



## Client Alert 23-2018

October 17, 2018

### **U.S. Coast Guard Port Security Advisory I-18** **Conditions Imposed on Vessels Arriving from Iraq**

#### **I. ALERT**

The U.S. Coast Guard (USCG) has issued a new Port Security Advisory (PSA) I-18, announcing the imposition of Conditions of Entry on certain vessels arriving from Iraq. This adds to an existing list of countries/ports that have previously been determined to have inadequate and/or ineffective anti-terrorism measures in place.

#### **II. BACKGROUND**

The USCG regularly updates their list of aforementioned countries and ports, which are summarized in Port Security Advisories (PSA) that can be viewed on their [Homeport](#) portal. Typically, each new PSA describing such Conditions of Entry supersedes the previous Advisory.

#### **III. REGULATORY OVERVIEW**

- **The latest PSA I-18 affects vessels arriving at US ports on or after October 26, 2018.** Vessels arriving before this date must comply with the same PSA, but with the exclusion of Iraq.
- The PSA includes Iraq among the countries and/or ports that have been determined to have inadequate and/or ineffective anti-terrorism measures in place.
- A full list of countries, ports and terminals can be found in Section B of the appended PSA I-18.
- Vessels that have visited any of the countries/ports/terminals listed in Section B during their last five port calls must follow the actions described in Section C. Fully compliant vessels will normally be exempted from the requirement for armed security guards described in Section D.

#### **IV. PENALTIES**

Penalties for non-compliance can range from denial of entry into US ports to arranging armed security guards for the duration of a vessel's stay in each port.

Please direct questions and/or comments to us at [ecm@ecmmaritime.com](mailto:ecm@ecmmaritime.com)



# Port Security Advisory (1-18)

## **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 U.S.C. §§ 70108 - 70110).

The Coast Guard has determined that Iraq is not maintaining effective anti-terrorism measures in all of 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 upon or after October 26, 2018, after visiting ports in Iraq as one of their last five ports of call. The following ports are maintaining effective anti-terrorism measures and are exempted from these requirements: Al-Basrah Oil Terminal, the Khor Al Amaya Oil Terminal and the Al Maqal Terminal 14.

## **B. Countries Affected:**

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

### **Cambodia**

### **Cameroon**

<b>Exceptions</b>	<b>IMO Port Number</b>
Ebome Marine Terminal	CM394-0001
Quai GETMA (LAMNALCO Base) Facility	CMDLA-0005
Société Nationale de Raffinage (SONARA) Terminal (also known as Cap Limboh Terminal)	CMLIT-0001
Kome-Kribi 1	CM234-0001
Douala International Terminal (also known as Douala Containers)	CMDLA-0002
Moudi Terminal	CMMOU-0001

### **Comoros**



### Cote d' Ivoire

Exceptions	IMO Port Number
Terminal A Conteneurs	CIABJ-0015
Carena Shipyard	CIABJ-0004

### Equatorial Guinea

Exceptions	IMO Port Number
Ceiba	GQ362-0001/0002
K-5 Oil Center	IMO number not listed
Luba	GQLUB-0001
Punta Europa Terminal	GQ368-0001
Zafiro Marine Terminal	GQ370-0001

### The Gambia

### Guinea-Bissau

### Iran

### Iraq

Exceptions	IMO Port Number
Al-Basrah Oil Terminal (ABOT)	IMO number not listed
Khor Al Amaya Oil Terminal (KAAOT)	IMO number not listed
Al Maqal Terminal 14, also known as the North America Western Asia Holdings Facility	IQBSR-0001

### Liberia

Exceptions	IMO Port Number
Port of Monrovia	LRMLW-0001

### Libya

Note: Vessels are also advised to proceed with extreme caution when approaching all Libyan oil terminals, particularly in eastern Libya, due to potential violent and criminal activity based upon recent attempts by armed, non-state actors to engage in illicit export of oil. UN Security Council Resolution 2146 authorizes the UN Sanctions Committee to impose certain measures on vessels attempting to illicitly export crude oil from Libya. This resolution imposes several restrictions regarding loading, transporting, or discharging crude oil from Libya that may include the possible denial of port entry. Further information regarding the UN Security Council Resolution can be found at:

<http://www.un.org/News/Press/docs//2014/sc11325.doc.htm>



### Madagascar

Exceptions	IMO Port Number
Toamasina (also known as Tamatave)	MGTMM-0001

### Micronesia

### Nauru

### Nigeria

Exceptions	IMO Port Number
APAPA Bulk Terminal, formerly APP Apapa Bulk Terminal	NGLOS-0010
APM Terminal, formerly APP AP Moller Terminal	NGLOS-0008
Bert Operation Platform	NGEKE-0002
Bonny River Terminal, formerly BON Bonny River Terminal	NGBON-0003
Escravos BOP	NGWAR-0027
Federal Lighter Terminal (FLT) Onne, formerly ONN FLT	NGPHC-0055
Federal Ocean Terminal (FOT) Onne, formerly ONN FOT	NGPHC-0056
Five Star Logistics Terminal, formerly TIN FSL	NGLOS-0007
FSO YOHO, formerly CBQ FSO YOHO (Exxon Mobile)	NGEKE-0001
GDNL Terminal, formerly APP Greenview Terminal	NGLOS-0014
Intels Nigeria Limited Terminal	NGCBQ-0041
LPG FSO	NGWAR-0028
MRS Oil Gas Jetty, formerly TIN DANTATA	NGLOS-0013
Nigerdock Jetty	NGLOS-0009
Port and Cargo Handling Terminal, formerly TIN PTML Terminal C	NGLOS-0021
Port and Terminal Multiservices Ltd, formerly TIN PTML Terminal E	NGLOS-0040
Shell Bonny Oil & Gas Terminal, formerly BON NLGN Bonny Terminal	NGBON-0005
Shell Export Terminal Forcados	NGWAR-0029
Shoreline Logistics Jetty, formerly CBQ Logistics Base Terminal	NGCBQ-0043
Tincan Island Container Terminal, formerly TIN TICT Terminal B	NGLOS-0018

### Sao Tome and Principe



Syria

Timor-Leste

Venezuela

Yemen

Exceptions	IMO Port Number
Balhaf LNG Terminal NOTE: The U.S. Coast Guard has separate, more stringent security protocols in place for vessels arriving to the United States from Balhaf. Vessels planning to arrive to the United States from Balhaf should contact the cognizant U.S. Coast Guard Captain of the Port well in advance.	IMO number not listed

**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.
3. Attempt to execute a Declaration of Security;
4. Log all security actions in the ship's security records; 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) on or after the effective date in paragraph A, 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 that visited the countries listed in paragraph B (with exceptions noted) on or after the effective date in paragraph A **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.

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