

# UK U-turn on armed guards lifts threat of prosecution

**Government position expected to clarify legality of shipowners using private security on board UK-flagged vessels**

DAVID OSLER AND CRAIG EASON

BRITAIN is set to drop its formal opposition to the use of private armed guards on board UK-flagged vessels, finally lifting the threat of prosecution for shipowners who have been operating within a legal grey area.

The news comes after Italy's defence ministry went one step further and agreed to provide armed forces on Italian ships passing through the Gulf of Aden.

UK Foreign Office minister Henry Bellingham confirmed in a speech delivered at the Chamber of Shipping in London on Wednesday that the policy switch would be formally announced shortly, in effect reversing previous government advice which "strongly discouraged" armed vessel protection detachments.

The phrase, however, was deliberately ambiguous in that operators have been free to hire guards despite that strong discouragement. Indeed, British-based security companies are clear market leaders in the field.

Earlier this year, shipping minister Mike Penning said in an interview with Lloyd's List that a change was in the offing, and Mr Bellingham has now confirmed that the FCO will imminently declare itself as neutral on the matter.

Mr Bellingham stated: "Current government policy strongly discourages the use of private armed security on ships ... You will all understand that the complex legal issues linked to use of firearms need to be considered very carefully, including the extent of any regulation necessary.

"But this work is nearly done, and a change of policy and practice will be announced soon. I want to underline that we are not doing this lightly. We are planning for the arming of ships to be a temporary measure only. It is a response to the extraordinary circumstances in which we now find ourselves."

Mr Bellingham also took the opportunity to make four other policy announcements.

First, the Seychelles has agreed to host

a new maritime intelligence and information co-ordination centre, which will be partly funded by Britain, and will have an operational input from the Serious Organised Crime Agency.

Second, there will be a further £2.25m (\$3.55m) donation towards the work of the United Nations Office on Drugs and Crime in Mauritius, the Seychelles, Tanzania and within Somalia, with the hope of tackling some of the root causes of piracy in the region. Third, the UK will provide £200,000 to the UN Development Programme to conduct a maritime security needs assessment in Puntland and Galmudug, two breakaway regions of Somalia.

Finally, £2m will be spent on community engagement and economic development in Somalia.

"This will include a much stronger push on messaging, including to highlight the fact released to camera by one ex-pirate leader that one-third of pirates never come home when they go to sea," said Mr Bellingham.

Meanwhile, the Italian shipowners' association Confitarma has welcomed renewed promises of military support, which comes after the dramatic recapture of D'Alesio supramax newbuilding *Montecristo* by British and US special forces after the vessel was hijacked by Somali pirates earlier this week.

Confitarma president Paolo d'Amico said that under an agreement with the Ministry of Finance, 10 teams of six military personnel will be available for Italian-registered vessels.

The final obstacle is to secure the diplomatic agreements with ports and states in the region for the transit of military personnel and their arms enabling them to join and leave vessels.

Italian vessels have been trying to use passive defence techniques against pirate attacks, but as these have proven to be ineffective, according to Mr d'Amico the only option is to use armed personnel, either military or private, as a defence. ■

[www.lloydslist.com/piracy](http://www.lloydslist.com/piracy)



Bellingham: "The complex legal issues linked to use of firearms need to be considered very carefully."

