

# INTERNATIONAL TRIBUNAL FOR THE LAW OF THE SEA

DISPUTE CONCERNING THE ENRICA LEXIE INCIDENT

THE ITALIAN REPUBLIC v. THE REPUBLIC OF INDIA

WRITTEN OBSERVATIONS OF THE REPUBLIC OF INDIA

VOLUME 2 – ANNEXES

6 AUGUST 2015



STATEMENT OF MR VICTOR JAMES MANDLEY SAMSON,  
CREW MEMBER OF THE MV ENRICA LEXIE, 24 JULY 2013

**ANNEX**



published on the Internet by Luigi Di Stefano ([info@seeninside.net](mailto:info@seeninside.net)) for

**ENRICA LEXIE: TECHNICAL ANALYSIS**

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**Annex 33**

STATEMENT OF MR VICTOR JAMES MANDLEY SAMSON, CREW MEMBER OF  
THE *MV ENRICA LEXIE*, 24 JULY 2013



**STATEMENT OF SHRI VICTOR JAMES MANDLE SAMSON, S/O VICTOR, AGE 28  
RS., NO.46, ANNANKOVIL STREET, BR ANT NAGAR, TUTICORIN -628 008,  
TAMIL NADU.(Mob No. 09487324249).**

I was working as Second Officer, Enrica Lexie from 20th April, 2011 and was promoted as Chief Officer on 26th September, 2011. From 20th April onwards, I was performing in the vessel without any leave. Shri Sahil Gupta was the Second Officer. On 4th February, 2012, the vessel Enrica Lexie left Singapore to Port Said in Egypt. On 12th February, 2012, six armed Naval personnel from the Italian Navy boarded the vessel at Galle, Sri Lanka. They were carrying boxes with them. On 15th February, we were on the coast of Kerala. On that day my duty turn was from 0400 hrs to 0800 hrs and 1600 hrs to 2000 hrs ship time. The Ship time was 30 minutes behind Indian Standard Time. In my second shift duty, I was given a wakeup call at 1550 hrs for my duty and I was leaving my cabin and proceeded towards the bridge. On that day 15.02.2012, 1600 hrs.ship time, when we were at 09 degree 17.02 north, 076 degree 01.8 minute East in 20.5 Nautical Miles from the nearest coast and when I was about to enter the bridge, I heard general emergency alarm announced by the Master in the PA system (Public Address System) "this is not a drill and everyone proceed to Engine Control room". At that time, two armed guards were present at the right side of the bridge wing that is starboard side. They were aiming to the sea with their gun. I heard a bunch of gunshots from the bridge wing. I took the binocular and went to the AFT window (behind window) and sighted a boat drawing away. Then the Commander of the armed guard shouted at me to go away from the glass window. The sighted boat looked like a fishing boat and there was no armed personnel in that fishing boat. There were no hooks and ladders in the boat. The Commander of the Naval guards who was found at that time at starboard side was Massimiliano Latorre and his colleague at that time was Salvatore

Girone. I can still identify them. Noveilo Carlo, Master SN was also present in the wheel house. I relieved the Second Officer Sahil Gupta. Shri Sahil Gupta, Second Officer, AB Sea Man Fulbaria, AB Sea Man Ayya Kumandan and Ordinary Sea Man ao were on the bridge at that time. I gave the Global Maritime Distress Safety System (GMDSS) Walkie Talkie to the second officer Shri Sahil Gupta and assured every one other than the duty AB Ayya to go to the Engine Control room. There were two V F sets for GMDSS. It was used to communicate with other ships regarding distress messages. There were two important log books maintained at the bridge. They were log book No.2 and log book No.3. The log book No.3 was to be maintained by the duty officer and controlled by the Master (Captain) and log book No.2 was maintained by the captain master in Italian language. On 1600 hrs.ship time, I have entered in the diary that "suspicious boat observed at 100 mtrs. security guard warning fired shots, compose compared, courses checked, set allowed vessel on hand steering, position plotted by GPS, look out Ayya and ao". This is in my own hand writing. I have not seen security guards firing warning shots. It was entered as narrated by the Captain who got information from the two Navy guards Massimillano Latorre and Salvatorre Girone. I have signed in the Bridge log book No.3 and this is the copy of Bridge Log Book, page No.39 pertaining to that day i.e. 15.02.2012 1600 hrs. ship time. It contains my signature. Another log book No.2 is maintained by the Captain in Italian. When Kerala Police examined the ship Enrica Lexie on 19.02.2012 at 1400 hrs,I have signed in the maha ar which bears my signature. Weather condition, latitude and longitude were also entered in the bridge log book No.3. Bell Log book is also maintained in the ship. It is maintained when the ship is navigated manually. The position of the ship, speed etc. will be entered in the log book. Engine Log Book was maintained which contained the speed,

PM, temperature of engine and other characteristics of the ship. It was maintained by the duty engineer. MT Enrica Lexie is an oil tanker. I took B.Sc in Nautical Science from Madras University and certificate of competency as Chief Mate (FG).The ship Enrica Lexie had 24 crews and six Naval security personnel. The ship time is 30 minutes behind Indian Standard Time (IST). I was examined by Kerala Police previously. At the time of incident, the sea was very calm and the visibility was very good. We got a phone call from M CC Mumbai first Sahil lifted the Phone, they enquired about the firing. We confirmed positively. Later myself and Captain also have spoken. Coast Guard people spoke to me over the V F Channel 16 10 and I confirmed them firing from the ship. This is the copy of V F log. The entire conversation were not fully written in the V F log. It is not mandatory. This is the copy of the mail sent by the Captain of the ship to the concerned authorities in Italy and IMO etc. It was typed by me as directed by Captain. Captain got this information from the Commander of the Security Guard Massimiliano Latorre. The bridge of the ship was about 30 meters length and 6 meters width. The left of the bridge is the portside and right side is called starboard side.On the following day, one Coast Guard Officer boarded the ship on 16.02.2012 and told us that two people have died because of the firing from the ship. e had interacted with the marines after the arrival of Italian Consul. I have seen Kerala Police sei ing the hard disc of the VD . I have signed the inventory prepared by Kerala Police. The Navy Guards were not under the control of Master or any other crew. Usually two of them will be in the bridge and they will be going to the starboard side and portside with their Binocular and watching the surroundings. At that point of time, Massimiliano Latorre and Salvattore Girone were on turn duty. They were deciding their turns themselves. Sometimes, more than two marines may be in the bridge. I can identify the

si e of their weapon which they had with them on 15.02.2012. There was no specific threat message on that day. Presently I am working with V ship India Pvt. Ltd., my last vessel Trade Wint Moon which was a Panama flag vessel.

ead over to the witness and admitted by him to be correct.

ecorded by me,

Sd -  
(P.Vikraman)  
Dy.Superintendent of Police,  
National Investigation Agency,  
Kochi. 24.07.2013