

NORTH P&I CLUB PUBLISHES GUIDANCE ON EMPLOYING ARMED GUARDS IN WEST AFRICA

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Shipowners considering employing armed guards to protect their ships from pirate attacks in west Africa need to be extremely careful, according to new guidance published today (5 February 2013) by the 'A' rated 170 million GT North P&I Club.

According to the Club's new loss prevention briefing entitled *West African Piracy*, standard solutions and contracts for hiring armed guards on the other side of Africa, such as BIMCO's Guardcon form, may be inappropriate for the very different situation in the Gulf of Guinea, Bight of Benin and Bight of Bonny.

'BIMCO Guardcon has been drafted specifically in response to the piracy situation in the Indian Ocean and the circumstances found in west Africa are quite different,' says the Club's Risk Management Executive Colin Gillespie. A major difference is that private armed guards are prevented by law from operating inside territorial waters of coastal states in the region, and authorities are known to enforce these regulations vigorously.

'Local laws require that armed guards should be from the local security forces,' says Gillespie. 'This introduces potential safety, security and political issues with the use of such guards, particularly if a vessel needs to operate in the territorial waters of more than one coastal state in the region.'

According to North, employment of local security force armed guards customarily takes place via a local agency, but the Club is aware that some agencies have been employing off-duty armed guards at less cost. This has led to further problems, such as suspension of legitimate armed guard services by a coast state in the region.

'Operators should therefore seek to ensure that the agency they use is employing local security forces that are on duty, and as such are an informed and legitimate part of local intelligence and military networks,' says Gillespie. 'All shipowners should seek expert legal and technical advice before entering into a contract to engage armed guards to protect their vessels in west Africa'.

Recent figures released by the International Maritime Bureau indicated there were 58 incidents in the Gulf of Guinea last year, including 10 hijackings and 207 crew members taken hostage. Unlike Somali pirate attacks, many of the attacks are against stationary ships and involve sophisticated criminal gangs operating across national boundaries as well as politically motivated militias.

The new briefing includes guidance from the recently published *Interim Guidelines for Owners, Operators and Masters for Protection against Piracy in the Gulf of Guinea Region* developed by BIMCO, the International Chamber of Shipping, Intercargo and Intertanko.

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