Egypt/Suez Canal – new instructions regarding weapons and armed security guards onboard commercial vessels

Background
During August 2011, the Egyptian Authorities announced that commercial vessels in Egyptian territorial waters were not allowed to carry any weapons or armed security guards onboard as this was stated to be contrary to international maritime law. Consequences in case weapons were found onboard vessels when staying in Egyptian territorial waters whether that be along quays in ports, while anchoring in the inner or outer waiting areas or while transiting the Suez Canal, were reported to be serious. The master of the vessel and her crew members would be liable to legal penalties in accordance with Egyptian Law such as arrest of the vessel and her master, and any person onboard carrying weapons without permission.

Gard’s understanding is that the above described prohibition notice by the Egyptian Authorities on carrying weapons through the Suez Canal was originally introduced as a precautionary measure to prevent weapons being smuggled to/from Egypt during a period with somewhat unstable conditions in the country.

It appears, however, that implementation of the said requirements have not been carried out in practice, mainly due to the difficulties associated with the implementation itself but also due to the somewhat negative effect it would have on the shipping business in the area. Gard’s correspondent in Egypt advises that, to their knowledge, no searches of any kind have been carried out onboard vessels, neither during Suez Canal transits nor during port stays.

New instructions
Reportedly, the Egyptian Authorities have now withdrawn the previously announced prohibition notice and instead all vessels carrying weapons and armed security guards onboard when entering Egyptian territorial waters are now required to present a letter certified by the vessel’s flag state detailing:

- name of ship and the shipowners;
- list of weapons and ammunitions carried onboard;
- number of armed guards onboard; and
- the identity of the employers of the armed guards onboard.

According to the authorities, the letter should also include a confirmation that the weapons and ammunition carried onboard will not be used during the vessel’s presence in the Egyptian territorial waters.

Recommendations and advice
Prior to entering Egyptian territorial waters, Members and Clients should ensure that the vessel carries the certified letter in accordance with the new instructions announced by the Egyptian Authorities.

There are currently no indications as to how Egyptian Authorities plan to implement and follow-up the new requirements for vessels transiting the Suez Canal and the consequences were weapons to be found onboard vessels not in possession of the required letter. Hence, Members and Clients should contact their local agents for the latest information on the requirements of the Authorities and make the necessary arrangements accordingly.

We would like to thank Gard’s correspondent in Egypt, El Hamamsy Marine Services, for their assistance with the above information.