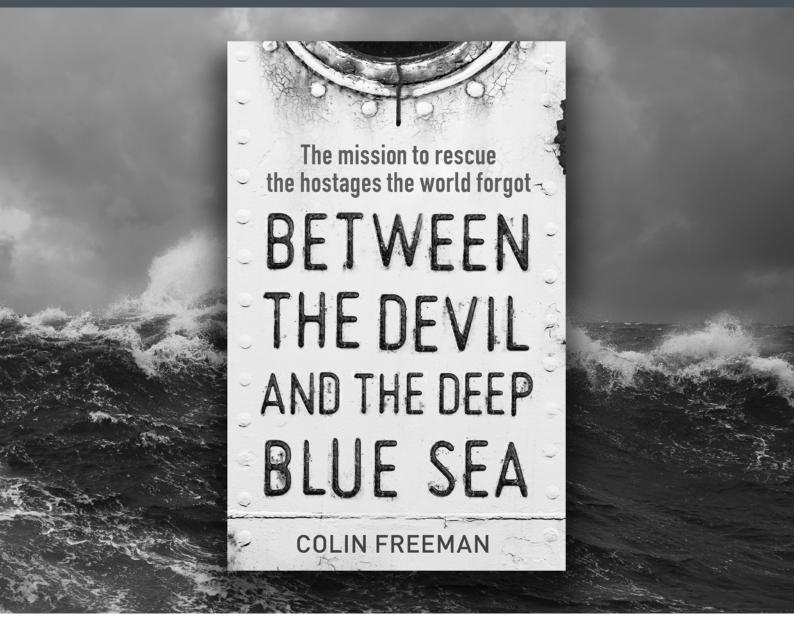
5

4





SHIPPING | MARCH 2021



BETWEEN THE DEVIL
AND THE DEEP BLUE
SEA: THE MISSION TO
RESCUE THE HOSTAGES
THE WORLD FORGOT

HFW's Admiralty and Crisis Management team are delighted to have been mentioned in Colin Freeman's new book, Between The Devil And The Deep Blue Sea, which was published on 11 March 2021 following a launch article in The Telegraph

The book tells the true story of a retired British army officer's private Somali hostage rescue mission, which HFW partner Richard Neylon and the team supported throughout on a pro bono basis. They worked for three years until all 48 seafarers were released and repatriated.

Our pro bono piracy work has continued, most recently helping to secure the release of three hostages from the "SIRAJ" in August 2020, who were held for 5 years.

A VERY UNLIKELY BRITISH HERO

6 March 2021, Telegraph Magazine

Reprinted with kind permission of Telegraph Magazine © 2021. Telegraph Media Group Ltd.

What possessed retired Army officer Colonel John Steed to embark on his own audacious mission to free 41 sailors held captive for years by Somali pirates, despite having no experience in hostage rescue? He shares his astonishing story for the first time.

If you were being held captive by Somali pirates, and Col John Steed (retired) were your only chance of rescue, you might just be tempted to give up hope altogether. A former defence attaché to Britain's embassy in Kenya, Steed is a mild-mannered, amiable figure who appears better suited to the cocktail circuit than to cloak-and-dagger stuff.

When he started his own private mission to free the crews of three hijacked ships, back in 2013, he had no experience of hostage negotiations, and no money to pay ransoms. Then, only a month into his quest, he suffered a massive heart rupture that very nearly killed him. Proof, arguably, that the stress of bargaining for people's lives was too much for him – yet somewhat to the alarm of family and friends, he carried on.

'I was back at it more or less as soon as I recovered, contrary to the advice of some people I knew,' says Steed, 65. 'I did sometimes think, there must be someone else who can do this. But there really wasn't, so if I hadn't done it, nobody would have.'

It may come as a surprise, then, that despite these setbacks – and many others in between – Steed eventually succeeded in rescuing all three crews, freeing 41 sailors and ending the longest hostage ordeal in modern maritime history. It took him three fraught years, with friends fearing his heart might give out at any moment.

At the time Steed had retired as military attaché to the British

embassy in Kenya having previously served in the Royal Corps of Signals, and was working in Nairobi as a UN counter-piracy advisor. He was married with two grown-up children, but was no longer living with his wife, who was in England.

His job included everything from building prisons to hold pirates in, through to establishing livelihood schemes in the impoverished Somali coastal villages from where they sprang. He also helped run a support programme that assisted sailors who had been released from pirate captivity if they could not afford flights home or had lost travel documents.

Hostage rescue was not part of his remit. But in the course of his work, word reached him of the plight of the three crews – known in shipping circles as the 'forgotten hostages' – whose vessels were rusting at shallow anchor off Somalia's lawless coastline.

The vessels were all captured during the peak of the Somali piracy crisis a decade ago, when gangs prowling the western Indian Ocean carried out at least 150 hijackings, taking about 2,000 sailors hostage in the years 2005-12 and extorting an estimated \$500 million (£360 million) in ransom payments. Yet unlike most shipping firms, none of the owners of the three vessels had taken out kidnap and ransom insurance - normally considered essential for any passage through the pirates' hunting grounds. This meant that they were unable to pay the ransoms demanded by the hijackers, leaving the sailors stuck in captivity.

Such a fate is almost too awful to imagine – and I write as someone who has myself spent time as a hostage of Somali pirates. In 2008, while reporting on Somalia's emerging piracy crisis for The Daily Telegraph, my photographer and I were kidnapped and held in a cave for six weeks.

It was a grim experience – days of mindnumbing boredom, punctuated by moments of abject terror, such as the day our captors threatened to torture us. Yet it pales in comparison with the horrors suffered by the crews of the three hijacked ships: the Malaysian-flagged cargo ship Albedo, the Thai-flagged trawler Prantalay 12, and the Omani-flagged trawler Naham 3.

The owners had hoped that without payment, the pirates would eventually let the crews go. Instead, the hijackers assumed that the owners' pleas of penury were a callous negotiating tactic, and responded by torturing the crews relentlessly. The hostages suffered beatings, lashings, scaldings and worse. On the Albedo, one sailor was executed, while on the other two ships, eight died from illness after being put on starvation diets.

'I was shocked to discover that ships were sailing the ocean without being properly insured,' says Steed from his home in Nairobi. 'These guys were suffering appallingly, and nobody was doing anything.'

Among the Albedo hostages was 19-year old Indian sailor Aman Kumar Sharma, who was on his first ever journey to sea when the ship was hijacked west of the Maldives.

He described how the crew were put in the ship's disused swimming pool and kept without food or water for three days, while the pirates urinated over them and hurled pails of sewage. On another occasion, the pirates tortured the captain by dangling him headfirst by a rope into the sea, shooting bullets into the water around him. Then, when the ship's owner stopped even returning their calls, they shot dead one of Sharma's crewmates.

'That was when we began to think we'd never get out,' says Sharma, who had his fingernails pulled out with pliers. 'I thought, "Why am I taking this punishment, what did I do wrong?"' Meanwhile, on the Prantalay 12, anchored off Garacad, a pirate haven on the Somali coast, the sailors were fed a single bowl of rice



Colonel John Steed in his days as military attache. (John Steed)



Albedo hostage Aman Kumar Sharma with a pirate guard (Aman Kumar Sharma)



The Naham 3 off the coast of Somalia (EUNAVFOR)



Naham 3 proof of life photo. Each sailor holds up a paper showing a security code (Leslie Edwards)



The Albedo (EUNAVFOR)



The Albedo after sinking, with the Naham 3 nearby (EUNAVFOR)



John Steed with former Albedo hostage Aman Kumar Sharma on flight to Nairobi from Somalia (Robyn Kriel)

a day and only brackish water. Within the first year of captivity, six of the men died from beriberi – a vitamindeficiency condition that causes swelling of the limbs and if it remains untreated – heart failure.

'First their skin turned jaundiced, then they started swelling like balloons – their limbs, faces, fingers everything,' recalls Channarong Navara, the Prantalay 12's captain. 'One died in my arms as I was trying to comfort him.'

At the time, little detail of the sailors' suffering reached the public domain. The crews were drawn mainly from impoverished nations whose own shipping ministries were unable to help. Hostages' families were often afraid to publicise their plight, after being advised by the ship owners that it could antagonise the pirates.

Yet it wasn't only the sailors' employers and governments that failed to act. This all took place under the noses of the international counter-piracy fleet, the massive global naval flotilla assembled in 2008 to patrol Somalia's waters.

Occasionally, the patrolling warships would get the better of the pirates – as depicted in films such as Captain Phillips, starring Tom Hanks, which recreates the hijacking of the American-crewed Maersk Alabama in 2009, when a US warship sailed to the rescue.

But only a few navies, such as those of the United States and Britain, have Special Forces capable of sea rescues by force, and they generally risk them only for their own citizens. For these three crews – all from the poorer parts of Asia – there was not going to be a Hollywood ending. As Sharma puts it, 'We are not the sons of presidents or prime ministers, so nobody was coming to rescue us.'

At first, Steed's plan was simply to establish contact with the hijackers, and to deliver medical supplies to the crews. Then, during the 2013 monsoon season, the Albedo began to sink because of hull damage. Fearing for the crew, Steed begged the pirates to release them on humanitarian grounds. He was ignored. The following night, the Albedo sank during a heavy storm. Four sailors drowned, while the other 11 were transferred to captivity on land.

'When the guys died that night, I knew in my heart that I wanted to do something more, and that it would probably have to involve money,' Steed says. 'I was on shaky ground, because the UN couldn't be party to paying a ransom, and I had no funds – not a bean – but by then I didn't really care.'

To distance himself from the UN, he set up a separate office – in reality, merely the spare room of his apartment in Nairobi. While the UN paid him a modest stipend, it was made clear that if all went wrong, he was on his own.

In talks with the pirates, he offered to simply reimburse their 'expenses' rather than pay the \$10 million ransoms they had sought. It meant the hijackers could get a face-saving cut-and-run payment, and Steed could maintain – on paper at least – that he wasn't paying ransoms.

Even so, after employing teams of gunmen to guard the hostages for three years, the pirates' 'expenses' ran into hundreds of thousands of dollars for each ship.

The stress took its toll on Steed, who, a month on from the Albedo's sinking, was rushed to hospital in Nairobi after collapsing with a heart rupture. His life was saved only because a specialist surgeon happened to have flown in from London the night before.

'Afterwards, the doctors said to take it easy, and not to get the blood pressure up too much,' says Steed. 'But I wanted to get back to freeing the hostages – in a way, it incentivised me to recover.'

Steed's plan was to seek out private donors, hoping the hostages' plight would be an easy sell. It wasn't. Philanthropists and charities that might give millions to good causes baulked at handing cash to pirates. A whip-round within the London shipping industry eventually raised



A 7.7m ransom delivery in a bank vault prior to delivery (Richard Neylon)



The convoy used by John Steed's Somali contact Omar Sheikh Ali to pick up the Albedo hostages (Omar Sheikh Ali)



The Albedo hostages enjoy a first meal of freedom after picked up in the Somali bush (Omar Sheikh Ali).



Crew of the Prantalay 12 being flown from Somalia to Kenya. John Steed second from left, Leslie Edwards fourth from left, Leo Hoy Carrasco fifth from left, Captain Channarong Navara in front of Leo.



From Kenya, the freed sailors of the Albedo send a thankyou note to Leslie Edwards (John Steed)



The four sailors from the Prantalay 12 after being released (John Steed)

\$200,000 (£150,000) but he needed four times that.

Raising the cash would be only the first hurdle. Steed also had to get it to Somalia and ensure the pirates met their side of the bargain, both processes fraught with legal and logistical hazards.

Fearing that Steed was getting out of his depth, a UN colleague put him in touch with the London-based law firm HFW. Two of its maritime lawyers, Richard Neylon and James Gosling, had become specialists in Somali piracy cases, helping to secure the release of approximately 1,750 sailors since 2005. In the process, the HFW team had supervised an estimated \$250 million (£180 million) in ransom transfers, sometimes photographing the money with that day's newspaper to prove to the pirates it was on its way. Neylon concedes ransom payments do encourage kidnappings, but says that in practice, ship owners had little choice.

'It's easy to question the ethics of ransom payment when you live in a safe country such as Britain, but wait until your own loved one is kidnapped and see how you feel,' he says. 'Plus, in the case of these three ships, where the owners didn't have the resources to pay, it was clear that the pirates would rather let the hostages die than release them for free. The ransom payments were depressingly necessary.'

The lawyers agreed to work with Steed pro bono, and also brought in a professional hostage negotiator, Leslie Edwards. With their expertise behind him, the hope was that Steed could avoid any serious mistakes. Unfortunately, he'd already made one.

Just as Steed had begun to despair of finding donors, a German sea captain had got in touch out of the blue, offering \$700,000 (£500,000) from a German seafarers' union. Delighted, Steed failed to check his bona fides. When Edwards tried to collect the cash, the donor made excuses, then ceased contact altogether. It turned out that the 'captain' was a fantasist -Walter Mitty characters often try to get involved in kidnap negotiations because of the opportunity it gives to pose as action heroes. He was later charged with multiple unrelated counts of fraud in Germany.

'It was dreadful,' says Steed, who had already set up a deal and had to break the news to the pirates that it was off. Given that they had already killed one hostage in anger at not being paid, there was every chance they would now kill another. Edwards advised Steed simply to admit that he had been conned.

'Pirates tend to be far more understanding of problems with confidence tricksters, which they can relate to, than of legal or bureaucratic hold-ups,' Edwards explains. 'They did rough up the hostages again, although not as badly as we feared.'

The hostages were now being held in a village compound. By then, several were ill, and some borderline suicidal. But Sharma, the young Indian sailor, had kept his head, learning Somali and slowly befriending one of the pirate commanders, Ali Jabeen. Sensing that Jabeen himself was tiring of the enterprise, Sharma made a bold proposal to him. What if Jabeen could take the entire \$200,000, cutting out the rest of the gang, in return for helping the hostages to escape one night?

Jabeen agreed, although Edwards initially ruled it out. 'Normally I'd never encourage escape attempts, but the circumstances were exceptional,' says Edwards. 'The hostages were in a terrible state, and we couldn't raise any more money.'

Jabeen's plan was to put sleeping pills in the guards' evening meal, allowing the hostages to escape under cover of darkness. An accomplice would then drive them to a rendezvous in the Somali bush, where they would meet an armed escort arranged by Steed's Somali contacts.

It quickly went wrong. On the first two attempts, the sleeping pills failed to work. Jabeen then ceased contact, having pocketed the payment. With hindsight, it looked every bit like the mad gamble that it had been. Then, out the blue three weeks later, Steed got a telephone call from Sharma.

'We have escaped, but we are lost in the Somali bush.' he said.

Jabeen had finally drugged the guards successfully but neglected to tell Steed the escape was back on, so there was no armed escort waiting to pick up the hostages. They were now lost in one of Somalia's most lawless stretches of bandit country.

Steed rang his Somali contact, and 10 anxious hours later, received a text to say the sailors had been found. The next day, Steed flew in on a UN plane to collect them, fighting back tears as he greeted them on an airstrip. Even though he had only ever seen their faces in the photographs on his office wall, they felt like family.

'After dealing with them for so long, through such difficult times, I felt a bond with them,' he says. 'They were still slightly in shock at being released, and they just said to me, "Are you John?" I felt a huge sense of relief. Freeing them was an absolute joy, the greatest feeling in the world.'

'John came over, shook my hand and said, "Hello, nice to meet you," says Sharma. 'Words cannot explain how glad I was to see him.'

The celebrations were brief, as Steed, Edwards and the lawyers had to then turn their attention to the two remaining crews. By then, both were being held in bush hideouts on the Somali mainland, sleeping rough among snakes and scorpions. Conditions were dire. On the Prantalay 12, one sailor had lost his mind after being savagely pistolwhipped by the pirates for trying to escape. Two of the Naham 3 crew had died from beriberi, while the rest were eating rats to stay alive.

By then, the rescue mission had become almost an obsession, consuming most of Steed's life. Back in Britain, his children got vague glimpses of what he was up to.

'I got the odd text message saying he was going into Somalia, which was a worry, although to start with he kept the details to a minimum,' says his son Andy, 40, a physiotherapist in London. 'I was anxious about his health, too – but I never said anything, as he's always been quite stubborn about listening to anyone on that. I never dreamt he'd get involved in something like this, but I am immensely proud of what he's done.'

Thanks to the mission's success in freeing the Albedo, fundraising was now slightly easier, with secret donors coming forward in Asia. But it was not until the following year, in February 2015, that an 'expenses' payment of \$400,000 (£290,000) secured the freedom of the four surviving Prantalay 12 crew, who had been held for nearly five years. In October 2016, the 26 Naham 3 sailors were released for \$2.3 million (£1.64 million) after four and a half years.

From all three ships, the hostages went home to euphoric welcomes. When Sharma returned to his village in northern India, a crowd of 20,000, alerted by the local press, turned out to cheer him. Captain Channarong Navara of the Prantalay 12, by then 64, was greeted by his wife, Sheli, who at one point had held a funeral service for him, having not heard from him for more than a year. 'The day he came home was the happiest of my life,' she said.

Not every aspect of homecoming was cheerful. Several sailors returned home to find that their fiancées had married, or that parents had died. Many of the hostages' families had become destitute, having had no wages or compensation from the owners. Some sailors, such as Sharma, had little choice but to go

back to sea again. Today he gives fellow sailors lectures about the dangers of piracy – and also warns them to work only for responsible employers.

None of the pirates has ever faced court. Steed, meanwhile, still lives in Nairobi, where he helps out occasionally on hostage cases. He remains in touch with an Iranian hostage from the Albedo, Shahriar Aliabadi, with whom he worked to help free eight sailors from an Iranian vessel hijacked in 2015. Although Somali piracy has otherwise largely petered out – thanks mainly to the presence of armed guards on ships – there are several unresolved kidnappings on the mainland with which he has assisted.

He has never received any official recognition for his efforts – possibly because the Government officially disapproves of ransom payments. However, in 2017, the hostage rescue mission was singled out for praise by no lesser a body than the UN Security Council, which commended its work in freeing hostages.

For Steed, though, the real reward is that every one of the men in the photographs on his office wall is now free again. 'I don't worry about any recognition, getting these guys has been recognition in itself,' he says. 'There is nothing like giving people back their life when they've given up all hope.'

Between the Devil and the Deep Blue Sea: The Mission To Rescue the Hostages the World Forgot, by Colin Freeman (Icon Books, £16.99)

For more information, please contact.



RICHARD NEYLON
Partner, London
T +44 (0)20 7264 8100
E richard.neylon@hfw.comr

HFW has over 600 lawyers working in offices across the Americas, Europe, the Middle East and Asia Pacific. For further information about our shipping capabilities, please visit hfw.com/shipping.

hfw.com

© 2021 Holman Fenwick Willan LLP. All rights reserved. Ref: 002890

Whilst every care has been taken to ensure the accuracy of this information at the time of publication, the information is intended as guidance only. It should not be considered as legal advice. Holman Fenwick Willan LLP is the Data Controller for any data that it holds about you. To correct your personal details or change your mailing preferences please email hfwenquiries@hfw.com