

# MEMBER ALERT



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## **ANTI-TERRORISM MEASURES IN FOREIGN PORTS**

The Maritime Transportation Security Act of 2002 (MTSA) mandates that the United States Coast Guard (USCG) evaluate the effectiveness of anti-terrorism measures in foreign ports. It further provides for the imposition of conditions of entry on vessels arriving to the United States from countries that do not maintain effective anti-terrorism measures (MTSA, 46 USC § 70108).

Cambodia is the most recent country judged by the USCG as failing to maintain effective anti-terrorism measures in its ports. Actions set out in sections 2 and 3 of this advisory take effect for vessels arriving in the United States on or after November 7, 2008, after visiting ports in Cambodia as one of such vessels' last five (5) ports of call (with some exceptions).

### **1. Countries Affected**

The USCG has determined that ports in the following countries are not maintaining effective anti-terrorism measures:

- **Cambodia** (with the exception of the Phnom Penh Autonomous Port – IMO number not listed; and Sihanoukville Autonomous Port – IMO number not listed)
- **Cuba**
- **Cameroon** (with the exception of the Ebome Marine Terminal – CM394-0001; Quai GETMA (LAMNALCO Base) Facility – CMDLA-0005; and the Société Nationale de Raffinage (SONARA) Terminal – IMO number not listed)
- **Equatorial Guinea** (with the exception of the ports of Ceiba – GQ362-0001/0002; K-5 Oil Center – IMO number not listed; Luba - GQLUB-0001; Punta Europa Terminal – GQ368-0001; and Zafiro Marine Terminal – GQ370-0001)
- **Guinea-Bissau**

- **Indonesia** (with the exception of Banjarmasin Port – IDBDJ-0001/0002; Belawan International Container Terminal (BICT) – IDBLW-0001; Belawan Multi-Purpose Terminal – IDBLW-0002; British Petroleum Arco Ardjuna – IDTPP-0001; Caltex Oil Terminal Dumai – ID258-0001; Chevron Santan Marine Terminal – IDSAT-0001; Duks Pt. Semen Padang – IDPDG-0001; Jakarta International Container Terminal – IDTPP-0003; Jamrud Pelindo III Tanjung Perak (JPTP) – IDSUB-0002; Newmont Nusa Tenggara – ID259-0001; Pelindo II Conventional Terminal Jakarta – IDTPP-0005; Pertamina Unit Pengolahan II Dumai – ID295-0006; Pertamina Unit Pengolahan V; Balikpapan – ID295-0015; PT Badak Bontang Natural Gas Liquefaction – ID295-0001; PT Indomico Mandiri Bontang [Botang Coal Terminal] IDBXT-0008; PT Multimas Nabati Asaha – IDPNK-0001; PT Pelabuhan Indonesia I Cabang Dumai – IMO number not listed; PT Persero Pelabuhan Indonesia; II Cabang Padang- IDPDG-0002; Pt Pertamina Unit Pemasaran III Jakarta – IDTPP-0009; PT Pupuk Kaltim Bontang – IDBXT-0002; PT Terminal Petikemas Surabaya – ID280-0001; Semarang International Container Terminal – IDSRG-0005; Senipah Terminal Total E&P Indonesia Balikpapan – ID276-0001; Terminal Petikemas Koja (KOJA) – IDTPP-0010)
- **Iran**
- **Liberia** (with the exception of the Firestone Facility – IMO number not listed)
- **Mauritania** (with the exception of the Chinguetti Terminal - IMO number not listed)
- **Syria**

## 2. Actions Required by Vessels Visiting Countries Affected

All vessels arriving to the United States having visited the countries listed in above (with exceptions noted) during their last five (5) port calls must take actions 1 through 5 listed below while in the countries listed in section 1 as a condition of entry into U.S. ports:

1. Implement measures per the ship's security plan equivalent to Security Level 2;
2. Ensure that each access point to the ship is guarded and that the guards have total visibility of the exterior (both shoreside and waterside) of the vessel.  
Guards may be:
  - provided by the ship's crew, however, additional crewmembers should be placed on the ship 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 ship's master and Company Security Officer (CSO).
3. Attempt to execute a Declaration of Security;
4. Log all security actions in the ship's log; and



5. Report actions taken to the cognizant USCG Captain of the Port prior to arrival in the U.S.

Vessels that visited the countries listed in section 1 (with exceptions noted) during their last five port calls will be boarded or examined at sea by the Coast Guard to ensure the vessel took the required actions. Failure to properly implement the actions listed in paragraph 2.1 through 2.4 above may result in delay or denial of entry into the United States.

### **3. Actions Required by Vessels in U.S. Ports**

Based on the findings of the Coast Guard boarding or examination at sea, the vessels subject to the conditions of entry in section 1 above may be required to ensure that each access point to the ship is guarded by armed 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 location of the guards must be acceptable to the cognizant U.S. Coast Guard Captain of the Port. For those vessels that have demonstrated good security compliance and can document that they took the measures called for in sections 2.1. through 2.4. above, the armed security guard requirement will normally be waived.

### **4. Countries Subject to Additional Port State Control Targeting**

Vessels arriving from the following countries remain subject to increased port state control targeting, including at sea boardings:

- **Democratic Republic of the Congo**

While not required as a condition of entry, if a vessel takes the steps outlined in sections 2.1 through 2.5, the vessel's security posture will be considered and reflected in the scope, intensity and duration of the port State control measures. However, taking these steps does not guarantee vessels will not be subject to additional measures.