

The logo of the International Maritime Organization (IMO) is centered in the background. It features a globe with a grid of latitude and longitude lines, surrounded by a laurel wreath. Above the globe is a chain of twelve interlocking circles, representing the member states of the organization.

ARMED PERSONNEL ONBOARD VESSELS – IMO PERSPECTIVE

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IMO

What is IMO ?

Safer shipping

Cleaner oceans

***“IMO: SAFE, SECURE AND
EFFICIENT SHIPPING ON
CLEAN OCEANS”***

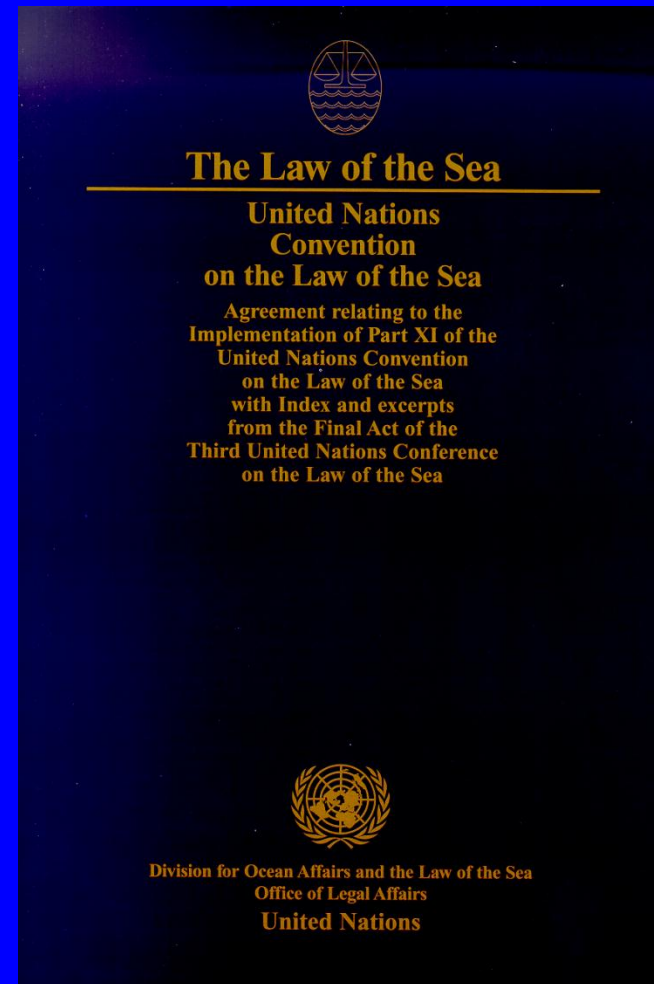


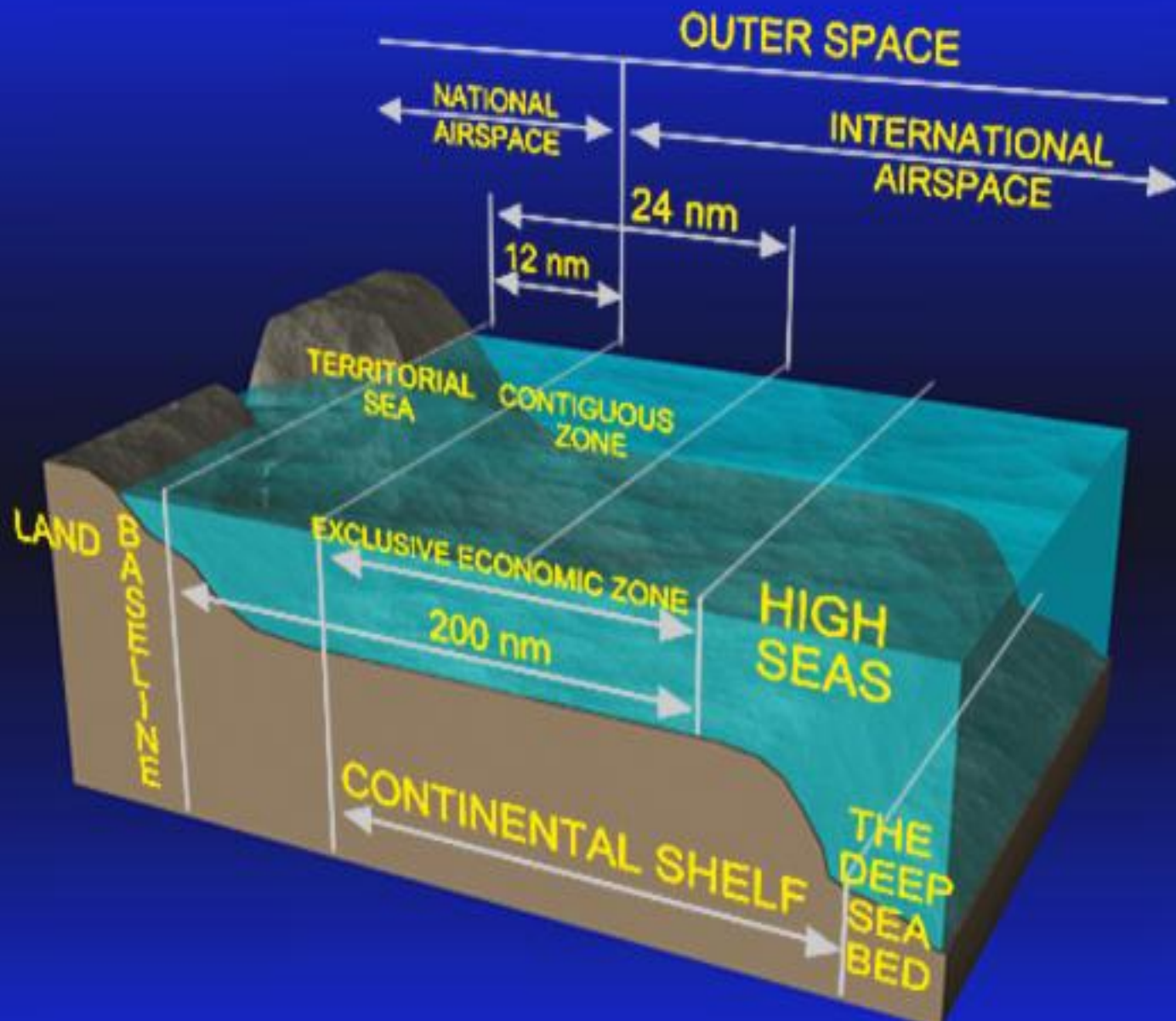
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UNCLOS

- **United Nations
Convention on the
Law of the Sea**





MARITIME ZONES

Other relevant provisions

- UN Security Council resolutions
- UN General Assembly resolutions
- Regional agreements

1988 SUA Convention

- **Seizing/control of ships**
- **Acts of violence against person on board**
- **Destruction or damage to ship or cargo**
- **Placement of devices or substances to destroy or damage ship**
- **Damage/destruction of maritime navigational facilities**
- **False information**

IMO Guidance

- **Global guidance to Governments, ship owners, ship operators and crews on suppression of piracy**
- **Investigation of offences**
- **Somalia-specific guidance including BMP**
- **Guidance to flag States, coastal and port States, ship-owners, ship operators and ship masters on privately contracted armed security personnel**
- **Guidance to privately contracted armed security personnel**

MSC/Circ.623

- 45 The carrying and use of firearms for personal protection or protection of a ship is strongly discouraged.**

- 46 Carriage of arms on board ship may encourage attackers to carry firearms thereby escalating an already dangerous situation, and any firearms on board may themselves become an attractive target for an attacker. The use of firearms requires special training and aptitudes and the risk of accidents with firearms carried on board ship is great. In some jurisdictions, killing a national may have unforeseen consequences even for a person who believes he has acted in self defence.**

MSC.1/Circ.1334

60 The carrying and use of firearms by seafarers for personal protection or for the protection of a ship is strongly discouraged. Seafarers are civilians and the use of firearms requires special training and aptitudes and the risk of accidents with firearms carried on board ship is great.

MSC.1/Circ.1334

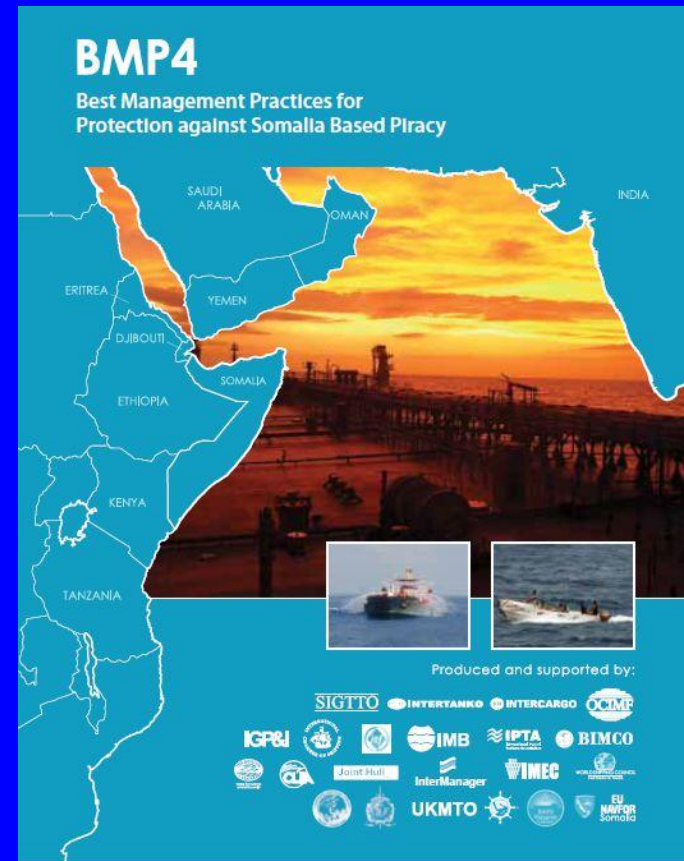
63 If armed security personnel are allowed on board, the master, shipowner, operator and company should take into account the possible escalation of violence and other risks. However, the use of privately contracted armed security personnel on board merchant ships and fishing vessels is a matter for flag State to determine in consultation with shipowners, operators and companies. Masters, shipowners, operators and companies should contact the flag State and seek clarity of the national policy with respect to the carriage of armed security personnel. All legal requirements of flag, port and coastal States should be met.

MSC.1/Circ.1334

64 The use of military teams or law enforcement officers duly authorized by the Government of the flag State to carry firearms for the security of merchant ships or fishing vessels is a matter for the flag State to authorize in consultation with shipowners, operators and companies. The carriage of such teams may be required or recommended when the ship is transiting or operating in areas of high risk. Due to rules of engagement defined by their Government, or in coalition with other Governments, boarding conditions should be defined by the States involved, including the flag State. The shipowner, operator and company should always consult the flag State prior to embarking such teams.

Best Management Practices

MSC.1/Circ.1339 on Piracy and armed robbery against ships in waters off the coast of Somalia - Best Management Practices for Protection against Somalia Based Piracy (BMP4)



BMP 4 – Section 8

Ship Protection Measures

8.15 The use, or not, of armed Private Maritime Security Contractors onboard merchant vessels is a matter for individual ship operators to decide following their own voyage risk assessment and approval of respective Flag States. This advice does not constitute a recommendation or an endorsement of the general use of armed Private Maritime Security Contractors.

BMP 4 – Section 8

Ship Protection Measures

- **If armed Private Maritime Security Contractors are to be used they must be as an additional layer of protection and not as an alternative to BMP**
- **If armed Private Maritime Security Contractors are present on board a merchant vessel, this fact should be included in reports to UKMTO and MSCHOA.**

Use of armed personnel

- IMO's position on the use of armed personnel has not changed. The carriage of armed personnel remains a matter of decision for the ship owner, after a thorough risk assessment, to request and the flag State to decide.
- There are also implications for port and coastal States.



Report of MSC 85

November – December 2008

The observer from IPTA advised the Committee that there were limits to what could be done by owners and crews of chemical tankers to protect themselves and to avoid attack. By their very nature these vessels tended to be small, with a low freeboard and without the capacity to outrun the high-speed vessels often utilized by the pirates. Chemical tankers often carried extremely volatile cargoes and there was therefore no question of firearms being taken on board, either by vessel crews or by specialist security guards. Equally, if faced by pirates threatening to use firearms the master would, in most cases, have no option but to capitulate. The potential consequences of a fire fight in the vicinity of such products would be too terrible to contemplate.

Outputs from MSC 89 (11 to 20 May 2011)

- **Resolution MSC.324(89) on Implementation of Best Management Practice Guidance Guidelines**
- **MSC.1/Circ.1404 on Guidelines to assist in the investigation of crimes of piracy and armed robbery against ships**

Outputs from MSC 89 (11 to 20 May 2011)

- **MSC.1/Circ.1405 on Interim Guidance to shipowners, ship operators and shipmasters on the use of privately contracted armed security personnel on board ships in the High Risk Area**

Outputs from MSC 89 (11 to 20 May 2011)

- **MSC.1/Circ.1406 on Interim Recommendations for flag States regarding the use of privately contracted armed security personnel on board ships in the High Risk Area.**

Further discussion

- **FAL Committee (5 to 9 Sep 2011)**
- **CGPCS Working Group 3 (12 Sep 2011)**
- **Intersessional MSC Maritime security Working Group (13 to 15 Sep 2011)**
- **MSC 90 (16 to 25 May 2012)**
- **ISO PAS 28007**
- **Rules for the use of force**

MSC.1/Circ.1405/Rev.2

- 1. Introduction: Definitions, Risk Assessment**
- 2. PMSC Selection Criteria**
 - 2.1 General**
 - 2.2 PMSC Background Information**
 - 2.3 Selection and Vetting of PMSC**
 - 2.4 Training of PCASP**

MSC.1/Circ.1405/Rev.2

- 3. Service Provision Considerations**
- 3.1 Insurance: Shipowners, PMSC**
- 3.2 PCASP Team Size, Composition and Equipment**
- 3.3 Command and Control of Onboard Security Team – including relationship with the Master**
- 3.4 Management of Firearms and Ammunition from Embarkation to Disembarkation**
- 3.5 Rules for the Use of Force**
- 3.6 Reporting and Record Keeping**
- 3.7 Categorization of PCASP**
- 3.8 Reporting within the High Risk Area**
- 3.9 Familiarization for Master and the crew**

MSC.1/Circ.1406/Rev.2

- **Flag State to decide**
- **Escalation of violence**
- **Relevant requirements of flag, port and coastal States**
- **National legislation**
- **Appropriate?**
- **Minimum criteria**
- **Process for authorization: PCASP, use of PCASP**
- **Terms and conditions**
- **National legislation**

MSC.1/Circ.1408/Rev.1

Interim recommendations for port and coastal states regarding the use of privately contracted armed security personnel on board ships in the High Risk Area

- Embarkation**
- Disembarkation**
- Vessel calling**



MSC-FAL.1/Circ.2

- **Questionnaire on information on port and coastal State requirements related to privately contracted armed security personnel on board ships**
- **To raise awareness of relevant national legislation, policies and procedures relating to the carriage, embarkation and disembarkation of firearms and security-related equipment through their territory and the movement of PCASP**

- Maritime Security
- Piracy
 - Private Armed Security
 - Responses received on Private Armed Security
 - Support to Seafarers
 - LRIT IDF
 - Technical Cooperation
 - Djibouti Code of Conduct
 - Events
 - Guidance
 - Reports
- FAQ
- NEWS
- IMO Instruments
- Djibouti Code of Conduct
- Marine Environment
- Legal Affairs
- Human Element
- Facilitation
- Technical Co-operation
- Conferences
- Circulars
- Reduction of administrative burdens

privately contracted armed security personnel on board ships"

November 17, 2011

-  [Australia](#)
-  [Brazil](#)
-  [Denmark](#)
-  [France](#)
-  [France_\(E\)](#)
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-  [Jordan](#)
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-  [Panama](#)
-  [Somalia](#)
-  [Spain](#)
-  [Spain_\(E\)](#)
-  [United Kingdom](#)
-  [United States of America](#)

Responses: 15 / 160

See also

[Responses to the World Customs Organization \(WCO\) questionnaire on PCASP](#)

MSC.1/Circ.1443

Interim Guidance to private maritime security companies providing privately contracted armed security personnel on board ships in the High Risk Area

- 1. Purpose**
- 2. PMSC professional certification**
- 3. PMSC company requirements**
- 4. Management**
- 5. Deployment considerations**

MSC.1/Circ.1443

Section 5. Deployment considerations

- **BMP**
- **PCASP Team size, composition and equipment**
- **Command and Control**
- **Category assigned to PCASP**
- **Management of firearms and ammunition from embarkation to disembarkation**
- **Shipboard familiarization**
- **Use of force**
- **Reporting and Record Keeping**

MSC.1/Circ.1444

Interim Guidance for flag States on measures to prevent and mitigate Somalia-based piracy

- 1. Introduction**
- 2. Counter-piracy policy**
- 3. Best Management Practices and pre-transit preparation**
- 4. Capture and humanitarian response**
- 5. Suppression of piracy in the High Risk Area**
- 6. Reporting**



<http://gisis.imo.org>

Searchable Piracy database



Global Integrated Shipping Information System

Feedback | Log Out

Authority: IMO Secretariat
User: ctrelawan

Secretariat Home

Go to Public Area

Welcome to the IMO Secretariat Area



Maritime Security
Information communicated under the provisions of SOLAS regulation XI-2/13 (SOLAS chapter X1-2 and the ISPS Code).



Recognized Organizations [Public](#)
Information submitted by Member States under MSC/Circ.1010-MEPC/Circ.382.



Maritime Casualties and Incidents [Public](#)
Data on Maritime Casualties and Incidents as defined by circulars MSC-MEPC.3/Circ.1.



Port Reception Facilities [Public](#)
Data on the available port reception facilities for the reception of ship-generated waste.



Condition Assessment Scheme [Public](#)
Electronic database for the implementation of the Condition Assessment Scheme - Resolution MEPC.94 (46), as amended.



Pollution Prevention Equipment [Public](#)
Pollution prevention equipment required by MARPOL 73/78.



Status of Treaties
Status of ratification of IMO conventions, including global tonnage figures.



Port State Control
Information communicated under the provisions of SOLAS regulation I/19, article 11 of MARPOL, article 21 of Load Lines, article X(3) of STCW and the Procedures for port State control.



Piracy and Armed Robbery
Reported incidents of piracy and armed robbery.



Simulators
Information communicated under the provisions of SOLAS regulation I/19, article 11 of MARPOL, article 21 of Load Lines, article X(3) of STCW and the Procedures for port State control.



Contact Points [Public](#)
Electronic database for Contact Points.



Greenhouse Gas Emissions
Based on the *Interim Guidelines for Voluntary Ship CO₂ Emission Indexing for Use in Trials* (MEPC/Circ.471).



'We are not the solution' to piracy, says Somalia coalition navy chief

Royal Navy officer urges owners of ships in Gulf of Aden to look at funding private security measures

David Osler

COALITION navies have privately been stung by shipping industry criticism of their work to prevent piracy in Somalia, according to the deputy commander of the task force charged with the task.

In a frank interview with Lloyd's List, the Royal Navy's Keith Winstanley insisted that the merchant shipping industry should realise that, to some extent, it must provide for its self-protection.

In one particularly pointed aside, he argued that shipowners should consider the use of private sector security detachments for vessels transiting the Gulf of Aden, even where that necessitates financial outlay.

Cmdr Winstanley consistently stressed that Coalition Task Force 150 is doing the best it can within its limited resources, but cannot offer comprehensive coverage of a huge sea area.

He added that 12 pirate attacks have been prevented since the introduction of a Maritime Security Patrol Area in the region last month. Pirate vessels have been destroyed, arms seized and pirates captured.

But even this tactic has not proved foolproof, and one recent hijack took place within the patrol area, he admitted.

"The root cause of this problem is ashore in Somalia. There's a limit to what we can do about that. Root causes are much bigger than navies can cope with"

"I do have to say that we — me in person, and we, the navies here — do think that we are not the solution to the problem. I know that there are lots of people jumping up and down saying we are.

"But frankly, the root cause of this problem is ashore in Somalia. There's a limit to what we can do about that. Root causes are much bigger than navies can cope with."

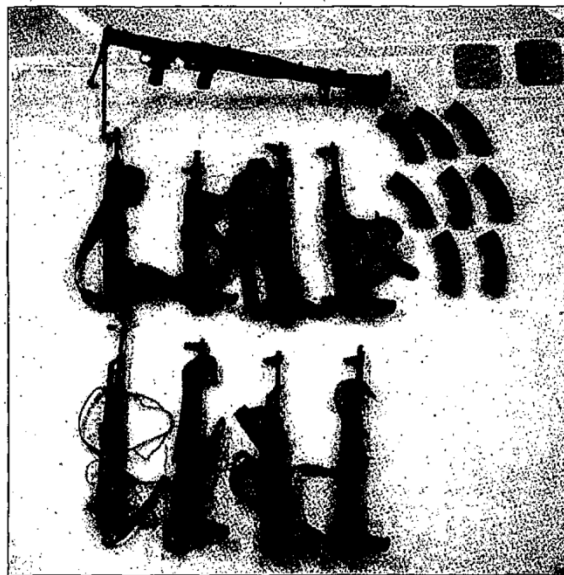
Asked about the implicit criticism contained in the round robin statement from BIMCO, Intercargo, the International Chamber of Shipping, the International Shipping Federation, Intertanko and the International Transport Workers' Federation, he responded: "Some of it was not implicit criticism. I can only reiterate my point about the scale of the problem.

"With a coalition force of 40-50 ships out here, we simply cannot concentrate them all on the Gulf of Aden, because we have many, many more missions to achieve."

Ironically, it has subsequently emerged that the statement in its final form represented a compromise between the signatories, with some of those involved favouring a sharper tone.

"We shouldn't be in a confrontational mode; this is going to require — because of the scale of the problem and because of the scale of our mission out here — a collective effort," Cmdr Winstanley went on. But he added: "Of course I get irritated by suggestions that we are ineffective.

Later he reiterated: "We're doing what we can and having some effect. And does it irritate me that we don't get due credit for that? Of course it does, I'm only human. The sort of view that the navies of the world are an instant sticking plaster to this is actually ill informed, I sorry to say.



Farewell to arms: weapons seized from pirates by coalition forces off Somalia.

"We're not ceding the waters of the Gulf of Aden to pirates, and where we can be there and give support, we are doing that. But we can't be everywhere at once and I would ask and urge the international shipping community just to check and verify that they are content that they are taking every possible action themselves to reduce the chances of piracy.

"That might mean something that costs money, such as private security. Ultimately, that's a question for the individual companies, as is whatever instructions they give to their masters in the event of coming across piratical attacks.

"But speed, manoeuvre and communication rather than stopping at the first shot would be my advice."

EU considers increasing naval presence

THE European Union is to provide additional naval protection for ships "vulnerable" to pirate attacks off the Somali coast and has indicated that it is considering launching a wider-ranging European naval operation, writes Andrew Spurrer.

A military co-ordination unit has already been set up in Brussels under Spanish command with the task of ensuring that vulnerable vessels such as fishing vessels and merchant ships carrying food aid are given adequate protection against pirate attacks.

According to French transport secretary Dominique Bussereau, who announced the measure to the European Parliament on Tuesday in his capacity as president of the EU transport ministers' council, the unit will aim to co-ordinate the use of existing naval capacity in the region to this end.

But Mr Bussereau added that preparations were also under way for a "possible" wider-ranging EU naval operation to be carried out in the name of EU security and defence policy.

Meanwhile, six Somali pirates captured by French navy commandos last week have been brought to France, where they are expected to be charged. The six, who hijacked a 16 m yacht with two French nationals aboard, arrived on Tuesday evening aboard a French military transport plane. They were immediately placed in custody and, according to French judicial sources, are likely to be charged with hijacking a ship and its two crew members with the aim of obtaining a ransom.

“All that is necessary for the triumph of evil is that good men do nothing”

Edmund Burke



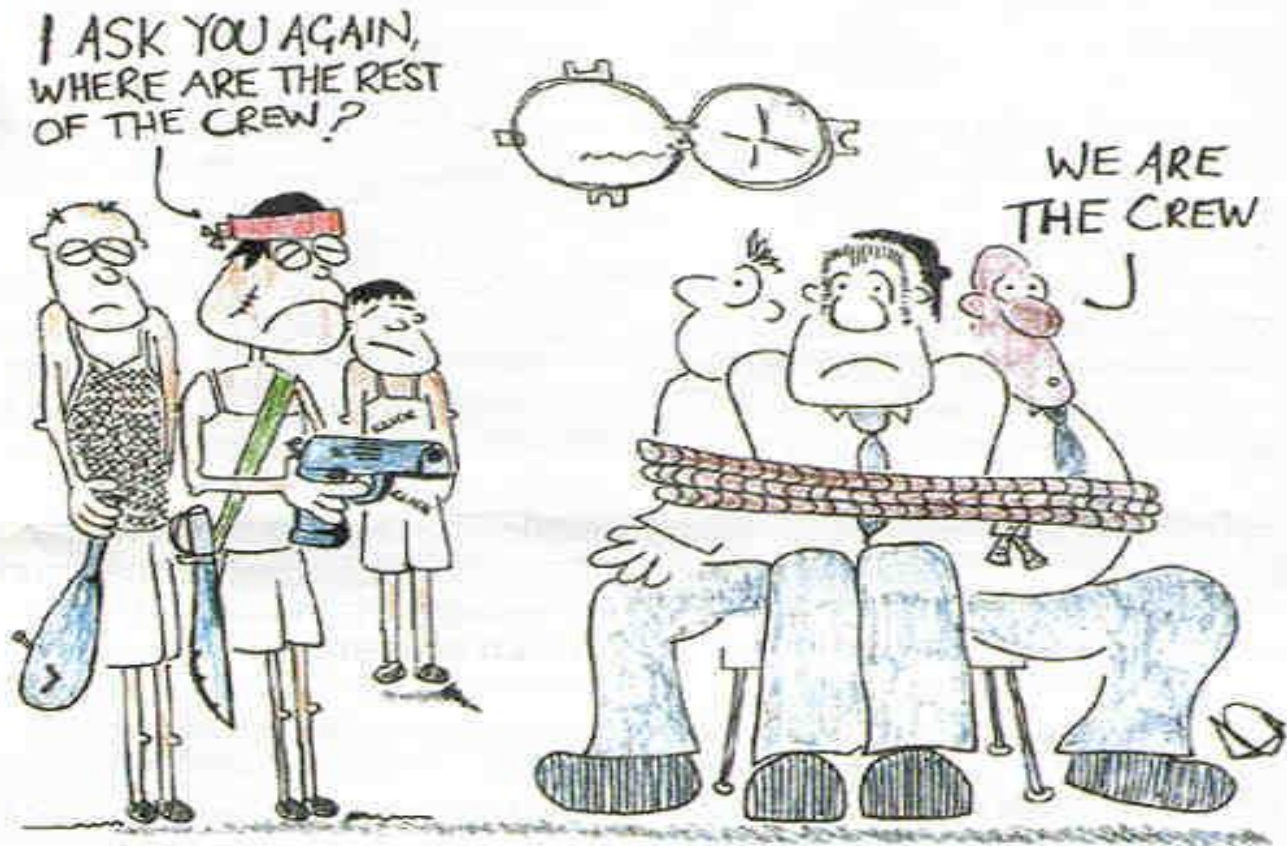
CTF 150, Gulf of Aden, 2008





The view from Muirhead

SOMEWHERE IN THE SOUTH CHINA SEA...



REDUCED MANNING - EVEN PIRATES CAN'T BELIEVE IT!

A photograph of three meerkats standing on a sand dune. The meerkat on the left is standing upright on its hind legs, looking towards the right. The meerkat in the middle is sitting on the sand, looking towards the right. The meerkat on the right is sitting on the sand, looking towards the right. The background is a blurred sand dune.

Questions?

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