



Floating Armouries and International Law

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Maritime transportation plays a significant role in global trade, particularly for transporting bulk goods and raw materials. Around 80% of traded goods are carried across the oceans.¹ There are numerous maritime trade routes used by the shipping industry to transport goods from one end of the world to another. Some routes are important due to their location near strategic water bodies, ports, or natural harbours with easy access to the open ocean or seas. At the same time, there has been a growing international concern regarding the increase in different types of criminal activities,² including maritime piracy,³ that may take place in the sea and affect the security of vessels and their personnel.

In response to maritime piracy and other criminal activities at high seas, merchant ships

started hiring armed guards for protection. This led to the emergence of Private Maritime Security Companies (PMSC) for protection on board merchant vessels operating in, or navigating through crime-prone regions of seas. One of the major challenges for the armed guards on vessels in the HRA has been moving arms and ammunition between coastal states that prohibit or have restrictions on vessels with arms on board. To overcome this challenge, many PMSCs have created "Floating Armouries" (FA)⁴ for the storage of arms and also provide accommodation to guards on a need basis. There is no established standard for the storage of arms and ammunition on the floating armouries, and such facilities could be exploited by terrorists, impacting regional peace and security.



Photo 1: Operations by Floating Armies

[<https://channel16.dryadglobal.com/vessel-protection-floating-armouries-how-do-they-operate>]

The PMSC, which provides the armed guards and engages in the actual protection of ships, may be independent of the company that operates the FA. In other words, a FA is a ship that operates in international waters and provides services to personnel of PMSC. The vessels currently being used as FA are not purpose-built as an armoury; instead they are adapted crafts.⁵ As a result, these vessels may not have safe and secure storage for arms and ammunition and can lead to mid-sea accidents with dangerous consequences.⁶ FA also provide accommodation for the PMSC personnel on board their vessels for the period between their transits across the High-Risk Area (HRA).

Floating Armouries

Floating armouries are commercially owned vessels⁷ that carry weapons, ammunition, and other equipment, such as body armour, food,

and have basic medical support systems. They are often anchored in international waters and are sometimes referred to as “*logistic support vessels*.” Most are concentrated “in the Red Sea, Gulf of Oman, and the Indian Ocean.”⁸ Floating armouries are not purpose-built vessels but converted and retrofitted ships. The armouries include ships that were previously offshore tugs, anchor handlers, research vessels, or even patrol boats. For example, a naval de-mining ship may be converted into a FA. There are about two dozen FAs operating under several different Flags, including Cook Islands, Djibouti, Mongolia, Panama, Sri Lanka, Togo, UAE, and the UK.⁹ These FAs are operating in a legal grey area in which they are not subject to international or national laws and regulations.¹⁰



Photo 2: A Vessel in Indian Ocean Converted into Floating Armoury

[<https://www.lloydslist.com/LL1146018/UK-licence-suspension-of-Indian-Ocean-floating-armouries-leaves-3000-weapons-in-limbo>]

Basic Operations of Floating Armouries

- Embarkation from Port to FA: PMSC personnel normally fly from their home locations to assemble at the port of embarkation. They then embark on a support vessel (shuttle), which takes them to a FA, where they are provided with OEPs belonging to their contracting PMSC. If they are to remain on board the FA for a period of time, they are provided with accommodation while they await tasks from their PMSC.
- Embarkation from FA to Client Vessel for Operations: When the personnel have been tasked by their PMSC to join a client vessel for a voyage, the team prepares their OEP and personal kit. The PMSC team leader makes arrangements with the FA staff for a boat transfer from the FA to the client vessel. The transfer is carried out if weather conditions are safe. The PMSC personnel are then on task on board the client vessel.
- Disembarkation from a client vessel: At the end of a task on a client vessel, the PMSC personnel prepare for disembarkation. The client vessel will pass the FA at a distance of between 0.5 and 5 nautical miles at slow speed, and the transfer is carried out if weather conditions are safe. On arrival at the floating armoury, if they are staying on board, accommodation is allocated on the FA. They may either be transferred back to a home port if and when possible or remain on board the FA awaiting subsequent tasking. PMSC personnel can be accommodated on board floating armouries for varying lengths of periods between tasks. The

length of time they remain on board is principally determined by their contracting PMSC.

- Disembarkation to port: On completion of their task, the PMSC personnel may be returned to a port by support vessel (shuttle), leaving their OEP on board the floating armoury. They will then either fly back to their home locations, stay at temporary accommodation ashore awaiting re-tasking, or relocate in the theatre.

Laws Regulating Floating Armouries and Their Operations

The maritime environment is mainly regulated by the 1982 Convention on the Law of the Sea (UNCLOS). Floating armouries are not directly addressed by any international instruments. Despite a phenomenal increase in their number in the last two decades, there are no international standards for FA security or the storage of arms and ammunition. A variety of hard and soft international laws, as well as some national systems of regulation, relate to some degree to the activities of FAs. There are two distinct aspects of an FA operation to which existing laws apply: (i) the vessel and its armoury; and (ii) the services facilitated by the vessel. These are discussed in greater detail.

The Vessel

FAs are merchant vessels and need to comply with the international and national laws pertaining to their operations.¹¹ The right to exercise innocent passage through the territorial sea is governed by UNCLOS. Passage through the territorial sea, which includes anchoring that is incidental to ordinary navigation or necessitated by distress, is defined by Article 18 of the UNCLOS.

The United Nations Convention on the Law of the Sea (UNCLOS) articles 17–26 contain

guidance on innocent passage. Article 17 of UNCLOS states, *"ships of all States, whether coastal or land-locked, enjoy the right of innocent passage through the territorial sea."* There are divergent views on whether innocent passage is available to vessels with weapons on board and when those weapons are not part of the sealed cargo of the vessel. While some States permit carriage of arms, others consider an armed transit per se to be *"prejudicial to the peace, good order or security of the coastal State"* and not innocent under article 19 of UNCLOS. Without any common position on this issue, therefore, FAs could be arrested pursuant to Article 27 of UNCLOS in the midst of what they thought was an innocent passage, but which the coastal State considered to be disturbing the peace of the country or the good order of the territorial sea.

Article 18, relating to meaning of passage, clarifies: 1. Passage means navigation through the territorial sea for the purpose of: (a) traversing that sea without entering internal waters or calling at a roadstead or port facility outside internal waters; or (b) proceeding to or from internal waters or a call at such roadstead or port facility. 2. Passage shall be continuous and expeditious. However, passage includes stopping and anchoring, but only insofar as the same are incidental to ordinary navigation or are rendered necessary by force majeure or distress or for the purpose of rendering assistance to persons, ships or aircraft in danger or distress.

The meaning of "innocent passage" has been defined under Article 19 as: 1. Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State. Such passage shall take place in conformity with this Convention and with other rules of international law. 2. Passage of a foreign ship shall be considered to be prejudicial to the peace, good order or security of the coastal State if in the territorial sea it engages in any of the following activities: (a) any threat or use of force against the

sovereignty, territorial integrity or political independence of the coastal State, or in any other manner in violation of the principles of international law embodied in the Charter of the United Nations; (b) any exercise or practice with weapons of any kind; (f) the launching, landing or taking on board of any military device; (l) any other activity not having a direct bearing on passage.

A coastal state under Article 25 (1) of UNCLOS may take the necessary steps to prevent passage which is not innocent. Most likely, FAs, as merchant vessels, would be subject to such prevention, as would any other vessel. In case the coastal State determines that such passage is a "crime of a kind to disturb the peace of the country or the good order of the territorial sea" under article 27, it may also exercise criminal jurisdiction over FA.¹² Passage through the contiguous zone by FAs is also a matter of some legal disagreement among States. FAs typically seek to keep their operations outside the contiguous zone, but when transiting the contiguous zone, some States have taken the position that under article 33 of UNCLOS, there is a right to arrest a vessel to prevent the customs infringement of bringing arms illegally into the country.¹³

The port State has the right to engage, with respect to any FA, in investigations and enforcement actions under national laws adopted in accordance with UNCLOS. Any violation of enforceable international or national laws occurring in its territorial sea, any continuing violation originating on the high seas, any extraterritorial action for which there is a bilateral agreement on assistance, or any pollution violation addressed by Article 218 of UNCLOS may be handled by port State authorities.

Enforcement Jurisdiction: The exercise of law enforcement jurisdiction over a vessel would also apply to FAs. For example, in case of suspicion of illicit trafficking in narcotic

or psychotropic substances or environmental concerns relating to violations under the International Convention for the Prevention of Pollution from Ships (MARPOL), enforcement action against FA can be taken. Similarly, under its domestic law, the coastal States could exercise legal authority over a vessel consistent with UNCLOS. In such instances, national law would govern the treatment of the weapons and personnel of the PMSC. These personnel may also be prosecuted for possessing certain types of weapons without a national licence even when that individual is outside the territorial jurisdiction of the State. If that person is working on FA, the State may be able to prosecute the person even if no undesirable incident has occurred. Since FAs are required to be refuelled and resupplied, law enforcement jurisdiction in the exclusive economic zone under Article 56 of UNCLOS may also be taken.

FA as Military Target: FAs are private vessels and may become military targets in certain circumstances, even without changing their status as merchant ships under UNCLOS.

Under international humanitarian law (IHL), a commercial vessel with cargo that finances a war effort to be attacked as warships. Therefore, if an FA supports a state actor or engages in combat, it could become a legitimate military target in war.

The Armoury

In recent years, States have shown their concerns over the danger posed by small arms and light weapons through a variety of binding and non-binding laws. While the activities of FAs involve the movement of weapons internationally, their offshore operations make it more difficult to apply those laws on small arms and light weapons through the laws of flag, port and coastal States as well as the laws applicable to certain nationals. There is, therefore, no international mechanism for controlling the weapons that come on and off FAs. However, there are a few provisions that would be applicable to the arms and armoury on board FAs. There is no requirement for FSAs to have standardised secure storage such as strong rooms in the hull of the ship.¹⁴



Photo 3: Arms Store in a Floating Armoury

[<https://channel16.dryadglobal.com/vessel-protection-floating-armouries-evolution>]

The UN Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in all Its Aspects, 2001:

This is a non-binding framework for controlling global illicit trade in the weapons that have become a major source of insecurity since the end of the Cold War. Although not binding on States, the Programme of Action does include political commitments to address the stockpiling and management of weapons, international transfers of weapons and illicit trafficking, among other matters. Article 28 of the instrument calls upon States *“to encourage, where needed, regional and subregional action on illicit trade in small arms and light weapons in all its aspects in order to, as appropriate, introduce, adhere, implement or strengthen relevant laws, regulations and administrative procedures”*. Additionally, article 36 requires the traceability of weapons; and article 39 encourages a common understanding on issues relating to small arms and light weapons. Article 32 of this Programme of Action, dictates cooperation to ensure the effective implementation of arms embargoes.

The Arms Trade Treaty, 2014: The Arms Trade Treaty (ATT), has 116 States parties.¹⁵ The objectives of the ATT are to *“establish the highest possible common international standards for regulating or improving the regulation of the international trade in conventional arms; and prevent and eradicate the illicit trade in conventional arms and prevent their diversion”*. However, the application of the ATT in the maritime domain remains disputable. While the provisions relating to transfer, brokering and trans-shipment could all be interpreted as applying to the maritime space, coastal State jurisdiction and flag State jurisdiction are not the same. No consensus exists as to whether the ATT applies in the maritime context, although State practice suggests a preference for its application in the maritime context.¹⁶ The export and import provisions under Articles 7 and 8 of ATT are of uncertain applicability

regarding FAs, as there is no universal position on the matter. However, article 11 of the ATT places a burden on States to prevent the laundering and diversion of small arms and light weapons.

The Services

The activities in which FAs engage are diverse, therefore, only those issues which have legal consequences are discussed here. It is well known that FAs are “offshore” entities through which a lot of money flows, laws for anti-money laundering and combating the financing of terrorism (AML-CFT) provide important controls. The State of registration of the companies that own and/or operate FAs have the audit responsibility to ensure that FAs are neither laundering money nor financing illicit or terrorist activities. In addition, the International Code of Conduct for Private Security Service Providers (2010)¹⁷ promotes principles related to international law and human rights in the operation of private security companies. Keeping in view, the broad scope of this standard and its human rights focus, it is applicable to FAs, as well as the PMSCs that use them. The 1988 Convention for the Suppression of Unlawful acts against the Safety of Maritime Navigation and its Protocol of 2005 are relevant to FAs and their operations. Article 3 of the Convention could apply to FAs in three ways: (i) an FA could be subjected to an unlawful act, particularly in the light of its attractiveness to criminals or terrorists in need of weapons; (ii) the FA could commit an unlawful act; or (iii) the FA could facilitate its clients committing an unlawful act. The International Maritime Organisation has also issued a series of Maritime Safety Committee circulars directed at PMSCs, flag States and shipowners regarding the functioning of PMSC personnel. These circulars and recommendations guide shipowners, ship operators and shipmasters on the use of privately contracted armed security personnel on board ships in the High-Risk

Area (HRA). While these documents provide some of the best international guidance on PMSCs, they do not mention FAs.

ISO: The International Organization for Standardization (ISO), is an independent, non-governmental organization that develops and publishes international standards. These standards aim to ensure the quality, safety, efficiency, and consistency of products, services, and systems across various industries. ISO/PAS 28007, which covers maritime PMSCs' operations and guard training and qualifications on board ships, but does not cover FAs directly. To date, no FA has applied for its ISO certification. FAs may pursue ISO 9001 certification for their overall quality management systems. These standards can be relevant to aspects of their operations relating to FAs, such as storage and transfer of firearms and equipment.

If an FA supplies weapons to assist other individuals in the commission of a crime, the FA may be guilty of aiding and abetting the illicit activity. National legal regimes of accomplice liability, negligence, conspiracy and common criminal plan may be invoked against an FA if weapons originating on the FA are used in the commission of a crime. Laws and regulations relating to criminal activity, arms trading and other matters may therefore apply to certain individuals on FAs by virtue of their nationality alone. Enforcing those laws would be the exclusive responsibility of the State in question, but it is possible that one individual could be guilty of breaking his national law on board an FA even if his colleagues' identical activities are not considered to be illegal under their country's laws.

Regulation of Floating Armouries by the International Maritime Organization: The International Maritime Organization (IMO) has issued recommendations and guidance to ensure that the carriage and use of weapons and equipment by private armed guards comply with the legislation and policies of their vessel's flag state and of the countries

with jurisdiction over the territorial waters and ports that the vessel is to enter. However, there are no common standards or practices agreed upon among states regarding the regulation of FAs or international standards for FA security or storage.

Threat to India

For the last two decades, one of the biggest shipping passages in the world lies in the seas around Sri Lanka, Somalia, Oman, and Djibouti. This portion of the Indian Ocean is known as a piracy High Risk Area (HRA), and has been under threat of maritime piracy. India has a large, exposed coastline and has experienced terrorism from the sea. There are some 18 floating armouries operating on the high seas of the Indian Ocean, and these vessels possess about 7,000 weapons.¹⁸ There are possibilities that FAs could serve as staging platforms for terrorists to enter India. These unregulated FAs carrying combatants of specific countries can pose a real danger to Indian coastal regions and facilitate terrorist infiltrations, like the one witnessed during the Mumbai attack in November 2008. The continued presence of these armed PCASP can lead to the militarisation of the maritime domain, with possible adverse consequences for local communities. The killing of two Indian fishermen by Italian marines who mistook them for pirates in February 2012, and the seizure of the American floating armoury MV Seaman Guard Ohio off the coast of Tuticorin in Tamil Nadu in October 2013 are noteworthy for the brazenness of the actions and the utter disregard for international law. The possibility of these floating armouries being forcibly taken over by terrorists for carrying out attacks on Indian installations cannot be ruled out.¹⁹

Regulating Floating Armouries

Floating armouries are not custom-built ships but rather repurposed vessels that have been transformed and upgraded to provide secure and reliable storage for arms and ammunition. Currently, there are no restrictions preventing

any ship from being converted into an armoury and stationed in international waters. These floating armouries encompass a variety of vessels, including former offshore tugs, anchor handlers, research ships, patrol boats, roll-on-roll-off ferries, and even a navy de-mining vessel. The concept of FA was introduced to avoid a costly and complicated process of using few officially approved onshore armouries or buying weapons illegally in Yemen or other lawless places and dumping them at sea when going in to dock at a port, the concept of FAs was introduced. Now, PMSCs are able to drop weapons off at the FA and collect them again when heading back out to sea. The PMSCs, by using FAs, are able to avoid the bureaucracy of local ports and save on port costs as well as time.²⁰

We have also seen that there is no established standard for the storage of arms and ammunition on the floating armouries. However, a number of PMSCs which maintain FAs claim that they take precautions to handle firearms responsibly. According to Nick Davis of the Maritime Guard Group, which maintains two FAs, *“Everything has got to be secured correctly, recorded, bonded, the correct locks, and so on. It’s not just a case of finding a room, putting some weapons in it and everybody chilling out.”* Further, *“Their company does not rent space to other PMSCs to store weapons.”*²¹ However, this may not be true for every company owning FAs. Because of the increasing expense in fuel, maintenance, and provisions required to operate FAs, it has become common for PMSCs to rent FA services of larger firms.²²

The UN Monitoring Group on Somalia and Eritrea has called upon the Security Council to consider options for the establishment of an international regulatory authority to regulate, monitor and inspect the activities of PMSCs operating FAs and providing armed protection to vessels in international waters.²³ The Security Council has not followed up on this recommendation. There have been

proposals that the IMO should regulate floating armouries and ensure that all littoral states are aware of the location of FAs and the number of private armed guards and arms on board.²⁴ There is a strong possibility that FA could be exploited by terrorists and criminals, impacting regional peace and security. In order to regulate FAs, the following measures may be adopted:

- The IMO must conduct an international study into the number of FAs currently operating.
- There is a need to have a central registry listing the names and IMO registration numbers of all FAs, their flag state, owner/manager and insurer.
- Quantity of arms and ammunition permitted to be stored on board each named vessel must be maintained.
- Insurance companies must undertake regular as well as surprise checks for stocks of arms and ammunition, issue registers, and compliance documentation.²⁵
- IMO must mandate an international body to review existing control measures that can be adapted to regulate, monitor and inspect armouries.
- All FAs must ensure that they have ISO 28000 and ISO/PAS 28007 certification.²⁶
- States that have given permission for PMSCs to use FAs release information on the armouries used, the companies that use them and the names of the companies that operate them.
- States must develop a certification process to show that PMSCs have the necessary documentation to use arms and ammunition.

Conclusion

Maritime security is an indispensable requirement for merchant vessels due to the increased threats from pirates worldwide. Though the maritime industry witnessed a decline in pirate activities, in the last few years, new threats have risen in other parts of the world. This has led to an increase in the number of FAs; however, the lack of regulation regarding the operation and use of FAs is a serious lacuna. Today, different port states have different laws regulating the carriage and transport of weapons. Apparently, PMSCs developed the practice of using FAs to avoid complicated international legal systems. UNCLOS does not place restrictions on vessels carrying arms in international waters, and the Arms Trade Treaty does not apply to the international movement of arms where the arms remain under one party's ownership. The current situation, where some armouries are registered in their home country or registered voluntarily with the IMO, is insufficient to deal with the issues raised by the proliferation of FAs. There is nothing to prevent any vessel being turned into an armoury in international waters. A further issue is the lack of transparency over the number of weapons and quantity of ammunition that may be stored or moved between them. There is an urgent need for international agreement between states on a minimum set of standards for FAs.

Few Definitions

Floating Armoury (FA): A floating armoury (FA) is a vessel that has the facility to store small arms, ammunition and security-related equipment and usually operates beyond the territorial sea of any coastal States. The FA may also provide accommodation facilities for armed security personnel for periods between tasks. FAs with accommodation are commonly referred to as "Floatels". FAs are also described by some national authorities as "vessel-based armouries" (VBA), "security support vessels"

or offshore security support vessels.

Private Maritime Security Companies (PMSCs): A private organisation which provides armed/ unarmed security personnel on board ships for protection against maritime security threats. Armed guards embarked on board a commercial ship, fishing vessel, yacht or other private vessel. They are also referred to as "sea marshals" by some national authorities.

Operational Equipment Package (OEP): The OEP is the security equipment, including weapons, ammunition and security-related equipment, including a ballistic helmet, ballistic body armour, binoculars, a GPS device, a satellite telephone, a VHF radio and a trauma first aid kit, used by PCASP while embarked on commercial vessels and stored on FAs.

Private Ships (or Vessels): A ship intended by the persons in dominant control to be used for the purpose of committing one of the acts referred to in Article 101 of UNCLOS. For the purposes of this Manual, the broader term "vessel" will be used, as this term captures all types of craft navigating at sea (according to the Convention on the International Regulations for Preventing Collisions at Sea, 1972). However, each State may determine its own definition of "ship" or "vessel" and so on in its domestic legislation.

Authorised Vessels: Those official State vessels, including warships, marine police vessels and other specifically identified State vessels on non-commercial service, which are authorised to engage in maritime law enforcement operations on behalf of their State.

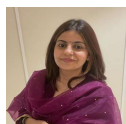
International Waters: Waters over which no State has sovereignty, although coastal States and flag States may hold certain enforcement rights depending upon the activity and location. In the context of piracy, international waters include the contiguous zone, the exclusive economic zone and the high seas.

Endnotes

- 1 At the start of 2024, the global merchant fleet comprised around 109,000 vessels (including cargo and non-cargo carrying ships) of at least 100 gross tons (GT), including 58 200 which were over 1 000 GT. Shipping data: UNCTAD releases new seaborne trade statistics, April 23, 2025, available at: <https://unctad.org/news/shipping-data-unctad-releases-new-seaborne-trade-statistics>.
- 2 Traditional piracy activities, which saw an expansion around certain coastal areas and on specific sea routes, has over the years been accompanied by other types of crimes. They include armed robbery, kidnapping, terrorism, illicit traffics and smuggled goods such as drugs and weapons, unlawful fishing, illegal immigration, human trafficking and smuggling. Marco Odello e Edward Ditchfield, Armed to the Teeth: Navigating the Murky Waters of International Law and Private Maritime Security, *Journal du Droit Transnational*, Vol. 1, 2024, pp. 1-22.
- 3 The United Nations Convention on the Law of the Sea, 1982 (UNCLOS), Article 101, defines piracy as (a) “any illegal act of violence or detention” directed “on the high seas against another ship” or “outside of the jurisdiction of any state,” (b) of “voluntary participation in the operation of a ship... with knowledge of facts making it a pirate ship,” and (c) “any act of inciting or of intentionally facilitating” any of the above.
- 4 The term “floating armouries” is used in multiple publications and articles on maritime security and naval strategy. The UNCLOS does not place restrictions on vessels carrying arms in international waters. The Arms Trade Treaty (ATT), the leading international instrument on arms trade, restricts and regulates the methods and types of arms that may cross international boundaries; however, it does not apply to the international movement of arms where the arms remain under one party’s ownership. As a result, the phenomenon of FA was created. Wilpon Alexis, Floating Armouries: A Legal Grey Area in Arms Trade and the Law of the Sea, *Georgetown Journal of International Law*, Vol. 48, 2017, pp. 873-893.
- 5 Although every ocean-going vessel is classified in accordance with particular standards and its details are entered into a national registry, classification societies have not yet designated any vessel as a ‘floating armoury’, nor have any flag states registered vessels as such. In 2014, most floating armouries were converted tugs, but others included offshore supply ships, patrol vessels, diving support vessels, anchor handling vessels, research or survey vessels, pleasure craft, trawlers, and general cargo ships Operational Functions of FAs.
- 6 Chandrasekaran A.V., Militarisation of Minicoy Island: Strengthening India’s Starboard Flank, *Journal of Defence Studies*, Vol. 18, No. 1, January–March 2024, pp. 88–103.
- 7 Around 2012, at the peak of Somali piracy, PMSCs would typically charge about US\$ 45,000 per trip for armed guards. PMSCs utilizing a four-person team of private armed guards can rent as much as four semi-automatic AK-47 rifles or fully automatic Chinese T-56 assault rifles as well as 480 rounds of 7.62mm ammunition for sixteen rifle magazines. *Small Arms Survey*, 2015, at 226.
- 8 Floating Armouries Implications and Risks, The Remote Control Group, Oxford Research Group, December 2014, pp. 21, available at: <https://www.files.ethz.ch/isn/186819/FloatingArmouriesReport.pdf>, accessed May 4, 2025.
- 9 As of September 2018, there are four operators of floating armouries (FAs) – MNG Maritime, Palm Charters, Sinbad Navigation and Ambrey – and their armoury vessels change on a fairly regular basis. There are about 20 FAs operated by these operators. Summary of Laws Regulating Floating Armouries and their Operations, Annex A to Maritime Crime: A Manual for Criminal Justice Practitioners, United Nations Office on Drugs and Crime, Vienna, 2020, pp. 36, available at: https://www.unodc.org/documents/Maritime_crime/19-02073_Armouries_ebook.pdf, accessed May 4, 2025.
- 10 Wilpon Alexis, Floating Armouries: A Legal Grey Area in Arms Trade and the Law of the Sea, *Georgetown Journal of International Law*, Vol. 48, 2017, pp. 873-893.
- 11 State owned warships that enjoy certain immunities, they are not subject to this analysis.
- 12 Article 27 UNCLOS dealing with Criminal Jurisdiction on board a foreign ship states: 1. The criminal jurisdiction of the coastal State should not be exercised on board a foreign ship passing through the territorial sea to arrest any person or to conduct any investigation in connection with any crime committed on board the ship during its passage, save only in the following cases: (a) if the consequences of the crime extend to the coastal State; (b) if the crime is of a kind to disturb the peace of the country or the good order of the territorial sea. According to Article 27, para 2, The above provisions do not affect the right of the coastal State to take any steps authorized by its laws for the purpose of an arrest or investigation on board a foreign ship passing through the territorial sea after leaving internal waters.
- 13 The term “Contiguous Zone” has been defined under Article 33 of UNCLOS as: 1. In a zone contiguous to its

territorial sea, described as the contiguous zone, the coastal State may exercise the control necessary to: (a) prevent infringement of its customs, fiscal, immigration or sanitary laws and regulations within its territory or territorial sea; (b) punish infringement of the above laws and regulations committed within its territory or territorial sea. 2. The contiguous zone may not extend beyond 24 nautical miles from the baselines from which the breadth of the territorial sea is measured.

- 14 Remote Control Project, The Omega Research Foundation, UK, December 2014, pp. 25.
- 15 The Arms Trade Treaty (ATT), 2014, has 116 states parties as of December 31, 2024. Six of the world's top 10 arms producers (France, Germany, Spain, China, the UK, and Italy) are among the states that have ratified or acceded to the treaty. The treaty aims to regulate the international trade in conventional arms and prevent illicit arms transfers.
- 16 Summary of Laws Regulating Floating Armouries and their Operations, Annex A to Maritime Crime: A Manual for Criminal Justice Practitioners, United Nations Office on Drugs and Crime, Vienna, 2020, pp. 36, available at: https://www.unodc.org/documents/Maritime_crime/19-02073_Armouries_ebook.pdf, accessed May 4, 2025.
- 17 The purpose of this Code is to set forth a commonly-agreed set of principles for PSCs and to establish a foundation to translate those principles into related standards as well as governance and oversight mechanisms.
- 18 Kraska James, "Excessive Coastal State Jurisdiction: Shipboard Armed Security Personnel," in Henrik Ringbom (ed), *Jurisdiction over Ships: Post-UNCLOS Developments in the Law of the Sea*, Publications on Ocean Development, Volume 80, Leiden, Brill, pp. 167-193, at p. 190.
- 19 Chandrasekaran A.V., Militarisation of Minicoy Island: Strengthening India's Starboard Flank, *Journal of Defence Studies*, Vol. 18, No. 1, January–March 2024, pp. 88–103.
- 20 Piracy fears over ships laden with weapons in international waters, *The Guardian*, available at: <https://www.theguardian.com/world/2013/jan/10/pirate-weapons-floating-armouries>, accessed May 06, 2025.
- 21 Katharine Houreld, "Piracy Fighters Use Floating Armouries," *Associated Press*, March 22, 2012, available at: <https://www.yahoo.com/news/apnewsbreak-piracy-fighters-floating-armories-160039119.html>, accessed May 5, 2025.
- 22 John J. Pitney Jr and John-Clark Levin, (2013) *Private Anti-Piracy Navies: How Warships for Hire are Changing Maritime Security*, Lexington Books, p. 153.
- 23 According to the report, the unmonitored and largely unregulated activities of private maritime security companies off the coast of Somalia, offering armed protection to ships and crews traversing the high-risk area, may represent a potential new channel for the flow of arms and ammunition into Somalia and the region. This highly profitable business has expanded beyond the provision of armed escorts to the leasing of arms, ammunition and security equipment, and the establishment of "floating armouries" that operate in international waters beyond the remit of any effective international regulatory authority. Private maritime security companies are currently holding approximately 7,000 weapons in circulation, which are either owned or leased. Security Council S/2012/544 dated July 13, 2012, para 72 and 73.
- 24 According to a report published in the Times of India, the Navy Chief, D.K. Joshi, warned that unregulated private armouries on ships, often referred to as "floating armouries," could potentially lead to a 26/11-type terror attack. Press Trust of India. 2013. 'Floating Armouries Can Lead to 26/11-type Attack: Navy Chief.' *Times of India*. 3 December 3, 2013.
- 25 The role insurance companies can play in the process of regulating FAs must be considered. They have the power to be an effective remedy in halting arms shipments of concern, or in the case of armouries and PMSCs, in forcing compliance with standards, and, therefore, should have a key consultative function in the development of any international standards in this area. Floating Armouries: Implications and risks, Remote Control Project, December 2014, p. 16-17.
- 26 Whilst the ISO/PAS 280007 standard was initially aimed at security providers for vessels, according to The Loadstar, a logistics and supply chain management website, the ISO29007 standard could provide governments with a way to regulate floating armouries. van Marle, G., 'New Anti-Piracy standards will boost confidence in private guards' *The Loadstar*, June, 19, 2013. Available at: <https://theloadstar.com/new-anti-piracy-standards-will-boost-confidence-in-private-guards/>, accessed May 05, 2025.



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