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INTERNAL CIRCULAR

Subject: *Implementation of IACS Rec. 124; Role of RSO in relation to piracy*

On board ships threatened by piracy in the Indian Ocean, employment of armed guards and the installation of citadels are amongst measures to be adopted based on the results of ship security assessments.

If chosen to do so by the Company, the role of RSO for this, can only be defined within the framework of verification of Company's decisions regarding the ship security assessment.

In relation to armed guards, the auditors should verify that:

- the Company has taken steps to satisfy itself that the contractor is fit to provide the service,
- the Company has taken steps to satisfy itself that the guards employed are adequately trained, qualified and experienced,
- the Company has taken steps to ensure that the presence of armed guards and the corresponding procedures do not contravene any flag state requirements,
- the Company has established procedures for ensuring that the measures adopted do not contravene the laws of States at whose ports the ship may call or through whose territorial waters it may pass,
- adequate procedures are in place to control the storage and deployment of weapons,
- procedures governing the planning, coordination and execution of actions of the armed guards and of the crew in response to a security threat have been developed,
- those involved understand what is required of them in the different threat scenarios,
- all reasonably anticipated threat scenarios have been exercised and that any lessons learned have been applied to the response plans.

Where citadels are concerned, auditors should verify, for example, that:

- industry guidance, especially the latest version of industry best management practices, has been taken into account,
- guidance provided by the Maritime Security Centre – Horn of Africa (MSCHOA) and the NATO Shipping Centre has been taken into account,
- the Company has taken steps to ensure that any modifications to the ship or its equipment do not contravene class and statutory requirements or are the subjects of appropriate exemptions,

- adequate procedures are in place governing the activation, occupation and evacuation of the citadel,
- measures are in place to provide sufficient food and water,
- measures are in place so that adequate ventilation is provided and communications and system controls are established,
- appropriate exercises have been carried out.

The said IACS Recommendation can be found as attached.

It has been respectfully submitted for your information.



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Head of Marine Industry Division

Distrubution (for):

Action : ISPS Auditors

Information : -

Attachment : IACS Rec. 124

**No.
124**
(May
2012)

Guidance on the role of the Recognised Security Organisation in relation to the employment of armed guards and the installation of citadels on board ships threatened by piracy in the Indian Ocean

It is for the Company to decide what security measures should be adopted on board its ships based on the results of the ship security assessments. If, after assessing the risks to which a ship is exposed and after identifying its vulnerabilities, it is decided that armed guards or citadels have a part to play in the mix of deterrents and responses, then that is a matter for the Company's managers.

IMO Guidelines prohibit a Recognised Security Organisation (RSO) from approving, certifying or verifying processes and procedures that it has wholly or partially developed. A society and its auditors should not become involved in the detailed assessment of security risks or the selection of specific measures in relation to ships on which the society acts as an RSO. They should have no involvement in a Company's decisions as to whether armed guards should be employed or whether a citadel should be constructed, just as they should not be involved in other security-related decisions such as which areas must be restricted, how many CCTV cameras should be installed, where the SSAS activation points should be located or when to carry out additional deck patrols. No advice should be offered by RSOs and their auditors in relation to specific procedures and operations and no opinions should be expressed concerning the effectiveness or desirability of armed guards or whether citadels should be constructed in general.

The RSO's role is to verify that such decisions taken by the Company arise genuinely and rationally from the ship security assessment and that appropriate controls have been established and effectively implemented. For example, in relation to armed guards, auditors should verify that:

- the Company has taken steps to satisfy itself that the contractor is fit to provide the service,
- the Company has taken steps to satisfy itself that the guards employed are adequately trained, qualified and experienced,
- the Company has taken steps to ensure that the presence of armed guards and the corresponding procedures do not contravene any flag state requirements,
- the Company has established procedures for ensuring that the measures adopted do not contravene the laws of States at whose ports the ship may call or through whose territorial waters it may pass,
- adequate procedures are in place to control the storage and deployment of weapons,
- procedures governing the planning, coordination and execution of actions of the armed guards and of the crew in response to a security threat have been developed,
- those involved understand what is required of them in the different threat scenarios,

**No.
124**
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- all reasonably anticipated threat scenarios have been exercised and that any lessons learned have been applied to the response plans.

In accordance with ISM Code 1.2.3.2 and item 5.4 of PR 24, auditors should verify that Companies have taken into account the latest revision of guidance contained in the following IMO circulars:

MSC.1/Circ.1405 *"Revised Interim Guidance to Shipowners, Ship Operators, and Shipmasters on the use of Privately Contracted Armed Security Personnel on Board Ships in the High-risk Area"*.

MSC.1/Circ.1406 *"Revised Interim Recommendations for Flag States Regarding the Use of Privately Contracted Armed Security Personnel on Board Ships in the High-risk Area"*

In particular, Paragraph 5 of the Annex to MSC.1/Circ.1406 states:

"Flag States should have in place a policy on whether or not the use of PCASP (privately contracted armed security personnel) will be authorised and, if so, under which conditions".

Furthermore, paragraph 1.2 of the Annex to MSC.1/Circ.1405 states:

"Shipowners should ensure that the Flag State is consulted at an early stage in their consideration of the decision to place PCASP on board to ensure that any statutory requirements are met".

In view of these recommendations, auditors should expect the Company to have consulted the Administration on its applicable requirements and policy and to have taken the necessary steps to ensure that applicable laws and guidelines are observed.

The Company should also have taken into account the best management practices contained in MSC.1/Circ.1339 *"Best Management Practices to Deter Piracy and Armed Robbery off the Coast of Somalia"* and be aware of the contents of MSC.1/Circ.1408 which contains guidance for port and coastal states.

As with any other IMO guidance, if a Company has chosen not to follow the advice in certain respects, it must be able to show that it has good reasons for doing so and that it has implemented measures that it believes will provide an equivalent level of control.

Where citadels are concerned, auditors should verify, for example, that:

- industry guidance, especially the latest version of industry best management practices, has been taken into account,
- guidance provided by the Maritime Security Centre – Horn of Africa (MSCHOA) and the NATO Shipping Centre has been taken into account,
- the Company has taken steps to ensure that any modifications to the ship or its equipment do not contravene class and statutory requirements or are the subjects of appropriate exemptions,
- adequate procedures are in place governing the activation, occupation and evacuation of the citadel,
- measures are in place to provide sufficient food and water,

**No.
124**

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- measures are in place so that adequate ventilation is provided and communications and system controls are established,
- appropriate exercises have been carried out.

This Guidance relates to the role and responsibilities of the classification societies when acting as RSOs for flag States. However it does not prevent them from offering, in their capacity as classification societies, technical support to a Company on associated issues relating to the maintenance of the vessel's class, provided that such support does not amount to advice on which measures to adopt, involvement in the development of specific operations and procedures or the expression of opinions concerning the usefulness and effectiveness of employing armed guards or constructing citadels.

Any such services provided in addition to the delegated audit and certification activities must not give rise to conflicts with a society's role as a RSO.

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