

**Statement Delivered by H.E. Paul Farquharson  
High Commissioner and Permanent Representative of The Bahamas to the  
International Maritime Organization (IMO)  
at the High Level Meeting on Piracy at the 90<sup>th</sup> Session of the Maritime Safety  
Committee, IMO Headquarters, London, Wednesday 16 May 2012**

Mr Chairman,

I would like to preface my comments by expressing our appreciation to the Secretary-General for his efforts in arranging this High-Level Segment of the 90<sup>th</sup> session of the Maritime Safety Committee. We share his belief that such a high-level discussion of the issue of the carriage and use of firearms on board merchant ships is timely and appropriate.

I think it is safe to say that no-one in this room today is blasé when it comes to the prospect, or reality, of firearms on board merchant ships. That they are carried, and in ever-increasing numbers, must be viewed as an extraordinary reaction to an extraordinary situation.

Maritime piracy has been a threat to sea-borne commerce and seafarers since the very earliest of times. It continues into the Modern Age and is likely to outlast us all. However, the piracy emanating from Somalia has a different character from the traditional model of the criminal acting outside the law of his nation.

We are all familiar with the tragic circumstances blighting the lives of the Somali people: but the resulting incapacity of Somalia to prevent and deal effectively with pirates has resulted in a home-grown piracy industry which has expanded away from the Coast of Somalia to be a threat over the whole of the west Indian Ocean. In 2005 we were shocked when a Bahamas ship was attacked 100 nautical miles off the coast – now we are not surprised when a ship is attacked at 10 times that distance.

Mr Chairman, Distinguished Delegates

We must recognise the efforts that the shipping industry has made over the past few years. The Best Management Practices are a direct result of collaboration between industry bodies to design appropriate passive self-defence measures.

We applaud the shipping companies which have assiduously implemented the Best Management Practices with the resulting decrease in successful attacks

We particularly salute the seafarers who continue to show determination and courage in carrying out their work in exceptionally threatening circumstances: it is they who bear the true cost of piracy.

We also acknowledge, with appreciation, the efforts of the international naval forces to protect shipping and apprehend pirates. But it is common knowledge that the area at risk of piracy is so enormous that there are not, and cannot be, enough military resources available to guarantee safety.

It is this consideration which has inevitably led to the increase in the carriage and use of weapons in anti-piracy tactics.

Mr Chairman, Distinguished Delegates,

This proliferation is as understandable as it is unwelcome – and, in that light, demands that States react positively and decisively.

Under Bahamas law it is the right and duty of a shipowner to take all necessary and legal measures to protect the vessel and its crew. In responding to requests from its shipowners The Bahamas took early action to apply existing provisions of its own Firearms Act to Bahamas ships.

The practical effect of this approach is that named individuals are issued with a licence for specific weapons for a specifically limited period. This renders the licence holder as individual responsible, under Bahamas law, for the safe-keeping and use of the weapon.

Mr Chairman, Distinguished Delegates,

Our licensing system has been operating without incident in the maritime context for over three years. Licences are not guaranteed and some applications have been refused.

We believe that the controls applied by The Bahamas are appropriate and proportionate to the risk associated with these extraordinary circumstances.

And let us be clear – these are extraordinary circumstances. They will pass into history. But we do not wish to see our present response result in a situation where weapons are routinely carried on merchant vessels. While the risk of piracy is still evident in other parts of the world we must, as a general rule, rely on littoral states to act effectively in the suppression of criminal activities in their waters or their regions.

We should not expect that merchant ships are *normally* required to adopt costly, or possibly hazardous, self-protection measures against piracy and armed robbery.

In that context we would voice caution against adopting any measures which might result in the institutionalization of the carriage and use of weapons on civilian ships. While The Bahamas supports the development of minimum standards for armed guards and providers we must make it clear that these cannot be a substitute for actions taken by a State in applying its own legislation on ships under its flag.

Thank you