

MEMBER ALERT



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IMPOSITION OF CONDITIONS OF ENTRY FOR CERTAIN VESSELS ARRIVING TO THE UNITED STATES FROM NIGERIA

Members are advised that the US Coast Guard intends to impose conditions of entry on vessels arriving in US waters from the Federal Republic of Nigeria. This policy will become effective June 26, 2014. Certain ports are, however, exempted from these conditions, as set out below.

The US Coast Guard's policy arises from its finding that many ports in the Federal Republic of Nigeria do not maintain effective anti-terrorism measures in conformity with its expectations, and that Nigeria's legal regime, designated authority oversight, access control and cargo control are all deficient.

The list of ports for which this policy does NOT apply are as follows:

APP Apapa Bulk Terminal
APP AP Moller Terminal
APP Greenview Terminal
BON Bonny River Terminal
BON NLGN Bonny Terminal
BON SPDC Bonny Offshore Terminal
CBQ FSO YOHO (Exxon Mobile)
CBQ Logistics Base
CBQ McIver Wharf
CBQ Port Terminal A
CBQ QIT BOP
ESC Escra BOP
ESC LPG-FSO
FOR Forcados Offshore Terminal
ONN FLT
ONN FOT
TIN Dantata MRS Terminal
TIN FSL
TIN P&CH Terminal C
TIN PTML Terminal E
TIN Snake Island Integrated Free Zone
TIN TICT Terminal B

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With respect to vessels visiting Nigerian ports not listed above, the US Coast Guard requires that the following conditions be met:

1. To implement measures per the vessel's security plan equivalent to Security Level 2 while in a port in the Federal Republic of Nigeria. As defined in the ISPS Code and incorporated herein, "Security Level 2" refers to the "level for which appropriate additional protective security measures shall be maintained for a period of time as a result of heightened risk of a security incident."
2. To ensure that each access point to the vessel is guarded and that guards have total visibility of the exterior (both landside and waterside) of the vessel while the vessel is in ports in the Federal Republic of Nigeria.
3. Guards may be provided by the vessel's crew; however, additional crewmembers should be placed on the vessel if necessary to ensure that limits on maximum hours of work are not exceeded and/or minimum hours of rest are met, or provided by outside security forces approved by the vessel's master and Company Security Officer. As defined in the ISPS Code and incorporated herein, "Company Security Officer" refers to the "person designated by the Company for ensuring that a ship security assessment is carried out; that a ship security plan is developed, submitted for approval, and thereafter implemented and maintained and for liaison with port facility security officers and the ship security officer."
4. To attempt to execute a Declaration of Security while in a port in the Federal Republic of Nigeria;
5. To log all security actions in the vessel's security records; and
6. To report actions taken to the cognizant Coast Guard Captain of the Port (COTP) prior to arrival into U.S. waters.
7. In addition, based on the findings of the Coast Guard boarding or examination, the vessel may be required to ensure that each access point to the vessel is guarded by armed, private security guards and that they have total visibility of the exterior (both landside and waterside) of the vessel while in U.S. ports. The number and position of the guards has to be acceptable to the cognizant COTP prior to the vessel's arrival.

On March 26, 2013, Nigeria was notified of this determination and given recommendations for improving anti-terrorism measures, with 90 days to respond. To date, it cannot be confirmed that Nigeria has corrected the identified deficiencies.

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Accordingly, beginning June 26, 2014, the conditions of entry shown above will apply to any vessel that visited a non-expected Nigerian port in its last five port calls.

The following countries currently do not maintain effective anti-terrorism measures and are therefore subject to conditions of entry: Cambodia, Cameroon, Comoros, Cote d'Ivoire, Cuba, Equatorial Guinea, Guinea-Bissau, Iran, Liberia, Madagascar, Nigeria, Sao Tome and Principe, Syria, Timor-Leste, Venezuela, and Yemen. This list is also available in a policy notice available at <http://homeport.uscg.mil> under the Maritime Security tab; International Port Security Program (ISPS Code); Port Security Advisory Link.

For further information regarding this policy, Members are invited to contact the Managers or alternatively call Michael Brown, International Port Security Evaluation Division, United States Coast Guard, at +1 202-372-1081.