

Arming the Vessel's Crew vs. Armed Security Professionals

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By Captain James Staples

A common question asked by the general public in the United States following the Maersk Alabama incident has been, "Do you have guns onboard the ship to protect yourselves?" This question is a good one and the reason sound; however, the reality of shipboard operations, crew nationalities and religious beliefs make it a complicated solution globally.

By looking onboard U.S. vessels, we find that crew turnover and how a crew member finds employment present some of the difficulties that go along with arming a crew. The employment of a U.S. crewmember begins at a hiring hall. The seaman puts in a shipping card once a job has been posted on the bulletin board. Who gets the job depends on a few variables. The candidate must first be qualified to take that position. He must have his STCW for the rating he intends to sail in.

He must be drug free and competent according to USCG regulations. To receive his documents, the seaman must have had a background check which is completed by the USCG when he applies for or renews his documents. A background check is done every renewal period at five year intervals. Background checks on American seaman are comprehensive and extensive.

Generally most seamen have a clean record and receive their documents with no problem at all. Nothing is perfect and this is true with the American Merchant Seaman who has been checked out by the USCG and FBI It has been found that some seaman have extensive criminal backgrounds and never should have been allowed onboard American vessels never mind foreign vessels. Yet they seem to find their way onboard and become part of the crew. This does not happen often, but it does happen.

Sometimes onboard American vessels, we have seaman who served prison sentences for criminal acts. Some seaman slip between the cracks, are overlooked or have political connections to get the endorsements and documents needed to sign aboard a merchant vessel. No system is perfect and not all seaman need to be squeaky clean.

We as Merchant Seaman understand that and respect that a man or women with a checkered past may now have found a new direction in life or heard the calling of the sea. They should be given an opportunity for a new life and career.

After the seaman has had a full background check, his documents are issued and he is clear to take a job onboard a merchant vessel. With his documents in order he can now proceed to a hiring hall and look for his next job assignment. When he finds employment the paperwork is sent to the home office and entered into the computer system prior to boarding the vessel. He shows up onboard and meets with the Master or Chief Officer, depending on who does the sign on. His information is checked and verified and he now becomes a member of the crew.

The problem with this system is that the Master must rely on the background check that was done. The Master has no idea of past history or criminal involvement this crewmember may have had. The Master knows absolutely nothing about this person who has just signed onboard his

vessel.

Depending on the crew size, the Master may only know his top four crewmembers and may have never sailed with or even know the rest of his crew when he sails the vessel from port. To pass out weapons to crewmembers who the Master knows nothing about would be unconscionable and a criminal offence in itself if the crew member had a prior felony conviction. We must enable the Master to know who has signed onboard his ship, including past criminal history.

The Master's responsibility onboard any vessel is endless and the safety of his crew always paramount. This includes keeping his crew safe from one another during the sea voyage. To have a crewmember on watch at 0200 who was convicted of rape and served time, now on watch with a young 20-year-old female crewmember could pose a potential life threatening situation for her.

The seaworthiness of the vessel may also be in jeopardy. How can the Master be expected to keep intact security when he has no idea who is working onboard the vessel? This plays into the issue of arming the crew. Under U.S. firearms regulations it is illegal; and the U.S. laws prohibit anyone from having a firearm if they have had a felony conviction.

This brings us back to the question of arming the crew, which should not even be contemplated without first giving the Master a full and complete background check on all crew members. Having that being said, what we can do is to train a few individuals who are permanent crewmembers assigned to the vessel with small arms training and arming them. This has been done before and is actually being done on some American vessels now.

Most American vessels allow for the Master to have a small caliber hand gun. This is for his personnel protection and maintaining discipline in a lifeboat if the situation ever arises. The senior personnel onboard any vessel have the primary mission of the safe navigation of that vessel and defending the vessel if anything would take away from that mission.

Unions in the United States offer their members small arms training, and those who choose to take this course must qualify every two years to be proficient in the weapons of choice and stay current. With this training in place, the senior crew, being permanent members onboard the vessel, offers the option of weapons for emergency situations to keep the vessel and crew safe. Having already sailed with weapons onboard and in the ready while transiting the Malacca straits, Gulf of Aden, we never encountered any problems with having the weapons onboard.

Vessels other than U.S. flagged ships have multiple problems with arming a crew. The diverse nationalities that make up their crew can create problems by themselves never mind adding weapons to the equation. Certain cultures and religions prevent the taking of life, even when defending themselves. This alone should prevent the arming of the crew. The language barrier onboard ships, which should have been addressed by STCW but never was, will prevent the safe training when it comes to firearms.

We must look at the same problem as we see onboard American vessels with the background checks done on seaman. To try and imagine that non-U.S. seaman go under the same tough background checks as an American seaman would be reaching and trying at best. So we must assume that with the diverse nationalities and cultures that the Master must deal with, security is no more keeping the vessel safe than it is about being compliant and a paper chase. The Master on a foreign vessel must rely on a hiring or crewing company to do proper background checks of the crew he has coming on. This presents a huge problem for the non-U.S. vessel when it comes to arming the crew, and a very good reason why the crew should not be armed.

The mission of the merchant sailor is to move goods from one port to another. It is not meant to be a role that involves defending yourself from pirates or criminals. The vessel needs to have onboard the proper equipment to help with the detection and the capability to deter the unwanted intruder from getting onboard. The crew can and should be trained in these procedures.

The vessel needs to be defended for many reasons. First and foremost is the safety of the crew then the cargo and then the vessel. How can we do this and at what point should we do this? Keeping the crew safe is our first concern, so we must take up this challenge. We have done this when it comes to a sinking vessel or a fire onboard. We have lifeboats, survival suits and firefighting equipment.

The crew has been trained and certified in emergency procedures on a regular basis and have no problems in keeping the vessel safe. Piracy is a different issue. Vessels have limited capabilities when it comes to detecting a pirate, never mind deterring or defending a pirate. This is an area that needs to be addressed and improved upon. We need to give merchant seaman the proper equipment to help combat piracy and terrorism at sea. The last thing any seaman wants is to become a hostage onboard his vessel.

Onboard the 18,000 ton cargo ship Boularibank that was attacked by pirates, Captain Stapleton not only had his crew to think about, but his wife and 11 passengers were also onboard during the attack. The crew repelled boarders by tossing timber into the approaching boats path as they tried to make their way alongside the ship. Sometimes you need to have luck on your side, and this time Capt. Stapleton had it.

The question we should ask ourselves is why should the crew have to rely on throwing timber at the pirates or use safety flares to try and defend the vessel? Real security needs to be added to the vessel security plan. Capt. Stapleton used his imagination and his seaman's wit when it came to defending his vessel. He trained his crew and carefully thought out tactics that proved to be successful. What he did was defend his crew and vessel as a Master should do. Bravo Capt. Stapleton.

A few shipping companies have opted to put armed security teams onboard to keep all assets safe until Somalia is stabilized, which could take decades. Security teams can present many obstacles for a shipping company when it comes to transporting weapons from one country into another given strict regulations. Insurance becomes another problem for the hired security team and the crew as well. The bigger problem is who are these security personnel being placed onboard the vessels?

Many overnight companies that have sprung up should cause some concern on many levels. First it is and always will be the Master's responsibility and liability if an accident or wrongful death occurs for either the crew or the so-called pirate if it can be proved he was indeed a pirate. Documentation must show without a doubt that the crew and vessel's safety were indeed in peril. We must develop a process where these security companies are qualified to have trained security personnel onboard. Training records need to be made known to the shipping company as well as background checks on each individual. Security companies should have a quality and safety program in place, carry all the required insurance and have an outstanding reputation.

Well-trained security teams onboard merchant vessel is the only real solution to keep the vessel safe when under attack by a pirate or terrorist in high risk waters. If a pirate wishes to engage in the act of piracy then he must realize and deal with the fact that he will be met with resistance and he could perish. Security teams should be trained in the escalation of force and only use deadly force when absolutely needed and under the command of the Master. This must all be set out in S.O.P. and R.O.E. The primary goal is to keep the seafarer safe and allow him to do his profession as the vessel transits the world.

When a merchant mariner signs onboard a vessel he should not have to worry about being taken hostage or be at the mercy of an owner who will negotiate the best price. Negotiations can take up to seven months, maybe longer, as the crew is made to suffer without basic human needs. This is happening now and will continue to happen as long as we continue to allow the seafarer from having the proper protection needed to keep them safe.

Pirates may escalate their weaponry, which is a viable concern as we start to place professional

security teams onboard. Violence could also escalate if the pirates see their opportunities diminish as Masters do not stop their vessel once engaged by the pirate. This chance does exist; and the pirate will most likely go to an escalation of weaponry as a ploy to intimidate the ships Master into stopping his vessel.

If armed security teams are to be placed onboard then we need to ensure that all assets are protected. The crew, cargo, vessel and security team need the direct protection from Piracy and Maritime terrorism. The corporation and management companies also need to be protected from liabilities if an unwanted death occurs for either the pirate or the crew-security team. A very few companies now operating as maritime security companies offer services to protect not only the mariner, but also the vessel and company they represent.

One such company located in Colorado Springs, Lakonian International, can offer a shipping company endless opportunities when it comes to risk mitigation, insurance, logistics and security for their vessels and facilities. The ship owner needs to find the right security company for the job, one who can provide all the elements needed to keep the vessel safe.

We are now faced with a very challenging problem with no easy solution. The shipping companies did not create this problem but they must continue to do business in this part of the world and need to find solutions to this growing problem world wide. A hard decision has to be made as to whether to put armed security onboard or not. Do we want to keep our innocent crews and vessels safe? I believe that answer is yes. The time has come to make those difficult decisions and keep our vessels safe. The majority of ship Masters and crew will favor putting armed security onboard their vessel. It is the right thing to do.

<http://www.idga.org/maritime-security/articles/arming-the-vessel-s-crew-vs-armed-security-profess/>