Merchant Marine Academy of Makedonia

Dissertation:

Security Onboard
Training, Measures, New Requirements

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ΘΕΜΑ
Security onboard: training, measures, new requirements.

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Α/Α	Ονοματεπώνυμο	Ειδικότης	Αξιολόγηση	Υπογραφή
1				
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ΤΕΛΙΚΗ ΑΞΙΟΛΟΓΗΣΗ				

Ο ΔΙΕΥΘΥΝΤΗΣ ΣΧΟΛΗΣ :

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1. Introduction

On the followning dissertation the matter of Maritime Security will be analyzed thoroughly. One of the most crucial perks for seafares that provides them the necessary knowledge to face any probable security threat while onboard a vessel is the ISPS code. Another major threat for the modern merchant marine is piracy. Although piracy is a persisting problem over the years, the latest years this problem has intensified, and a worldwide attempt is made in order to contain and eliminate piracy. Some of the most prevailing measures to counter piracy are mentioned below. Furthhermore another issue is the presence of stowaways onboard vessels. Guidelines on how to prevent stowaways from boarding a vessel are also provided. Drug smuggling is also something that must taken into consideration, in order to make the efforts to eliminate it. Advice concerning the required actions that ought to taken when confronting a drug smuggling event will be found below as well. Finally the new requirements concerning the security training for shipboard personnel will be demontrated.

2. International Ship and Port Facility Security Code

The *International Ship and Port Facility Security (ISPS) Code* is an amendment to the Safety of Life at Sea (SOLAS) Convention (1974/1988) on minimum security arrangements for ships, ports and government agencies. Having come into force in 2004, it prescribes responsibilities to governments, shipping companies, shipboard personnel, and port/facility personnel to "detect security threats and take preventative measures against security incidents affecting ships or port facilities used in international trade.

ISPS Code being applied in Southampton, England, with signs prohibiting access to areas next to ships.

2.1 History

The International Maritime Organization (IMO) states that "The International Ship and Port Facility Security Code (ISPS Code) is a comprehensive set of measures to enhance the security of ships and port facilities, developed in response to the perceived threats to ships and port facilities in the wake of the 9/11 attacks in the United States" (IMO).

Development and implementation were sped up drastically in reaction to the September 11, 2001 attacks and the bombing of the French oil tanker *Limburg*. The U.S. Coast Guard, as the lead agency in the United States delegation to the IMO, advocated for the measure. The Code was agreed at a meeting of the 108 signatories to the SOLAS convention in London in December 2002. The measures agreed under the Code were brought into force on July 1, 2004.

2.2 Scope

The ISPS Code is implemented through chapter XI-2 Special measures to enhance maritime security in the International Convention for the Safety of Life at Sea (SOLAS).

The Code is a two-part document describing minimum requirements for security of ships and ports. Part A provides mandatory requirements. Part B provides guidance for implementation.

The ISPS Code applies to ships on international voyages (including passenger ships, cargo ships of 500 GT and upwards, and mobile offshore drilling units) and the port facilities serving such ships.

The main objectives of the ISPS Code are:

- To detect security threats and implement security measures
- To establish roles and responsibilities concerning maritime security for governments, local administrations, ship and port industries at the national and international level
- To collate and promulgate security-related information
- To provide a methodology for security assessments so as to have in place plans and procedures to react to changing security levels.

2.3 Requirements

The Code does not specify specific measures that each port and ship must take to ensure the safety of the facility against terrorism because of the many different types and sizes of these facilities. Instead it outlines "a standardized, consistent framework for evaluating risk, enabling governments to offset changes in threat with changes in vulnerability for ships and port facilities."

For ships the framework includes requirements for:

- Ship security plans
- Ship security officers

- Company security officers
- Certain onboard equipment

For port facilities, the requirements include:

- Port facility security plans
- Port facility security officers
- Certain security equipment

In addition the requirements for ships and for port facilities include:

- Monitoring and controlling access
- Monitoring the activities of people and cargo
- Ensuring security communications are readily available

2.4 National Implementation

Europe

Europe has enacted the International regulations with EC Regulation (EC) No 725/2004 of the European Parliament and of the Council of 31 March 2004, on enhancing ship and port facility security.

United Kingdom

The UK has enacted The Ship and Port Facility (Security) Regulations 2004, these bring the EU regulation 725/2004 into UK law.

United States

The United States has issued regulations to enact the provisions of the Maritime Transportation Security Act of 2002 and to align domestic regulations with the maritime security standards of SOLAS and the ISPS Code. These regulations are found in Title 33 of the Code of Federal Regulations, Parts 101 through 107. Part 104 contains vessel security regulations, including some provisions that apply to foreign ships in U.S. waters.

3. Piracy

Piracy is typically an act of robbery or criminal violence at sea. The term can include acts committed on land, in the air, or in other major bodies of water or on a shore. It does not normally include crimes committed against people traveling on the same vessel as the perpetrator (e.g. one passenger stealing from others on the same vessel). The term has been used throughout history to refer to raids across land borders by non-state agents.

Piracy or pirating is the name of a specific crime under customary international law and also the name of a number of crimes under the municipal law of a number of states. It is distinguished from privateering, which is authorized by national authorities and therefore a legitimate form of war-like activity by non-state actors. Privateering is considered commerce raiding, and was outlawed by the Peace of Westphalia (1648) for signatories to those treaties.

3.1 Introduction

Piracy is a worldwide issue, but the deteriorating security situation in the seas off Somalia, the Gulf of Aden and the wider Western Indian Ocean between 2005 and 2012 and in the increasing number of attacks in the Gulf of Guinea are a major problem.

The depth of concern for the problem internationally is amply demonstrated by the levels of co-operation and coordination among naval and other forces from several countries that have assembled in the west Indian Ocean region and the Gulf of Aden to escort ships carrying humanitarian aid to Somalia and to protect vulnerable shipping. Notwithstanding this unprecedented effort, the vast sea area in which the pirates now operate makes it difficult to patrol and monitor effectively, particularly with the limited resources available. More resources, in the form of naval vessels and aircraft, are needed and at every opportunity the IMO encourages Member Governments to make greater efforts to provide the additional naval, aerial surveillance and other resources needed through every means possible.

While there can be no doubt that the eventual solution lies in restoring effective governance in Somalia, the International Maritime Organization (IMO) has, in the meantime, taken a leadership role in coordinating efforts to alleviate the problem from the maritime perspective.

Facilitating discussions between industry, member states, security forces, and other UN agencies with an interest in piracy and other maritime-security issues is a key element of the work of the Organization, as is the development of both mandatory instruments and guidance. IMO works to effect solutions in consultation with representatives of Governments, through the London diplomatic community; with other UN organizations (the United Nations Office on Drugs and Crime (UNODC) and the World Food Programme); naval and military personnel; the shipping industry; seafarers and other concerned entities and individuals.

3.2 Etymology

The English "pirate" is derived from the Latin term *pirata* and that from Greek πειρατής (*peiratēs*), "brigand", in turn from πειράομαι (peiráomai), "I attempt", from πεῖρα (*peîra*), "attempt, experience". The word is also cognate to *peril*.

Also, particularly in the 1600s and 1700s, spelling was haphazard due to variations by printers, and words such as "Pyrate" or "an act of Pyracy" are examples of some of the accepted ways of spelling in past years.

3.3 Geography

Narrow channels which funnel shipping into predictable routes can develop opportunities for piracy, as well as for privateering and commerce raiding. (For a land-based parallel, compare the association of bandits and brigands with mountain passes.) Historic examples include the waters of Gibraltar, the Strait of Malacca, Madagascar, the Gulf of Aden, and the English Channel, whose geographic strictures facilitated pirate attacks.

3.4 Initiatives to Counter Piracy and Armed Robbery at Sea

Caribbean

The elimination of piracy from European waters expanded to the Caribbean in the 18th century, West Africa and North America by the 1710s and by the 1720s even the Indian Ocean was a difficult location for pirates to operate.

England began to strongly turn against piracy at the turn of the 18th century, as it was increasingly damaging to the country's economic and commercial prospects in the region. The Piracy Act of 1698 for the "more effectual suppression of Piracy" made it easier to capture, try and convict pirates by lawfully enabling acts of piracy to be "examined, inquired of, tried, heard and determined, and adjudged in any place at sea, or upon the land, in any of his Majesty's islands, plantations, colonies, dominions, forts, or factories." This effectively enabled admirals to hold a court session to hear the trials of pirates in any place they deemed necessary, rather than requiring that the trial be held in England. Commissioners of these vice-admiralty courts were also vested with "full power and authority" to issue warrants, summon the necessary witnesses, and "to do all thing necessary for the hearing and final determination of any case of piracy, robbery, or felony." These new and faster trials provided no legal representation for the pirates; and ultimately led in this era to the execution of 600 pirates, which represented approximately 10 percent of the pirates active at the time in the Caribbean region. Being an accessory to piracy was also criminalised under the statute.

Piracy saw a brief resurgence between the end of the War of the Spanish Succession in 1713 and around 1720, as many unemployed seafarers took to piracy as a way to make ends meet when a surplus of sailors after the war led to a decline in wages and working conditions. At the same time,

one of the terms of the Treaty of Utrecht that ended the war gave to Great Britain's Royal African Company and other British slavers a thirty-year asiento, or contract, to furnish African slaves to the Spanish colonies, providing British merchants and smugglers potential inroads into the traditionally closed Spanish markets in America and leading to an economic revival for the whole region. This revived Caribbean trade provided rich new pickings for a wave of piracy. Also contributing to the increase of Caribbean piracy at this time was Spain's breakup of the English logwood settlement at Campeche and the attractions of a freshly sunken silver fleet off the southern Bahamas in 1715. Fears over the rising levels of crime and piracy, political discontent, concern over crowd behaviour at public punishments, and an increased determination by parliament to suppress piracy, resulted in the Piracy Act of 1717 and of 1721. These established a seven-year penal transportation to North America as a possible punishment for those convicted of lesser felonies, or as a possible sentence that capital punishment might be commuted to by royal pardon.

After 1720, piracy in the classic sense became extremely rare as increasingly effective anti-piracy measures were taken by the Royal Navy making it impossible for any pirate to pursue an effective career for long. By 1718, the British Royal Navy had approximately 124 vessels and 214 by 1815; a big increase from the two vessels England had possessed in 1670. British Royal Navy warships tirelessly hunted down pirate vessels, and almost always won these engagements.

Many pirates did not surrender and were killed at the point of capture; notorious pirate Edward Teach, or "Blackbeard", was hunted down by Lieutenant Robert Maynard at Ocracoke Inlet off the coast of North Carolina on 22 November 1718 and killed. Captain Chaloner Ogle of the HMS *Swallow* cornered Bartholomew Roberts in 1722 at Cape Lopez, and a fatal broadside from the Swallow killed the pirate captain instantly. Roberts' death shocked the pirate world, as well as the Royal Navy. The local merchants and civilians had thought him invincible, and some considered him a hero. Roberts' death was seen by many historians as the end of the Golden Age of Piracy. Also crucial to the end of this era of piracy was the loss of the pirates' last Caribbean safe haven at Nassau.

In the early 19th century, piracy along the East and Gulf Coasts of North America as well as in the Caribbean increased again. Jean Lafitte was just one of hundreds of pirates operating in American and Caribbean waters between the years of 1820 and 1835. The United States Navy repeatedly engaged pirates in the Caribbean, Gulf of Mexico and in the Mediterranean. Cofresí's *El Mosquito* was disabled in a collaboration between Spain and the United States. After fleeing for hours, he was ambushed and captured inland. The United States landed shore parties on several islands in the Caribbean in pursuit of pirates; Cuba was a major haven. By the 1830s piracy had died out again, and the navies of the region focused on the slave trade.

About the time of the Mexican-American War in 1846, the United States Navy had grown strong and numerous enough to eliminate the pirate threat in the West Indies. By the 1830s, ships had begun to convert to steam propulsion, so the Age of Sail and the classical idea of pirates in the Caribbean ended. Privateering, similar to piracy, continued as an asset in war for a few more decades and proved to be of some importance during the naval campaigns of the American Civil War.

IMO is implementing an anti-piracy project, a long-term project which began in 1998. Phase one consisted of a number of regional seminars and workshops attended by Government representatives from countries in piracy-infested areas of the world; while phase two consisted of a number of evaluation and assessment missions to different regions. IMO's aim has been to foster the development of regional agreements on implementation of counter piracy measures.

Regional cooperation among States has an important role to play in solving the problem of piracy and armed robbery against ships, as evidenced by the success of the regional anti-piracy operation in the Straits of Malacca and Singapore. The Regional Cooperation Agreement on Combating Piracy and Armed Robbery against ships in Asia (RECAAP), which was concluded in November 2004 by 16 countries in Asia, and includes the RECAAP Information Sharing Centre (ISC) for facilitating the sharing of piracy-related information, is a good example of successful regional cooperation which IMO seeks to replicate elsewhere.

Somalia-based piracy

In January 2009, an important regional agreement was adopted in Djibouti by States in the region, at a high-level meeting convened by IMO. The Djibouti Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden recognizes the extent of the problem of piracy and armed robbery against ships in the region and, in it, the signatories declare their intention to co operate to the fullest possible extent, and in a manner consistent with international law, in the repression of piracy and armed robbery against ships.

The signatories commit themselves towards sharing and reporting relevant information through a system of national focal points and information centres; interdicting ships suspected of engaging in acts of piracy or armed robbery against ships; ensuring that persons committing or attempting to commit acts of piracy or armed robbery against ships are apprehended and prosecuted; and facilitating proper care, treatment, and repatriation for seafarers, fishermen, other shipboard personnel and passengers subject to acts of piracy or armed robbery against ships, particularly those who have been subjected to violence.

West Africa

IMO and the Maritime Organization of West and Central Africa (MOWCA) developed a Memorandum of Understanding in July 2008 to establish a sub-regional integrated coastguard network in West and Central Africa and provide the framework of cooperation and guidance for the implementation of the Network. The MoU which was been signed by 15 coastal States in the region aims to initiate joint efforts in the domain of maritime activities to protect human life, enforce laws and improve the safety and protection of the environment.

A Code of Conduct was adopted formally by the Head of State meeting in Cameroon's capital Yaoundé on 25 June 2013 and was signed by ministerial level representatives of 22 States immediately afterwards. The Code builds on the existing Memorandum of Understanding on the integrated coastguard function network in west and central Africa and incorporates a number of elements of the Djibouti Code of Conduct, the regional counter-piracy agreement for East African

States but is much wider in scope as it addresses a range of illicit activities at sea including illegal fishing, drug smuggling and piracy.

3.5 IMO Guidance and Reports

To assist in anti-piracy measures, IMO issues reports on piracy and armed robbery against ships submitted by Member Governments and international organizations. The reports, which include names and descriptions of ships attacked, position and time of attack, consequences to the crew, ship or cargo and actions taken by the crew and coastal authorities, are now circulated monthly, with annual summaries.

The IMO action plan places an emphasis on improving IMO guidelines to Administrations and seafarers and promoting compliance with recommended preventive, evasive and defensive measures. The IMO's Maritime Safety Committee (MSC) continues to stress the importance of self-protection as a deterrent to successful piracy attacks.

The MSC adopted a resolution in May 2011 on the Implementation of Best Management Practice guidance, which recognizes the urgent need for merchant shipping to take every possible measure to protect itself from pirate attack and that effective self-protection is the best defence. The resolution strongly urges all those concerned to take action to ensure that, as a minimum, ships' masters receive updated information before and during sailing through the defined High Risk Area ships register with the Maritime Security Centre Horn of Africa (MSCHOA) and report to United Kingdom Maritime Trade Operations (UKMTO) Dubai, and that ships effectively implement all recommended preventive, evasive and defensive measures.

The MSC also agreed Guidelines to assist in the investigation of the crimes of piracy and armed robbery against ships, which are intended to be used in conjunction with the existing IMO-developed Code of Practice for the Investigation of the Crimes of Piracy and Armed Robbery against Ships, to assist investigators to collect evidence in support of prosecutions.

Advice and Guidance to Governments, shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships

It is the responsibility of the coastal State/port State to develop action plans detailing how to prevent acts of piracy or armed robbery against ships.

To assist governments , shipowners and ship operators, shipmasters and crews in preventing of these acts the IMO have produced the following recommendations and guidance:

- Recommendations to Governments for preventing and suppressing piracy and armed robbery against ships MSC.1/Circ.1333

- Guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships MSC.1/Circ.1334

Given the recognition of the growing use of privately contracted armed security personnel (PCASP), the MSC also approved recommendations and guidance on the use of PCASP on board ships in the High Risk Area. This guidance was further developed by the Facilitation Committee, and by a special MSC Intersessional Working Group, which produced a suite of guidance for flag States, for port and coastal States, and for ship-owners, ship operators, and shipmasters on the subject.

3.6 Anti-Piracy Measures

Under a principle of international law known as the "universality principle", a government may "exercise jurisdiction over conduct outside its territory if that conduct is universally dangerous to states and their nationals." The rationale behind the universality principle is that states will punish certain acts "wherever they may occur as a means of protecting the global community as a whole, even absent a link between the state and the parties or the acts in question." Under this principle, the concept of "universal jurisdiction" applies to the crime of piracy. For example, the United States has a statute (section 1651 of title 18 of the United States Code) imposing a sentence of life in prison for piracy "as defined by the law of nations" committed anywhere on the high seas, regardless of the nationality of the pirates or the victims.

According to piracy experts, the goal is to "deter and disrupt" pirate activity, and pirates are often detained, interrogated, disarmed, and released. With millions of dollars at stake, pirates have little incentive to stop. In Finland, one case involved pirates who had been captured and whose boat was sunk. No prosecution of the pirates is forthcoming, as pirates attacked a vessel of Singapore and the pirates are not, themselves, EU or Finnish citizens. A further complication is that Singapore law allows the death penalty for piracy and Finland does not. Some countries have been reluctant to utilize the death penalty to stop pirates.

The Dutch are using a 17th-century law against *sea robbery* to prosecute. Warships that capture pirates have no jurisdiction to try them, and NATO does not have a detention policy in place. Prosecutors have a hard time assembling witnesses and finding translators, and countries are reluctant to imprison pirates because the countries would be saddled with the pirates upon their release.

George Mason University professor Peter Leeson has suggested that the international community appropriate Somali territorial waters and sell them, together with the international portion of the Gulf of Aden, to a private company which would then provide security from piracy in exchange for charging tolls to world shipping through the Gulf.

3.7 Self- Defense

The fourth volume of the handbook: *Best Management Practices to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area* (known as BMP4) is the current authoritative guide for merchant ships on self-defense against pirates. The guide is issued and updated by a consortium of interested international shipping and trading organizations including the EU, NATO and the International Maritime Bureau. It is distributed primarily by the Maritime Security Centre – Horn of Africa (MSCHOA) – the planning and coordination authority for EU naval forces (EUNAVFOR). BMP4 encourages vessels to register their voyages through the region with MSCHOA as this registration is a key component of the operation of the International Recommended Transit Corridor (IRTC) (the navy-patrolled route through the Gulf of Aden). BMP4 also contains a chapter entitled "Self-Protective Measures" which lays out a list of steps a merchant vessel can take on its own to make itself less of a target to pirates and make it better able to repel an attack if one occurs. This list includes doing things like ringing the deck of the ship with razor wire, rigging fire-hoses to spray sea-water over the side of the ship (to hinder boardings), having a distinctive pirate alarm, hardening the bridge against gunfire and creating a "citadel" where the crew can retreat in the event pirates get on board. Other unofficial self-defense measures that can be found on merchant vessels include the setting up of mannequins posing as armed guards or firing flares at the pirates.

Though it varies by country, generally peacetime law in the 20th and 21st centuries has not allowed merchant vessels to carry weapons. As a response to the rise in modern piracy, however, the U.S. government changed its rules so that it is now possible for U.S.-flagged vessels to embark a team of armed private security guards. Other countries and organisations have similarly followed suit. This has given birth to a new breed of private security companies who provide training and protection for crew members and cargo and have proved effective in countering pirate attacks. The USCG leaves it to ship owners' discretion to determine if those guards will be armed. Seychelles has become a central location for international anti-piracy operations, hosting the Anti-Piracy Operation Center for the Indian Ocean. In 2008, VSOS became the first authorized armed maritime security company to operate in the Indian Ocean region.

With safety trials complete in the late 2000s, laser dazzlers have been developed for defensive purposes on super-yachts. They can be effective up to 4 kilometres (2.5 mi) with the effects going from mild disorientation to flash blindness at closer range.

In February 2012, Italian Marines based on the tanker *Enrica Lexie* allegedly fired on an Indian fishing trawler off Kerala, killing two of her eleven crew. The Marines allegedly mistook the fishing vessel as a pirate vessel. The incident sparked a diplomatic row between India and Italy. *Enrica Lexie* was ordered into Kochi where her crew were questioned by officers of the Indian Police. The fact is still *sub juris* and its legal eventual outcome could influence future deployment of VPDs, since states will be either encouraged or discouraged to provide them depending on whether functional immunity is ultimately granted or denied to the Italians. Another similar incident has been reported to have happened in the Red Sea between the coasts of Somalia and Yemen, involving the death of a Yemeni fisherman allegedly at the hands of a Russian Vessel Protection Detachment (VPD) on board a Norwegian-flagged vessel.

However, despite VPD deployment being controversial because of these incidents, according to the Associated Press, during a United Nations Security Council conference about piracy "U.S. Ambassador Susan Rice told the council that no ship carrying armed guards has been successfully attacked by pirates" and "French Ambassador Gerard Araud stressed that private guards do not have the deterrent effect that government-posted marine and sailors and naval patrols have in warding off attacks".

Private guard escort on a merchant ship providing security services against piracy in the Indian Ocean.

3.8 Self-Protection Measures and Increased Patrol

First and foremost, the best protection against piracy is simply to avoid encountering them. This can be accomplished by using tools such as radar, or by using specialised systems that use shorter wavelengths (as small boats are not always picked up by radar). An example of a specialised system is WatchStander.

In addition, while the non-wartime 20th century tradition has been for merchant vessels not to be armed, the U.S. Government has recently changed the rules so that it is now "best practice" for vessels to embark a team of armed private security guards. In addition, the crew themselves can be given weapons training, and warning shots can be fired legally in international waters.

Other measures vessels can take to protect themselves against piracy are implementing a high freewall and vessel boarding protection systems (e.g., hot water wall, electricity-charged water wall, automated fire monitor, slippery foam). Ships can also attempt to protect themselves using their Automatic Identification Systems (AIS). Every ship over 300 tons carries a transponder supplying both information about the ship itself and its movements. Any unexpected change in this information can attract attention. Previously this data could only be picked up if there was a nearby ship, thus rendering single ships vulnerable. However, special satellites have been launched recently that are now able to detect and retransmit this data. Large ships cannot therefore be hijacked without being detected. This can act as a deterrent to attempts to either hijack the entire ship or steal large portions of cargo with another ship since an escort can be sent more quickly than might otherwise have been the case.

Finally, in an emergency, warships can be called upon. In some areas such as near Somalia, naval vessels from different nations are present that are able to intercept vessels attacking merchant vessels. For patrolling dangerous coastal waters (and/or keeping financial expenses down), robotic or remote-controlled USVs are also sometimes used. Also, both shore-launched and vessel-launched UAVs are also used by the U.S. Army.

4. Stowaways

Definition

The Convention on Facilitation of International Maritime Traffic, 1965, as amended, (The FAL Convention), define stowaway as "A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the Master or any other responsible person and who is detected on board the ship after it has departed from a port, or in the cargo while unloading it in the port of arrival, and is reported as a stowaway by the master to the appropriate authorities".

General

Unnoticed by the Master, the crew, port and customs authorities, stowaways may gain access to the ship with or without the assistance of port personnel. Once on board the ship stowaways hide in empty containers, cargo holds, tanks, tunnels, behind false panels, stores, accommodation area, engine rooms, void spaces, cranes, chain lockers.

The presence of stowaways on board ships may bring serious consequences for ships and, by extension, to the shipping industry as a whole; the ship could be delayed in port; the repatriation of stowaways can be a very complex and costly procedure involving masters, shipowners, port authorities and agents; and the life of stowaways could be endangered as they may spent several days hidden, with the risk of suffocation and without any water/ provisions.

4.1 Stowaways Found Inside a Cargo Hold

The International Maritime Organization strongly encourages that appropriate measures be taken to reduce risks of unauthorized persons boarding ships. The FAL Convention has clear ship/port "Preventive measures" and recommended practices on the "Treatment of stowaways while on board" and "Disembarkation and return of a stowaway".

The Facilitation Committee, at its thirty seventh session (FAL 37), in 2011, adopted resolution FAL.11(37) in "Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases". This resolution is particularly addressed to Member Governments which are not contracting Governments of the FAL Convention and to those Member States which find it impracticable to comply with the relevant Recommended Practices of the FAL Convention.

The Facilitation Committee invited IMO Member Governments and international organizations in consultative status, through Circular FAL.2/Circ.50.Rev.2, to provide the Organization with information on stowaway incidents. The information is collated and issued quarterly as a FAL.2 Circular.

Taking into account that incidents of stowaways represent a serious problem for the shipping industry and that no signs of improvements have been seen regarding the reduction of stowaway cases, the Organization strongly encourages Member States to fully implement the International Convention for the Safety of Life at Sea (SOLAS), chapter XI-2 on measures to enhance maritime security, and the ISPS Code, which also contain clear specifications on access control and security measures for port facilities and ships.

4.2 Convention on Facilitation of International Maritime Traffic (FAL)

The Convention's main objectives are to prevent unnecessary delays in maritime traffic, to aid co-operation between Governments, and to secure the highest practicable degree of uniformity in formalities and other procedures. In particular, the Convention reduces the number of declarations which can be required by public authorities.

Most human activities are regulated, either by precedent, convention or regulation. Most regulations are essential - but sometimes they come to be regarded not only as unnecessary but also as a significant burden on the activities they are supposed to control. Few activities have been more subject to over-regulation than international maritime transport.

This is partly because of the international nature of shipping: countries developed customs, immigration and other standards independently of each other and a ship visiting several countries during the course of a voyage could expect to be presented with numerous forms to fill in, often asking for exactly the same information but in a slightly different way.

As shipping and trade developed and grew in the early part of the twentieth century, so did the paperwork involved. By the 1950s it was being regarded not simply as an inconvenience but as a threat.The actual number of separate documents required varied from port to port; yet the information on cargoes and persons carried that was sought was often identical. The number of copies required of some of these documents could often become excessive. To the variety of forms and the number of copies required could be added other burdens such as local language translations, consular visa requirements, variations in document size and paper stock used and the necessity for authentication by the shipmaster of the information submitted.

By the early 1960s the maritime nations had decided that the situation could not be allowed to deteriorate further. International action was called for and to achieve it Governments turned to IMO, which had held its first meeting in 1959.

In 1961 the 2nd IMO Assembly adopted resolution A.29 (II) which recommended that IMO take up the matter. An Expert Group was convened which recommended that an international convention be adopted to assist the facilitation of international maritime traffic.

In October 1963 the 3rd IMO Assembly adopted resolution A.63 (III) which approved the report of Expert Group and in particular recommended that a convention be drafted which would be considered for adoption at a conference to be held under IMO auspices in the spring of 1965. The conference duly took place and the Convention on Facilitation of International Maritime Traffic (FAL), 1965 was adopted on 9 April.

Standards and recommended practices in its Annex, the Convention contains "Standards" and "Recommended Practices" on formalities, documentary requirements and procedures which should be applied on arrival, stay and departure to the ship itself, and to its crew, passengers, baggage and cargo.

The Convention defines standards as internationally-agreed measures which are "necessary and practicable in order to facilitate international maritime traffic" and recommended practices as measures the application of which is "desirable".

The Convention provides that any Contracting Government which finds it impracticable to comply with any international standard, or deems it necessary to adopt differing regulations, must inform the Secretary-General of IMO of the "differences" between its own practices and the standards in question. The same procedure applies to new or amended standards.

In the case of recommended practices, Contracting Governments are urged to adjust their laws accordingly but are only required to notify the Secretary-General when they have brought their own formalities, documentary requirements and procedures into full accord.

This flexible concept of standards and recommended practices, coupled with the other provisions, allows continuing progress to be made towards the formulation and adoption of uniform

measures in the facilitation of international maritime traffic.

The IMO Standardized Forms (FAL 1-7) Standard lists the documents which public authorities can demand of a ship and recommends the maximum information and number of copies which should be required. IMO has developed Standardized Forms for seven of these documents. They are the:

- IMO General Declaration
- Cargo Declaration
- Ship's Stores Declaration
- Crew's Effects Declaration
- Crew List· Passenger List
- Dangerous Goods

Two other documents are required under the Universal Postal Convention and the International Health Regulations.
The general declaration, cargo declaration, crew list and passenger list constitute the maximum information necessary. The ship's stores declaration and crew's effects declaration incorporate the agreed essential minimum information requirements.

Important amendments include:

- The 2002 amendments Adoption:
  10 January 2002 Entry into force: 1 May 2003
  The amendments add new standards and recommended practices for dealing with stowaways.

  Another amendment relates to the Dangerous Goods Manifest (FAL Form 7), which becomes the basic document providing public authorities with the information regarding dangerous goods on board ships.

- The 2005 amendments Adoption:
  7 July 2005 Entry into force: 1 November 2006
  The amendments are intended to modernize the Convention in order to enhance the facilitation of international maritime traffic, icnluding a Recommended Practice for public authorities to develop the necessary procedures in order to use pre-arrival and pre-departure information to facilitate the processing of information, and thus expedite release and clearance of cargo and persons; a Recommended Practice that all information should be submitted to a single point to avoid duplication; encouragement of electronic transmission of information; and the addition of references to the International Ship and Port Facility Security (ISPS) Code and SOLAS chapter XI-2 in the Standards and Recommended Practices which mention security measures; and amendments to the IMO Standardized FAL Forms (1 to 7).

A further amendment relates to persons rescued at sea. A standard in Section 2 - Arrival, stay and departure of the ship, in section H Special measures of facilitation for ships calling at ports in order to put ashore sick or injured crew members, passengers, persons rescued at sea or other persons for

emergency medical treatment. The amendment requires public authorities to facilitate the arrival and departure of ships engaged in the rescue of persons in distress at sea in order to provide a place of safety for such persons.

4.3 Countermeasures

4.3.1 Port security

Many ports have adequate security; whilst at others security is non-existent. Whatever the circumstances, it is not recommended to rely solely on port security. The stowaway business is so financially attractive that to rely on local security staff merely offers an easy path for a potential stowaway. It is sensible, however, to ensure that the agent knows of your full intention not to sail with stowaways onboard, and that he is repeatedly asked to ensure that all safety measures available at the port are made to work in the interest of the ship.

The crew has little or no influence on port security and has to focus on preventing stowaways from gaining access to the ship.

The high risk threat is from ports and terminals where the ISPS Code is not being implemented in a thorough manner. The task of preventing the stowaways in these ports from coming on board is more difficult and it is here that Masters and shipowners must focus their efforts. Shipowners should train their crews, issue the correct instructions and procedures to enable the ship to provide a determined deterrent, stopping stowaways from boarding.

4.3.2 Reducing the Risk – Port area

- Given the myriad of people who often surge on board when a ship arrives in port, a pass system can be of valuable assistance. At its most simple this can involve the use of passes which are numbered,
- coloured or otherwise marked so to avoid repetition of use. Passes should be retrieved when visitors leave the vessel so that, provided control at the access points is thorough, it will become immediately apparent if someone has not disembarked. If the Master feels he can expand on this simple system, the name of the visitor can be noted against the number of the pass before it is issued and proof of identity obtained and stored at the gangway.

- Ask the agent if the port is capable of providing adequate security. If not, the agent can be asked to arrange additional protection. Explore with the agents the possibility of including specific terms in the contract with the security company whereby the security company would be held liable for all costs of disembarkation and repatriation should it later be discovered that stowaway(s) have managed to board the vessel in that particular port.

- If there are doubts as to the efficiency of locally supplied guards in ports where a large number of stowaways are known to board vessels, the short-term employment of a professional maritime security officer should be considered.

- Consider rewarding the agents for stowaway free sailings.

4.3.3 On Board Own Vessel

In addition to measures preventing access to the ship, additional measures can be implemented on board during cargo operations and prior to departure to minimise the risk of leaving with stowaways onboard. Brief the crew on the risks of stowaways gaining access to the vessel and the need for their co-operation in reporting anything abnormal and/or suspicious.

4.3.4 Reducing the Risk - Physical Access

Random patrols, with particular focus on people located in unusual areas, should supplement the access watches. The value of random patrols can be significantly increased if all crew members report any abnormal activity. A conscientious approach to locking and securing access points does restrict stowaways' access to potential hiding places. It is therefore prudent to lock all doors, rooms and holds without hampering cargo operations. Locking the vessel's access points should be a matter of routine. Where locks are not considered appropriate, tamper-proof or wire seals can be used, as any broken seals would indicate that an entry has been made.

In order to avoid detection, stowaways often hide away shortly before the vessel leaves port. An extensive search of the ship should therefore be undertaken shortly before the vessel sails. Owing to the vast number of potential hiding places, a practical solution would be to divide the vessel into separate search areas, e.g., accommodation, engine room, main deck, cargo compartments, and assign crew members with the responsibility of searching each area.

Stowaways have been known to hide in the most unusual places. Besides cargo holds and containers, they have been found inside funnel casings, chain lockers, storerooms, cabins, crane cabs, mast houses, engine room bilges and even in the rudder shaft space.

If stowaways are discovered during the search, the immigration authorities should be notified immediately in order that the stowaways can be removed from the ship.

4.3.5 Reducing the Risk - Access Points

Review procedures to ensure that there is a watchman on duty at every access point which have to remain unlocked whilst the vessel is in port and that this watchman is familiar with the procedures when visitors, repairmen, stevedores etc., wish to come on board. The simple rule is: "no unauthorised personnel come on board, and all authorised personnel disembark before sailing". Check to ensure that all locks are locked and that places which cannot be locked are sealed with tamper-proof or wire seals.

Different harbours and ports have different access points that are commonly used. In general; some access point entries can be:

- Climbing the mooring ropes,
- Climbing from the sea using hooks,
- Boarding the vessel as stevedores with fake dock identification papers. At some ports stevedores are supposed to wear special clothing with branded overalls and helmets. Bear in mind that stowaways may have access to these overalls and helmets too.
- Cargo. Inside empty containers, e.g. behind false panels. Empty containers can remain in storage at warehouses or the quayside for a number of days before being loaded on board. This period can be used by stowaways to install a false wall at the rear end of the container, stretching from side to side and from top to bottom. The false wall will be painted in colours that match the rear wall of the container.
- Cargo. In loaded containers. There have been some cases where stowaways were found inside loaded containers. However, these are very few in number.

Prior to departure the crew should conduct a thorough search of all compartments and the result should be recorded in the logbook. The ship's rudder trunk should be checked for stowaways by using on of the ship's small boats. The rudder trunk is a typical access point for stowaways and is very often used as hide-out.

Once the vessel has sailed and the outbound pilot is still on board, again; a search of all compartments should be considered. If stowaways are found at this stage they can be repatriated using the pilot boat.

4.3.6 Reducing the Risk – Misinformation

A variety of psychological ploys have been used by Masters with varying degrees of success in the past. Examples of such measures are:

- Misinformation about destination of the ship. False destination notices exhibited outside the ship – virtually all stowaways aim to get to Western Europe/US/Canada, making anywhere outside these areas less attractive.
- Announcement that there is a "fire" or "emergency" on the ship followed by the sound of alarm bells and shouts in the appropriate languages.
- Stating that sniffer dogs are going to be released on the ship and/or a full security search carried out.
- Stating that fumigation will be carried out prior to departure.

4.3.7 Degree of Readiness

Stowaways may enjoy extensive shore backup and assistance from individuals who are part of various organisations related to port operations when boarding vessels. They will have inside knowledge of the ship's destination, departure date, at which pier it is going to berth etc. Especially in North Africa, stowaways bribe their way into port facilities and other restricted areas. Once inside the port area they look for an opportunity to board the ship. From the port area different methods can be used to gain access to vessels and then hide in stores, accommodation area, holds, engine room, void spaces, cranes, chain locks etc.

Recent stowaway interviews have revealed that crew on board has also been involved in the safe passage of stowaways. On some ships stowaways have had to pay a "ticket" to one of the crew on board as well, i.e. bribing both port officials and crew on board. Consider offering financial rewards to those crew members who discover and prevent stowaway incidents and ensure that all crew members are aware of the advantages of preventing stowaways sailing with the ship. Check security equipment, close-circuit television, alarms and locks.

4.3.8 Equipment for Discovering Stowaways

- *X-ray machines* - At one time it was thought that using x-ray machines was an efficient method of detection. However, it turned out that the x-ray intensity needed to penetrate the walls of a steel box would have been so great that it could prove fatal to anyone inside.

- *Stethoscopic microphones* - Stethoscopic microphone testing seemed quite promising until it became clear that the background noises produced by day to day port operations were difficult to filter out.

- *Alarm system and/or closed circuit television* - An alarm system with infrared detectors, door contacts, motion sensors, surveillance cameras etc., as in an ordinary surveillance system could be mounted on board to ease the monitoring of critical access points. The surveillance should be monitored from the bridge.

- *Heat seeking cameras* - The purpose of a heat seeking camera is to detect temperature variations of as little as two degrees inside a container. However, it turns out that this tool also has its deficiencies, as many materials, including certain types of cargo, can generate heat. Moreover, some stowaways have learned to beat the cameras by putting up layers of cardboard along the inside walls of the container.

- *Carbon dioxide detectors* - Carbon dioxide detectors are probably the most successful technology available at the moment and are used in a number of ports. The detector is inserted into the container's air vent in order to detect breathing inside. Although these detectors are very useful, it is possible for stowaways to remain inside a container without detection. In one case, the container initially passed the test, but when tested again at a later stage, it gave readings that were sky-high. When inspectors opened the container doors, 14 people were found inside. They had rigged temporary pipes from one air vent to the other so that only outside air was registered in the first reading.

5. Drug Smuggling

5.1 General Rule

Drug smuggling constitutes a very serious crime almost anywhere in the world. Affected parties can expect extensive investigations, interrogation, detention and possibly criminal prosecution, conviction and imprisonment. Moreover, assets may be seized as security for hefty fines and penalties and ultimately confiscated and/or sold. The mere presence of drugs onboard a vessel has in the great majority of cases resulted in the detention of the vessel and crew and charges being brought against individual crewmembers.

Recently there has been an increase in the number of reported drug detection incidents involving merchant ships calling at ports in Venezuela, Colombia and Ecuador, as well as the Caribbean. It is suspected that the drugs were bound for the US, Europe and/or Russia.

5.2 Measures to Prevent Drug Smuggling

The general aim in all instances is to prevent the illegal substances from being hidden inside cavities in the vessels rudder trunk or attached to external parts of the vessels hull in the first place. The following are some general guidelines for precautionary measures to be taken.

5.3 Before Entry into a Port

Install physical barriers in the rudder trunk or other cavities in the hull to deter their use to hide drugs. Crew going ashore should be informed of the risk that possible drug traffickers may seek to befriend them in order to achieve their co-operation to smuggle drugs. The crew must understand that, this could be potentially dangerous for themselves, their families, fellow crewmembers etc. Moreover, local authorities are likely to act forcefully against any crewmember that is considered to be associated with drug traffickers.

Warning posters describing the risks involved in the carriage of drugs should be clearly displayed at the point of the entry/exit to the vessel and within the accommodation areas.

The ship should keep accurate records of all activities observed and the actions taken by local authorities, stevedores and other shore-based personnel and crew.

5.4 In Port or at Anchor

The master and crew must take all possible precautions to limit access to the vessel and monitor the surrounding area adjacent to the vessel whilst in port. Individuals, who have no legitimate requirement for being onboard, must not be allowed onboard. The crew should keep a log at the point of entry/exit, and the Master and/or SSO should be informed if the watch is uncertain as to whether an individual has legitimate reasons to be onboard.

A permanent watchman should be present in areas where stevedores or repair technicians are working onboard the ship. During hours of darkness all areas should be well lit in order to facilitate visual monitoring of activities. Any suspicious activities conducted by third parties on board should be reported to the Master/SSO.

Attention should be paid to small boats approaching the ship and any suspicious activity in the vicinity of the ship which may warrant further investigation. The use of a searchlight during the hours of darkness should be considered. The crew should perform regular shipboard inspections throughout the duration of the port call.

In ports particularly prone to drug smuggling, it should be considered to employ additional security guards from an approved supplier. When broken/missing seals for compartments, lockers, containers etc., are discovered an investigation should be conducted and if nothing is found the seals should be replaced by the crew. A record should be made in the logbook together with a note of the outcome of
the investigation/search and the relevant seal numbers.

Once cargo operations are completed, the crew should perform a full search of the vessel. In addition to looking for illegal substances, the crew should be on the lookout for stowaways. If there are any suspicions that drugs may have been placed onboard, the Master should request a comprehensive vessel inspection, including inspection of the vessel's hull below the waterline, before departure. The most common measure is the anti-smuggling sub-aquatic survey (ROV) to deter, prevent and ascertain that no illegal substances are attached to the vessel below her waterline.

5.5 Action to be Taken if Drugs Are Found Onboard

If drugs are found on board the Master/SSO should immediately take steps as set out in the vessel's Emergency Contingency Plan (as per the ISM Code) and/or the Ship's Security Plan (as per the ISPS Code), one of which should include steps to be taken with regard to notification to the local authorities. The following general guidelines can also be given:

1. The drugs must not be touched
2. Photograph or video the area of the ship where the drugs were found, but leave it untouched and seal it off to prevent any unauthorized access.
3. Inform the P&I insurer, the local P&I correspondent, the Shipowner/Operator and the Flag Administration.

Canadian ship makes major drug bust on the high seas

5.6 Pong Su Incident

The *Pong Su incident* began in April 2003 when Australian military personnel from Special Operations Command intercepted the *Pong Su*, a North Korean ocean freighter in Australian territorial waters. The ship was suspected of being involved in smuggling almost 150 kg (330 pounds) of heroin into Australia.

The *Pong Su* was a 349-foot (106 m), 3,743-tonne ocean freighter registered in Tuvalu and North Korean owned. The ship was flying the flag of Tuvalu, a flag of convenience. Four men arrested on shore were convicted of importing heroin, the crew were all acquitted and deported, and the ship was destroyed in 2006.

5.7 Heroin Trafficking

On 16 April 2003, police in Australia observed the *Pong Su* close to shore at Boggaley Creek near the seaside town of Wye River in Victoria and followed two suspects on the shore as they left the beach and headed for a nearby hotel. The next morning, the two suspects were apprehended after leaving their hotel with 50 kg of pure heroin. Then, in a search of the beach at Boggaley Creek, Australian police discovered the body of a man of East Asian appearance covered by seaweed close to a dinghy.

It was speculated that the dinghy had capsized landing the heroin, drowning one of the crew. Police also apprehended another man in the immediate area. Unable to get back to his boat, he had simply remained in the area where the drugs came ashore the night before. A fourth suspect was also taken into custody. A further 75 kg of heroin in similar packaging was later discovered buried near Wye River in May 2003 after subsequent searches following coordinates from a seized GPS device.

5.8 Operation Sorbet

The Australian government ordered the *Pong Su* into harbour; however, the ship attempted to escape into international waters. After a four-day chase, known as *Operation Sorbet*, the **Pong Su** was captured after Australian Army Special Operations Forces stormed the ship in a helicopter landing. The *Pong Su* was secured and brought into port in Sydney. Searches of the ship by Australian authorities revealed the ship had been modified for long voyages and was carrying enough fuel and provisions to travel around the world without needing to port.

Some 30 men were arrested and detained. It was alleged that the North Korean government was involved in the manufacture and trade of the drugs. The North Korean government stated the ship was a 'civilian trading ship', and the ship's owner had no knowledge of the illegal cargo.

5.9 Drug Charges

The four men arrested on shore pleaded guilty to aiding and abetting the importation of a commercial quantity of heroin. They were sentenced to between 22 and 24 years imprisonment. They were apparently not North Korean origin (but from Malaysia, Singapore and China) and not part of the ship's crew.

The suspects, the captain and crew of the *Pong Su* were charged with narcotics trafficking. Most significantly, an official of the governing Korean Workers' Party was found on board, linking the drug shipment to Kim Jong-il's government. According to Australian media reports, he had served as senior envoy in Pyongyang's embassy in Beijing. The Australian Foreign Minister Alexander Downer called in the North Korean Ambassador to lodge a formal protest.

Drug charges were laid against the ship's entire crew. Twenty-seven crew members were discharged on 5 March 2004 by a magistrate on the basis that there was insufficient evidence for them to stand trial. While awaiting deportation, the crew were held in Baxter Detention Centre; during which time they were questioned by federal authorities. They were deported from Australia on 24 June 2004.

Four senior crew members were kept in Australia to face a jury trial. They were:

- Choe Dong-song, 61, the ship's political secretary
- Song Man-seon, 65, the ship's captain
- Lee Man-jin, 51, the first officer
- Lee Ju-cheon, 51, the chief engineer

All four crew members pleaded not guilty at the beginning of their trial in August 2005.

The prosecution case against the four North Korean officers was that they would not have allowed their ship to be stopped in the position it was if they were not aware that the real purpose of their voyage was to smuggle the heroin. The prosecution did not allege any official involvement of the North Korean government, only the officers on board the ship.

On 2 March 2004, the US State Department released a report using the incident to link Kim Jong-il's government to drugs trafficking.

5.10 Fate of the Pong Su

After capture the ship was brought to Sydney Harbour where it was originally moored at Garden Island naval base, Woolloomooloo. From there it was taken to Snails Bay, and moored for over two years, where it was reportedly costing over $2,500 a day for maintenance and security. It was taken to Chowder Bay in early 2006 while authorities decided what to do with it.

Authorities eventually decided to scuttle the ship and on 23 March 2006, in a joint RAAF and RAN military exercise, the *Pong Su* was sunk by two 2000-pound (907 kg) laser-guided bombs dropped from RAAF F-111 aircraft. The deliberate destruction of the freighter was said to deliver a strong message to international drug smuggling rings that the AFP and Commonwealth Government would take all measures necessary to stop illegal drug importation.

Before the ship was scuttled, its radio was removed and donated to the Kurrajong Radio Museum.

6. New Requirements for Security Training for Shipboard Personnel

The STCW Convention and Code as amended by the Manila amendments (2010) contains new requirements regarding security training. This training is required by all personnel employed or engaged onboard ships to which the ISPS Code applies.

These Regulations came into force on 1 January 2012, however, Port State Control Officers have been requested by IMO not to enforce this regulation until 1 January
2014 provided that the vessel otherwise complies with the ISPS code (see IMO circulars STCW Circ.7/16 and STCW Circ.7/17)

6.1 Training Requirements

In addition to the existing Ship Security Officer (SSO) training (which is unchanged) the amendments to the STCW Convention brings in three new levels of security training:

- Security related familiarization
- Proficiency in security awareness and
- Proficiency in designated security duties

These changes are embodied in STCW Regulation VI/6 and Section A-VI/6 with non-mandatory guidance Section B-VI/6.

6.2 Security Related Familiarization

Security related familiarization training must be delivered by the SSO, or other equally qualified person, to all persons employed or engaged in any capacity on ships which are required to comply with the provisions of the ISPS Code, prior to them being assigned shipboard duties. This instruction should emphasize ship specific security issues and provide guidance for the seafarer to at least be able to:

- Report a security incident, including a piracy or armed robbery threat or attack
- Know the procedures to follow when they recognize a security threat and
- Take part in security-related emergency and contingency procedures.

Documentary evidence must be retained by the ship to show that this training has been completed. There is no objection to this training being subsumed into the ships safety familiarization training and to use its existing method of recording the delivery of this training.

6.3 Approved Training Programs

The following training/instruction must be delivered by an MCA approved training center (which may be a shipping company). This training need only be completed once in the seafarers' career, there is no requirement for refreshment or revalidation.

There are "grandfather" clauses which allows seafarers with previous equivalent training (see section 6) and those with relevant sea service prior to 1st January 2012 to be issued with a certificate of proficiency without undertaking further training.

6.4 Proficiency in Security Awareness

Security awareness training must be undertaken by all seafarers employed or engaged in any capacity on ships which are required to comply with the ISPS Code. This training/instruction must meet the requirements of Section A-VI/6 paragraph 4 of the amended STCW code. This training leads to the issue of a STCW Certificate of Proficiency. On completion of this training a seafarer will at least be able to:

- Contribute to the enhancement of maritime security through heightened awareness
- Recognize security threats
- Understand the need for, and methods of, maintaining security awareness and vigilance.

6.5 Proficiency in Designated Security Duties

Training in designated security duties must be undertaken by seafarers, engaged on ships which are required to comply with the provisions of the ISPS Code, who have designated duties under the ships security plan. This training/instruction must meet the requirements of Section A-VI paragraphs 6-8 of the amended STCW code. This training leads to the issue of an STCW Certificate of Proficiency. On completion of this training a seafarer will at least be able to:

- Maintain the conditions set out in a ship security plan
- Recognize security risk and threats
- Undertake regular security inspections
- Properly use security equipment and systems

6.6 Proficiency in Designated Security Duties and Ship Security Officer

The MCA will recognise, for service in UK registered ships, Certificates of Proficiency in designated security duties and Certificates of proficiency as SSO issued under the STCW requirements by another Maritime Administration, if we already accept their Certificate of Competence (CoC) towards the issue of UK Certificate of Equivalent
Competence (CEC).

6.7 Personal Close Protection and Ship Protection Duties

Those carrying out personal close protection and/or ship protection duties on ISPS

Code compliant ships do not need to hold SSO qualifications unless they are the designated SSO on the vessel in which they are serving. However, as they will be carrying out ships security duties they will have to hold an MCA approved or recognised Certificate of Proficiency in Designated Security Duties. Please refer to section 3.9 of "Interim Guidance to UK Flagged Shipping on the Use of Armed Guards to Defend Against the Threat of Piracy in Exceptional Circumstances" for further guidance.

6.8 Recognition of Previous Training

Some training centres are already delivering programmes meeting the guidance given in IMO MSC.1/Circ 1235 "Guidelines on security-related training and familiarisation for shipboard personnel". Where a centre is delivering these programmes and becomes a MCA approved centre, they may, on agreement with the MCA, issue retrospective STCW certification against these programmes in the form shown in Annex 3(d) and Annex 4(d).

6.9 Certificates of Service

Shipping Companies holding UK ISM Document of Compliance may apply to the

Seafarers Training & Certification Branch of the MCA to issue certificates of proficiency in:

- Security awareness to seafarers who have at least six months sea service in any capacity in the three years prior to 1st January 2012 including three months sea service under their employment. They should retain documentary evidence of this sea service.

- Security duties to seafarers who have at least six months sea service, which has included

security duties, in the three years prior to 1st January 2012 including three months sea service under their employment. They should retain documentary evidence of this sea service.

The MCA may issue Certificates of Service to holders of UK Certificates of Competency or UK Watch Rating Certificates for:

- proficiency in security awareness to seafarers who have documentary evidence of at least six months sea service in any capacity in the three years prior to 1st January 2012; and
- proficiency in designated security duties to seafarers who have documentary evidence of at least six months sea service, which has included security duties, in the three years prior to 1st January 2012.

The documentary evidence of sea service may take the form of Discharge Book entries or sea service testimonials. Where applicable there must be a separate statement, on company headed paper signed, by the Master or other Company Official, stating that the sea service included designated security duties.

6.10 Quality Standards

The arrangements for delivering the training and assessing competence must be continuously monitored through a quality standards system to ensure achievement of defined objectives. Centres are required to maintain a quality standard through documented procedures that shall be inspected and monitored by the MCA at intervals not exceeding five years. The quality standards system and evaluation arrangements may be part of a centre's overall quality assurance system.

Where the training centre is a shipping company the training and control of certification should be part of the safety management systems.

6.11 Health and Safety

All training centres must adhere to applicable regulations made under the Health and Safety at Work etc Act 1974 and take proper account of the advice given in associated guidance documents and 'Approved Codes of Practice'. Under the 1992 Management of Health and Safety at Work Regulations, centres are required to make assessments of any potential risks to the health and safety of staff and trainees that may be associated with their activities. They are also required to identify, implement, monitor and review effective measures for minimising and controlling them. In addition, centres will be required to make effective arrangements for dealing with any emergency, incident or accident that may occur during the course of training.

6.12 Entry Standards

There is no intake restriction for either of these programmes although some sea going experience would be an advantage before undertaking the Proficiency in designated security duties programme. A candidate is not required to have completed the security awareness training before being enrolled on the proficiency in designated security duties training.

6.13 Staff Requirements

Training and assessment must be undertaken by persons qualified in accordance with the provisions of Section A-I/6 of the STCW Code. All training and instruction should be delivered and assessments carried out, by personnel who:

- are familiar with the principles of the international security framework for ships and port facilities, the concept of ship security plans and have knowledge of the requirements of Chapter XI-2 of SOLAS 74 as amended and of the ISPS Code;
- understand the specific objectives of the training
- Have sufficient knowledge of instructional techniques and assessment methods to ensure that the objectives of the training are achieved

The training center must be able to demonstrate to the MCA that training will be delivered under the supervision of personnel who have, either individually or collectively as part of a team:

- A thorough knowledge of the practical application of modern methods, systems and procedures for safeguarding maritime security in accordance with the ISPS Code and SOLAS as amended and a
- Practical and relevant experience of the operation of merchant ships.

6.14 Training Plan

The structure of the training, the methods used for delivery and arrangements for assessing competence must be set out in a training plan, which must be submitted to the MCA for approval.

The outcomes may be achieved through any appropriate means of delivery e.g. classroom instruction, in-service training, distance learning, computer-based training or a combination of these methods.

Content of training

Guidance on the content and structure of training is given in: Annex 2 and 3.

Facilities and equipment

Centres seeking approval will need to show that they can provide or have access to:

- an area suitable for the delivery of training, bearing in mind the value of role play and small working groups
- suitable audio visual aids (e.g. videos, posters, diagrams, overhead projector) and
- Equipment for demonstration as appropriate

6.15 Training Programme Guide for Approval of Training for Security Awareness

Scope

This training is intended to meet the requirements set out in Regulation VI/6 paragraph 1 and Section A-VI/6 paragraph 4 of the STCW '78 Code as amended.

Objectives

On completion of the training, the trainees will have sufficient knowledge, understanding and skills enabling them to deal with security related issues onboard ship, which are not designated security duties, including the ability to:

- Contribute to the enhancement of maritime security through heightened awareness

- Recognise security threats
- Understand the need for and methods of maintaining security awareness through heightened awareness

The stated objectives are unlikely to be achieved in less than 4 learning hours.

Training Structure

The training should be structured around the competencies, knowledge, understanding and proficiency stated in Table A-VI/6 -1 (reproduced in Annex 2(b) of this document). The level of training and assessment required particularly lends itself to computer/video based learning.

It is important that the treatment of the subject matter is appropriate to the awareness of ships security issues for personnel who do not have designated security duties.

Where possible and appropriate, an inter-active element should be introduced into the learning process to enable those undergoing training to put into practice techniques and procedures for maintaining the security of the vessel through role-play, simulation and scenario-based training. Together with oral questioning and/or computer based feedback, this will provide evidence that can be used for the purposes of assessing achievement of the outcomes of the training.

Specification of minimum standard of competence in security awareness

Column 1	Column 2	Column 3	Column 4
Competence	Knowledge, understanding and proficiency	Methods for demonstrating competence	Criteria for evaluating competence
Contribute to the enhancement of maritime security through heightened awareness	Basic working knowledge of maritime security terms and definitions, including elements that may relate to piracy and armed robbery Basic knowledge of international maritime security policy and responsibilities of Governments, companies and persons Basic knowledge of maritime security levels and their impact on security measures and procedures aboard ship and in port facilities Basic knowledge of security reporting procedures Basic knowledge of security-related contingency plans	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Requirements relating to enhanced maritime security are correctly identified

Recognition of security threats	Basic knowledge of techniques used to circumvent security measures
	    Basic knowledge enabling recognition of
	
	    potential security threats, including elements that may relate to piracy and armed robbery
	
	    Basic knowledge enabling recognition of
	
	    weapons, dangerous substances and devices and awareness of the damage they can cause
	    Basic knowledge in handling
	
	    security-related information and security-related communications
		Assessment of evidence obtained from approved instruction or during attendance at an approved course	Maritime security threats are correctly identified

Understanding of the need for and methods of maintaining security awareness and vigilance	Basic knowledge of training, drill and exercise requirements under relevant conventions, codes and IMO circulars, including those relevant for anti-piracy and anti-armed robbery	Assessment of evidence obtained from approved instruction or during attendance at an approved course	Requirements relating to enhanced maritime security are correctly identified

SPECIMEN CERTIFICATE FOR:

Proficiency in security awareness by completing an approved training course (to be produced and registered locally by the approved training centre)

Certificate No: [approved company to allocate]	
MCA Approval Certificate Number	
Approved Company	Address and contact details
Telephone	Email
Proficiency in security awareness	
This is to certify that [full name and address]	
Date of Birth	
Discharge Book Number	
Or Other National I/D	

Has successfully completed a programme of training approved by the Maritime and Coastguard Agency, meeting the requirements laid down in:

STCW '78 as amended, Regulation VI/6 paragraph 1 and
STCW Code Section A-VI/6 paragraph 4

This Certificate is issued under the authority of the Maritime and Coastguard Agency of the United Kingdom of Great Britain and Northern Ireland, an executive agency of the Department for Transport.

Signature of Principal or Authorised Representative of the Centre Approved to Provide the Training		
Signature of person to whom this certificate was issued		Approved Company Stamp and Date
Enquiries concerning this certificate should be addressed to the Issuing Authority at the address above.		

6.16 Proficiency in Designated Security Duties

Objective

On completion of the training, the trainees will have sufficient knowledge; understanding and skills enabling them undertake designated security duties, onboard ship including the ability to:

- Maintain the conditions set out in a ship security plan

- Recognize security risk and threats
- Undertake regular security inspections
- Properly use security equipment and systems

The stated objectives are unlikely to be achieved in less than 9 hours.

The training should be structured around the modules listed below, although centres should devise their own training schedules and detailed lesson plans to ensure effective and logical delivery of the subject matter and achieve the objectives of the training.

It is important that the treatment of the subject matter is appropriate to the role of the personnel with designated security duties. The content of Modules 1 and 2 may therefore be treated as general background, familiarisation and awareness of the international maritime security framework and its application aboard ship. Modules 3, 4 and 5 should deal more directly with the roles and responsibilities of those with designated security duties, bearing in mind that they will be carrying out these duties under supervision.

Where possible and appropriate, an inter-active element should be introduced into the learning process to enable those undergoing training to put into practice techniques and procedures for maintaining the security of the vessel through role-play, simulation and scenario-based training. Together with oral questioning, this will also provide evidence that can be used for the purposes of assessing achievement of the outcomes of the training.

6.17 Procedures for Gaining Maritime and Coastguard Agency (MCA) Approval for Training in Accordance With the STCW Convention and ISPS Code

Conditions for approval

Training centres should note the criteria for approval is based on that developed by the MNTB in conjunction with the MCA. The approach adopted has been to focus on achievement of the outcomes of training and to give the training centres as much flexibility as possible to design their own courses, based on a common framework.

The criteria for approval are contained within this notice.

Application for approval

Applications for approval of Proficiency in security awareness and/or designated security duty training programmes should be directed in the first instance to the MCA Marine Office nearest to the training centre seeking approval (see the MCA website: www.mcga.gov.uk). Training centres must obtain MCA approval for each specific training programme that they plan to offer.

The approval process

Once a centre has submitted an application, unless they already hold MCA approval for the delivery of the STCW Ships Security Officer course, the approval process will involve:

- a paper exercise, to ensure that the course documentation meets the criteria, and that trainers and examiners have the relevant qualifications and experience;

- a visit (or visits) to training premises by a marine office surveyor to ensure that facilities and equipment are available, and that the administrative arrangements are satisfactory to enable MCA to monitor performance.

- the surveyor will need to be shown that there is an effective quality assurance scheme in place in particular the internal monitoring of the course itself to ensure effective delivery of the programme and the issue and storage of the certificates (records need to be kept for 55 years or the certificate holders 70 birthday)

- a surveyor may "sit in" on part of a course to ensure that written undertakings are complied with, that course notes are followed, and that organisation is satisfactory

- spot checks for monitoring purposes may be made at the training providers' premises, to

ensure continuing compliance. The training records should demonstrate that all conditions are being enforced.

- re-approval, a shortened version of the approval process, will be carried out at periods of not more than 5 years.

The course documentation referred to above should indicate how all of the criteria for approval are being met. Attention is drawn to the following additional guidance:

Course intake limitations: Course documentation should include the maximum number of candidates to be enrolled on each course. For monitoring purposes the number of candidates on each course must be maintained for subsequent validation as part of the centre's training records;

Staff requirements: Initial approval will require sight of proof of the professional qualifications listed for each trainer and assessor;

Facilities and equipment: The training facilities should be large enough for the number of candidates to be trained, where appropriate allowing for demonstrations and practical exercises included in the guidelines. Premises or training rooms should be well lit, ventilated and have adequate heating. There must be access to nearby toilets and hot and cold water;

Peripatetic delivery: It is considered that both these training programmes are suitable to be delivered on peripatetic basis. Training centres wishing to deliver these programmes on this basis should have written into these QA procedures methods of assessing the suitability of each proposed venue and the retention (5 years) of such appraisal for MCA review.

7. Websites consulted

www.imo.org

www.wikipedia.com

www.cityu.gr

www.shipsbusiness.com

www.itfseafarers.com

www.gard.no