

**Testimony
of
KENDALL CARVER**

**International Cruise Victims Association, Inc
704 228th Ave NE – PMB 525
Sammamish, WA 98074
Office 602 852 5896 – Cell 602 989 6752
E-Mail kcarver17@cox.net**

**Appearing Before U. S. Senate's
Surface Transportation and Merchant Marine
Subcommittee**

**“Cruise Ship Safety: Examining Potential Steps for
Keeping Americans Safe at Sea”**

HEARING SCHEDULED

**Thursday, June 19, 2008 – 10:00 a.m.
Russell Senate Office – Room 253**

I would first like to thank the Chairman and members of this committee for giving me the opportunity to participate before this committee. I am here today both as a victim and as President of International Cruise Victims (ICV), an organization formed by people who have experienced tragedies on cruises and who have been treated poorly by cruise lines. My prior working experience was to serve as President and CEO for 18 years of an insurance company in New York City.

As a victim, I have personally felt the pain, not only of losing our daughter, Merrian Carver, but also having to struggle with the cover-up by a major cruise line of the facts concerning her disappearance. She had been a passenger on a Celebrity Cruise Ship, which is owned by Royal Caribbean.

Each member that has joined ICV since it was founded in January of 2006 has had similar painful experiences. Having listened to the stories of these other victims, I feel that I now know something about what counselors must feel when they hear the tragic stories from their patients. (See Attachment III)

I would first like to review quickly the tragic events of our daughter's disappearance. We were first made aware of a problem when our granddaughter called to tell us that Merrian was not returning her calls. We then started to search for Merrian, and contacted the police in Cambridge, Massachusetts where she lived.

The police found out three weeks later through credit card records that she had booked the cruise, and we contacted the cruise line. After a couple of days they confirmed that she had been on a Celebrity Cruise ship. Only after we contacted them did they make a report to the FBI one week later. This was five weeks after she disappeared. Moreover, we found out that the cruise line had previously disposed of her property without attempting to contact her family or the FBI.

A brief summary of the facts concerning her disappearance are as follows:

- The cruise line failed to report that Merrian was missing to the FBI until five weeks after she went missing and only after we contacted the cruise line.
- They disposed of her property by giving most of it away to charity despite their protocol, which calls for property left on a ship to be held for 90 days.
- When we asked about video records, which could show things relevant to Merrian's disappearance, they told us they had no records and there had been no review concerning Merrian. However, in January, 2008, three years after we had asked for and subpoenaed information concerning these video's, one of their senior personnel admitted in writing that we had been lied to concerning the surveillance tapes; their retention and review by ship's personnel. (See Attachment II)

- They made a report to the FBI indicating that nothing had happened on the cruise. Their internal documents show that during the third week in September their officials were coordinating a cover-up of the disappearance. (See Attachment II)
- They told our Detectives that the cabin steward had made no reports concerning Merrian, but we later learned through the depositions that he had reported her missing from her cabin for five days during the cruise and was told by his supervisor to "forget it and just do your job".
- The cruise line would not permit an interview with the steward or the security officer responsible for the surveillance system. We had to hire private investigators, two law firms, take court action in two states and spend over \$75,000 over 4 ½ months in order to have our lawyers depose the steward – an effort that many families of victims would not have been able to make. Only after this court ordered deposition on January 16th and 17th on 2005 did we realize that they had been lying to us from the beginning.
- In Congressional Hearing in December of 2005 and again in March 2006, under oath the representatives of Royal Caribbean indicated that they cooperated with the family as soon as they were aware of her disappearance. In fact, they really began the cover-up of her disappearance starting the third week of September 2004 and cooperated later only in response to court orders. (See Attachment II) However, even to this day, we have not received items that were requested and subpoenaed in 2004-2005.

In July of 2005, I read a book, "The Devil in the Deep Blue Sea" by Kristoffer Garvin. On page 246 he wrote, *"An examination of sexual cases found a pattern of cover-ups that often began as soon as the crime was reported at sea, in international water where the only police are the ship's security officers."* I realized that our treatment fell within this pattern. (See Attachment II)

After the first Congressional hearing in December of 2005, I concluded that we needed to organize a group of victims in order to have a chance to get changes made in the practices of the cruise industry. I contacted other known victims, and together, we decide to form International Cruise Victims. After 28 months of existence, this group now has members in 16 different countries with a separate chapter in Australia. Members of this subcommittee and their staff members can review the stories of these victims on our website at www.internationalcruisevictims.org. (See Attachment III)

When I and other victims testified at the Congressional Hearing in March of 2006, we shared our stories to show the need for substantial changes in cruise line practices and we presented a 10-point program developed by ICV members to improve safety on cruise ships. I, along with other ICV members, have personally attended several meetings with CLIA and cruise lines representatives concerning suggestions made by our members. The standard answer from them is the "these

are great ideas, however we have another approach.” Even after all of these meetings, the problem is that we have seen no firm written commitments for any significant change. (See Attachment IV)

What have we learned during this past couple of years concerning this industry?

1. Cruise Ships take the legal position that they are not required to investigate crimes on cruise ships and are not equipped to do so. This is documented in various items we have available. These documents indicate that any information they give to the FBI or Coast Guard is provided on a purely voluntary basis. In addition, they take to position that they are also are not responsible for the medical care or accidents that occur on excursions that they have chosen, promoted and also make a substantial commission on when sold to their passengers.(See Attachment I)
2. At the request of a Congressional Committee in March of 2007, we met with the FBI on July 25, 2007 to review this matter. At this meeting the FBI clearly indicated that they do not have the resources to follow up on the various crimes that occur on cruise ships. Records indicate that in 2005 only 50 cases were opened and there were only 4 convictions of people committing crimes. (See Attachment I)
3. Since the cruise ships do not investigate crimes and report them only on a voluntary basis to the FBI and since the FBI says they do not have the resources to follow up on those crimes that are reported, most criminals are not apprehended or punished for the crimes they commit on cruise ships. As Representative Christopher Shays has indicated, “it is the perfect place to commit a crime.
4. In addition, a well-known Internet site, Cruise Critic, in an editorial dated May 16, 2008, cites results of a survey of 1700 people that have taken a cruise and found that **10% of respondents said yes to the question: “Have you ever been affected by crime, minor or major, on a cruise ship?”** Dr. Ross Klein, Professor of social work at Memorial University of Newfoundland, indicates that, “These numbers would suggest that as many as one million Americans have been victims of a crime on a cruise ship.” If a resort had 10% of their customers indicate that they had been affected by a crime at that resort, there would be extensive investigations by legal authorities. (See Attachment I)
5. With the added **concern of terrorism**, Passengers on cruise ships need the same protection as passengers have on airlines that currently have independent national Sky Marshalls for protection. In the October 16, 2006 issue of the Insurance Journal, an article titled, “*Maritime Terrorism Risk Extends to Cruise Ships and Ferry Boats*”, states that cruise ships and ferry boats need more protection than they now have against terrorist attacks that

could kill and injure many passengers and cause serious financial losses. This conclusion is based on a new RAND Corporation report. (See Attachment V)

In the September 2007 House Hearings, chaired by Elijah Cummings, the representatives of the cruise lines were given 90 days to provide to his committee a report on what they were willing to do. This report was delivered to the committee on December 19, 2007. A careful review of this report shows that after all the various meetings and congressional hearings the cruise lines are unwilling to commit in writing to any real changes from what they're doing currently. (See Attachment IV)

As a result of their unwillingness to make commitments for change, the U.S House of Representatives, on April 24, 2008, passed an Amendment to the Coast Guard Reauthorization Act measuring crime on cruise ships to require cruise lines to make public their actual crime statistics of missing persons and crimes on cruise ships and to make that information available to the public. Assuming this also passes the Senate, this will be one step forward to at least make public the crimes on cruise ships.

Because of the concern regarding the lack of regulation of the cruise line industry, legislation has also recently been introduced in California to place appropriate California licensed independent security, called Ocean Rangers, on cruise ships as they enter or leave California waters. This bill has gone through several committees in the California legislature and on May 28, 2008 was passed by the California Senate 25 to 12.

The cruise line industry has strongly opposed this California initiative to place one security officer on their ships by threatening in testimony to the California Senate committee on Appropriations on May 12, 2008 that they would bypass California ports if the legislation passed. In view of the crime rates reported by the Cruise Critic survey, the industry should gladly accept independent security and thereby provide their passengers with the same protections that they would have in major resorts in this country where the police are called if a crime occurs.

We need to address solutions to this problem, in order to protect future passengers and crew. The goal of ICV is not to damage cruise lines but to hold them accountable for the safety of future passengers and crewmembers and to require prompt and accurate reports to authorities of crimes, deaths, disappearances and other matters that would normally be investigated if they had occurred on land.

Since 1999 cruise lines have had a stated policy that they have a zero tolerance for crimes. This would infer that there is nothing that they would not do to prevent crimes on cruise ships. However, after our several meetings with representatives of cruise lines to explore various suggestions coming from victims and their families, the cruise lines have yet to commit in writing to any changes. (See Attachment IV) Meanwhile, they aggressively oppose any new legislation to improve the safety on

cruise ships. In fact, in 2007 this foreign cruise line industry spent over \$2,800,000 in Washington for lobbying. In contrast, Wal-Mart spent \$280,000.

Frankly, we have no money to lobby, only the many victims and their passion for change that are working for ICV every day. Fortunately, you were elected by the people you represent and not the lobbyist for a foreign corporation.

It is clear to me that comprehensive legislative action is needed since the cruise lines have shown no willingness to voluntarily commit to make substantial changes in their current practices in order to protect passengers on cruise lines. I will look forward to answering any questions that you might have concerning this subject.

Sincerely,

Kendall Carver
President
International Cruise Victims Association, Inc

International Cruise Victims Association, Inc (ICV)

SUPPLEMENTAL ATTACHMENTS

Submitted by

KENDALL CARVER

Before

**The Surface Transportation and Merchant Marine
Subcommittee of the U.S. Senate**

SECTION I ATTACHMENTS

**Reported Crime rates on Cruise Ship
and FBI record of convictions**

SECTION II ATTACHMENTS

**Documents concerning the Cover-up
Of Merrian Carver disappearance**

SECTION III ATTACHMENTS

ICV Victims of Cruise Lines

SECTION IV ATTACHMENTS

**Summary of Results of Various meetings with IVC victims
and CLIA**

SECTION V ATTACHMENTS

**Maritime Terrorism
Rand Corporation Report**

SECTION I ATTACHMENTS

Reporting of Cruise Ships Crimes

and

FBI record of convictions for
“Crimes on the High Sea”

Cruise Critic Crime Ship Survey
05/16/08

<http://www.cruisecritic.com/features/articles.cfm?ID=241>

Members Speak Out: Are Cruise Ships Safe?
Last Updated: 05/16/08
Survey of 1700 individual that have taken cruises

★ Have you ever been affected by crime, minor or major, on a cruise ship? 10 percent said yes, 90 percent said no.

CASE NO.: 05-17335 CA 01

Page 2 of 6

MEMORANDUM OF LAW**I. Count I - Fraudulent Concealment**

The "fraudulent concealment" claim is premised on RCCL's alleged failure to timely investigate Merrian Carver's disappearance and RCCL's failure to provide certain information to Plaintiffs and other third parties following her disappearance. Plaintiffs allege that RCCL failed "to investigate the disappearance of a passenger and to report the disappearance to the emergency contact listed by said passenger," or, "to timely notify the passenger's next of kin and the appropriate law enforcement personnel." Further, they allege that RCCL had a duty to the family members of Merrian Carver "to provide all relevant, material and wholly truthful information."

These statements are legally invalid. There is no court of law that has recognized the legal duties contrived by Plaintiffs in this Complaint. In fact, courts have specifically held that no duty to investigate exists. See *Doe v. Celebrity*, 145 F. Supp. 2d 1337 (S.D. Fla. 2001); *York v. Commodore Cruise Line, Ltd.*, 863 F.Supp. 159 (S.D.N.Y. 1994). The only duty owed by a ship owner to a passenger is that of reasonable care under the circumstances. *Kermarec v. Compagnie Generale Transatlantique*, 358 U.S. 625, 79 S.Ct. 406, 410 (1959). Moreover, a cruise ship operator owes no duty, whether to disclose information or otherwise, to third parties such as the Plaintiffs herein. Absent a duty to disclose, there can be no claim for "fraudulent concealment."

II. Count II - Intentional Infliction of Emotional Distress

The claim for Intentional Infliction of Emotional Distress simply re-alleges multiple paragraphs from the prior count, for fraudulent concealment. This cannot form the basis of a claim, as the practice of incorporating the allegations of prior counts into succeeding counts is prohibited under Florida law.

Kendall Carver

From: MSheehan@rccl.com [mailto:MSheehan@rccl.com]
Subject: Royal Caribbean responses

7. Royal Caribbean's frequent defense is that there is no duty to investigate crimes and no duty to assist families with investigations. Moreover, there are several examples of when the cruise line has denied information - including employee names, security tapes, etc. - to families.

Please reconcile those actions with comments from Richard Fain in the annual report and other public statements from spokespersons that Royal Caribbean responds to victims with honor and compassion.

A. We take very seriously our duty to reports alleged crimes to law enforcement agencies. However, we are not a law enforcement agency and do not have the technical expertise of a crime laboratory. For these reasons

it is our policy to report all allegations of crime to the FBI and other appropriate law enforcement agencies for their professional investigation.

We cooperate fully with all law enforcement agencies, giving them unrestricted access to our ships, guests and crew members, and allowing them to sail with us as they continue any onboard investigation. In fact,

our Senior Vice President of Global Security is a former senior official with the FBI, which further assists us in interacting with various law enforcement authorities.

Our approach has always been to provide full access to all information to the FBI and other investigating law enforcement agencies. We then work in coordination with the involved law enforcement agencies to determine what information should be released to a person making an allegation, the accused, and their lawyers.

#

Michael J. Sheehan
Associate Vice President, Corporate Communications
Royal Caribbean Cruises Ltd.
Phone: 305-539-6572 Fax: 305-536-0140
E-mail: msheehan@rccl.com

FBI Report of “Crimes on the High Seas”

FY	Cases	Jurisdiction	Complaints	Informations	Indictments	Arrests	Convictions/ Sentencings
FY 2006*	46	Federal	6	1	6	6	3/2
		International	0	0	1	1	1/1
		Local	0	10	0	10	0/0
FY 2005	41	Federal	4	0	7	7	2/2
		International	0	0	0	0	2/2
FY 2004	51	Federal	6	3	3	11	10/8
		Local	1	0	0	1	0/0
FY 2003	52	Federal	8	3	5	8	13/14
		International	11	0	0	11	0/0

*08/16/06



International Cruise Victims Association, Inc.

April 21, 2008

Chairman Elijah Cummings
Subcommittee on Coast Guard
And Maritime Transportation
2235 Rayburn Building
Washington, DC 20515

Dear Chairman Cummings:

In the CLIA report sent to you on December 19, 2007, the assertion is made three times that the FBI presented testimony in their September report to the congressional committee that the crime rate for the cruise ship industry was only .01%. In addition to making this statement to your committee, they also made the same statement to legislators in California that are considering legislation regarding the cruise ship industry.

For your review, I'm attaching the various written statements which they made to your committee and to the California legislators along with my letter to the FBI.

In the belief that this statement was not made by the FBI, on March 18th I communicated directly with the FBI regarding this assertion made by CLIA regarding crime rates. Attached to this letter you will find the response which I received from the FBI indicating, in fact, that no such statement was made by them regarding crime rates. In effect, the statement made to your committee and to legislators in California was clearly designed to misrepresent the crime rates on cruise ships as extremely low, therefore, insinuating that there is no reason for legislation.

I felt that this was most important and that you should be aware of the fact that this material was clearly factually inaccurate. We were frankly surprised that CLIA would attempt to communicate such an inaccurate statement to your committee.

Very sincerely yours,

Kendall Carver
President
International Cruise Victims



U.S. Department of Justice

Federal Bureau of Investigation

Washington, D. C. 20535-0001

April 4, 2008

Mr. Kendall Carver
704 228th Avenue NE - PMB525
Sammamish, WA 98074

Dear Mr. Carver:

Reference is made to your letter of March 18, 2008, in which you expressed concern with statistical information submitted by the Cruise Lines International Association (CLIA) to Senator Joe Simitian, Chair of the Senate Environmental Quality Committee, in opposition to Senate Bill 1582, pertaining to crime rate data on cruise ships.

The CLIA statement to which you refer attributes statistical data to the FBI reportedly based on Congressional testimony given by Deputy Assistant Director Hernandez on September 19, 2007 before the Subcommittee on Coast Guard and Maritime Transportation. Please be advised that the FBI did not submit nor testify before the Subcommittee in regards to the statistical data reported by CLIA.

In preparation for referenced testimony, the FBI reported to the Subcommittee that between April 01, 2007, and August 24, 2007, 207 criminal incidents were voluntarily reported to the FBI by CLIA. The FBI did not present an interpretation of this data to the Subcommittee.

Thank you for bringing this matter to our attention and please be aware that the FBI will also provide this clarification to CLIA.

Sincerely,

Thomas A. Nunemaker
Section Chief
Criminal Investigative Division

SECTION II ATTACHMENTS

**Documents concerning the Cover-up
Of Merrian Carver's disappearance**

COMMITTEE ON GOVERNMENT REFORM HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

FIRST SESSION - DECEMBER 13, 2005

Mr. SHAYS. The reason why—you know, rather than your hearts going out to the family, which is important for you to say, particularly at this hearing, it would be better if you cooperated with the family, and didn't make them have to seek this information the way they sought it, having to spend literally tens of thousands of dollars. So your actions would speak more loudly than your statement, frankly, and your actions appear not to support your sorrow. Your actions on what you did to your employee, I think, are significant, because Lord knows that employee needed to leave.

Mr. PURDY. Yes, sir. My understanding is this is under litigation. **However, despite that, we have provided them with all the information that we have on the case, and the fact is, is there just isn't that much information.**

COMMITTEE ON GOVERNMENT REFORM HOUSE OF REPRESENTATIVES

ONE HUNDRED NINTH CONGRESS

SECOND SESSION

MARCH 7, 2006

Mr. SHAYS. Thank you very much. I am going to let my colleague jump in, but I just want to ask you, Captain Wright, are you comfortable with—I believe sincerely that with the case of Mr. Carver and his daughter Merrian, that you all deeply regret what happened. But I don't hear any regret for the problems he still encountered in trying to get information. That is where I am having my big disconnect with your company. It would seem to me that the way you would best express your sorrow is to do—almost have a situation team, it has been suggested, to say how can we help you in any way, get the information you need to get—etc. So, maybe you could respond to that. Captain WRIGHT. Certainly. **It is my understanding that we did our best once we were aware of the disappearance of Mrs. Carver,** and it was tragic that the chain of command broke down. It was a clear error chain. Things went wrong, Mr. Chairman.

Mr. SHAYS. **No, but in terms of talking to employees and stuff like that, they weren't given the access to do that. I am just curious why.**

Captain WRIGHT. Oh. Well, my understanding, Mr. Chairman, is that they were. We actually designated a vice president of the corporation, Mrs. Lynn White, who is responsible for overseeing these types of issues, to personally take that case. We provided the Carvers with information that was voluntary. We also replied to subpoenas that Mr. Carver mentioned in his testimony. So I am not sitting here with the opinion that we have been as uncooperative as Mr. Carver indicated.

Mr. SHAYS. So let me put it in a positive and then give it to Mr. Kucinich. Are you saying that you provided all the information that the Carver family has asked for, or some of the information? Captain WRIGHT. Yes, I believe we have attempted to be cooperative and I believe that we—my understanding is that we have provided information voluntarily above what was requested in——

Mr. SHAYS. Are you aware of any information that you have not provided that they have requested?

Captain WRIGHT. No, I am not.

Video for Merrian Carver

The first item we asked for 25 days after Merrian disappeared and it was determine that she had been on the Celebrity Cruise ship, Mercury, was there any video and they indicated no. We then had our PV investigators visit the ship on November 4, 2004.

The following report was prepared by Cannon Street, Incorporated, Private Investigators, on November 8, 2004 after a visit to the ship on November 4, 2004. The interview was with Katy Yaziciyan, Manager of Guest Claims from Miami Florida **and their attorney, Jeffrey Maltzman.**

When asked about the video, they indicated the following:

*“Yaziciyan claimed that bearing an accident report, videotapes are stored for two to three weeks before being rotated back into the system for reuse. Apparently, that timeframe has elapsed when we first learned of the Carver disappearance. **It was her opinion there was no specific review of videotape in response to the disappearance of Merrian Carver and that such a review of now would not provide anything significant. Yaziciyan denied a request to interview the security officer in charge of the camera.**”*

In April of 2005, Lynn White indicated that these tapes were kept for at least 30 days, which was within the time frame we had had for them. As of January 15, 2008 I received the following from Gary Bald of RCCL.

“More relevant to your concerns, the MERCURY shipboard security team did in fact review archived videos from the 8/27/04 cruise after being advised of your daughter’s disappearance in late September, 2004. Security personnel confirmed that this review occurred over approximately a five-day period at the end of September 2004 and did not reveal any images of your daughter. Unfortunately, the tapes were subsequently returned to the queue for routine re-use. The decision to reuse these tapes was apparently made based on a belief that only a video depicting Merrian would be of value to retain. Although exact dates cannot be determined, tapes placed back in the queue in late September 2004 would have likely been reused by mid-to-late December, 2004.

*Although the video review and its results were apparently communicated to Risk Management Department Adjuster, Katy Y. verbally by the shore side security group (a separate Miami department), there is **no indication this was further communicated to corporate executives either in Risk Management or elsewhere in the company.**” (Note that their attorney was present when our detective met with them)*

In addition to asking for this information, we issued a subpoena for “any and all videotapes for which we received no response. The question is why did they intentionally mislead us when we

were asking for this information in 2004? **If there was a review and nothing was on it, why were we advised that there was no review of the video and that they had destroyed in two or three weeks after she disappeared?**

MR Hotel
Director/MR/RCLShip@RCLS
HIP

09/24/2004 02:58 AM

To: Katy Yaziciyan/RMMIA/RCL@RCL

cc: MR Master/MR/RCLShip@RCLShip, MR Staff
Captain/MR/RCLShip@RCLShip


bcc:

Subject: Re: Fw: Merrian Carver - Missing Guest Investigation

Please see my responses below

Best Regards,

Christos Hadjipetris
Hotel Director
M/V Mercury
Tel: Office 7331 Cel. 7831
email: mr_hoteldirector@celebrity-cruises.com
Katy Yaziciyan@RCL

 Katy Yaziciyan@RCL
09/23/2004 10:17 PM

To: MR Staff Captain/MR/RCLShip@RCLShip, MR Hotel
Director/MR/RCLShip@RCLShip
cc: MR Master/MR/RCLShip@RCLShip
Subject: Fw: Merrian Carver - Missing Guest Investigation

Hi...I tried calling but the line is always busy...I read all the statements...I need clarification on the following:

1. have you checked her onboard account...did she make any purchases? No purchases onboard Did she open one with a credit card? No credit card information in DTS therefore guest would be paying in cash If so what is the number and was any charges ever applied to it.

2. Can I please have her Seapass data with photo. Already sent

3. Did you check the surveillance cameras? the security is working on it

4. Please ask again the cabin attendant as I need to know if the times he saw her she was wearing the "blue dress" and "sandals". On embarkation day she was wearing the blue dress and sandals. The next morning (when he saw her) she was wearing only the blouse she had under the dress (he could see her underwear) In other words, was this the only clothing he ever saw her wearing? Yes she had nothing else with her according to the attendant (did not even use the bathrobes) If that is the case, noone thought it was suspicious that the only clothing she had with her were the clothing on her back..and that if it was left hanging in the closet that means she went around in public with her bra and panties? The attendant was reporting to his supervisor that the whole story was suspicious. The supervisor did not think it was suspicious (pls see his statement) . Was the dress found hanging in the closet? The dress was left in the closet as well as the sandals. The 2 handbags were left on the bed side table Where are the belongings now..please ask Guest Relations what was done with the clothing, and jewelry, how, when and where. On the last day the attendant asked his supervisor what to do with the clothes and personal belongings left behind. He told him to put everything in a bag and deliver it to the housekeeping locker. The stateroom attendant put in a Celebrity bag the dress, the sandals, the 2 small bags, some cosmetics items and a brown envelope (visible in the picture). He put the money (\$106 and some loose coins) in an envelope along with the watch. The belongings were brought to the guest relations by the supervisor (asst chief h/k) and were treated as "left behind items". The Lead GRO went through the items one by one. She put the money in another envelope and secured it at the GRD since cash and very valuable items are not send as lost and found (they are still here in the envelope). She went through the rest of the items and send to the office as "lost and found" one of the small bags, the brown envelope and the watch. The other bag containing cosmetics, the dress and the sandals were discarded

should have gone to Guest Relations why

what picture

19

Best Regards,

Christos Hadjipetris

Hotel Director

M/V Mercury

Tel: Office 7331 Cel. 7831

email: mr_hoteldirector@celebrity-cruises.com

----- Forwarded by MR Hotel Director/MR/RCLShip on 09/29/2004 10:01 PM -----

MR Chief Concierge

To: MR Hotel Director/MR/RCLShip@RCLShip

cc:

09/30/2004 04:12 AM

Subject: Report

For each CFM's those three questions were asked:

- 1) If they received in the past any strange outside calls (regarding a guest that sailed with us approximately a month ago)
- 2) If they received any outside calls, asking to speak to someone from the Housekeeping Department or the attendant of that room
- 3) If any one received an outside calls asking to speak directly with the S/A Domingo Monteiro.

Please take note that for all of them the answers were negatives.

Guest Relations Team:

Anna Briskman

John Young

Jeanine Duminy

Marcus Regenburg

Channa Suitella

Angela White

Telephonist

Jennifer Graham

Leslin Jones

Berenice Thomas

Violy Jonson

Concierge

Janet David

Event Coordinator

Uma Samithyotin

Housekeeping Department:

S/A: Domingos Monteiro

Chief HSKP: Christos Karadinas

ASST HSKP: Babis Eleftheriadis

Kind Regards,

Marie-Noel B. Levesque

Chief Concierge

mr_chiefconcierge@celebrity.com

Celebrity Cruises

Ext: Office 7694, Mobile 7833

----- Forwarded by Katy Yaziciyan/RM/MIA/RCL on 09/30/2004 01:32 PM -----



Katy Yaziciyan/RM/MIA/RCL
09/30/2004 01:32 PM

To MR Hotel Director/MR/RCLShip@RCLSHIP

cc Anthony Papageorgiou/HO/MIA/CCI@RCL, Austin
Martin/RM/MIA/RCL@RCL, Captain Zissis
Koskinas/MO/MIA/RCL@RCL, Jacques
Wulfaert/MK/MIA/CCI@RCL, MR
Master/MR/RCLShip@RCLShip, MR Staff
Captain/MR/RCLShip@RCLShip, Pamela
Powell/RM/MIA/RCL@RCL

Subject Re: Fw: Report

Thanks Christos....I will keep you posted as to possible FBI investigation.
Thks again and make it a great day!

Katy
Katy Yaziciyan
Manager, Guest Claims
Risk Management Department
Royal Caribbean International/Celebrity Cruises
Direct Line: 305-982-2655
Direct Fax: 305-982-2228
Email: kyazicy@rccl.com

MR Hotel Director/MR/RCLShip@RCLSHIP

MR Hotel
Director/MR/RCLShip@RCL
SHIP

09/30/2004 02:31 PM

To Katy Yaziciyan/RM/MIA/RCL@RCL

cc Anthony Papageorgiou/HO/MIA/CCI@RCL, Austin
Martin/RM/MIA/RCL@RCL, Captain Zissis
Koskinas/MO/MIA/RCL@RCL, Jacques
Wulfaert/MK/MIA/CCI@RCL, MR
Master/MR/RCLShip@RCLShip, MR Staff
Captain/MR/RCLShip@RCLShip, Pamela
Powell/RM/MIA/RCL@RCL

Subject Re: Fw: Report

Katy,
I spoke to Domingos for the 3rd time and he confirmed once again that he did not speak with anybody.
He says he understands the seriousness of the situation and is aware of the company's rules and
regulations regarding confidentiality. He's been with the company for 14 years.

Thank you and I will be waiting to hear from you for further action

Best Regards,

Christos Hadjipetris
Hotel Director
M/V Mercury
Tel: Office 7331 Cel. 7831
email: mr_hoteldirector@celebrity-cruises.com
Katy Yaziciyan@RCL

year-old woman from Virginia who'd disappeared while on a Caribbean cruise with her family. The report was the first installment in a yearlong examination into the cruise industry by one of the paper's top investigative reporters, a series that would run the length of a short book as it probed the industry's underbelly.

The journalist was Douglas Frantz, a former Istanbul bureau chief who'd been named *Times* investigations editor not long before. He certainly had dramatic material to work with: allegations of violent rapes by room stewards, of bartenders drugging passengers for the same purpose, of teenaged girls plied with drink and taken advantage of by crew members. What Frantz uncovered, however, wasn't so much that cruise ships were particularly dangerous places; it was the astonishing extent to which they functioned as privatized societies, ruled almost solely by their own corporate policies. While acknowledging that most cruise vacationers did have a safe and happy time at sea, Frantz revealed that when things did go wrong, passengers who'd assumed they were governed by the same laws and standards that protected them in the U.S. found themselves instead trapped on a tiny piece of Liberia or Panama or another flag of convenience country. He went on to paint a startling picture of an industry operating its ships essentially as private city-states, as "sovereign islands."

"An examination of sexual assault cases," Frantz wrote, "found a pattern of cover-ups that often began as soon as the crime was reported at sea, in international waters where the only police are the ship's security officers. Accused crew members are sometimes put ashore in the next port, with airfare to their home country. Industry lawyers are flown to the ship to question the accusers; and aboard ships flowing with liquor, counterclaims of consensual sex are common. The cruise lines aggressively contest lawsuits and insist on secrecy as a condition of settling."

A smuggling arrest was one thing; the systematic cover-up of assaults on passengers was quite another. Avoiding negative publicity, it seemed, was a higher priority than seeing justice done. The FBI has jurisdiction over crimes involving U.S. citizens that are committed on a ship that has sailed from a U.S. port—even if the vessel flies a foreign flag and the crime took place in international waters. The catch is, the law does not require that such incidents automatically be reported to the authorities; it's the responsibility of the victim to alert them. Based on court records, interviews with former cruise employees and alleged crime victims, Frantz documented a pattern

whereby lines like Carnival and Royal Caribbean actively discouraged sexual assault victims on their ships from filing reports. Requests to contact the authorities were never turned down, but for an already traumatized passenger in a strange environment—often under the calming influence of sedatives prescribed by the ship's doctor—the cruise lines' apparent standard operating procedure could be quite compelling.

"You don't notify the FBI," one former Carnival shipboard security chief, who was a sheriff's deputy in Texas before taking the job in 1991, told Franz. "You don't notify anybody. You start giving the victims bribes, upgrading their cabins, giving them champagne and trying to ease them off the ship until the legal department can take over." In cases where the FBI was notified, alleged crime scenes were often cleaned before agents were able to come aboard to evaluate them. A documentary produced the following year by the History Channel, for which Frantz was a source, quoted a former detective for Scotland Yard who'd worked aboard NCL ships for six years, echoing these accounts. "I have sealed cabins or rooms that have been the subject of an alleged offense, and the next moment, when I've gone back in there, bed linen or clothing has been disposed of," he recalled. "The captain or the hotel director, who would be in daily, minute-by-minute contact with headquarters, would do things like offer you free holidays, just for you or your family. I've even known one person who was offered ten cruises."

Perhaps most aggressive in its coverage of sexual assaults aboard cruise ships was the *Miami New Times*, an alternative weekly that had targeted the industry, and especially Micky Arison, with a series of critical stories. In February of 2000 the *New Times* reported in detail on one such "cover-up," this one involving a middle-aged woman identified in the article as "Mary," a pseudonym.

As the *New Times* reported it, the woman was taking her first vacation after a year in which she lost her husband and her father and during which her daughter had had a miscarriage. With her daughter "Janice" in tow, she booked a Caribbean cruise aboard the Carnival *Fascination* in the summer of 1998. On the first evening of the cruise, the woman would later claim in court, she was sitting alone in her room while her daughter was out exploring the ship. Her cabin steward entered unexpectedly, forced her to the bed and raped her.

After the attack, the woman went to the ship's security personnel, who questioned the steward and recorded his denial. With no rape kits aboard,

the ship's doctor administered a pelvic exam and prescribed sedatives; the woman and her daughter prepared to visit shoreside authorities when the ship docked in the Bahamas the following morning. "Officers handed Mary and Janice a bag containing the only evidence they had collected: the dress and underwear Mary had worn the night before," the *New Times* wrote. "They hadn't interviewed any passengers, nor had they removed the sheets from Mary's bed. A taxi took the two women to a doctor's office, where they waited for hours without seeing a doctor. Finally the cabbie drove the women to a hospital, where a physician did a second exam. Hospital workers kept the bundle of clothes." Arriving in Miami with the ship after spending the remaining three days of the cruise under sedation in her cabin, the woman spoke with FBI agents. "The investigators listened to the women's stories and determined the outlook was not promising," the story said. "Potential witnesses were not interviewed, valuable evidence was not gathered, the crime scene wasn't secured, and the clothing had been left behind in a foreign land. The lawmen decided they had no choice but to drop their probe." The steward was flown back to his home country on "medical leave," and at the time of the article's appearance in February 2000—eighteen months after the alleged incident—authorities in the Bahamas reportedly had still not released the results of the rape tests she underwent there.

A similar story reported by both Frantz and the *New Times* contained many of the same details but would have further-reaching consequences. Before it was over, a federal grand jury would be examining the possibility of criminal charges against not only the alleged assailant, but Carnival as well, for its handling of the investigation. It was another rape case, this time of a ship's nurse who'd reported having been assaulted by an engineer. The attack itself could have happened anywhere. Taking off work because of a knee injury, the twenty-seven-year-old nurse, an American, was spending the evening in her room when there came a knock on the door. It was the engineer, an Italian man who'd made sexual advances before but had accepted her rebuffs in a civilized enough manner that she now considered him a friend. He made another move, she would later testify, begging for a kiss, but when she put him off, he raped her over her hysterical protests. "It only lasted a few minutes," the *New Times* quoted her as saying. He left her room in the early hours of the morning, demanding a kiss good-bye.

After speaking with a friend, another nurse, the victim reported the incident the following afternoon. From this point, the accounts diverge. Carni-

val's attorneys would later insist that security personnel encouraged her all along to report the incident to the FBI, and that she demurred. The woman, on the other hand, claimed she was kept off balance, intimidated, pressured to make an immediate decision. "I was with her the whole time," her friend would later tell the *New Times*. "They didn't encourage her to report it. They just kept saying, 'What are you going to do? What are you going to do?' I kept telling them that she doesn't need to make a decision right away."

By the time the ship pulled into Miami, less than thirty-six hours after the alleged attack, the woman had decided to contact the FBI. She headed for an area hospital, where agents interviewed her and subsequently contacted Carnival to request a meeting with her alleged attacker—now the FBI's prime suspect in a violent felony investigation. But that interview would never take place. By the time the FBI called, he was already booked on an evening flight to Italy; following the allegation, the man had immediately been fired, ostensibly for being drunk on duty. Losing the job meant he also lost the work visa that allowed him to remain in the United States, and Carnival lost no time in complying with its duties to get him out of the country. Corporate security staff was to escort him to the airport and see that he got on the plane. FBI agents arranged to question him before his flight in the customs offices at Miami International, but he never appeared. Instead, Carnival's people had escorted him directly to the departure terminal—and out of the country. Carnival claimed a mix-up, and insisted that it was the FBI who'd failed to explain that they'd be waiting at the customs facility, and not at the gate. Absent the agents they were expecting, the company's security staff simply did its job. "The FBI never showed up," a senior executive would later insist in a deposition. Pressed by Frantz, the U.S. attorney's office would not confirm an investigation into the incident, but acknowledged that "Carnival raised some eyebrows when they whisked him to the airport moments ahead of the posse." The victim's friend, who had cooperated with the FBI, had been two months away from the end of her contract at the time of the assault. It was not renewed.

In the course of a lawsuit filed by the nurse, a Florida judge ordered Carnival to release a list of all incidents within the previous five years in which crew had been accused of sexual assaults—an order that was carried out only after it was twice upheld on appeal. The number, which didn't include alleged assaults by passengers, totaled sixty-two incidents ranging from allegations of rape to claims of inappropriate touching, to more innocuous complaints

SECTION III ATTACHMENTS

ICV Victims of Cruise Lines and National Organizations for Victims Supporting ICV

National organizations for victims that are supporting ICV efforts to promote legislation improve safety and reduce crimes on cruise ships include:

[National Organization of Parents of Murdered Children](#)

[National Center for Victims of Crimes](#)

[Rape, Abuse & Incest National Network \(RAINN\)](#)

[Crime Victims United Of California](#)

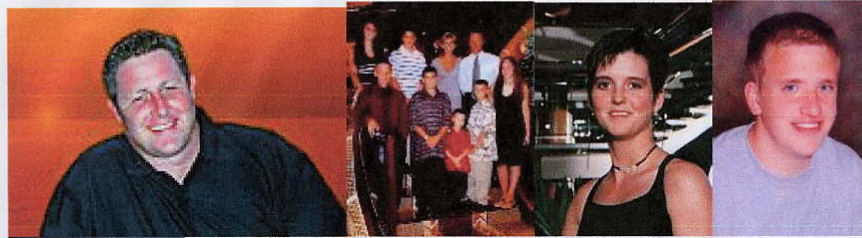


PHOTO TAKEN:
2 Days prior to
disappearance

Examples of Various Types Of ICV Victims

Rape Victim

Laurie Dishman

Lost on Cruise Line Sponsored Excursion

John Dresp

Lost at Sea

Mindy Jordan - May 2008
(New case)

Medical Malpractice on Cruise

Don Bryce – September 2007
(New Case)



ICV PRESS RELEASES

[Press Release - June 4, 2008](#)

U.S. Senate to Hold Hearing on the Cruise Line Industry

[Press Release - May 28, 2008](#)

CRUISE SHIP OCEAN RANGERS BILL PASSES SENATE

ICV IN THE NEWS

[June 11, 2008 - InjuryBoard.Com](#)

Death at Sea: What Cruise Line Consumers Need to Know, Part 2

[June 11, 2008 - InjuryBoard.Com](#)

Death at Sea: What Cruise Line Consumers Need to Know, Part 1

[May 31, 2008 - TheAge.Com.Au](#)

Brimble Family Still Waiting for Justice

[May 29, 2008 - Holiday Travel Watch](#)

British Cruise Study - Holidaymaker at Risk!

[May 29, 2008 - Holiday Travel Watch](#)

Cruising Toward Accountability

IN THE NEWS

[June 13, 2008 - BBC News](#)

Dead Cruise Ship Crew Member is

> [Our Stories](#) > [Sexual Assaults](#) > [Laurie Dishman](#)

Laurie Dishman

My best friend, Michelle, and I decided to celebrate our thirty-year friendship. I have known her since I was five years old, and so we thought, "How about going on a cruise together?" We decided to take a Royal Caribbean cruise to the Mexican Riviera in February 2006. Just think -- seven days of fun and sun, relaxing with umbrella drinks in our hands. I couldn't wait...But little did I know of the dangers that awaited me...

The trip started out great -- Ports of call, dinners, shows, drinks in the lounges, meeting other passengers and dancing. We were having so much fun, but everything in my life changed on February 21, 2006...

Michelle and I were in the Viking Crown Lounge, when we were approached by a crewmember, whose badge indicated that he was a "security guard." He demanded to see our IDs and asked whether we were old enough to be drinking in the bar. He asked for our cabin number.

As the night continued, Michelle and I talked and danced with other passengers. When I decided to go up and request a song, that same crewmember approached me and held my wrist and kissed me, while trying to whisper something in my ear. I said, "No, get away". Then, I headed back to be with Michelle and get away from this man. I was upset, so Michelle brought me back to my cabin and waited for me to fall asleep, before she headed back to the lounge.

Later, there was a knock at the door. It was dark. Thinking it was Michelle, I opened the door halfway, but it was him! He forced his way into my cabin and pushed me onto the bed. I struggled and tried to resist, but he raped me. He left me, passed out on the bed with ligature marks around my neck.

When I woke up, I didn't know who to call, because my rapist was supposedly "security". I told Michelle what had happened, and we decided to call the Purser's desk, which prompted two officers to come to our cabin. Instead of securing the cabin, they sat on the bed, where the rape occurred. Eventually, I was permitted to go to the ship's doctor, but he told Michelle and I to go back to our cabin and collect the sheets & clothing from the incident and to place them in plastic bags, which they had provided. I also wrote a demanded statement and gave it to the officers on the ship. The entire process was so humiliating! That same day, I told the Captain that I was frightened and just wanted to go home.

We flew to Los Angeles, where the FBI interviewed us. We were informed that the FBI was taking this matter "very seriously." And we actually believed they were.

I arrived back home the following day to be with my family. On March 3, 2006, I received a call from the FBI, who informed me that the Department of Justice (DOJ) was not going to prosecute my case. They said that it was a "he said/she said" case. I felt violated all over again!

Later I learned that the DOJ declined the case for prosecution and that the FBI closed the "investigation" on the same day that the cruise ship returned to port... before anyone began a serious effort of investigating the crime. I have also learned that there has never been a successful prosecution of a single violent crime in the history of Royal Caribbean Cruise Line (RCCL), such as rape, since its' 1969 existence.

I am attempting to re-open the investigation and gain some answers. RCCL will not provide me with the name, address, nationality, or current whereabouts of my rapist. They refuse to provide me with my own medical records and my statement from the ship, nor will they inform me if my rapist, their own employee, has HIV/AIDS or other diseases.

The only thing I received from the cruise line, following this incident, was a promotional letter from the President of RCCL, which stated, "Thank you for sailing with us and giving us the opportunity to send you home with an experience to remember." He even included a discount coupon! Once again, I felt humiliated and could not stop crying.

It's clear to me that the RCCL, FBI and DOJ will never assist victims of crimes that occur on foreign flagged cruise ships.

I have sought professional assistance and therapy, and I intend to seek justice on my own. I have called, written and met with the staff of my Senator and Congresswomen. I will not allow the cruise line industry to make me just another crime statistic.

I am thankful to International Cruise Victims (ICV) for providing me with the opportunity to tell my story, in an effort to protect other passengers from being unsuspecting victims on cruise ships.



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Cruise Bruise News

[Cruise Travel Agent Pair Arrested For Defrauding 90 Victims Out Of \\$100,000](#)

Another cruise travel agency takes passengers for a ride, but not on the high seas. New Mexico agency shuttered and agents arrested.

[Odd Carnival Cruise Lines Smuggling Case Takes The Cake](#)

Drug smuggler goes to the web for help in booty identification.

[Crew Member Error Sinks Spirit Of The Rivers Cruise](#)

Knowing the



**Outbreak Summaries
for International
Cruise Ships**

ICV PRESS RELEASES

**Press Release -
June 4, 2008**

U.S. Senate to
Hold Hearing on
the Cruise Line
Industry

**Press Release -
May 28, 2008**

CRUISE SHIP
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Brimble Family Still
Waiting for Justice

**May 29, 2008 -
Holiday Travel
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British Cruise
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**May 29, 2008 -
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Cruising Toward
Accountability

IN THE NEWS

June 13, 2008 -

> Our Stories > Missing Passengers And Deaths > John Dresp

John Dresp



John Dresp November 16, 2005

On November 16, 2005, my wife Winifred, brother John and I, along with 47 other passengers, left the Norwegian Dream by a catamaran operated by Discovery Divers for snorkeling at the Belize barrier reef.

It is hard to imagine that was the last time we saw my brother John alive.

On November 16, 2005, my wife Winifred, brother John and I, along with 47 other passengers, left the Norwegian Dream by a catamaran operated by Discovery Divers for snorkeling at the Belize barrier reef. It is hard to imagine that was the last time we saw my brother John alive.

On November 16, 2005, my wife Winifred, brother John and I, along with 47 other passengers, left the Norwegian Dream by a catamaran operated by Discovery Divers for snorkeling at the Belize barrier reef. It is hard to imagine that was the last time we saw my brother John alive.

Prior to entering the water, we were briefed on the area and use of snorkeling equipment by a Norwegian Dream staff member who said she would meet us in the water. She did not ask who was a beginner, our gear was not checked, no one met us in the water and we were not warned of a moderate to strong current moving away from the boat and the snorkeling area.

I didn't wear flippers and was quickly carried out by the current. My brother John was a first time snorkeler but a good swimmer. John worked out daily and was in good physical health. My wife Winifred was last in the water. She and my brother were within twenty feet of the catamaran when she asked John where I was and he told her "way out there." She said "if you're all right, I'll go get help for Don and be right back." Winifred called up to the boat for help and I was promptly rescued. When she went back to John she could not find him.

She got back on the boat to see better and get help finding John. He could not be found. The Discovery Divers' crew looked over the water and said that he was "probably with the other guests at the reef." Eventually they made a more complete search, then got other boats and an aircraft involved. After a week of searching, John's body was never found. (Apparently his vest was not inflated.)

We later learned that a catamaran from another vendor had picked up 100 guests from the Norwegian Dream the same day just before we left the ship. This operator was aware of "small craft warnings" and pulled its guests from the water after about 10 minutes and returned them to the cruise ship. We also learned that when the Norwegian Dream was back in port the next week, November 23rd, they again used the same vendor that had lost my brother!

Winifred and I spent twelve days at the Radisson Fort George in Belize City while the search continued. Although the local media was interested, we had frustratingly little communication with the police and searchers. We asked to meet with the Belize Tourism Board officials and found them to be defensive. They assured us that one of their Tourism Police Officers would be in daily contact with us. He only called the Friday after Thanksgiving, November 25th, to tell us that the search had been called off--- which fact we had learned from TV Thanksgiving night!

After many requests, four months later we received a two page preliminary police report in which we found errors in nine out of the eleven paragraphs. Now, nine months later, we have no final police report, no inquest result, no death certificate and no acknowledgement of our safety recommendations. (The inquest was requested by our lawyer in January and again in April. The request was acknowledged by the Chief Magistrate in May, but still no date has been set.)

We have a large amount of documentation: media reports, more than 75-80 pages of my daily journal, correspondence, etc. We are sending a letter and our



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travel agency
takes passengers
for a ride, but not
on the high seas.
New Mexico
agency shuttered
and agents
arrested.

[Odd Carnival
Cruise Lines
Smuggling Case
Takes The Cake](#)

Drug smuggler
goes to the web
for help in booty
identification.

[Crew Member
Error Sinks Spirit
Of The Rivers
Cruise](#)

Knowing the



Outbreak Summaries
for International
Cruise Ships

6/14/2008

June 9, 2008

Dear Mr. Carver

My daughter, Mindy Jordan, 46 and the mother of two, left on Mother's Day of this year on a Norwegian Cruise Line Cruise from New York City to Bermuda. She was traveling with her boyfriend, Jorge Caputo. Now my daughter is dead. I received a phone call from Mr. Caputo at 11:00 a.m. on May 12th, 15 HOURS AFTER her death. He informed me that while they were fooling around Mindy got too close to the railing and fell overboard. Norwegian Cruise Line NEVER called to inform me. Through my own efforts, I finally reached the cruise line and was referred to Jane Kilgour, Manager of Passenger Claims. I received condolences and the promise of an investigation.

The U.S. Coast Guard contacted me the following Monday, a couple of hours after Mr. Caputo's phone call announcing my daughter's death. They explained to me that the weather at the particular destination was so severe that they had been unable to launch rescue boats. I am sure that is true. They did send out helicopters that searched until 3am and I have no doubt they did their very best. They also read me the report that they had received from the ship. It included Mr. Caputo's statement that said my daughter had gone to take a nap an hour or two after leaving the port. The ship's cameras show the couple having dinner at that time.

The F.B.I. arrived in Bermuda on Wednesday afternoon. I was told that they were unable to catch an earlier flight which meant they were delayed in beginning their investigation. They told me there was no blood in my daughter's stateroom at that time.

My requests to Norwegian Cruise Line for information regarding details of the cause of my daughter's death, rescue efforts, and so forth went unheeded. (see faxed request). I also asked Ms. Kilgour twice if I could please be sent a copy of the film of my daughter's fall from the ship so I could view it my own home. The answer I received was "absolutely not." They did, however, offer to bring me to the ship to show me the film and to see my daughter's stateroom.

The F.B.I., although visiting me several times, has refused to answer any questions. They stated that they were just keeping in touch to let me know that the investigation is on-going. When I complained that I needed answers regarding this incident, the F.B.I. sent the lead investigator in the case, Agent Robert Kissane. Although he was not able to answer my questions, he did tell me to STOP talking to the media. Later, he was also able to inform me that Mr. CAPUTO had paid for this cruise - NOT my daughter! I found the F.B.I. in general and Agent Kissane in particular to be cold, sarcastic, condescending and totally lacking in sensitivity or compassion.

Many, many questions still remain. I would really like to know why a ship is allowed to leave port in conditions so severe that the Coast Guard is unable to assist in an emergency. Also, one of the films from the media showed only one small dinghy was launched from the ship and several life rings were tossed. I find it hard to believe with today's technology that emergencies aren't handled with more care. I would also like to know if the ship searched for Mindy or for her body, seeing as how they managed to arrive in the port of Bermuda right on schedule.

The statement that Norwegian Cruise Lines released to the press on May 14, 2008 stated that Mr. Caputo was alone with my daughter for eight minutes before he exited the room. This was plenty of time for a physical attack to take place, and for Mindy to be left alone on the balcony, locked out of the stateroom. Mr. Caputo did not return to their room to let her back in. I believe she was trying to reach the adjacent stateroom's balcony after thirteen minutes out in the storm.

I believe the F.B.I. needs to use ALL of their resources to get to the bottom of this horribly tragic incident, including issuing lie detector tests, keeping tabs on suspects and monitoring their behavior after arriving home from the cruise, using phone taps or whatever else they have at their disposal.

Norwegian Cruise Line, as well as all of the cruise lines need to be held responsible when they insist on sailing in such severe weather, for not having cameras that actually show the balconies, for failure to contact the next of kin in an emergency, and for having inadequate rescue equipment on board.

Yours Truly,

Louise Horton

Mindy's Mom

June 8, 2008

Dear Mr. Carver,

I am following up with you regarding my father's tragic, unnecessary death last September onboard Holland America's ms Rotterdam. A story about it ran on KOMO TV4 on Tuesday, May 20, 2008 and it was picked up nationally and broadcast on **Good Morning America on Thursday May 22nd**. My family and I are hopeful that this can spark a much needed discussion about the laws regarding passenger safety onboard cruise ships. While I recognize the fact that the ships fly under foreign flags, their corporate offices are located in the US and the vast majority of passengers are American citizens.

I would like to propose a two part change that we believe would dramatically improve medical care for passengers and could hopefully prevent tragedies such as my father's from occurring in the future. I am afraid that the cruise lines will have to be forced by law to comply as they have made many promises in the past which have simply been discarded or ignored when they interfere with profits.

First, all medical staff should be considered **employees** of the cruise line, not **independent contractors**, as this absolves the ships from any responsibility for what happens to the passengers. Most people assume that the doctor is an employee of the cruise company and that the ship is liable for any malpractice. If the cruise line knows they could be sued for negligence, they would be much more proactive in recruiting doctors and nurses who would treat their passengers with the necessary care.

In my father's case, while the medical staff may have been highly qualified, they were incredibly indifferent to his deteriorating condition. Had he been given any number of basic treatments early on (IV fluids on the first or second day, a chest X-ray when the cough developed, a blood test to look for a secondary infection) he would very likely be alive today.

Had my parents known that the doctor had such limited hours (he was in the clinic for only one hour in the morning and one hour in the afternoon) and that it would be so difficult to get anyone to actually come to the room, my father might have elected to get off the ship in Rome, before they headed out to sea for thirty-six hours! They did have full travel insurance and my father was aware that he had to be cautious, since he had a pacemaker.

But Dr. Gibson indicated that it was a simple upper respiratory infection and never bothered to check for anything else. At the very least, the cruise lines should have to disclose, **in writing, in plain English, at the time of booking**, that the doctors are not employees and the passengers will have no legal recourse against the ship if there is a problem. (This is listed in the ticket that passengers receive one-two weeks prior to departure but it is in small print and legal jargon and I'm sure the majority of passengers

have no idea until it is too late.) If people had to sign off that they understood this and agreed to it, I think that a lot of them might decide to take a different vacation!

Secondly, there **must** be a better system of reporting and treating those passengers who do become ill during a cruise. All cruise ships are supposed to hand out a CDC survey to people who experience gastrointestinal symptoms but my understanding is that it is a voluntary request and quite often the majority of them do not get returned. (I still have my father's) This is a problem because it gives a false sense of how many people are actually getting ill on each cruise.

On the Rotterdam voyage, Holland America says that only 23 passengers had the Norovirus. However, other people from the cruise have told me that it was probably closer to 50 or 60. (We have heard of at least one, or possibly two, other death(s) onboard the ship but Holland America would not confirm or deny that to Liz Rocca, the KOMO TV reporter.)

Also, anyone who is quarantined to their cabin should be checked on, **in person**, at least twice a day, with a **full set of vitals taken and recorded each time**. This would have the dual benefit of catching someone who was getting worse in time to give them proper treatment (as in my dad's case) and would also insure that those people who were still contagious were staying away from the other passengers.

My family has said all along that we simply want to see **something good come out of this tragedy**. These are two ideas which could be implemented without any great cost to the cruise lines but they could save many people from experiencing the loss that we will have to deal with for the rest of our lives.

Please contact me if you need any further information or would like to discuss this matter in more detail.

Lori (Bryce) Vaaga
19803 30th Dr SE
Bothell, WA 98012
425-487-0242
Irishlori@verizon.net

SECTION IV ATTACHMENTS

**Summary of Results of Various meetings with
IVC/victims and CLIA**

**Meetings between ICV Members and CLIA to
discuss Reform and ICV/Victims
Recommendations**

July 26, 2007

August 13, 2007


November 19, 2007

April 18, 2008


COMPOSITE SUMMARY OF RECOMMENDATIONS

Part I Background Checks

Based on court records for a major cruise line covering the period of 2003-2005 it has been determined that approximately 80 percent of the alleged offenders in reported incidents were shipboard employees of the cruise industry.

-  Create a MAIN database for reporting all terminated individuals/employees, ensuring that the same employee(s) will not be rehired by another cruise line.



Note: Discussed during first ICV Meeting with CLIA but CLIA quoted privacy concerns.

-  Tighter security checks and screening of all employees.

Note: Discussed during first CLIA Work Group in September but does not appear to be fully comprehensive concerning checks for cabin attendants, security personnel, medical personnel, personnel employed in any role within the children's activities e.g. staff, cleaners, in cabin baby sitters. The feedback that CLIA provided in the September Meeting focused on "Conduct Background checks on crew who have access to guests and their cabins". This document did not explain if this is all crew having access to guests (not only their cabins) e.g. working in passenger public areas and how these checks are conducted e.g. are these further checks in addition to their normal employment hiring processes?

Part II International Police/US Marshals

Since cruise ships take the legal position that they don't investigate crimes and the FBI indicates that they do not have the resources, it is proposed that International Police/US Marshals be added to all cruise ships.

-  Such authority should not be affiliated with the cruise line or its crew.
-  U.S. Marshals to be present on cruise ships.

- ☒ When a crime is not reported to the appropriate authorities by the cruise lines, and in a timely manner, substantial fines should be imposed.
- ☒ All crimes must be made public - Not voluntarily, but mandatory.
- ☒ Require protocol for filing any form of incident and to be immediately processed through specific channels.
- ☒ Hold cruise lines accountable for the safety of future passengers and crew members and to require prompt and accurate reports to authorities of crimes, deaths, disappearances and other matters that would normally be investigated if they had occurred on land.
- ☒ Criminal cases that occur on a cruise line must be properly handled resulting in the prosecuting of those who commit such crimes.

Note. While the industry has entered into a Voluntary Reporting Agreement with the FBI and US CG, there remains no form of verification that all reported crimes are being handled properly.



- ☒ An independent investigative organization will ensure that there is no 'conflict of interest' between the cruise line and the victims.
- ☒ With the added concern of terrorism, additional security is necessary to protect passengers and crewmembers.

Part III Security – Crime Scenes and Victim Support
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The skill levels of the onboard security responders must be improved and standardized not only with regard to their ability to investigate an incident but also to protect evidence including crime scenes from accidental or deliberate contamination.

- ☒ Roping off/securing the crime scene
- ☒ Securing surveillance videos
- ☒ Taking pictures of the crime scene
- ☒ Avoiding physical handling of evidence
- ☒ Properly bagging and securing such evidence
- ☒ Immediately interviewing and obtaining names of witnesses
- ☒ Documenting statements and details from witnesses
- ☒ Recording time frames for each step of the investigation
- ☒ Requiring a sign-off for each step
- ☒ Distributing photos of missing passengers (Recent photos, not video)

Note: During at least one incident recently, ICV and the public was aware that photographs have been used but the Item has had no response from CLIA and we have no way of knowing if this is an Industry Standard. It should be noted though that CLIA has made no comment on this Item during any meetings.



-  Inspecting all cabins and all compartments throughout the ship
-  Contacting authorities immediately (Coast Guard, FBI, etc.)

Note: The Industry has entered into a Voluntary Agreement with the FBI and US CG but according to a recent testimony on behalf of Jane Doe, there was a delay in notifying the FBI. Again, there appears to be no way of verifying the time delay between initial discovery and notification of the FBI and US CG. The Voluntary Agreement also has no consequences if there is a delay in notification. During the September meeting CLIA stated that they notify the FBI immediately of crimes reported from shore excursions and yet a written statement sent by one cruise line to a victim of an incident on shore was told that the Zero Tolerance Policy of the company did not include incidents that occurred on shore excursions.

Part IV

Structural and Onboard Safety System Enhancements

Review the structure of guardrails, external fittings and other structural changes to reduce further the risk of accidents that might lead to a person falling overboard.

-  Higher glass walls
-  Other design changes


Part V




Video/Surveillance Cameras and Proper Upper Deck Lighting

Strategically place cameras in all areas, where passengers may frequent, i.e. decks, outside railings, non-glass elevators, hallways etc.

-  Upgrade existing surveillance systems and increase the number of cameras.


Note. During the September meeting, CLIA indicated that they had installed enhance CCTV coverage onboard ships. However, it is not known if this has been an industry enhancement and if it took consideration of any risk assessment based on the location of incidents onboard the vessels e.g. statistics from one cruise line suggest that the high risk area is the passenger cabins and therefore, it would be logical to include the risk location in the decision making process concerning camera location. An incident that occurred on one ship this year, again, highlighted that this weakness e.g. lack of cameras protecting passenger accommodation is still not being addressed.

-  Strategically place cameras in all areas, where passengers may frequent, i.e. decks, outside railings, non-glass elevators, hallways etc. Motion activated systems should be considered to reduce the amount of recording capability required to support so many cameras.


-  Monitor system and cameras 24/7 by trained personnel.
-  Ensure and install proper lighting for image quality.
-  Require daily inspections and monitoring to ensure proper functionality and recording.

Part VI Access Control/Security Bracelets
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Utilize new technology to assist in locating a missing person and during a major emergency to help quickly account for all persons onboard.


-  Distribute bracelets designed to include microchips to be worn by ALL Minors and initially offered to ANY passenger on a voluntary basis throughout the entire cruise (onshore & offshore).

Note. During first meeting with CLIA, they indicated that research was ongoing but the focus appears to be use of a RFID within the passenger or crew identification card, however, this will likely result in less than 100 percent coverage since a person might lose their card or forget to carry it with them. A bracelet would be a more logical choice,

-  Bracelet should bear the name of the ship and identify each passenger; thus, if an individual is missing, falls overboard, etc., their location will be detected.

Part VII Missing or Overboard Passengers

Improve methods concerning the discovery, reporting, searching and investigation concerning a missing person or overboard passenger.

-  When a passenger is reported missing/overboard, the ship must stop immediately and complete a search.

- ☒ Rail alarms to go off if an individual should go overboard; alarm response must include automatic release of life-rings from the Bridge, drop additional flotation devices, manning of the Fast Rescue Boat, marking the GPS Plot with the position of the vessel at the time of the Man Overboard Report.
- ☒ Impose noise restrictions throughout the vessel to ensure an environment that might assist hearing a person in the water.
- ☒ Station 24/7 lifeguards on each side of the ship's decks.
- ☒ Require a full accounting of the number of passengers who board vs. exit including final port of disembarkation. Ensure that an Officer is named by position in the Security Manual for ensuring that this process is conducted and subject to verification.

Note. During the CLIA meeting in September this indicated as being in place (although no mention was made concerning the Verification Process). It should be noted that on one of the many Passenger Message Boards on the Internet, at least five reports earlier this year indicated that despite one company stating to Congress the introduction of this enhancement to their system, that same company's ships were not using the system as described and on those cases no checks were apparently conducted.

- ☒ Require an entry in the ship's log in the final port of disembarkation to specify that ALL passengers were verified as having left the vessel.

Part VIII

Medical Care – Rape Kits/Rape Reporting/Medical Emergencies

- ☒ The cruise lines must assume responsibility for medical care.

- ☒ Rape kits MUST BE available on all ships and USED.


Note: The CLIA indicates that REK are available onboard but it would appear that Kit is not automatically used by the medical personnel as an industry standard.


- ☒ No requests should be refused or taken lightly.
- ☒ Written documentation to be provided, signed, and issued to the patient.

Part IX

Excursions – Sold and Promoted

 **Cruise lines must assume responsibility for excursions and be held accountable for the safety of their passengers who purchase such excursions through them.**

 **Weather conditions should be verified, prior to allowing passengers to depart on excursions, such as sightseeing tours, scuba diving adventures, water-skiing etc.**


 **Since the cruise lines select and promote various excursions, they should be held accountable for the safety of their passengers, who purchase such excursions through them.**

Note. During the September meeting CLIA indicated "Visit Excursion location and confirm that the activity is safe". This seems to suggest only one location as opposed to ALL shore excursions that the member cruise lines utilize and advertise on their vessels to the passengers.


Part X


Fire Prevention and Emergency Procedures

Cruise ships must take major efforts to improve fire prevention and emergency procedures.


 **Smoking needs to be banned or restricted to certain areas of the vessel and this must be enforced.**

Note. During the September meeting CLIA indicated that this item was in progress or completed. We understand that this is still in progress and one cruise line is in fact surveying their passenger's concerning changes in their smoking policies, and so, overall this is not yet complete but it is progress.

 **Emergency Escape Breathing Devices (EEBD) must be available to all passengers and not only crew members.**

 **Fire and security training should be conducted regularly and realistically.**

Note. During the September meeting, CLIA indicated that fire safety instructions were being included in the initial muster drill. At present, we have no way of verifying this and hope that at the next meeting they will provide us with the documentation to confirm this process throughout all CLIA members. They also stated that they provide regular fire and security training.

 **Fire safety instructions, including fire prevention, should be posted on the back of each door in each cabin.**

<p style="text-align: center;">Part XI Alcohol Abuse – Service to Passengers and Crew</p>

The sale and distribution of alcohol must be better controlled on cruise ships because of the number of tragic incidents traced to alcohol abuse.

- ☒ The appropriate laws of the Flag state with regards to alcohol consumption must be published on all travel documentation, cruise line Internet websites and prominently displayed within all bars onboard a vessel.
- ☒ The cruise line company's crew education (and not only that of bar staff) must include the applicable laws and age criteria, including the fact that to deliberately deviate from the laws is a criminal act e.g. provide or sell alcohol to a minor and as such will be reported promptly to the Flag State, Port State (if applicable) and law enforcement.
- ☒ Reservation system must identify all minors at the time of booking.
- ☒ Onboard revenue systems must be keyed to reflect the any levels of age coding.
- ☒ System should also be capable of raising an alarm when excessive alcohol is determined.
- ☒ When an alarm is registered e.g. service is stopped, a bar supervisor informed to respond and investigate and consideration may be given to ceasing service to the person's traveling companions to prevent them from providing alcohol to the person.

Note. During the September meeting, CLIA indicated they are responding to the Recommendation Quote Limit Alcohol Servings and train employees to recognize signs of intoxication and respond appropriately including cutting off the SeaPass Account Unquote. (SeaPass is the terminology used within RCCL). However, it is not known if the system has electronic red flags or relies on the bar staff.

- ☒ The identification and age should also be verified.
- ☒ The cruise lines' company policies will not promote or permit any company sanctioned alcohol related "party games" either onboard or onshore within a private island facility.

<p style="text-align: center;">Part XII The Law, Law Enforcement Responses and Reporting</p>
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More timely reporting of crimes must be made by the cruise lines.

- ☒ Cruise ship attorneys should not be permitted to investigate crimes which are required to be reported to the FBI and the US Coast Guard.
- ☒ The FBI must be encouraged to include cruise ship reports in their annual report.
- ☒
- ☒ Creation of a Cruise Ship Passenger's Bill of Rights, which should be provided to each passenger before they board a vessel.

Part XIII US Congress Intervention and Cruise Line's Accountability
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Since the voluntary approach taken by the cruise lines has not been effective, laws need to be put in place to assure that cruise lines are held accountable.

- ☒ Legislation must be changed to hold cruise lines accountable for the safety of U.S. Citizens. Maritime Law was intended to protect countries and jurisdictions during wartime and boundaries of these countries. It was NEVER the intent for individual cruise line companies to hide under this Law and not be held accountable.
- ☒ Establish more serious consequences for those who engage in foul play as well as for those who condone it or dismiss it, including cruise ship companies.



International Cruise Victims Association, Inc.

April 23, 2008

Chairman Elijah Cummings
Subcommittee on Coast Guard
And Maritime Transportation
2235 Rayburn Building
Washington, DC 20515

Dear Chairman Cummings:

This past week I traveled to Miami to attend another CLIA meeting with victims. In addition to me, three other members of the board of ICV also attended this meeting. They included Jamie Barnett, Sarah Alexandra, and Lynnette Hudson. In total, there were nine individuals or families represented at this meeting.

This was the third time that I have personally met with CLIA executives and members of the cruise line industry to discuss proposals for change. While these meetings have been designed to give the impression that the industry is willing to discuss change, I have sadly come to the conclusion that the cruise line industry will not commit to any changes.

Without going into a detailed analysis of all the various points that were discussed, I would like to make a brief summary of my personal conclusions.

1. When asked directly the question of what CLIA could commit the industry to doing, the answer was they cannot speak for the various companies and what their commitment is in making changes.
2. The question was then asked would these individual cruise lines agree to prepare a spreadsheet showing the commitment to the various proposals by the individual members. While the verbal answer from a couple of cruise ship representatives was that they agreed to some proposals in the CLIA material, at this meeting they absolutely refused to agree to anything in writing so that we can clearly determine what their actual commitment was to various changes.
3. In addition, they clearly were not willing to agree to any penalty if they did not follow any agreed-upon new procedure.

In the September hearing that you chaired, you requested that the cruise lines indicate in writing by December 19th what changes they were willing to agree to make to improve the safety of U.S. citizens on their ships. Our conclusion of their report to you was that they really did not agree to make any type of commitment.

No one has tried harder than the ICV members to get the cruise line industry to voluntarily change their practices and commit to positive changes. As a result, it appears that legislation is the only alternative. U.S. citizens need to be protected on a cruise ship the same as they would be if they went to a resort in the United States.

For your review, I am attaching two letters from police departments in Anaheim, California and Paradise Valley, Arizona. As you'll see in these letters, when crimes occur at any location, the local independent police are called to investigate and take the appropriate steps to resolve the crime. In addition, a report is then made which becomes publicly available. It is hard to understand why cruise ships should not have the same requirements for an independent investigation of any and all crimes committed during any cruise. A safe environment on ships cannot be provided if only a few, if any, crimes are ever successfully prosecuted.

Since your committee has responsibility for the Coast Guard, I find it of interest that the various services provided by the Coast Guard to the cruise ship industry are paid for, not by the cruise lines as foreign corporations, but by the U.S. taxpayer. Therefore, we should demand that the necessary actions are taken to accomplish the various changes that need to be made.

The requirement to join International Cruise Victims as a victim is a price that no one would want to personally experience. ICV members have experienced the tragedy of either some type of sexual assault or mysteriously losing a loved one. Our goal is to hold the individuals committing such crimes accountable and hopefully save future individuals from the fate that we all personally suffered.

Your considerations of these matters are very much appreciated. You have truly been fair and balanced in your approach and now we hope you will agree with us that the time has come to stop playing the game with the cruise lines. Legislation now appears to be the only way to force cruise lines to be held accountable for the safety of their passengers.

Very sincerely yours,

Kendall Carver

SECTION V ATTACHMENTS

**Maritime Terrorism
Rand Corporation Report**

Maritime Terrorism

Risk and Liability

Michael D. Greenberg, Peter Chalk, Henry H. Willis,
Ivan Khilko, David S. Ortiz



CENTER FOR TERRORISM RISK MANAGEMENT POLICY

Attractiveness of Cruise Ships as Targets of Terrorism

There are several facets of the luxury-oriented, yet highly popular cruise liner industry that would appear to have particular relevance for future terrorist attack contingencies. Most fundamentally, these vessels constitute an attractive target that directly resonates with the underlying ideological and operational rationale of al Qaeda and the wider international jihadist movement. Not only do cruise ships cater to large numbers of people who are confined to a single geographic space—which makes them ideal venues for carrying out assaults intended to maximize civilian casualties (a hallmark of jihadist terrorism in the post-September 11 era)—they are also highly iconic in nature, reflecting the type of explicit Western materialism, affluence, and discretionary spending to which bin Laden-inspired extremists are opposed.² Moreover, the fact that an overwhelming majority of passengers on cruise lines are of Judeo-Christian background means that indiscriminate attacks can be carried out with little or no risk of negatively affecting wider Muslim interests (anonymous former defense intelligence official, 2005). This is not necessarily the case with land-based incidents, as bombings of Western embassies in Kenya and Tanzania (1998), tourist resorts in Bali (2002), and hotels in Jakarta and Amman (2003 and 2005, respectively) clearly demonstrated.³

On a more general level, a decisive strike against a major ocean-going carrier would almost certainly result in a global CNN effect. Indeed, as the November 2005 attack against the *Seabourn Spirit* off the coast of Somalia demonstrates, even comparatively small-scale events have the potential to elicit considerable international media attention and interest. Generating this type of publicity is critical to the dynamics of any terrorist entity, not least because it can be readily exploited to

² A dossier captured with Nashiri in 2003 specifically listed cruise liners sailing from Western ports among al Qaeda's targets of opportunity, highlighting their "attractiveness" in terms of mass casualty attacks. See Köknar (2005) and English, Gallagher, and Sommerfeld (2003).

³ All of these attacks resulted in inordinately high casualty rates for local Muslims, which, at least in the case of the embassy bombings, far outweighed Western fatalities and injuries.

demonstrate operational vibrancy, which is vital for attracting recruits and boosting the morale of existing cadres.

Vulnerability of Cruise Ships to Terrorist Attacks

Besides being an attractive target, there are also vulnerabilities pertinent to the cruise industry that terrorists could potentially exploit. Although more rigorous since September 11, 2001, security checks remain far less stringent than those employed for commercial aviation. According to UK officials, while prominent British companies like Cunard require all boarding passengers to pass through a metal detector and x-ray all carry-on luggage, only about 2 percent of those embarking ships are physically inspected. Moreover, under normal circumstances bags are not scanned before they are transferred to cabins. In addition, while virtually all major operators thoroughly vet their own crew and maintenance staff, many of the service employees who have access to ships at overseas docks may not have undergone any form of comprehensive background checking. These personnel, who are often highly receptive to bribes and other forms of subversion (given the low wages they are routinely paid), offer terrorists a ready conduit through which to smuggle and stash weapons or explosives for subsequent attacks (anonymous UK customs and excise officials, 2005).

Besides these problems, there are certain operational traits that could conceivably open up cruise ships to possible terrorist risks. Vessels frequently anchor off shore for extended periods of time (sometimes up to 24 hours) to allow those on board an opportunity to sight-see and take day trips. It is during these prolonged stops that a liner would be most exposed to a collision assault—either from a fast approach and explosive-laden suicide craft or a more sizable boat (2,000+ tonnage) that is deliberately smashed into its side (anonymous Control Risks Group [Netherlands] personnel and Department of Homeland Security Liaison attache, 2005). The traditional practice of passengers congregating on upper decks and waving to onlookers, friends, and relatives at a departing port could be just as problematic in terms of inviting attacks, particularly land-based strikes involving flat trajectory

weapons such as rocket-propelled grenades (RPGs), missiles, shoulder-launched missiles, and sniper rifles (anonymous former defense intelligence official, 2005).

Finally, virtually all luxury liners sail according to precise schedules and preplanned itineraries that are readily available through the Internet, advertising brochures, or travel agents. This information constitutes a highly valuable source of intelligence for terrorists, allowing a perpetrating group to pick the time and place for easiest covert expedition of transfer of explosives and operatives to a targeted vessel or when a ship will be most susceptible to a mid-sea assault. Though this does not distinguish cruise ships from other modes of public transportation, it does provide information that contributes to their vulnerability to attack. Such advanced knowledge, if adroitly exploited, would help to offset greatly the uncertainty that is normally associated with attack planning and logistics (anonymous Control Risks Group [UK] personnel and Department of Homeland Security Liaison attache, 2005).

While these vulnerabilities make cruise ships potentially susceptible to many types of terrorist attack, most experts agree that sinking a cruise liner would be extremely difficult. These vessels are built with safety as a foremost priority. Hulls are double-lined and, in most cases, interiors are compartmentalized with largely if not fully watertight systems in place.⁴ Attempting to overcome these safeguards through an on-board explosion would require several highly powerful bombs as well as a sophisticated understanding of the structural integrity of the target in question, particularly in terms of being able to discern quickly and accurately locations where explosions could be expected to cause the most damage (anonymous International Maritime Bureau personnel, 2005).

An external small-boat ramming attack has a far greater prospect of causing extensive damage. However, even here, the possibility of a critical breach is questionable. In the United States, the security mea-

⁴ It would be impossible to construct a cruise liner that has a fully compartmentalized, watertight system in place, as the recreational and luxury-oriented nature of these vessels necessarily requires an on-board configuration that is open and accessible (within the constraints of allowable safety limits).

asures that are put in place around cruise ships as they enter and dock in port provide an outer layer of defense against this type of attack. Moreover, the suicide strikes on the USS *Cole* and M/V *Limburg* highlight the general difficulty of critically damaging a large ocean-going vessel if the site of impact does not correlate with weak points in the craft's "skeleton" design.

Another terrorist option for sinking a cruise liner is through an underwater attack, specifically by attaching mines or other "parasitic devices" to a berthed ship's hull.⁵ Although possible, this type of combat diving requires considerable training and skill both requiring swimming undetected and avoiding the high volume of traffic that typically traverses major maritime terminals.⁶ Moreover, in the case of a shallow-water port such as Rotterdam, the net effect of a submersible strike would merely be to cause the stricken vessel to settle on the bottom of the seabed, not to sink it (anonymous Control Risks Group [Netherlands] personnel and independent maritime expert, 2005).

There are several other terrorist scenarios, however, that, while somewhat less dramatic in manifestation, could still elicit considerable fear, damage, or publicity. In each of these cases, the relative freedom of movement throughout a ship and comparatively low level of screening feasible for passengers and crew leave cruise ships potentially vulnerable to attack. For instance, a group could bomb venues where passengers routinely congregate for relaxation and recreation on board, including restaurants, casinos, and cinemas. Plastic or C4 explosive would be well suited for this type of attack, as it is both hard to detect and highly malleable in nature (which means it can be broken down

⁵ It would be highly difficult to carry out an attack of this sort against a moving ship, given the extremely strong currents and undertow that its engines would necessarily generate. The U.S. government issued a warning in spring 2002 specifically highlighting the threat posed to cruise liners by "swimmers" attaching incendiary devices to ship hulls. See Sinai (2004, p. 65) and Newman (2003).

⁶ Anonymous Control Risks Group (Netherlands) personnel (2005). One group that is acknowledged to have mastered combat scuba techniques is the LTTE. Indeed, the Tigers are known to have developed their own two-person mini submarine specifically for the purpose of covertly debussing divers inside Sri Lankan harbors (anonymous Sri Lankan intelligence officials and Western diplomat, 2005). For further details, see Davis (2000).

and repackaged in everyday items unlikely to raise suspicions). A series of random killings or hostage-takings could also be staged, using either basic weapons that are accessible on board (for example, knives stolen from kitchen galleys) or more lethal assault rifles and pistols that had already been predeployed by co-opted members of the crew. Similarly, an organization could carry out localized acts of arson in areas where fire doors are absent or where sprinkle systems and alarms had first been disabled. Finally, various biological assaults might be possible, ranging from high-tech releases of airborne viruses through a ship's ventilation system, to more rudimentary (and, therefore, arguably more probable) disseminations of foodborne contaminants such as salmonella, *E. coli*, botulinum toxin, and mercury.⁷

Potential Consequences of Terrorist Attacks on Cruise Ships

The consequences of terrorist strikes on cruise liners are relatively open-ended and depend on the dimensions of the ship attacked; extent of damage caused to the vessel; and how the government, private, and public sectors respond to the event. However, it is possible to bound the potential ramifications of various scenarios by considering the size of passenger liners, the size of the cruise ship industry, and economic effects of previous terrorism events that have actually taken place. An assessment of these consequences is provided in Table 5.1.

⁷ Anonymous UK customs and excise officials, former defense intelligence official, and Control Risks Group (UK) personnel (2005). See also Sinai (2004, p. 65) and Watkins (2002).

Table 5.1
Potential Consequences of Terrorist Attack Scenarios Involving Cruise Ships

Maritime Terrorism Scenario	Potential Human Consequences	Potential Economic Consequences	Potential Intangible Consequences
Hijack ship at sea	Tens to hundreds of fatalities and injuries	Hundreds of millions of dollars in life and injury compensation Hundreds of millions of dollars in increased security Billions of dollars from changes in individual purchasing patterns, such as decreased cruise travel <i>Cost of response^a</i> <i>Increased insurance rates^a</i>	<i>Loss of human capital^a</i>
Ram ship in port with IED	Hundreds to thousands of fatalities and injuries	Same as hijack of a ship, plus hundreds of millions of dollars from repair or loss of ship ^b	
Suicide dive bomber or limpet mine attack	Hundreds to thousands of fatalities and injuries	Same as hijack of a ship, plus hundreds of millions of dollars from repair or loss of ship ^b	
Suicide bombing on ship at port or sea	Tens to hundreds of fatalities and injuries	Same as hijack of a ship	
Standoff mortar or grenade launcher attack	Tens to hundreds of fatalities and injuries	Same as hijack of a ship	
Biological attack on ship food or water	Tens of fatalities and hundreds to thousands of injuries	Same as hijack of a ship	

^a Bounding cost estimates have not been identified for items in italics.

^b "Cruise Ship Listing" (undated).

Human Consequences

As mentioned above, the largest cruise ships can carry over 3,000 passengers and 1,000 crew members. Thus, in the most extreme cases, it is theoretically possible that a terrorist attack could claim the lives of

several thousand people in a single strike. Even in cases short of a cataclysmic sinking, potential fatalities from a major on-board explosion would probably still number in the dozens, if not the hundreds.

Looking at the 652 suicide bombings in the RAND terrorism database, the median number of deaths and injuries per suicide attack is 5 and 12, respectively. For maritime incidents, the corresponding figures are 1 and 5. Thus, based on empirical evidence from historical bombing attacks, potential consequences can be expected to result in tens to, at most, hundreds of fatalities and injuries. This magnitude of human consequences would appear comparable for standoff artillery attacks or even ship hijackings that included fatalities, assuming munitions of a comparative size were used.

Historical evidence of contagious disease outbreaks on land and at sea provides benchmarks for the human consequences of biological attacks on cruise ships. Though a sophisticated strike on a cruise ship using weaponized anthrax or engineered viruses could theoretically kill thousands of people, obtaining such materials and successfully infecting a sufficient number of passengers and crew to achieve these results would be difficult. Successfully carrying out an attack using these pathogens requires resources and capability to obtain and handle the microbe as well as skill to administer an infective dose successfully. In contrast, attacks that have consequences similar to food- and water-borne illnesses require less sophistication and thus may be more likely. Toxins such as botulinum and bacteria such as *E. coli* and salmonella can be easily produced and handled and are difficult to detect by taste, smell, or color in food or water that has been contaminated. Scenarios involving these agents to could kill tens of people and require treatment of hundreds to thousands of other victims are easily envisioned.

Economic Consequences

Scenarios that require the risk of significant damage to, or loss of, the ship itself could produce direct damage in the order of hundreds of millions of dollars. According to CruiseLine.com, the largest new cruise ship cost more than \$500 million to build ("Cruise Ship Lineage," 2006). Any of the other potential economic consequences of terrorism attacks on cruise ships are independent of the attack on