IN 1233 – Update on the use of armed guards in Nigerian waters

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1. Introduction

This Information Note is to make Members aware that the use of agent or private security company supplied armed guards onboard vessels in Nigerian waters may be considered by Nigerian Navy authorities to be in breach of regulations. This could result in legal action including detention of personnel found to be employed in such duties. This could cause a delay in operations and incur costs for IMCA Members.

2. BIMCO alert

BIMCO has warned its members that if they are operating within the Nigerian Exclusive Economic Zone (EEZ) and Territorial Waters (TTW) that they should be aware that they may be at "*risk of potentially significant liabilities and delays if they employ armed guards on board their vessels who are sourced from the Nigerian Marine Police, Police or the Joint Task Force (JTF)*".

They have reported that Nigerian Navy personnel have recently boarded a tanker at Lagos Roads and arrested 3 personnel who had been contracted to guard the vessel. Those arrested were an ex-pat Maritime Security Liaison Officer and 2 Nigerian Marine Police officers and it appears that the incident is the result of a jurisdictional dispute between the Nigerian Navy and the Nigerian Police and Marine Police.

In the EEZ and TTW the Nigerian Navy has primacy and it does not permit the employment of armed guards on merchant vessels. Reports suggest that this applies regardless of whether the guards are sourced by a local agent or private maritime security company and is despite apparently bona fide permits being issued by some elements of the Nigerian Navy. The JTF is responsible for policing the riverine areas and ports and harbours but only to the fairway buoy.

Currently the Nigerian Navy will not provide embarked guards for merchant vessels but does carry out armed patrols of Nigerian waters with naval vessels. Which means that under the present security condition of the area concerned, the threat to merchant vessels is high and owners, masters and crews will have to rely on these Navy patrols and their own ship protection measures to counter the threat of piracy and other criminal activities.

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