

# FLOATING ARMOURIES IMPLICATIONS AND RISKS



**REMOTE CONTROL**

Examining changes in military engagement



**Omega**

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Cover image: An offshore tug, the type of ship used as a floating armoury. Creative Commons, Source: Luc Van Braekel on flickr

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## Executive Summary

The threat to commercial vessels from maritime piracy has been well documented. As of December 2014, the International Chamber of Commerce: International Maritime Bureau (IMB) stated that 231 “instances” of piracy and armed robbery had been reported to the Piracy Reporting Centre run by the IMB during 2014.<sup>1</sup> (“Instances” include: attempted attack, vessels boarded, vessels fired upon, vessels being hijacked and suspicious approaches to commercial vessels.)<sup>2</sup>

Due to the limited naval security offered to commercial shipping, Private Maritime Security Companies (PMSCs) have stepped in to offer armed protection to individual ships or small convoys.

The weapons that they use were initially stored in state-run, land-based armouries. However due, in part, to security concerns there has been a trend to store weapons in armouries based in international waters.

These ‘floating armouries’ present a new challenge to regulators and policy makers as there is a lack of laws and regulations on both national and international levels governing their operation.

There is no centrally managed, publically available register of floating armouries, making it difficult to ascertain the exact number of armouries in operation, and evaluate the challenge they pose.

Currently the vessels used as floating armouries are registered to a variety of ‘flag

states’, whilst the company operating the vessel may be registered to a different country. Operating companies may also join organisations such as the Security Association for the Maritime Industry (SAMI) and can become certified members through a security and compliance programme. In addition they can implement the applicable (voluntary) ISO standards. However these standards relate to private military security companies rather than specifically to floating armouries.

The UN Monitoring Group on Somalia and Eritrea has raised concerns that the lack of monitoring and regulation creates the opportunity for unscrupulous actors to exploit the situation and that floating armouries, and PMSCs, could represent a threat to regional peace and stability rather than the solution.<sup>3</sup>

Currently there is nothing to prevent any vessel being turned into an armoury and moored in international waters. None of the vessels currently used as floating armouries have been purpose-built as an armoury, instead, they are adapted craft. As a result, vessels may not have safe and secure storage for arms and ammunition.

This is of particular concern if the flag state has limited (or no) controls over the storage and transfer of military equipment, and the company’s home state has no extraterritorial brokering controls on the weapons. Even if the home state does have extraterritorial controls it may have no knowledge that

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<sup>1</sup> See: International Chamber of Commerce, Commercial Crime Services. <https://icc-cs.org/piracy-reporting-centre/piracynewsfigures> (accessed: 06/12/2014)  
<sup>2</sup> Ibid.

<sup>3</sup> UN Monitoring Group on Somalia and Eritrea, *Report of the Monitoring Group on Somalia and Eritrea pursuant to Security Council resolution 2002 (2011)* 13 July 2012, S/2012/544, p.281 (accessed: 30/09/2014). (hereinafter U.N. Doc. S/2012/544)

companies registered under its jurisdiction are operating floating armouries.

At present, there is no international body that regulates or evaluates the security of floating armouries. Potential bodies, such as the International Maritime Organisation (IMO), could implement regulations and standards such as the International Small Arms Control Standards, which provide guidelines on stockpile management of weapons that may be applicable to floating armouries.

There is also a lack of regulation on the storage capacity of floating armouries and no published limits on the quantity of arms and ammunition that can be stored on board.

Therefore, Omega calls on individual governments and relevant multi-lateral bodies take the following actions to address some immediate issues. We recommend:

1. An international in-depth study should be undertaken into the number of floating armouries currently operating world-wide.
2. That a central registry is established listing the names and registration numbers (IMO number) of all floating armouries as well as other pertinent information such as flag state, owner/manager and insurer.
3. That any international register of floating armouries contains information on the quantity of arms and ammunition permitted to be stored on board each named vessel.
4. That insurance companies require owners of floating armouries to ensure that the operators of the armouries, and the PMSCs that use them, have the correct documentation to store arms and ammunition on board.

Insurers should undertake regular, unannounced compliance checks.

5. That the IMO or another international body be mandated to review existing control regimes that may be applicable to the regulation of floating armouries and then regulate, monitor and inspect the armouries.
6. That strict regulations relating to record keeping are developed and enforced and any transgression of the regulations are investigated and perpetrators prosecuted.
7. That as an interim measure all operators of floating armouries must be in receipt of ISO 28000 and ISO/PAS 28007 certification.
8. That governments who have given permission for PMSCs to use floating armouries immediately revoke permission for the PMSCs to store weapons on armouries flagged to either Paris MOU or Tokyo MOU 'black listed' countries.
9. That governments who have given permission for PMSCs to use floating armouries release information on the armouries used, the companies that use them and the names of the companies that operate them.
10. That floating armouries are flagged to their operating company's country of registration and never under a flag of convenience.
11. That standards governing floating armouries are introduced by flag states.
12. That countries develop a certification process to show that PMSCs have the necessary documentation to use arms and ammunition.
13. That procedures should be introduced to ensure that in the case of a PMSC or armoury operator going into

administration that any weapons and ammunition are securely stored and subsequently destroyed.

## Introduction

The seas around Sri Lanka, Somalia, Oman and Djibouti contain one of the busiest shipping corridors in the world with vessels travelling from Asia across the Arabian Sea, into the Gulf of Aden and through the Suez Canal towards Europe and America. From 2005 onwards the security of those seas, particularly along the coast of Somalia into the Gulf of Aden has deteriorated<sup>4</sup> with pirates boarding ships, seizing goods and kidnapping crew.

Various countries and multilateral bodies, including Russia, China, NATO and the European Union<sup>5</sup> have deployed naval forces to carry out patrols of the piracy affected zone (high risk zone, HRA) and to protect some vulnerable shipping such as aid deliveries to Somalia.<sup>6</sup> However, commercial shipping operators have increasingly been using private companies – often known as Private Maritime Security Companies (PMSCs) - to protect individual ships or small convoys. These PMSCs provide a variety of services including an armed escort, either in the form of armed guards on the ships themselves or in escort vessels.

The use of armed guards has raised concerns regarding the regulation of the companies themselves and the transfer and security of the weapons and ammunition they possess and use.<sup>7</sup> These PMSCs were initially able to store weapons, ammunition and related equipment such as body armour and night vision goggles, in state controlled armouries in countries along the shipping route. Whilst weapons are still stored in these armouries there has been a move towards storing weapons on commercially owned vessels, often anchored in international waters.

This move has partly been driven by a tightening of state regulation in countries along the HRA over the transfer and movement of weapons by PMSCs. Concerns were also raised about the quantities of weapons being stored in land based armouries. It was the Government of Sri Lanka's concerns around the quantity of weapons being held that prompted the closure of land based armouries being operated in Sri Lanka and the subsequent establishment of a number of floating armouries, run as a government-commercial operation in the Indian Ocean.<sup>8</sup>

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<sup>4</sup> See: International Maritime Security Organization, 'Piracy and armed robbery against ships', <http://www.imo.org/OurWork/Security/PiracyArmedRobbery/Pages/Default.aspx> (accessed: 29/09/2014).

<sup>5</sup> The European Union has deployed naval forces to counter the threat of piracy off of the coast of Somalia. See EU NAVFOR, Operation Atalanta, [www.eunavfor.eu](http://www.eunavfor.eu) (accessed: 18/10/2014).

<sup>6</sup> See: EU NAVFOR, 'Countering Piracy off the Coast of Somalia', <http://eunavfor.eu/> (accessed: 29/09/2014).

<sup>7</sup> See: Security Association for the Maritime Industry, 'The Rise of Private Maritime Security Companies', <http://www.seasecurity.org/mediacentre/the-rise-of-private-maritime-security-companies/> (accessed: 29/09/2014); The Economist, 'Laws and Guns: Armed Guards on ships deter Pirates, But

who says they are legal?', 14/04/2012, <http://www.economist.com/node/21552553> (accessed: 29/09/2014), and Strat Post, 'Floating Armouries, pvt armed guards worry navies', 6/12/2013, <http://www.stratpost.com/floating-armories-pvt-armed-guards-worry-navy> (accessed: 29/09/2014).

<sup>8</sup> See: Seacurus Insurance Bulletin, 'Tackling the Floating Armouries Issue', Issue 19, October 2012, [http://www.seacurus.com/newsletter/Seacurus\\_Issue\\_19.pdf](http://www.seacurus.com/newsletter/Seacurus_Issue_19.pdf) (accessed: 29/09/2014).

See also: Committees on Arms Export Controls - First Report - Volume II - Memorandum Scrutiny of arms Exports and Arms Control, 14/07/2014, Para. 370. <http://www.publications.parliament.uk/pa/cm201415/cmselect/cmquad/186/186ii12.htm> (accessed: 13/10/2014).

The decision by governments in the HRA to remove potentially insecure or destabilising stockpiles of weapons from their territory, alongside contractors wanting ready access to arms and ammunition and the limited capabilities of states to provide armed security for individual vessels, have combined to make 'floating armouries' a viable solution for PMSCs to access a ready supply of weapons and equipment. The armouries can also provide other logistics support such as medical facilities and short term accommodation. However, concerns have been raised, by both individual states and bodies such as the United Nations (UN), over the use of these armouries and the lack of regulation governing the storage of weapons, record keeping and the number of weapons that can be kept on board.<sup>9</sup>

Although the number of piracy attacks has decreased the number of floating armouries and the number of PMSCs working in the area remains high. At present the only way in which the number of armouries and companies operating in the HRA will be decreased is through pressure from market forces. I.e. the number of commercial contracts offered by private vessel owners to provide security during transits decreases.

The use of floating armouries and the growth of PMSCs raises important questions regarding the regulation of emerging security actors, in particular the oversight mechanisms in place to monitor and regulate these new developments.

It should also be noted that modern maritime piracy and other security threats are not confined to the Indian Ocean and Red Sea zones. Whilst instability in this region has led to the rapid growth of the PMSC market as well as the development of floating armouries, the

companies involved are also offering services in other regions, such as West Africa and South Asia where threats to commercial shipping are on the increase. The issues raised in this report are therefore applicable to other geographical areas and require a global response.

We are not suggesting that any of the floating armouries covered in this report, or any of the companies owning, operating or using the armouries, are acting illegally. However, we are concerned about the lack of national and international standards governing these armouries.

## What are Floating Armouries and where do they operate?

Floating armouries are vessels used to store weapons, ammunition, and related equipment such as body armour and night vision goggles. They also provide other logistics support including accommodation, food and medical supplies storage for PMSCs engaged in vessel protection. They are typically commercially owned vessels, often anchored in international waters.

The term "logistic support vessel" is sometimes used by the industry when referring to floating armouries. However as the primary function of these vessels is to facilitate the storage and provision of weapons we believe the term floating armouries is more appropriate.

Floating armouries are not purpose built vessels but ships that have been converted and retrofitted. The armouries include ships that were previously offshore tugs, anchor handlers, research vessels, patrol boats and a roll on-roll off ferry. For example, the MV Sea Patrol currently used as a floating armoury was originally a navy de-mining ship<sup>10</sup> and there is

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<sup>9</sup> U.N. Doc. S/2012/544, p.160 (accessed: 30/09/2014).

<sup>10</sup> Taken from: MNG Maritime, 'Logistics, Storage and Transfer Services for the Private Maritime



an advertisement for the sale of a ship that was recently used for hydrographic and survey activities but which it would be “ideal” as an armoury. <sup>11</sup> There is no requirement for floating armouries to have standardised secure storage such as strong rooms in the hull of the ship.

One company may own and/or run several floating armouries as well as other storage facilities. Fig 1 (below) gives an illustrative example of how a major commercial armoury and storage operation is undertaken. The company concerned, Avant Garde Maritime Services, runs a range of storage facilities and rents weapons, ammunition and body armour to private security contractors.

Avant Garde’s floating armouries are currently located in the Gulf of Oman off the coast of Fujairah, in the Red Sea and in Galle off of the coast of Sri Lanka. <sup>12</sup> Weapons and other equipment may be embarked or disembarked at any of the armouries. The company also has facilities for weapons storage on the routes shown on the map (below) and also offers a range of additional services including sea marshals and training on the use of weapons. Weapons and ammunition may be rented from official stocks of the Government of Sri Lanka or operators may use the facilities to store their own weapons.

**Figure 1:** Avant Garde Maritime Services, ‘Locations of Armoury and Storage Facilities.’ <http://www.avantmaritime.com/> (accessed: 30/09/2014)

Security Industry’, <http://www.mngmaritime.com/> (accessed: 30/09/2014).

<sup>11</sup> Hugheship, ‘Sale of Yachts and Commercial Vessels’,

<http://www.hugheship.com/brokerage/jha-0957> (accessed: 29/09/2014).

<sup>12</sup> Avant Garde Maritime Services, ‘Services’, <http://avantmaritime.com/services> (accessed: 30/09/2014).

## Operators

Information on which companies operate floating armouries is difficult to access and data remains incomplete. Companies operating floating armouries include:

- Avant Garde Maritime Services (PVT) Ltd who operate 3 armouries on the authorisation of the Sri Lankan Government; MV Mahanuwara off the coast of Sri Lanka<sup>13</sup>, MV Sinbad in the Gulf of Oman<sup>14</sup> (along with Sinbad Navigation)<sup>15</sup> and the MV Avant Garde in the Red Sea<sup>16</sup>.
- Sinbad Navigation also appears to run its own floating armoury, MV Antarctica Dream, in the Red Sea.<sup>17</sup>
- The Government of Djibouti has authorised Sovereign Global UK to operate 2 floating armouries; the MV Aladin in the Gulf of Oman and the MV Sultan in the Red Sea.<sup>18</sup>

- MNG Maritime operates 2 floating armouries: MV MNG Resolution and the MV Sea Patrol.<sup>19</sup>
- Drum Cussac have a UK licence to operate floating armouries, they reportedly operate an armoury on the MV Sea Lion.<sup>20</sup>
- In addition the American company AdvanFort<sup>21</sup> operates a floating armoury aboard MV Seaman Guard Ohio – which is currently impounded by the Indian authorities.<sup>22</sup>

Our analysis shows that companies running floating armouries fall into three categories (although the activities of some companies may fall into more than one category):

- a) Companies who operate armouries for storage: Companies provide the resources, ships, armoury facilities and other logistics supports. Weapons themselves are transferred by the company providing the security personnel, such weapons are stored for the period of time that the related

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<sup>13</sup> See: Avant Garde Maritime Services, 'Floating Armoury off port of Galle', <http://avantmaritime.com/sites/default/files/Details-of-Ship.pdf> (accessed: 30/09/2014)

<sup>14</sup> See: Avant Garde Maritime Services, 'Floating Armoury in Gulf of Oman', <http://avantmaritime.com/sites/default/files/FA%20at%20Gulf%20of%20Oman%20Details%20updated%20-%2005May%2714.pdf> (accessed: 30/09/2014)

<sup>15</sup> See: Sinbad Navigation, 'M/V Sinbad', <http://www.sinbadnavigation.com/flet.php?id=4> (accessed: 1/10/2014)

<sup>16</sup> See: Avant Garde Maritime Services, 'Floating Armoury at Red Sea', <http://avantmaritime.com/sites/default/files/FA%20at%20Red%20Sea%20-%20MV%20Avant%20Garde%20Details%20-%2030Apr%2714.pdf> (accessed: 30/09/2014)

<sup>17</sup> See: Sinbad Navigation, 'M/V Antarctic Dream', <http://www.sinbadnavigation.com/flet.php?id=1> (accessed: 1/10/2014)

<sup>18</sup> See: Sovereign Global, 'Red Sea – Indian Ocean Programme', <https://gb.so->

[global.com/programs/red-sea-indian-ocean-program.html](http://global.com/programs/red-sea-indian-ocean-program.html) (accessed: 1/10/2014)

<sup>19</sup> See: MNG Maritime, 'Logistics, Storage and Transfer Services for the Private Maritime Security Industry', [http://www.mngmaritime.com/?page\\_id=53](http://www.mngmaritime.com/?page_id=53), (accessed: 30/09/2014)

<sup>20</sup> Drum Cussac 'Drum Cussac approval for Floating Armouries' August 2013, <http://www.drum-cussac.com/News/drum-cussac-approval-for-floating-armouries> (accessed 10/12/2014); Intelligenceonline, 'Drum Cussac' 12/12/2012, [www.intelligenceonline.com/corporate.../drum-cussac,107936084-BRE](http://www.intelligenceonline.com/corporate.../drum-cussac,107936084-BRE) (accessed 11/12/2014)

<sup>21</sup> See: Advan Fort, <http://www.advanfort.com> (accessed: 30/09/2014)

<sup>22</sup> See: BBC Online, 'India drops arms charges against British crew of MV Seaman Guard Ohio' 11/07/2014, <http://www.bbc.co.uk/news/uk-28270337> (accessed: 30/09/2014)

personnel are using the facilities of the armoury.<sup>23</sup>

- b) Complete service providers: Companies who operate storage facilities, but also provide weapons systems for rent by security personnel undertaking operations.<sup>24</sup>
- c) Fully integrated security service provider: The company provides logistics ships, operators, weapons and ammunition directly.<sup>25</sup>

The main concentration of the armouries are in the Red Sea, Gulf of Oman and the Indian Ocean. The current security situation in the Gulf of Oman and the Indian Ocean makes this the current focal point for armouries but this may change, especially in relation to the increase in the number of attacks on shipping off the west coast of Africa and in South East Asia. Floating armouries are located at either end of the piracy affected zone, allowing operators to both pick up and drop off weapons outside the HRA and also out of territorial jurisdiction.

### How many armouries are operating?

It is difficult to ascertain the exact number of armouries operating in the region with the only

figures coming from media reports or government licensing data.

Reports from 2012 put the figure of armouries in operation at between 10 and 20.<sup>26</sup> A 2012 UN Monitoring report identified 18 vessels owned by 13 companies<sup>27</sup> acting as floating armouries (although at least one of those companies is no longer operating<sup>28</sup>). An industry newsletter in 2012 stated that there were between 10 and 12 armouries operating at any one time<sup>29</sup> and the EU Naval Force reported that there were about 20 floating armouries in the area.<sup>30</sup>

However, information released in September 2014 by the UK Government suggests that the number of floating armouries may be significantly higher. The UK Government confirmed that as of 18<sup>th</sup> September 2014 it had granted licences for 90 UK-registered

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<sup>23</sup> See: MNG Maritime, 'Logistics, Storage and Transfer Services for the Private Maritime Security Industry', [http://www.mngmaritime.com/?page\\_id=53](http://www.mngmaritime.com/?page_id=53), (accessed: 30/09/2014)

<sup>24</sup> See: Avant Garde Maritime Services, 'Locations of Armoury and Storage Facilities', <http://avantmaritime.com/services>, (accessed: 30/09/2014)

<sup>25</sup> See: AdvanFort, Press release: Counter-Piracy with New Endurance Vessels, 25/02/2011, <http://www.advanfort.com/press-release4.html> (accessed: 30/09/2014).

<sup>26</sup> See U.N. Doc. S/2012/544 (accessed 30/09/2014).

<sup>27</sup> Ibid.

<sup>28</sup> See: Gallagher, P. and Owen, J, 'Exclusive: Anti-pirate security staff all at sea after major firm

suddenly goes bust', *The Independent*, 29/06/2014, <http://www.independent.co.uk/news/world/exclusive-antipirate-security-staff-all-at-sea-after-major-firm-suddenly-goes-bust-9636217.html> (accessed: 30/09/2014).

<sup>29</sup> See: Seacurus Insurance Bulletin, 'Floating Fortresses', Issue 13, March 2012, p11, [http://www.seacurus.com/newsletter/Seacurus\\_Issue\\_13.pdf](http://www.seacurus.com/newsletter/Seacurus_Issue_13.pdf). (accessed: 13/10/2014).

<sup>30</sup> See: Rickett, O., 'Piracy fears over ships laden with weapons in international waters' *The Guardian*, 10/01/2014, <http://www.theguardian.com/world/2013/jan/10/pirate-weapons-floating-armouries>, (accessed 13/10/2014).

PMSCs<sup>31</sup> to use 31 floating armouries.<sup>32</sup> As this number only represents floating armouries licenced for use by UK PMSCs the actual number of armouries may be higher. We also have details of an additional vessel that is reportedly used as an armoury and operated by US company AdvanFort.<sup>33</sup>

Table 1 lists the vessels, country of registration (flag state) and the companies that are thought to have operated floating armouries. However the information is difficult to verify as ships can be renamed and reflagged relatively easily and publically available information may not be updated frequently enough. As the table shows some information provided by the UK Government differs from that provided by other reputable sources such as IHS Maritime. This is thought to be due to ships being reflagged or renamed after a UK PMSC has been granted a licence to use a specified armoury.<sup>34</sup>

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<sup>31</sup> Department for Business, Innovation & Skills and Export Control Organisation 'List of Companies Registered to Use the MAP OGL' at 09/06/14, 14/08/2014, <https://www.gov.uk/government/publications/open-general-trade-control-licence-maritime-anti-piracy-list-of-registered-companies> (accessed 10/12/2014) . Note: The in October 2014 the UK Government stated the number was 87 however we have used the number of licences on the original list. See: "Reports from the Business, Innovation and Skills, Defence, Foreign Affairs and International Development Committees. Session 2014-15/ Strategic Export Controls: Her Majesty's Government's Annual Report for 2012, Quarterly Reports for 2012 and 2013, and the Government's policies on arms exports and international control issues. Response of the Secretaries of State for Business, Innovation and Skills, Defence, Foreign and Commonwealth Affairs and International Development." , 15/10/14, p. 55, (herewith referred to as the UK Government's Response to the CAEC, 2014) <http://www.parliament.uk/documents/commons-committees/Arms-export-controls/2014-15-Cm8935.pdf> (accessed: 16/10/2014).

**We recommend that a central registry is established listing the names and registration numbers (IMO number) of the floating armouries as well as other pertinent information such as flag state and operator**

## Key issues relating to the deployment of floating armouries

### Regulating floating armouries

Whilst PMSCs operating or using land based armouries is not a new phenomenon, using vessels or other floating platforms to embark, store and disembark weapons and personnel is a relatively recent development. National and international bodies have struggled to keep pace and adapt to such developments and provide adequate regulatory or oversight mechanisms, or even to fully comprehend the issues that may arise from the lack of such mechanisms. Of particular concern are the lack

<sup>32</sup> Note: The PMSCs can only use the armouries specified in their licence which includes land-based as well as floating armouries. See Department for Business, Innovation & Skills and Export Control Organisation 'Open general trade control licence (maritime anti-piracy)' 14/08/2014, Ref: BIS/14/1048, [https://www.gov.uk/government/uploads/system/uploads/attachment\\_data/file/343440/14-1048-ogtcl-maritime-anti-piracy.pdf](https://www.gov.uk/government/uploads/system/uploads/attachment_data/file/343440/14-1048-ogtcl-maritime-anti-piracy.pdf) (accessed 11/12/2014) For the number of floating armouries see: UK Government's Response to the CAEC, 2014, 15/10/14, p. 55, <http://www.parliament.uk/documents/commons-committees/Arms-export-controls/2014-15-Cm8935.pdf> (accessed: 16/10/2014).

<sup>33</sup> See: Advan Fort, <http://www.advanfort.com/> (accessed: 30/09/2014)

<sup>34</sup> Correspondence between the author and the UK Export Control Organisation

of national and international standards governing who can operate floating armouries, and practical issues relating to the size of vessels and physical security requirements.

States in the areas currently affected by the issues of maritime piracy, or instability, are very wary of allowing arms and ammunition in their territorial waters. There have been cases where ships reportedly operating as floating armouries have fallen foul of such national regulations. A floating armoury was detained off of the coast of the UAE, after it had reportedly strayed in UAE territorial waters whilst refuelling,<sup>35</sup> a floating armoury run by an American company was detained by the Indian authorities after getting caught in adverse weather<sup>36</sup> and a Russian auxiliary support vessel was detained in Nigeria after it was found to be carrying weapons.<sup>37</sup>

There has also been at least one case where the company operating a floating armoury

(and that was also a PMSC) went bankrupt<sup>38</sup> leaving personnel and weapons in the HRA.<sup>39</sup> Under the terms of their UK licence they were required to ensure weapons they owned were secured then sold to another PMSC via a UK trade control licence.<sup>40</sup> In these circumstances rather than arranging the transfer of weapons, they should be secured and destroyed to reduce any risk of weapons being sold on or diverted.<sup>41</sup>

**We recommend in the case of a PMSC or armoury operator going into administration there is a mechanism in place to ensure that any weapons and ammunition are securely stored and subsequently destroyed.**

There are very few national and no international standards governing the operation of floating armouries.<sup>42</sup> Sri Lanka<sup>43</sup> and Djibouti<sup>44</sup> do licence floating armouries, however the terms of the licences are not publically available and so cannot be

<sup>35</sup> See: Maritime Security Review, 'Floating Armouries', <http://www.marsecreview.com/2012/10/floating-armoury/> (accessed: 03/10/2014) and International Maritime Organisation, *Maritime Knowledge Centre: Current Awareness Bulletin*, <http://www.imo.org/KnowledgeCentre/CurrentAwarenessBulletin/Documents/CAB%20192%20October%202012.pdf> (accessed: 30/09/2014).

<sup>36</sup> See: Fox News, 'India arrests crew of US ship on weapons charges', 18/10/2013, <http://www.foxnews.com/world/2013/10/18/india-arrests-crew-us-ship-on-weapons-charges/> (accessed: 03/10/2014) and Piracy Daily, 'Republic of Sierra Leone Ship Registry protests India's "unlawful" seizure of MV Seaman Guard Ohio', 25/10/2013, <http://www.piracydaily.com/republic-sierra-leone-ship-registry-protests-indias-unlawful-seizure-mv-seaman-guard-ohio/> (accessed: 30/09/2014).

<sup>37</sup> See: Oceanus Live.org, 'MV Myre Seadiver Russian Crew Case Update', 13/07/2013, <http://www.oceanuslive.org/main/viewnews.aspx?uid=00000754> (accessed: 30/09/2014).

<sup>38</sup> See: Gallagher, P. and Owen, J, 'Exclusive: Anti-pirate security staff all at sea after major firm

suddenly goes bust', *The Independent*, 29/06/2014, <http://www.independent.co.uk/news/world/exclusive-antipirate-security-staff-all-at-sea-after-major-firm-suddenly-goes-bust-9636217.html> (accessed 13/10/2014)

<sup>39</sup> See: Vessel for sale, Behance, 'MV Southern Star Brochure', <https://www.behance.net/gallery/18832875/MV-Southern-Star-Brochure> (accessed 13/10/2014)

<sup>40</sup> Committees on Arms Export Controls, Oral evidence session, 1 December 2014, <http://www.parliamentlive.tv/main/Player.aspx?meetingId=16660&player=windowsmedia>

<sup>41</sup> It should be noted that no concerns have been raised about any military equipment held by company employees or associated personnel.

<sup>42</sup> U.N. Doc. S/2012/544, p24.

<sup>43</sup> See: Oceanuslive.org, 'Sri Lanka Changes Procedures for Floating Armoury Off Galle', 12/09/2012, <http://www.oceanuslive.org/main/viewnews.aspx?uid=00000523> (accessed 11/12/2014).

<sup>44</sup> See: Sovereign Global, 'Red Sea – Indian Ocean Programme', <https://gb.so->

scrutinised. The UK has extended the Open General Trade Control Licence (Maritime Anti-Piracy) to allow UK companies to apply for permission to operate floating armouries.<sup>45</sup> Currently there are at least 3 UK companies licenced to operate these armouries (see earlier section on operators).<sup>46</sup>

One avenue for greater regulation of floating armouries could be applied when registering a ship. All merchant ships must be registered to a state and can only be registered to one country (the flag state) except in “exceptional cases”.<sup>47</sup> Currently some flag states have regulations governing use of PMSCs and the storage of weapons on board.<sup>48</sup> However only 3 have confirmed that they offered flag state approval for floating armouries with MNG Maritime stating that St. Kitts and Nevis is “the first major ships registry to define and apply rules for floating armouries”.<sup>49</sup> This shows that flag states can offer a mechanism to regulate floating armouries however, the flag state approval needs to include standardised regulations approved by a body such as the IMO for the safe and secure storage of weapons on board, good record keeping and a good maintenance record.

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[global.com/programs/red-sea-indian-ocean-program.html](http://global.com/programs/red-sea-indian-ocean-program.html) (accessed: 1/10/2014)

<sup>45</sup> See: McMahon, L., ‘UK gives go-ahead for floating armouries’, *Lloyd’s List*, 08/08/2013, <http://www.loydslist.com/ll/sector/regulation/article427433.ece> (accessed: 03/10/2014).

<sup>46</sup> They are Drum Cussac, MNG Maritime and Sovereign Global UK

<sup>47</sup> See: Part VIII High Seas, United Nations Convention on the Law of the Sea, 10/ 12/1982) [https://www.un.org/depts/los/convention\\_agreements/texts/unclos/part7.htm](https://www.un.org/depts/los/convention_agreements/texts/unclos/part7.htm) (accessed: 13/10/2014).

<sup>48</sup> See International Chamber of Shipping, *Comparison of Flag State Laws on Armed Guards and Arms on Board*, [\*\*We recommend that standards governing floating armouries are introduced by Flag States.\*\*](http://www.ics-shipping.org/docs/default-source/Piracy-</a></p></div><div data-bbox=)

Currently, standards and requirements vary between countries and some states hold open registries - allowing foreign companies to register their ships in a different country with a different set of regulations and requirements.

These open registries are sometimes called “flags of convenience.” Flags of convenience are used by ship owners to take advantage of different (often lower) regulatory standards in relation to issues such as tax, vessel management or staffing and have long been a cause for concern.<sup>50</sup> Of the 32 vessels listed in Table 1, 15 are registered to a flag of convenience.<sup>51</sup>

In addition to the flags of convenience there are also Port State Control inspections originally initiated under the Paris Memorandum of Understanding (Paris MOU). The Paris MOU comprises 27 maritime administrations that inspect ships for

[Docs/comparison-of-flag-state-laws-on-armed-guards-and-arms-on-board3F9814DED68F.pdf](http://Docs/comparison-of-flag-state-laws-on-armed-guards-and-arms-on-board3F9814DED68F.pdf)

<sup>49</sup> They are Djibouti, Mongolia and St Kitts and Nevis, See The Bridge, ‘Floating Armoury Approved by St. Kitts and Nevis’, Issue 5, 7/2014, <http://content.yudu.com/Library/A2xedo/theBRIDGEIssue5Summe/resources/15.htm> (accessed 11/12/2014).

<sup>50</sup> See: International transport workers federation, *Flags of Convenience: avoiding the rules by flying a convenient flag*, <http://www.itfglobal.org/en/transport-sectors/seafarers/in-focus/flags-of-convenience-campaign/> (accessed: 02/10/2010).

<sup>51</sup> They are: Comoros, Liberia, Mongolia, Panama, Sri Lanka and Vanuatu. Ibid.

**Table 1: Details of Floating Armouries**

IMO Number	Name of Vessel	Operator (where known, see p7 for references)	Flag State
?	AM230		Mongolia
?	OW267		Mongolia
4908729	MV Sea Patrol	MNG Maritime	St Kitts and Nevis
5278432	MV Antarctic Dream	Sinbad Navigation	Mongolia (IHS Maritime states a Honduras flag)
5427784	MV Defiant		Sierra Leone (Possibly flagged to Panama – <a href="http://www.grosstonnage.com">www.grosstonnage.com</a> )
6524230	M/V Aladdin (IHS Maritime spells this Aladin)	Sovereign Global UK	Djibouti
7027502	Al Nader		UAE
7115567	MV Sea Lion	Drum Cussac	Sierra Leone (IHS Maritime – Panama)
7313432	MV Deena		UAE
7319242	MV Star Global		Djibouti
7353432	MV Navis Star		Panama
7392854	M/V SUUNTA		Djibouti
(IHS Maritime 7406215)	MV SIS Service (IHS Maritime – name is now Elishka)		Liberia (IHS Maritime – Panama)
7412018	MV Mahanuwara	Avant Garde Maritime Services PVT	Sri Lanka
7624635	MV Milad		Comoros
7636339	MV SULTAN	Sovereign Global UK	Djibouti (Possibly flagged to Mongolia from August 2014 – <a href="http://www.grosstonnage.com">www.grosstonnage.com</a> )
7709253	MV Northern Queen		St Kitts and Nevis (IHS Maritime– Tuvalu)
7911777	MV SAMRIYAH		St Vincent and Grenadines (Possibly flagged to Mongolia - <a href="http://www.midgulfoffshore.com/samriyah.html">http://www.midgulfoffshore.com/samriyah.html</a> )
7932006	MV Sinbad	Avant Garde Maritime Services PVT/Sinbad Navigation	Mongolia

8003175	MV Soha Folk		UAE
8107036	MV Avant Garde	Avant Garde Maritime Services PVT	Sri Lanka
8107713	MV HADI XII* (Name changed to MV Arina Dilber)		Bahrain (IHS Maritime – Panama)
8107713	MV Arina Dilber*		Panama
8112823	Abdullah (IHS Maritime – spelling is Abdallah)		UAE
8129084	MV DYNAMIC KARIM		Djibouti (IHS Maritime –Panama)
8206105	MV Samaritan		Mongolia
8333506	MV Theresa		Mongolia
8410691 (www.vesselfinder.com)	MV Seaman Guard Ohio (Name from news report - http://www.bbc.co.uk/news/uk-28270337)	AdvanFort (news report)	Sierra Leone (news report)
8413174	MV Alphonsa* (IHS Maritime - renamed MNG Resolution)		Mongolia (IHS Maritime - St Kitts and Nevis)
8413174	MV MNG RESOLUTION*	MNG Maritime	St Kitts and Nevis
8627000	MV Southern Star		Vanuatu (Possibly flagged to Bahamas – grosstonnage.com)
8912572	Seapol One		Mongolia

Unless otherwise noted the information in this table is from UK Government’s Response to the CAEC, 2014, 15/10/14, p. 55, <http://www.parliament.uk/documents/commons-committees/Arms-export-controls/2014-15-Cm8935.pdf> (accessed: 16/10/2014). The records marked with a \* containing identical IMO numbers may refer to the same vessel that has been renamed, some vessels may also have been reflagged. However the information provided by the UK Government reflects the information under which the UK Government granted a current licence so the data and the number of armouries remains that cited in the above source with additional information added where possible.



compliance with international conventions and international law. It publishes an annual list evaluating the performance of flag states and assigning each a white, grey or black classification.<sup>52</sup> The other significant Port State Control authorities are the Tokyo MOU and the US Coast Guard Port State Information Exchange which also produce performance lists.<sup>53</sup>

A 2013 report by the Securities in Complex Environments Group (SCEG)<sup>54</sup> a special interest group of the UK industry body ADS, recommended that armouries should be registered with “appropriate” flag states, and that the use of flag states on the black list should not be approved for a floating armoury.<sup>55</sup> According to the information given by the UK Government, of the 31 vessels listed as being used as armouries for weapons licensed by the UK, 12 of them are registered to flag states on the latest versions of either the Paris MOU or Tokyo MOU Black Lists.<sup>56</sup>

**We recommend that floating armouries are flagged to an appropriate state.**

**We recommend that governments who have given permission for PMSCs to use floating armouries immediately revoke permission for the PMSCs to store weapons on armouries flagged to either Paris MOU or Tokyo MOU black listed countries.**

At the international level there are several voluntary standards developed by the International Maritime Organisation (IMO) and Security Association for the Maritime Industry (SAMI), applicable to floating armouries. The UK registered company MNG Maritime operates a floating armoury and appears to have all the necessary licenses and accreditation. Its website provides a good overview of the current standards that are available to operators of floating armouries.<sup>57</sup>

The main international standards are ISO 28000 and ISO/PAS 28007. ISO 28000 governs security in the supply chain and ISO/PAS 28007 is: “*Guidelines for Private Maritime Security Companies (PMSC) providing privately contracted armed security personnel (PCASP) on board ships (and pro forma contract).*”<sup>58</sup>

<sup>52</sup>See: Port State Control, ‘Annual Report: 2013’, 2013, [https://www.parismou.org/sites/default/files/Paris%20MoU%20Annual%20Report%202013%20revised\\_1.pdf](https://www.parismou.org/sites/default/files/Paris%20MoU%20Annual%20Report%202013%20revised_1.pdf) (accessed: 13/10/2014).

<sup>53</sup> See: Shipping Industry Flag State Performance Table 2013/2014. <http://www.ics-shipping.org/docs/flagstateperformancetable> (accessed: 15/10/2014).

<sup>54</sup> See: Securities in Complex Environments Group “Paper on the Use of Floating Armouries Supporting PMSCs Conducting Counter Piracy Operations in the HRA”. <https://www.adsgroup.org.uk/community/dms/download.asp?txtPageLinkDocPK=57478> (accessed: 13/10/2014).

<sup>55</sup> See: Ibid.(accessed: 13/10/2014)

<sup>56</sup> The black listed countries are: Comoros, Mongolia, Sierra Leone, and St. Vincent and Grenadines, See Paris MoU, ‘White – Grey – Black lists’ 1/07/2014, <https://www.parismou.org/system/files/Press%20>

[release%20performance%20lists%202014%20WGB%202011-2013\\_0.pdf](release%20performance%20lists%202014%20WGB%202011-2013_0.pdf); Tokyo MoU, ‘Annual Report on Port State Control in the Asia-Pacific Region’, 2013, <http://www.tokyo-mou.org/doc/ANN13.pdf>. . For an evaluation of the performance of flag states across the Paris MOU, Tokyo MOU and the US Coast Guard see: The International Chamber of Shipping Annual Industry Flag State Performance Table. <http://www.ics-shipping.org/docs/flagstateperformancetable> (accessed 16/10/2014).

<sup>57</sup> See: MNG Maritime, ‘ISO/PAS 28007’, 18/05/2014, <http://www.mngmaritime.com/news> (accessed: 30/09/2014).

<sup>58</sup> See: Lazarte, M., ‘Fighting piracy – ISO guidelines for armed maritime guards’, 14/03/2013, [http://www.iso.org/iso/home/news\\_index/news\\_archive/news.htm?refid=Ref1717](http://www.iso.org/iso/home/news_index/news_archive/news.htm?refid=Ref1717) (accessed 14/10/2014).

Certification of which can be used towards ISO 28000.<sup>59</sup>

Whilst the ISO/PAS 280007 standard was initially aimed at security providers for vessels, according to The Loadstar, a logistics and supply chain management website, the ISO29007 standard could provide governments with a way to regulate floating armouries.<sup>60</sup>

In the absence of clear mechanisms for establishing binding international regulation over the operation of floating armouries, voluntary standards are the only controls currently available. These may have some effect with reputable companies who wish to demonstrate that they adhere to industry best practice standards. However, given the opaque ownership structures of commercial maritime vessels and the range of PMSC companies operating - often registered in multiple jurisdictions, voluntary agreements may be ineffective and legally binding standards may be necessary.

**We recommend that as an interim measure all operators of floating armouries are in receipt of ISO 28000 and ISO/PAS 28007 certification.**

It is of concern that weapons 'rented' from a floating armoury may go to a different end user/end-use than that stipulated in any original license granted (if one was even required). However, where weapons are being transferred between different armouries and end users the potential for diversion (even

<sup>59</sup>Ibid.

<sup>60</sup> See: van Marle, G., 'New Anti-Piracy standards will boost confidence in private guards' The Loadstar, 19/06/2013, <http://theloadstar.co.uk/new-anti-piracy-standards-will-boost-confidence-in-private-guards/> (accessed: 30/09/2014).

<sup>61</sup> Numerous sources have highlighted potential issues of weapon regulation including: Rickett, O., 'Piracy fears over ships laden with weapons in international waters' *The Guardian*

accidental) is a high risk.<sup>61</sup> A 2012 UN report states that,

"...In 2011, the Sri Lankan Government reportedly lost track of hundreds of government-owned weapons that it had rented out to PMSCs. In one case, 3 Kalashnikov-pattern semi-automatic rifles, leased or sub-leased to a UK-registered PMSC...were taken on board the Finnish-flagged bulk carrier 'Alppila' at Galle (Sri Lanka) on 3 September 2011, for escort to Gibraltar. When the Sri Lankan government custodian accompanying the weapons flew back to Sri Lanka from Gibraltar on 22 October 2011, the weapons were abandoned in Gibraltar... and ostensibly 'disappeared' until the Alppila reached its next Port of Call, Police in Poland, where they were found and seized by the authorities on 8 November 2011..."<sup>62</sup>

**We recommend that strict regulations relating to record keeping are developed and enforced and any transgression of the regulations are investigated and perpetrators prosecuted.**

### **Standards relating to the construction of floating armouries**

None of the vessels currently used as floating armouries have been purpose built for that function. Existing vessels have been

10/01/2014, <http://www.theguardian.com/world/2013/jan/10/pirate-weapons-floating-armouries> (accessed 03/10/2014) and Gulfshipnews, 'Floating Armouries' Flouting Laws', <http://www.gulfshipnews.com/News/%E2%80%98Floating-armouries%E2%80%99-flouting-laws/3w3c202.html> (accessed: 03/10/2014).

<sup>62</sup> See U.N. Doc. S/2012/544, p. 159 (accessed: 13/10/2014).

adapted, which may not have acceptable storage facilities for arms and ammunition, with weapons / ammunition stored inside vessels or in containers on deck.

The SCEG report contained recommendations to ensure the safety and security of weapons. There are also relevant UN guidelines on stockpile management<sup>63</sup> as well as national guidelines such as the UK Firearms Security Handbook<sup>64</sup> that Omega believe are relevant to securing floating armouries. Omega recommends at a minimum that:

- The armoury should be contained within the structure of the ship and should have a secure entrance.<sup>65</sup>
- Arms and ammunitions should be kept in a weatherproof, ventilated and shelved environment.
- Arms and ammunition should be stored separately

Given the security implications that floating armouries pose and the need to maintain standards and consistency, a multi-lateral organization, such as the IMO, or the Paris MOU should oversee all aspects of the certification of floating armouries.

Certification of these vessels should be carried out by a reputable classification society<sup>66</sup>

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<sup>63</sup>UN Coordinating Action on Small Arms, International Small Arms Control Standard, *Stockpile management: Weapons*, 27/08/2012 Ref: ISACS 05.20:2012(E)V1.0

<sup>64</sup> Home Office, *Firearms Security Handbook* 2005, <http://www.homeoffice.gov.uk/publications/policing/operational-policing/firearms-handbook-2005/firearms-securityhandbook?view=Binary>

<sup>65</sup> See Ibid, Annex A for further details.

<sup>66</sup> A classification society (i) publishes its own classification Rules in relation to the design, construction and survey of ships, and has the capacity to (a) apply, (b) maintain and (c) update those Rules and Regulations with its own resources on a regular basis;

overseen by a multi-lateral organisation or by a panel of experts drawn from the IMO or Paris MOU member states. This would ensure that an internationally recognized standard for the construction and maintenance of such vessels could be established. The same organisation should also regulate, monitor and inspect all other aspects of the armoury including record keeping and safety and security protocols.

This is a similar a recommendation to one from the UN Monitoring Group on Somalia and Eritrea which recommended that the UN Security Council explore setting up “an international regulatory authority that regulates, monitors and inspects the activities of private maritime security companies operating floating armouries”<sup>67</sup>

**We recommend that the IMO or other international body establishes a regulatory authority to regulate, monitor and inspect floating armouries and the activities of their operators.**

### The power of the insurance companies

The role insurance companies can play in the process of regulating floating armouries should also be considered. They have the power to be

(ii) verifies compliance with these Rules during construction and periodically during a classed ship's service life;

(iii) publishes a register of classed ships; See: International Association of Classification Societies, 'Classification Societies, What, Why and How?', 2011, p.15 ,

[http://www.iacs.org.uk/document/public/explained/Class\\_WhatWhy&How.PDF](http://www.iacs.org.uk/document/public/explained/Class_WhatWhy&How.PDF) (accessed: 13/10/2014).

<sup>67</sup> See U.N. Doc. S/2012/544 (accessed: 13/10/2014).

an effective remedy in halting arms shipments of concern<sup>68</sup>, or in the case of armouries and PMSCs, in forcing compliance with standards, and therefore should have a key consultative function in the development of any international standards in this area.

The withdrawal of insurance for a suspected arms shipment has resulted in a ship returning to port. The MV ALAED was alleged to have been carrying Russian attack helicopters to Syria at the time of a European arms embargo. Although the embargo itself did not halt the transfer, when the ships' insurers discovered that the ship was possibly carrying arms in breach of the embargo, insurance cover was withdrawn and the ship was forced to return to Russia.<sup>69</sup>

In relation to the issue of floating armouries, insurance companies have raised their concerns, in particular with regard to use of unlicensed vessels as floating armouries and the use of illegally sourced weapons. If PMSCs use illegally sourced weapons they may potentially be exposed to uninsured civil and criminal liabilities. Vessel owners and insurance companies can mitigate this risk by obtaining evidence from any PMSC that they possess all the correct licences to hold their weapons and they do not use unlicensed floating armouries to store their weapons.<sup>70</sup>

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<sup>68</sup> See: Security Association for the Maritime Industry, 'Floating Armouries Could Invalidate Insurance Cover', 10/01/2013, <http://www.seasecurity.org/2013/01/use-of-outsourced-floating-armouries-off-sri-lanka-coast-could-invalidate-uk-pmsc-insurance-cover-marsh/> (accessed: 01/10/2014).

<sup>69</sup> See: BBC Online, 'Ship 'carrying helicopters to Syria' halted off Scotland heads for Russia, 19/06/2012, <http://www.bbc.co.uk/news/uk-scotland-highlands-islands-18503421> (accessed: 01/10/2014).

**We recommend insurance companies require vessel owners to request proof from PMSCs that they are not using unlicensed floating armouries to store their weapons and they hold the correct licences for any weapons they possess.**

**We recommend that any international register of floating armouries contains information detailing the insurer of the vessel.**

### **Regulating the PMSC use of Floating Armouries**

In addition to regulating the floating armoury itself, the PMSCs who use the armouries also need to be regulated. PMSCs should only be able to use floating armouries if they can demonstrate that they comply with any and all relevant laws relating to acquisitions, storage, carriage and use of small arms and light weapons (SALW) and ammunition – in all jurisdictions that they operate in.

Relevant laws may include a trade licence from the state that the PMSC is registered in to move and/or store the weapons,<sup>71</sup> as well as licence requirements from third countries in relation to extra-territorial controls applicable to company employees by their home countries. PMSCs also need to ensure that they

<sup>70</sup> See: Ship Owners, 'Piracy FAQs Updated', 13/09/2013, <http://www.shipownersclub.com/piracy-faqs-updated/> (accessed: 30/09/2014).

<sup>71</sup> For instance see: : Gov.UK, 'Open General Trade Control License (maritime anti-piracy):list of registered companies', 15/10/2013, <https://www.gov.uk/government/publications/open-general-trade-control-licence-maritime-anti-piracy-list-of-registered-companies> (accessed: 30/09/2014).

comply with requirements laid down by State jurisdictions in which they may be operating or transiting through as well as any regulation regarding use and storage of weapons on any vessel they are operating on.

Unfortunately laws and regulations often differ markedly between states. Some states have extra-territorial trade controls covering the movement of arms from one 3<sup>rd</sup> country to another. However these controls are not universal and it is not clear that moving weapons between floating armouries operating in international waters would even constitute a “transfer” under these laws (and therefore not require a license under certain states’ trade control laws) - especially if one company operates two armouries at either end of a transit route, where weapons may be deposited at the end of each transit<sup>72</sup>.

PMSCs need to have procedures in place to comply with relevant laws on acquisition, storage, carriage and use of SALW and ammunition – in all jurisdictions that they operate. For example in one month three countries: Egypt, Oman and Kenya changed their rules regarding the transport of firearms.<sup>73</sup>

The UK has also changed its licensing requirements. Initially the UK Government stated that the original anti-piracy licence did not cover the use of floating armouries:

“...The UK Government has clearly told all affected UK PMSCs that they should not use the armouries as their OGTL Maritime – Anti Piracy (Open General Trade License) and other UK licensees will not be able to legally store their weapons in this way.”<sup>74</sup>

The UK Government subsequently revised its licensing criteria so that British PMSCs could use UK flagged armouries, and this was further revised in 2013 to allow UK companies to use specified non-UK flagged vessels.<sup>75</sup>

PMSCs need to ensure they maintain all necessary licences and comply with regulations of: the country they are registered in; the country the ship they are based on is registered in; the countries they are operating in; or any country whose territorial waters they pass through.

**We recommend that the country that is licensing the arms transfer develop a certification process to ensure that PMSCs have the necessary documentation to use and carry arms and ammunition.**

### Transfers of arms and ammunition

Due to the lack of information on floating armouries and the PMSCs that use them it is very difficult to ascertain the number of arms and quantity of ammunition stored on the armouries or by the PMSCs.

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<sup>72</sup> See: Gov.UK, ‘Trade Control Licences for brokering’, 11 September 2012, <https://www.gov.uk/trade-control-licences-for-brokering> For the UK governments controls on brokering of equipment between different countries. (accessed: 30/09/2014).

<sup>73</sup> See: Maritime Security Review, ‘Floating Armouries’, <http://www.marsecreview.com/2012/03/floating-armouries/> (accessed: 13/10/2014).

<sup>74</sup> See: Seacurus Insurance Bulletin, ‘Tackling the Floating Armouries Issue’, Issue 19, October 2012, [http://www.seacurus.com/newsletter/Seacurus\\_Is\\_sue\\_19.pdf](http://www.seacurus.com/newsletter/Seacurus_Is_sue_19.pdf) (accessed: 30/09/2014).

<sup>75</sup> See: Stephen Hammond MP, *Maritime security in complex environments*, 14/05/2014, (accessed: 30/09/2014)

The UK Government has released data of export licences granted to PMSCs for anti-piracy operations. Between April 2012 and September 2013 the Government granted licenses for the export of 34,377 assault rifles, 5,100 shotguns, 28 machine guns, 2,976 pistols, 12,816 rifles, 1,401 sniper rifles, and 5,294 sporting guns.<sup>76</sup> When the UK parliamentary Committee on Arms Export Controls (CAEC), raised concerns about the quantities of arms being licensed, the government stated that of the 181,708 individual items approved for export only 3,273 (1.8%) had actually been shipped. Actual exports comprised 2,332 assault rifles; 83 combat shotguns; 6 machine guns; 63 pistols; 623 rifles; and 166 sporting guns.<sup>77</sup> The Government has promised to introduce new limits on the number of weapons that can be exported under the anti-piracy licence, however it is not known if these new arrangements are in place.<sup>78</sup>

Not all of the weapons licensed by the UK Government are stored on the floating armouries, some are kept in land-based storage facilities. However it is reported that floating armouries can store a large number of weapons and quantities of ammunition. The floating armoury operated by Avant Garde Maritime Services (PVT) Ltd off the coast of Galle has the capacity to hold, "...up to 1000 weapons and associated ammunition ... Additional vessel [sic] will be positioned for any increase..."<sup>79</sup>

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<sup>76</sup> See: Response from the Secretaries of State for Business Innovation and Skills, Defence, Foreign and Commonwealth Affairs, and International Development, to the Committee for Arms Export Controls (CAEC), Session 2014-2015, October 2014, p. 53, <http://www.parliament.uk/documents/commons-committees/Arms-export-controls/2014-15-Cm8935.pdf> (accessed: 18/10/2014).

With little information on which PMSCs use which armouries and how many weapons are available, it is almost impossible to estimate the number of weapons and quantity of ammunition in circulation with the PMSCs. This is exacerbated by lack of controls and the fluid way in which arms are moved from multiple armouries and locations. Establishing and maintaining oversight is extremely difficult.

Information should be released on the size of individual armouries and the number of arms and ammunition that can be stored on them.

**We recommend that any international register of floating armouries contains information on the number of weapons and quantity of ammunition permitted to be stored on board.**

## Conclusions and Recommendations

There is no doubt that the deployment of armed guards on board merchant vessels has led to a significant reduction in the number of ships that have been hijacked. In addition the growth in floating armouries has enabled countries to reduce the use of land-based armouries by PMSCs, and has enabled PMSCs personnel to access the required logistical support and equipment that they need to function effectively.

However, there is a worrying lack of regulation regarding the operation and use of floating armouries. There needs to be coordinated international action, something that has to

<sup>77</sup> Ibid.

<sup>78</sup> Ibid, p.54.

<sup>79</sup> See: Avant Garde 'Avant Garde Maritime Services (pvt) Ltd. Floating Armoury Off Port of Galle', <http://www.avantmaritime.com/sites/default/files/Details-of-Ship.pdf> (accessed 16/10/2014)

date been lacking, resulting in piecemeal and disjointed government responses.

The current situation where some armouries are registered in their home country, registered voluntarily with the IMO and/or SAMI and adhere to the (voluntary) ISO standards whilst others do not, is insufficient to deal with the issues raised by the proliferation of floating armouries. There is nothing to prevent any vessel being turned into an armoury in international waters, and if the flag state is a country with limited (or no) controls over the storing and transfer of military equipment then such vessels may operate with no oversight what-so-ever.

Such vessels allow companies whose operators may not be licensed to use or transfer weapons and ammunition, to act with impunity. The growth of floating armouries and lack of oversight for such vessels is a worrying development.

A further issue is the lack of transparency over the number of weapons and quantity of ammunition that may be stored or moved between them. There is an urgent need for international agreement between states on a minimum set of standards for such armouries. Flag states, where such vessels are registered, should incorporate a 'benchmark' set of requirements over storage, security and record keeping for weapons on board vessels that all operators should be required to meet.

Given the range of companies operating in the PMSC sector, the complex jurisdictional issues relating to company registration and the large quantities of small arms and light weapons licensed for use by such companies, targeting the armouries themselves, and the states under whose flag they sail seems to be the most expedient way of ensuring that some type of oversight is exercised in the short term.

The rise of such a significant number of PMSCs and the persistent threat to commercial shipping means that floating armouries are likely to continue to be a feature of the modern response to maritime security threats. Whilst such vessels may have originally been deployed to the Indian Ocean, their mobility means that they are easily re-deployable around the globe. An international response is required from the International Maritime Organisation, or another body, with the task of monitoring all floating armouries and the companies that operate and use them.

Omega therefore recommends that governments and relevant multi-lateral bodies take the following actions to address immediate issues in relation to floating armouries. We recommend:

1. An international in-depth study should be undertaken into the number of floating armouries currently operating world-wide.
2. That a central registry is established listing the names and registration numbers (IMO number) of all floating armouries as well as other pertinent information such as flag state, owner/manager and insurer.
3. That any international register of floating armouries contains information on the quantity of arms and ammunition permitted to be stored on board each named vessel.
4. That insurance companies require owners of floating armouries to ensure that the operators of the armouries, and the PMSCs that use them, have the correct documentation to store arms and ammunition on board. Insurers should undertake regular, unannounced compliance checks.
5. That the IMO or another international body be mandated to review existing

control regimes that may be applicable to the regulation of floating armouries and then regulate, monitor and inspect the armouries.

6. That strict regulations relating to record keeping are developed and enforced and any transgression of the regulations are investigated and perpetrators prosecuted.
7. That as an interim measure all operators of floating armouries must be in receipt of ISO 28000 and ISO/PAS 28007 certification.
8. That governments who have given permission for PMSCs to use floating armouries immediately revoke permission for the PMSCs to store weapons on armouries flagged to either Paris MOU or Tokyo MOU 'black listed' countries.
9. That governments who have given permission for PMSCs to use floating

armouries release information on the armouries used, the companies that use them and the names of the companies that operate them.

10. That floating armouries are flagged to their operating company's country of registration and never under a flag of convenience.
11. That standards governing floating armouries are introduced by flag states.
12. That countries develop a certification process to show that PMSCs have the necessary documentation to use arms and ammunition.
13. That procedures should be introduced to ensure that in the case of a PMSC or armoury operator going into administration that any weapons and ammunition are securely stored and subsequently destroyed.



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