and rescue operations, etc. In general, data received via AIS will improve the quality of the information available to the officer on the watch (OOW), whether at a shore surveillance station or onboard a ship.

AIS as an anti-piracy measure

AIS is a two-way street when it comes to piracy. While information broadcasts through AIS will enhance safety and situational awareness, the same information could easily be collected by pirates and used to spot ships coming within range. Pirates could even look at the ship information to see whether valuable cargos are being carried. Because of this security concern, the IMO amended its [AIS guidelines](#) in 2003 to allow ship masters to switch off the AIS in specific areas where the threat of attack by piracy or terrorists are imminent. However, even if switching off the AIS under such circumstances may seem like a sensible precaution, it is *not* considered as a best management practice (BMP) to prevent piracy attacks.

Looking to recognised industry guidances, such as the “ [Global Counter Piracy Guidance for Companies, Masters and Seafarers](#) ”, and the “ [Best Management Practices to Deter Piracy and Enhance Maritime Security off the Coast of West Africa including the Gulf of Guinea](#) ”, the general recommendation is to maintain the AIS switched on when operating in piracy prone areas. More specifically, ships are advised to leave their AIS transmission on throughout any and all areas of risk but configure it to transmit only restricted data, such as the ship's identity, position, course, speed, navigational status and safety-related information. Maintaining the AIS switched on throughout passages in voluntary reporting areas (VRA) will also ensure that reporting centres and militaries can track the ship and provide early assistance in the event of a suspicious approach or attack.

Recommendations

Ship operators should make note of the above and ensure their masters are aware that Nigerian authorities may take punitive measures against ships that do not comply with the country's AIS requirements. Although switching off the AIS when operating in waters where piracy is a risk may seem like a sensible precaution, doing so may constitute a breach of national regulations as well as the SOLAS Convention. It can also heighten the risk of collision, damage to other ships, pollution and loss of seafarers' lives at sea.

As general advice, we recommend Members and clients with vessels operating in piracy prone areas to monitor the situation, e.g. via the website of the [IMB Piracy Reporting Centre](#) , and by staying in close contact with their local agents and regional authorities. A risk assessment should be conducted and the relevant preventive measures adopted, following available industry guidelines. Please refer to Gard's website "[Piracy and armed robbery at sea](#) " for further advice.

We also take this opportunity to remind Members and clients that any signs of manipulating AIS transponders could be considered 'red flags' for potential illicit activity. 'Going dark' in areas of heightened surveillance may require legitimate reasons to be evidenced to dispel suspicion of intentional breach of sanctions regimes, see our insight "[Going dark' is a red flag – AIS tracking and sanctions compliance](#) " of 29 May 2019 for details.

We are grateful to [Intertanko](#) for making us aware of the referenced NNPC notice.