



The Secretary
General

11FL-00289E/S.R.

Brussels, 7 October 2011.

Dear Director General,

At the Council Sessions in June 2011 the Observer for the International Maritime Organization (IMO) raised the issue of the increasing threat to the maritime part of the supply chain of piracy and armed robbery, particularly off the coast of Somalia.

In response to this threat, a number of States are considering the use of privately contracted armed security personnel (PCASP) on board their ships which is raising complex legal issues. The IMP Observer took the opportunity to seek the advice of WCO Members through their representatives to the IMO Facilitation Committee on the legal and procedural provisions in respect of the control of such firearms and security equipment.

The WCO participated in the IMO Facilitation Committee in September 2011 and, at that meeting, a request was again made to the Customs community to provide details of Customs-related aspects of the carriage, embarkation and disembarkation of firearms and security equipment.

In order to cooperate with the IMO, the WCO Secretariat has produced a short questionnaire which it hopes will assist the IMO in developing further guidance for its Members.

Your co-operation in assisting our important partner in supply chain security is much appreciated and I would be grateful if your Administration's reply could be sent to Mr. Simon Royals of the Compliance and Facilitation Directorate (simon.royals@wcoomd) by 12 November 2011.

Yours sincerely,

Kunio Mikuriya.

QUESTIONNAIRE ON CUSTOMS REQUIREMENTS CONCERNING THE CONTROL OF FIREARMS (INCLUDING ASSOCIATED AMMUNITION, CONSUMABLES, SPARE PARTS AND MAINTENANCE EQUIPMENT) AND AMMUNITION ON BOARD SHIPS FOR USE BY PRIVATELY CONTRACTED ARMED SECURITY PERSONNEL (PCASP)

(1) Role of the Customs administration in the control of firearms and ammunition on ships entering or leaving your Customs territory

- In what manner do you require arms and ammunition to be reported to Customs?
- When does this information have to be reported?
- Does Customs check licences/permits?
- Is Customs responsible for the secure storage of arms/ammunition on board?
- Which other agencies have responsibility?

(2) Information required regarding notification of firearms and ammunition carried on board ships intending to enter or depart your Customs territory

- For firearms, do you require the following information?

	YES	NO
- Make		
- Bore		
- Calibre		
- Serial Number		
- Licences/Permits		
- Place of Issue		
- Validity		
- Other		

(3) Any other comments

REPLIES TO THE QUESTIONNAIRE ON CUSTOMS REQUIREMENTS CONCERNING THE CONTROL OF FIREARMS AND AMMUNITION ON BOARD SHIPS FOR USE BY PRIVATELY CONTRACTED ARMED SECURITY PERSONNEL (PCASP)

Country	Question 1					Question 2								
	a)	b)	c)	d)	e)	Make	Bore	Calibre	Serial number	License/Permits	Place of issue	Validity	Other	Any other comments
Angola	Written declaration	During inspection of the ship.	Yes	Yes	The Fiscal Police	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-----	The port facility security organization requires means to monitor the port area and its closest access by land, water or air permanently. Therefore, access to port facilities should be restricted and the ships that may be or are on the premises at the time of docking should declare everything taking on board to the Customs authority.
Australia	Formal declaration to Customs	Prior to or at the time of arrival	Yes	Yes	- The Attorney-Generals Department (AGD) -The Department of Defence (DoD) -The Department of Foreign Affairs and Trade (DFAT) - State/Territory police	Yes	Yes	Yes	Yes	Yes	Yes	No	Action type of the firearms	
Bulgaria	Written declaration	24 hours before arrival	Yes	Yes	Directorate General "Border Police" to the Ministry of Interior.	Yes	No	Yes	Yes	Yes	Yes	Yes	-----	----- -----

Country	Question 1					Question 2								
	a)	b)	c)	d)	e)	Make	Bore	Calibre	Serial number	License/Permits	Place of issue	Validity	Other	Any other comments
Canada	Written declaration	Upon arrival of the ship	Yes	Yes	-Foreign Affairs and International Trade Canada (DFAIT) -Royal Canadian Mounted Police (RCMP) Canadian Firearms Program. -Public Safety Canada	Yes	Yes	Yes	Yes	Yes	Yes License	Yes License	-----	A detailed list of all firearms, weapons and ammunition must be presented upon arrival to the Canada Border Services Agency (CBSA). The list must include the make, type, action and serial numbers of all firearms, the number of rounds and caliber of all ammunition as well as the types of weapons. There are additional items that are controlled in Canada, including tasers, replica firearms and over-capacity magazines that must also be reported.
China (Hong Kong)	Declaration	At arrival or departure of the ship	Yes	No	Frontier Inspection Station (Police)	No	No	No	No	No	No	No	No	----- ----
Denmark	Declaration	Ships in Danish port	Yes	No	Ministry of Justice and the Police		Yes	Yes	-----	-----	-----	-----	Type, Factory nr.	----- ----
Estonia	Declaration to Customs	Before entering or leaving Estonian Customs territory	Yes	No	Police and Border Guard	Yes	No	Yes	Yes	Yes	Yes	Yes		----- ---
Israel	cargo manifest	24 hours prior to the arrival of the ship	No, if goods are not offloaded	No	The navy, Port Security, Israel Police, the Ministry of Interior	Yes	No	Yes	Yes	No	No	No	No	----- ----
Italy	Written declaration	----- --	Yes	No	-----	Yes	Yes	Yes	Yes	Yes	Yes	Yes	-----	----- ----

Country	Question 1					Question 2								
	a)	b)	c)	d)	e)	Make	Bore	Calibre	Serial number	License/Permits	Place of issue	Validity	Other	Any other comments
Japan	Written declaration	No later than 24 hours from the arrival.	No	Refer to other comments	Refer to other comments	Refer to other comments	Refer to other comments	Refer to other comments	Refer to other comments	Refer to other comments	Refer to other comments	Refer to other comments	-----	As ship stores, if firearms and ammunitions are not imported to Japan, they are sealed by Customs at arrival in order not to be used in Japan or on the ship after consultation with the Police as appropriate. But responsibilities for the security of their storage lies with master of a ship, and in their reporting, Japan Customs requires them to inform for a general picture.
Mauritius	Written declaration	On arrival of the vessel and at the time of Boarding	No	Yes	Police Central Armoury	Yes	Yes	Yes	Yes	No	No	No	-----	----- -----
Netherlands	Declared via the IMO FAL 3	----- --	No	No	Police (Seaharbour police or Royal Constabulary),	No	No	No	No	No	No	No	No	
Sweden	IMO FAL 3, Ships stores declaration	When Customs clear the ship.	No	No	None	No	No	No	No	No	No	No	No	----- -----