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Port Security Advisory (1-09)

A. Background:

The Maritime Transportation Security Act of 2002 (MTSA) has mandated that the United States Coast Guard evaluate the effectiveness of anti-terrorism measures in foreign ports and 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).

The Coast Guard has determined that Venezuela is the most recent country not maintaining effective anti-terrorism measures in its ports. Actions required as listed in paragraphs C and D of this Port Security Advisory take effect for vessels that arrive in the United States on or after January 23, 2009, after visiting ports in Venezuela as one of their last five ports of call. These conditions of entry are necessary because the Coast Guard is unable to verify that effective anti-terrorism measures continue to remain in place in Venezuelan ports.

In addition, the Kome-Kribi 1 (CM234-0001) in Cameroon is now an excepted port facility.

B. Countries Affected:

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

Venezuela

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; the Société Nationale de Raffinage (SONARA) Terminal – IMO number not listed; and the Kome-Kribi 1- CM234-0001).

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

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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

C. Actions Required by Vessels Visiting Countries Affected:

All vessels arriving to the United States that visited the countries listed in paragraph B (with exceptions noted) during their last five port calls must take actions 1 through 5 listed below while in the countries listed in paragraph B 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 landside 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.

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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 U.S. Coast Guard Captain of the Port prior to arrival in the U.S.

Vessels that visited the countries listed in paragraph B (with exceptions noted) during their last five port calls will be boarded or examined by the Coast Guard to ensure the vessel took the required actions. Failure to properly implement the actions listed in paragraph C.1 through C.5, may result in delay or denial of entry into the United States.

D. Actions Required by Vessels in U.S. Ports:

Based on the findings of the Coast Guard boarding or examination, the vessels subject to the conditions of entry in paragraph B **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 C.1. through C.4. above, the armed security guard requirement will normally be waived.

E. 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 paragraph C 1 through 5, the vessel's security posture will be considered and reflected in the scope, intensity and duration of the Port State Control measures. Taking these steps does not guarantee vessels will not be subject to additional measures.