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?

<table>
<thead>
<tr>
<th>YES</th>
<th>NO</th>
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<tr>
<td>Make</td>
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<td>Calibre</td>
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<td>Licences/Permits</td>
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<td>Other</td>
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(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)

<table>
<thead>
<tr>
<th>Country</th>
<th>Question 1</th>
<th>Question 2</th>
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</thead>
<tbody>
<tr>
<td>Angola</td>
<td>Written declaration During inspection of the ship.</td>
<td>Yes Yes The Fiscal Police 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.</td>
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<td>Australia</td>
<td>Formal declaration to Customs Prior to or at the time of arrival</td>
<td>Yes Yes - The Attorney-General's Department (AGD) - The Department of Defence (DoD) - The Department of Foreign Affairs and Trade (DFAT) - State/Territory police Yes Yes Yes Yes Yes No Action type of the firearms</td>
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<tr>
<td>Bulgaria</td>
<td>Written declaration 24 hours before arrival</td>
<td>Yes Yes Directorate General “Border Police” to the Ministry of Interior. Yes No Yes Yes Yes Yes -----</td>
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<td>a)</td>
<td>b)</td>
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<th>Country</th>
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<th>Question 2</th>
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<tbody>
<tr>
<td></td>
<td>a) Make, Bore, Calibre, Serial number, License/Permits, Place of issue, Validity, Other, Any other comments</td>
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<td>Canada</td>
<td>Written declaration, Upon arrival of the ship, -Foreign Affairs and International Trade Canada (DFAIT), -Royal Canadian Mounted Police (RCMP), Canadian Firearms Program, -Public Safety Canada, Yes, Yes, Yes, Yes, Yes, Yes, Yes, License, License, ------</td>
<td>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.</td>
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<td>China (Hong Kong)</td>
<td>Declaration, At arrival or departure of the ship, Yes, No, Frontier Inspection Station (Police), No, No, No, No, No, No, No, No, No, No, No, No</td>
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<tr>
<td>Denmark</td>
<td>Declaration, Ships in Danish port, Yes, No, Ministry of Justice and the Police, Yes, Yes, ----, ----, ----, ----, Type, Factory nr., ----, ----</td>
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<td>Estonia</td>
<td>Declaration to Customs, Before entering or leaving Estonian Customs territory, Yes, No, Police and Border Guard, Yes, No, Yes, Yes, Yes, Yes, Yes, Yes</td>
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<td>Israel</td>
<td>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, No, No</td>
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<tr>
<td>Italy</td>
<td>Written declaration, ----------------, Yes, No, ----------------, Yes, Yes, Yes, Yes, Yes, Yes, Yes, Yes, Yes, ------, ------</td>
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<td>Country</td>
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<td>Japan</td>
<td>Written declaration</td>
<td>Refer to other comments</td>
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<td>No later than 24 hours from the arrival.</td>
<td>Refer to other comments</td>
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<td>Refer to other comments</td>
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<td>Mauritius</td>
<td>Written declaration</td>
<td>Police Central Amoury</td>
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<td>On arrival of the vessel and at the time of Boarding</td>
<td>Yes</td>
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<td>Netherland</td>
<td>Declared via the IMO FAL 3</td>
<td>Police (Seaharbour police or Royal Constabulary),</td>
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<td>Sweden</td>
<td>IMO FAL 3, Ships stores declaration</td>
<td>No</td>
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<td>When Customs clear the ship.</td>
<td>No</td>
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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.