

Proliferation Security Initiative (PSI)

PSI is an multilateral initiative launched by the United States and ten other nations in May 2003 to improve governments' capabilities to prevent and, where needed, interdict illegal trafficking of weapons of mass destruction (WMD), their delivery systems and related materials. Currently, more than 60 countries have indicated their support for PSI, including providing assistance forms to interdiction efforts.

The U.S. government describes PSI as "an activity, not an organization", having no permanent secretariat, no treaty, binding membership agreement or other organizational document. Rather, in order to ensure maximum flexibility for the preparation and execution of interdiction efforts, the PSI provides a loose framework for bilaterally agreed arrangements or 'partnerships', building on and using existing national and international legal frameworks. The so-called "Statement of Interdiction Principles" from September 2003, published by the U.S. Department of State, is a non-binding guideline that neither requests nor requires formal subscription by a state wishing to participate in PSI. Subsequently, the United States entered into PSI ship boarding agreements with Liberia and Panama, respectively, pursuant to which those nations consent to inspections, including at sea, of their registered vessels.

More information about PSI can be found on the U.S. Department of State's website at www.state.gov/t/np/c10390.htm

The World Shipping Council fully understands and acknowledges the legitimate efforts of PSI governments to address the growing challenge posed by the proliferation of WMD, their delivery systems, and related materials. The Council also recognizes that interdiction efforts might involve a maritime shipment of such cargo.

Recognizing that the potential PSI interdiction at sea of a container would likely be a rare but significant event that could potentially affect thousands of shippers' cargo, the Council is encouraging the U.S. and other PSI governments to take the following issues and concerns into consideration as they develop plans and procedures for meeting the PSI objectives:

- a. PSI governments should understand the operational realities and limitations of interdicting and inspecting a container at sea, and the very large number of shippers and their supply chains that would be affected by a significant disruption to a containership's scheduled operation.
- b. PSI governments should in all appropriate circumstances seek the cooperation of the vessel operator and relevant port facilities to assist and facilitate the most efficient, most effective, and least disruptive interdiction operation.
- c. PSI interdiction of suspected maritime containerized cargo shipments should, whenever possible, be done in port, preferably before vessel loading, and not at sea.
- d. In those instances where interdiction cannot be effected prior to vessel loading, the interdiction should, in all appropriate circumstances, be undertaken with a view to facilitate the early continuation of the vessel's itinerary, including through the arrangement of interdiction operations at ports included in the vessel's scheduled itinerary.

- e. PSI governments are encouraged to evaluate the extent to which the use, development and implementation of uniformly applicable advance cargo shipment information and analysis systems and protocols might assist in the identification of shipments of concern at the earliest opportunity, and preferably before vessel loading. An important consideration in the use of such systems would be to ensure cooperation and coordination with other maritime trade security capabilities within the relevant PSI governments. The industry strongly urges governments not to create duplicative or uncoordinated advance cargo shipment notification systems.

World Shipping Council President Chris Koch explained and expanded on these issues at a workshop, hosted by the Danish government on August 3-4, 2004 in Copenhagen, on the maritime aspects of PSI interdictions.