

FACILITATION COMMITTEE  
38th session  
Agenda item 15

FAL 38/15  
8 May 2013  
Original: ENGLISH

**REPORT OF THE FACILITATION COMMITTEE  
ON ITS THIRTY-EIGHTH SESSION**

**Table of contents**

<b>Section</b>	<b>Page No.</b>
1 GENERAL – ADOPTION OF THE AGENDA	3
2 DECISIONS OF OTHER IMO BODIES	3
3 CONSIDERATION AND ADOPTION OF PROPOSED AMENDMENTS TO THE CONVENTION	4
4 GENERAL REVIEW OF THE CONVENTION, INCLUDING HARMONIZATION WITH OTHER INTERNATIONAL INSTRUMENTS	4
5 E-BUSINESS POSSIBILITIES FOR THE FACILITATION OF MARITIME TRAFFIC	13
6 FORMALITIES CONNECTED WITH THE ARRIVAL, STAY AND DEPARTURE OF PERSONS	21
7 ENSURING SECURITY IN AND FACILITATING INTERNATIONAL TRADE	27
8 SHIP/PORT INTERFACE	30
9 TECHNICAL CO-OPERATION AND ASSISTANCE	32
10 RELATIONS WITH OTHER ORGANIZATIONS	34
11 APPLICATION OF THE COMMITTEE'S GUIDELINES	34
12 WORK PROGRAMME	35
13 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2014	37
14 ANY OTHER BUSINESS	37
15 ACTION REQUESTED OF OTHER IMO BODIES	37

**LIST OF ANNEXES**

- ANNEX 1 REVISED LIST OF CERTIFICATES AND DOCUMENTS REQUIRED TO BE CARRIED ON BOARD SHIPS, 2013
- ANNEX 2 LIST OF SUBSTANTIVE ITEMS FOR INCLUSION IN THE PROVISIONAL AGENDA FOR THE THIRTY-NINTH SESSION OF THE COMMITTEE
- ANNEX 3 REPORT ON THE STATUS OF PLANNED OUTPUTS FOR THE FAL COMMITTEE
- ANNEX 4 POST-BIENNIAL AGENDA OF THE COMMITTEE
- ANNEX 5 PROPOSALS FOR THE HIGH-LEVEL ACTION PLAN OF THE ORGANIZATION AND PRIORITIES FOR THE 2014-2015 BIENNIUM FOR THE FACILITATION COMMITTEE
- ANNEX 6 DRAFT ASSEMBLY RESOLUTION ON NOTIFICATION AND CIRCULATION THROUGH THE GLOBAL INTEGRATED SHIPPING INFORMATION SYSTEM (GISIS)

---

## **1 GENERAL – ADOPTION OF THE AGENDA**

1.1 The Facilitation Committee held its thirty-eighth session from 8 to 12 April 2013 under the Chairmanship of Mr. Y. Melenas (Russian Federation) who was unanimously elected as Chairman for 2013 at the opening of the session. The Vice-Chairman, Mrs. Marina Angsell (Sweden), who was unanimously elected as Vice-Chairman for 2013 at the opening of the session, was also present.

1.2 The session was attended by delegations from Member States, an Associate Member, by representatives from the United Nations programmes and specialized agencies, by observers from intergovernmental organizations and by observers from non-governmental organizations in consultative status as listed in document FAL 38/INF.1.

### **Secretary-General's opening address**

1.3 The Secretary-General welcomed participants and delivered his opening address, the full text of which can be downloaded from the IMO website at the following link: <http://www.imo.org/MediaCentre/SecretaryGeneral/Secretary-GeneralsSpeechesToMeetings>. During his address, the Secretary-General paid tribute to the work of former Chairman of the Committee, Mr. Charles Abela (Malta), which was also subsequently recognized by the Committee.

### **Chairman's remarks**

1.4 In responding, the Chairman thanked the Secretary-General for his words of guidance and encouragement and assured the Secretary-General that his advice and requests would be given every consideration in the deliberations of the Committee and its working groups.

### **Adoption of the agenda**

1.5 The Committee adopted the provisional agenda, set out in document FAL 38/1, as the agenda for the session, and agreed to be guided during the session by the annotated agenda (FAL 38/1/1) and noted the provisional timetable for guidance during the session.

### **Credentials**

1.6 The Committee was informed that the credentials of delegations attending the session were in due and proper form.

## **2 DECISIONS OF OTHER IMO BODIES**

2.1 The Committee noted the information provided in documents FAL 38/2 and FAL 38/2/1 (Secretariat) in relation to the outcomes of the work of A 27, MSC 90, MSC 91, MEPC 63, MEPC 64, COMSAR 16, LEG 99, TC 62, C 108 and C 109, on matters of relevance to the work of the Committee and decided to consider the various issues which warranted action by the Committee under the respective agenda items.

2.2 The Committee noted the information provided by the Secretariat on the outcome of FSI 21, and decided to address this information under agenda item 5.

2.3 The Committee considered document FAL 38/2/2 (Denmark) on "Periodic review of administrative requirements in mandatory IMO instruments", and decided to address this information under agenda item 14.

### **3 CONSIDERATION AND ADOPTION OF PROPOSED AMENDMENTS TO THE CONVENTION**

3.1 The Committee noted that no amendments to the annex to the Convention had been proposed for consideration or formal adoption at this session; however, a number of related issues were going to be addressed under agenda item 4 and, in particular, consideration of the report of the Correspondence Group on Comprehensive review of the Convention.

### **4 GENERAL REVIEW OF THE CONVENTION, INCLUDING HARMONIZATION WITH OTHER INTERNATIONAL INSTRUMENTS**

#### **Review of Standards and Recommended Practices**

4.1 The Committee recalled that FAL 34, in March 2007, had approved FAL.3/Circ.187 on Review of Standards and Recommended Practices in the annex to the FAL Convention which annexed a questionnaire to all Member States to obtain up-to-date information concerning the differences registered by Contracting Governments to the Standards and the implementation of the Recommended Practices and to find out what impediments to accession were being faced by non-Contracting Governments.

4.2 The Committee noted with concern that only four Contracting Governments and one Associate Member had provided the information requested, representing less than 4 per cent of all Member States. Furthermore, only nine Contracting Governments had reported differences between their own practices and the Standards of the Convention since 2007, which represented a response rate of less than 8 per cent.

4.3 The Committee agreed to consider FAL.3/Circ.187 referred to in document FAL 38/6 (Secretariat) under this agenda item and not under agenda item 6, because the reference made in the document concerned the review of Standards and Recommended Practices. The Committee agreed to revoke circular FAL.3/Circ.187 and to postpone its consideration until after the new annex to the Convention has been approved.

4.4 The Committee agreed that, before a final decision on the date of the mandatory implementation of electronic exchange of information could be taken, an analysis of the costs and benefits of setting up the system would be required.

#### **General Review of the FAL Convention**

4.5 The Committee recalled that FAL 35 had agreed to initiate a comprehensive revision of the Convention with a view to ensuring that it adequately addressed the present and emerging needs of the shipping industry, as well as to modernize its provisions, taking into account, inter alia, developments in the transmission of information and data by electronic means and the Single Window concept. FAL 35 had invited Contracting Governments and Member States, especially the ones which had encountered difficulties in acceding to the Convention, to submit relevant proposals, together with associated justification, concerning the philosophy to be followed when conducting such a review; new issues which might need to be addressed in the Convention; and existing provisions which might warrant amendment.

4.6 The Committee noted that at FAL 36 no such specific submissions addressing the review had been received by the Secretariat, and decided that the Working Group on General Review and Implementation of the Convention could initiate the review by identifying such potential outdated sections and that this should be carried on intersessionally by a correspondence group.

4.7 The Committee recalled that FAL 36, taking into account that a number of provisions did not reflect modern industry standards, had encouraged Contracting Governments to submit proposals for amending the Convention and to provide responses to the questionnaire developed for Member States in order to identify areas of difference with the Standards and implemented Recommended Practices. FAL 36 had established a Correspondence Group on Comprehensive Review of the Convention.

4.8 The Committee recalled that FAL 37 had noted that no submissions for a general review of the Convention had been received by the Secretariat.

4.9 The Committee recalled that FAL 37 had considered the report of the Correspondence Group on Comprehensive Review of the Convention, and had noted that some of the terms of reference approved by FAL 36 were still pending and needed to be progressed. The Committee further recalled that FAL 37 had noted that the correspondence group was not able to agree on all issues addressed before the deadline for submission of the report. The proposed amendments related, inter alia, to the harmonization of the Convention with the WCO Safe Framework of Standards and the ISPS Code. Other proposed changes concerned the exclusive use of electronic means of providing information and the procedures for arrival and departure of persons as well as the provisions regarding stowaways. The correspondence group had further recommended that, in the longer term, the Convention should be made more binding. This would entail considering amendments, not only to the annex of the Convention, through the procedure in article VII of the Convention, but also of the Convention itself through the procedure in article IX. Due to the limited participation in the correspondence group, FAL 37 had agreed that all the proposals were discussed further in the Working Group on General Review and Implementation of the Convention.

4.10 The Committee recalled that FAL 37 had agreed that the amendments to the Convention should enable a gradual transition from paper-based to electronic means of providing information, in such a way as to allow a period of time whereby both paper and electronic systems could coexist and both systems would be accepted by Contracting Governments. FAL 37 had also agreed that references to other international instruments, for example the ISPS Code and the WCO SAFE Framework of Standards, would need to be considered carefully and a balance between including their provisions in the annex and citing the source instruments in the Explanatory Manual to the Convention would need to be struck.

4.11 The Committee recalled that FAL 37 had not been able to agree on the proposal to include visa requirements in the FAL Crew List as well as in the FAL Passenger List, and the Committee decided that the matter should be discussed further in the new correspondence group, which should have a wider membership. Member States had been also invited to submit specific proposals to FAL 38.

4.12 The Committee recalled that FAL 37 had concurred with the working group's view that there would be a need for further updating of the Explanatory Manual to the Convention and agreed to identify areas and terms in the annex to the Convention that would be better addressed in the Explanatory Manual in the future work on the comprehensive review.

4.13 The Committee further recalled that FAL 37 had agreed that proposals to amend the articles of the Convention should be the subject of written submissions to the Committee, and that FAL 37 had agreed further that substantial work was needed to complete the comprehensive review of the annex to the Convention and established the Correspondence Group on the Comprehensive Review of the annex to the Convention.

*Consideration of the report of the correspondence group*

4.14 The Committee noted with appreciation the report of the correspondence group (document FAL 38/4) and the considerable work done to review the Convention, in particular by its coordinator, Mr. Fabien Joret (France). The report analysed new proposals and some issues were clarified, but some of the key topics discussed in FAL 37 were still unresolved and needed to be progressed. The proposed amendments to the annex related, inter alia, to:

- .1 the treatment of the electronic exchange of information in the FAL Convention – whether the FAL Convention should take greater account of the development and potential of electronic transmission, or whether it should be more binding in promoting their use;
- .2 the desirability, concerning pre-arrival and pre-departure information, of harmonizing the FAL Convention with the WCO SAFE Framework of Standards and of upgrading the relevant FAL Recommended Practices to Standards; and
- .3 the insertion of the visa number, if appropriate, in the crew and passengers list and in the disembarkation card.

4.15 The Committee, having noted that the text proposed by the correspondence group used the verbs "shall" and "should" without distinction, agreed to maintain the current situation in the revised annex of the FAL Convention, i.e. to use "shall" in Standards, and "should" in Recommended Practices.

*The treatment of the electronic exchange of information in the FAL Convention*

4.16 The Committee had a thorough discussion on whether the FAL Convention should take greater account of the development and potential of electronic transmission, and whether it should be more binding in promoting their use. The Committee agreed on the importance of the use of electronic transmission of information, as it was one of the bases for the general review of the annex to the Convention, but at the same time, it was noted that it was not possible to enforce it yet, because a period of time in which both paper and electronic systems could coexist and be accepted by the Contracting Governments was necessary. The Committee decided to refer the subject to the Working Group on General Review and Implementation of the Convention, for its consideration.

*Possible harmonization with the WCO SAFE Framework of standards and to upgrade the relevant FAL Recommended Practices to Standards*

4.17 The Committee considered the report of the correspondence group on this subject and agreed that it was desirable to harmonize the Convention with the WCO SAFE Framework of standards, but without making such provisions compulsory in the Convention. One delegation suggested it was necessary to clarify the scope of the pre-arrival and pre-departure information and whether it was applicable to security information only. The Committee agreed to refer the matter to the Working Group on General Review and Implementation of the Convention, for its consideration.

*Insertion of visa number in the crew and passengers list and in the disembarkation card*

4.18 The Committee considered the proposal of Liberia, the Philippines, CLIA, ICS and ISF (document FAL 38/4/3) to amend the Convention to harmonize it with ILO Convention No.185 and to include a new Recommended Practice for providing places to allow seafarers to apply for a visa upon arrival on port, or shortly before arrival and, if accepted, the visa number should be included in the crew list, passenger list and in the embarkation/disembarkation card.

4.19 The Committee agreed to maintain the principle that crew members are not required to hold a visa for the purpose of shore leave, as already set out in Standard 3.45. The Committee decided to refer the subject of visas for other purposes to the Working Group on General Review and Implementation of the Convention, for its consideration and advice on inclusion of the visa number, if appropriate, in the crew and passengers list and in the disembarkation card.

4.20 The Committee considered the proposal by IVODGA (FAL 38/4/1), to amend FAL Form 7, the Dangerous Goods Manifest, but, having taken into account that the amendments proposed required technical expertise on dangerous goods, the Committee agreed to refer the issue to DSC 18 for its consideration.

4.21 One delegation noted that the current version of FAL Form 7 makes reference to MARPOL, Annex III, regulation 4.3; however, resolution MEPC.193(61) will renumber this regulation as 4.2. The Committee agreed to make this consequential amendment in FAL 39, when the resolution is in force.

**Procedure for adoption of the general review of the annex to the Convention**

4.22 The Committee noted that in accordance with the decision of FAL 37, FAL 39 was expected to be convened 18 months after FAL 38, and therefore the Committee decided that it was advisable to consider the road map for the adoption of amendments. The Committee further noted the procedures for reviewing the annex of the FAL Convention as given in article VII of the Convention:

<p>Proposed by any Contracting Government (CG) Article VII(2)</p>	<ul style="list-style-type: none"> <li>- Circulated three months prior to the meeting of FAL Committee.</li> <li>- Adopted by FAL Committee (two thirds of CG present and voting).</li> <li>- Entry into force 15 months after communication of the proposal to all CG unless within 12 months after the communication at least one third of CGs have notified the Secretary-General in writing that they do not accept the proposal.</li> </ul>
<p>Conference requested by at least one third of CGs (39 CGs) Article VII(3)</p>	<ul style="list-style-type: none"> <li>- Adopted by a Conference (two-third majority of the CGs present and voting).</li> <li>- Entry into force 6 months after the date on which the Secretary-General notifies the CGs of the adoption of the amendment.</li> </ul>

4.23 The Committee considered three options for the adoption of amendments to the annex to the FAL Convention:

- .1 adoption of the amendments by FAL 40, in October 2015. Taking into account that FAL 39 was expected to be held in October 2014, this proposal meant that two regular sessions of the FAL Committee would be required in the 2014-2015 biennium;
- .2 an intersessional group convened in the spring of 2014 to prepare the text for the adoption of amendments by FAL 39 in October 2014; and
- .3 adoption of the amendments by a Conference in late 2015.

4.24 The Committee had an in-depth discussion on this subject, and noted that the way forward would need the approval of the Council as it had implications for the budget for the 2014-2015 biennium, but there was a general agreement on the desirability of adopting the amendments during the 2014-2015 biennium.

4.25 The majority of the delegations were in favour of option 2 (an intersessional group in the spring of 2014 preparing the revised text of the amendments for adoption by FAL 39 in October 2014). However, some Member States expressed their concern that C 110 was not going to be in a position to approve it because it had not been properly justified; they suggested another option, namely that, depending on the progress of the review, FAL 39, in October 2014, might ask C 113 to authorize a second, up to three-day session of the FAL Committee during the 2014-2015 biennium (FAL 40 in autumn 2015) for the approval of the amendments. The Committee was not able to reach full agreement, and therefore agreed to forward the two above-mentioned options referred to C 110 for its consideration and action.

### **Shore leave and access to ships**

4.26 The Committee recalled that the matter of shore leave and access to ships is clearly an ongoing problem but recalled that the 2002 SOLAS Conference had incorporated the protection of the fundamental human rights of seafarers into SOLAS chapter XI-2 and the ISPS Code. The preamble to the ISPS Code clearly states that the ISPS Code must not be interpreted in a manner that is inconsistent with existing international instruments protecting the rights and freedoms of maritime and port workers. The preamble also called to the attention of Contracting Governments that, in approving port facility security plans, they should be aware of the need for seafarers' shore leave and access to shore-based seafarer welfare facilities, including medical care.

4.27 The Committee further recalled MSC.1/Circ.1342 of May 2010 which stated, *inter alia*:

"From a practical perspective, it is also important that port and port facility operators and security personnel seek a balance between the needs of security and the needs of the ship and its crew. Port facility operators and the port facility security officers should ensure coordination of shore leave for ship personnel or crew change-out, as well as access through the port facility for visitors to the ship, including representatives of seafarers' welfare and labour organizations and those concerned with the maintenance of ships' equipment and safe operation, with the Company in advance of the ship's arrival. A singular focus on the security of the port facility is contrary to the letter and spirit of SOLAS chapter XI-2 and the ISPS Code and has serious consequences for the international maritime transportation system that is a vital component of the global economy. It is further noted that the ILO/IMO Code



of Practice for Port Security recommends that all port stakeholders work cooperatively to make such arrangements and advance plans."

4.28 The Committee recalled further that FAL.3/Circ.201 (issued in September 2010) stated, *inter alia*, that:

"Administrations should pay particular attention to ensuring unbiased and non-discriminatory practice in exercising control and allowing access to shore irrespective of vessels' flags and nationalities of individual crew members. Member States, representative organizations of seafarers and shipowners are encouraged to inform the FAL and MSC Committees of unfair and selective practices in providing shore leave and access to the shore-based facilities in foreign ports."

4.29 The Committee recalled that FAL 37 had considered documents FAL 37/8 (Secretariat), which contained reports on actions taken by the Legal Committee with respect to the fair treatment of seafarers in the context of denial of shore leave and access to shoreside medical facilities, and FAL 37/8/5 (Islamic Republic of Iran), which provided some observations on document FAL 37/8 concerning the necessity of amending the relevant Standard of the FAL Convention (Standard 3.44) to prevent discriminatory treatment based on nationality or religious beliefs in respect of shore leave and access to shoreside medical facilities. The Committee recalled that FAL 37 noted that the Islamic Republic of Iran intended, in the absence of any concrete proposal, to provide amended text for Standard 3.44 to the next session of the Committee.

4.30 The Committee considered the proposal of the Islamic Republic of Iran (document FAL 38/4/2) to amend Standard 3.44 of the FAL Convention, in order to prevent discriminatory treatment of seafarers in respect of shore leave and access to shoreside medical facilities based on their nationality or religious beliefs. The majority of interventions emphasized the need for shore leave to be granted without any discrimination and supported the proposal, subject to further work and modification by the Working Group on General Review and Implementation of the Convention. The Committee decided to forward this document to the Working Group on General Review and Implementation of the Convention, for its consideration and further work, taking into account IMO existing instruments.

### **Establishment of the Working Group**

4.31 The Committee established the Working Group on General Review and Implementation of the Convention under the Chairmanship of the Committee's Vice-Chairman, Mrs. Marina Angsell (Sweden), and instructed it, taking into account documents FAL 38/4, FAL 38/4/2 and FAL 38/4/3, the relevant discussions and decisions taken in plenary, to:

- .1 make further progress on the general revision of the annex of the FAL Convention and, in particular:
  - .1 draft a Standard establishing a firm commitment for the future establishment of electronic exchange of information;
  - .2 draft a Recommended Practice allowing, for a transitional period, the submission of and requirement for paper as well as electronic documents;
  - .3 discuss a time frame within which the establishment of electronic exchange should be mandated;

- .4 harmonize the FAL Convention with the WCO SAFE Framework of Standards, retaining the non-mandatory provisions of the latter, and specifically advise on the scope of the pre-arrival and pre-departure information and whether it is applicable to security information only;
  - .5 retain the text of Standard 3.45 and advise on the inclusion of the visa number, if appropriate, in the crew and passengers list and in the disembarkation card; and
  - .6 consider the amendments to Standard 3.44, take into account existing IMO instruments, including MSC.1/Circ.1342 and FAL.3/Circ.201, as well as the proposals set out in document FAL 38/4/2, subject to amendments to its wording as instructed by plenary;
- .2 review the text in square brackets in the draft amended text of annex 1 of document FAL 37/WP.5;
  - .3 identify what items, if any, of the terms of reference of the correspondence group, established by FAL 37, remain to be discussed, and consider if they are still relevant;
  - .4 consider whether it wants to recommend to re-establish the Correspondence Group on General Review of the FAL Convention and, if so, advise the Committee as appropriate and prepare draft terms of reference, including those that remain relevant from the previous correspondence group; and
  - .5 submit a report to plenary on Friday, 12 April 2013.

#### *Consideration of the report of the working group*

4.32 Having considered the report of the working group (FAL 38/WP.4) under this agenda item, the Committee noted the progress made by the working group on the revised annex to the FAL Convention as set out in annex 2 to FAL 38/WP.4, and agreed in principle to reopen the discussion on the text that was still in square brackets. However, the Committee agreed that this understanding should not preclude additional consideration or questions concerning any part of the revised annex of the FAL Convention. The Committee in particular took action as outlined below.

4.33 The Committee noted the group's discussion of when electronic exchange of information should be introduced and agreed to forward this matter to the correspondence group, taking into account the timeline of action to be taken for the adoption of the amendments.

4.34 The Committee agreed to the proposal made by Norway that, taking into account both the costs and complexities of the systems of electronic exchange of information, and also its benefits for the reduction of administrative burdens on ship masters and Administrations, TC 63 should be requested to consider setting up a new project activity within the ITCP. This new project activity could assist Member States with financing and technical assistance in establishing systems of electronic exchange of information.

4.35 The Committee endorsed the draft amendments to Standard 2.1 reflecting the group's decision that pre-arrival and pre-departure information had a wider scope and were not just security-related.

4.36 The Committee endorsed the group's view on the harmonization with the WCO SAFE Framework of Standards in relation to the specific time limit for transmission of pre-arrival and pre-departure information, namely that it was not possible to harmonize the time of transmission of pre-arrival and pre-departure information in the FAL Convention with the SAFE Framework, as time limits in the SAFE Framework concerned only security-related information.

4.37 The Committee endorsed the group's agreed draft amendments to Standard 3.44 requiring shore leave for crews to be granted in a manner that prevented discrimination and also endorsed the related provision of draft Standard 3.44*bis* requiring public authorities to provide the seafarer and the master with reasons for shore leave denial and, if so requested, in writing.

4.38 The delegation of India, while fully supportive of the principles of non-discrimination of seafarers seeking shore leave and the need for justification to be given by public authorities who deny shore leave, did not support making these a Standard, for practical and technical reasons. However, the delegation supported the inclusion of both issues in a Recommended Practice.

4.39 In considering the issue of amendments to the Dangerous Goods Manifests as proposed in document FAL 38/4/1, the Committee agreed with the group's proposal to await the advice from the DSC Sub-Committee which could then be taken into account at the next session of the Committee.

4.40 The Committee noted the extensive discussion in the group on including visa requirements in the FAL Crew and Passenger List as well as in the passenger embarkation/disembarkation card. Given that the majority of delegations that spoke did not support the inclusion of visa number in the Crew List (Standard 2.6.1) and in the embarkation/disembarkation card (Recommended Practice 3.6) and also given the repeated consideration of this matter by the working and correspondence groups, the Committee agreed to delete the visa number from the aforementioned provisions. However, the issue of the inclusion of visa number in the passenger list (Recommended Practice 2.7.3) remained unresolved and was a matter to be considered further by the correspondence group.

4.41 The Committee noted the group's view in favour of strengthening the reporting requirement for stowaway cases to the Organization and recalled its earlier decision to urge Member Governments to report stowaway cases using IMO's designated GISIS module.

4.42 The Committee noted that the group had identified areas and terms in the annex to the Convention that would be better addressed in the Explanatory Manual to the Convention and concurred with the group's view that there would be a need to draft explanatory text which could be used for amending the Explanatory Manual at a later stage.

4.43 The Committee agreed that more work was needed to complete the comprehensive review of the annex to the Convention and established the Correspondence Group on the Comprehensive Review of the annex to the Convention under the coordination of France with terms of reference set out in paragraph 4.44.

*Terms of reference of the Correspondence Group on Comprehensive Review to the annex of the Convention*

4.44 The Committee approved the following terms of reference for the intersessional Correspondence Group on the Comprehensive Review of the annex to the Convention, under the coordination of France\*:

- .1 make further progress, taking into account earlier discussions and text as set out in FAL 38/WP.4, on the general revision of the annex to the FAL Convention;
- .2 advise on and provide proper justification for the date of application when the establishment of electronic exchange of information should become mandatory by amending Standard 1.3*bis*;
- .3 draft text, clearly distinguished in the report of the correspondence group from the text of the annex to the Convention, that can be used for the revision of the Explanatory Manual in order to provide further clarification and background information for the amendments made and, particularly, for:
  - .1 Standard 2.16.1 to provide justification for the inclusion of the word "residence" taking into account paragraphs 4.24 and 4.25 of FAL 38/WP.4; and
  - .2 Standard 2.23 in respect to shipowner's liability;
- .4 draft provisions regarding amendments to previously lodged information or documents;
- .5 advise on the outstanding issue regarding the inclusion of visa number, if appropriate, in the passenger list;
- .6 consider the inclusion of draught information to the data elements of the General Declaration (paragraphs 4.7 to 4.9 of FAL 38/WP.4);
- .7 consider the proposed amendment to Standard 3.44 in respect of "clear grounds" (paragraph 4.17 of FAL 38/WP.4);
- .8 identify outdated provisions in the current Standards and Recommended Practices, taking into account the incorporated requirements of other international conventions;
- .9 identify the changes needed to align the FAL forms with the proposed changes of Standards;

---

\*

**Coordinator:**

Mr. Fabien Joret  
Ministry of Ecology, Energy, Sustainable Development and the Sea. Directorate General for Infrastructure, Transport and the Sea. Maritime Affairs Directorate. Merchant Fleet Unit  
Tel: 33 (0)1 40 81 73 28  
E-mail: [fabien.joret@developpement-durable.gouv.fr](mailto:fabien.joret@developpement-durable.gouv.fr)

- .10 consider the remaining issues identified by MSC 88, which are:
  - .1 augmenting information associated with the impact of stowaways on issues related to safety, and specifically the available capacity of life-saving appliances provided on board and the total number of persons permitted; and
  - .2 systematically reviewing the words "return" and "remove";
- .11 consider FAL.6/Circ.13 on Facilitation in avoiding safety threatening conditions;
- .12 take into account the identified areas for amendment of the Explanatory Manual as set out in paragraph 6 of document FAL 37/WP.5 and in the course of the review of the annex to the Convention, identify further guidelines that need to be included in the Explanatory Manual;
- .13 consider the inclusion of the trade recovery and contingency practices; and
- .14 submit its report in time for the next session of the Committee.

## **5 E-BUSINESS POSSIBILITIES FOR THE FACILITATION OF MARITIME TRAFFIC**

### **List of certificates and documents required to be carried on board ships**

5.1 The Committee recalled that FAL 36 had revised and updated FAL.2/Circ.87-MEPC/Circ.426-MSC/Circ.1151 and forwarded it to MSC 88 for further consideration and revision prior to forwarding to MEPC 62 for its consideration. MSC 88 and MEPC 62 had approved the proposed amendments to the draft revised list of certificates and documents required to be carried on board ships, and had issued it as FAL.2/Circ.123-MEPC.1/Circ.769-MSC.1/Circ.1409.

5.2 The Committee recalled that FAL 36 had considered that future revisions of the document may be more effectively initiated by the MSC and in particular by one of its Sub-Committees such as FSI. Accordingly, the Committee had instructed the Secretariat to bring this to the attention of MSC 88 and had invited that Committee to consider whether it would be prepared to keep the circular under review in this way.

5.3 The Committee noted that MSC 88 and MEPC 63 agreed with the suggestion of FAL 36 that such revisions should be initiated by the MSC on a regular basis. The Committee further noted that MEPC 64 and MSC 91 had instructed FSI 21 to initiate revisions to FAL.2/Circ.123-MEPC.1/Circ.769-MSC.1/Circ.1409.

5.4 The Committee considered the circular and the list of certificates and documents required to be carried on board ships, as revised by FSI 21. The Committee accepted the suggestion made by a delegation on the need to amend the text approved by FSI 21, in order to incorporate some amendments to the information on stability and to incorporate a reference to the Grain Loading Manual, and subsequently forwarded it to the Working Group on Electronic Means for the Clearance of Ships, for its revision.

## **Modifications to the Revised IMO Compendium on Facilitation and Electronic Business**

5.5 The Committee recalled that FAL 37 had approved FAL.5/Circ.35 on the Revised IMO Compendium on Facilitation and Electronic Business; agreed to keep the Compendium under review and amend it as and when the circumstances so warranted; and invited Member Governments, international organizations and non-governmental organizations with consultative status to bring to the attention of the Committee, at the earliest opportunity, the results of the experience gained from the use of the Compendium for consideration of action to be taken.

5.6 The Committee recalled further that FAL 37 had agreed that the Secretariat should seek to be included on the UN/CEFACT Customs Domain Group (TBG4) distribution list and should advise Contracting Governments of actions affecting the recommended FAL EDI messages via an appropriate intersessional document or report. The Committee had noted that this new task should not have major budgetary implications, and should be accomplished within the present resources of the Secretariat.

5.7 The Committee noted the changes in the structure of UN/CEFACT in the last two years. The International Trade & Business Processes Group (TBG) had been replaced by Programme Development Areas (PDA), and therefore TBG4, related to Customs Domain Group, had been replaced by the PDA on Trade and Transport Facilitation, that included the Domain Coordinators on Customs, Transport & Logistics and International Trade Procedures. Taking into account these changes, the Secretariat was in the process of finding a more cost-efficient system to accomplish the request of FAL 37.

5.8 The Committee noted that the Secretariat had made minor amendments to FAL.5/Circ.35 and had issued a new circular FAL.5/Circ.35/Rev.1 on 23 May 2012.

5.9 The Committee considered the proposals of Japan (documents FAL 38/5/4, FAL 38/5/5, FAL 38/5/6, FAL 38/5/7, FAL 38/5/8, FAL 38/5/9, FAL 38/5/10 and FAL 38/5/11) which proposed amendments to FAL.5/Circ.35/Rev.1, the Revised IMO Compendium on Facilitation and Electronic Business, in respect of FAL Forms 1 to 7 and the Ship's Security Report, respectively.

### **Establishment of a drafting group**

5.10 Following discussion, the Committee established a Drafting Group on the Revision of the IMO Compendium on Facilitation and Electronic Business, under the chairmanship of Mr. K. Itoh (Japan), and instructed it, taking into account documents FAL 38/5/4, FAL 38/5/5, FAL 38/5/6, FAL 38/5/7, FAL 38/5/8, FAL 38/5/9, FAL 38/5/10 and FAL 38/5/11, to:

- .1 review the Revised IMO Compendium on Facilitation and Electronic Business, as set out in FAL.5/Circ.35/Rev.1;
- .2 review the "Mapping table of each FAL Forms and Security Report (CUSREP base), in the Revised IMO Compendium on Facilitation and Electronic Business (FAL.5.Circ.35/Rev.1) as well;
- .3 review the Security Report (BERMAN base); and
- .4 submit a written report to the Working Group on Electronic Means for the Clearance of Ships not later than 12 noon of Wednesday 10 April 2013, for the endorsement of the Revised IMO Compendium on Facilitation and Electronic Business.

## **Report of the Correspondence Group on Electronic means for the clearance of ships**

5.11 The Committee recalled that FAL 37 had noted the background information that summarized the work done since FAL 32 on "Online access to certificates and documents required to be carried on board ships".

5.12 The Committee recalled that FAL.3/Circ.203 on "Online access to certificates and documents to be carried on board ships" had been issued on 12 January 2011, inviting Member Governments to bring the questionnaire to the attention of all parties concerned, including port State control authorities, public authorities, ships' masters, agents and operators; and that 11 Member States and one Associate Member had replied to the Secretariat.

5.13 The Committee recalled that FAL 37 had noted the main conclusions of the analysis of the replies to the questionnaire:

- .1 The replies were positive towards the continuation of the project, and indicated that it would be useful for the clearance of the ships;
- .2 Some guidelines or instructions on the use of electronic versions of ships certificates and electronic signatures would be needed by port State control officers;
- .3 The project would need five or seven years to be finished;
- .4 The United States would accept electronic certificates on statutory certificates, but not on any official logbooks that require authentication of compliance by ship's crew;
- .5 Most of the Member States would allow recognized organizations to enter information in the database; and
- .6 Most of the Member States considered that the database should be restricted, and there was no agreement on who should run the online system – Member States or IMO – but it is clear that it should not be done by a commercial third party.

5.14 The Committee recalled that FAL 37 had noted that the MSC, the MEPC and LEG had not indicated whether they favoured the development of the system and whether they were prepared to adopt the necessary amendments to the various instruments under their respective purview through which, inter alia, the existence of certificates and documents in an electronic format would be accepted as an alternative to the paper printed ones, in a similar manner as the Committee had done with respect to the IMO FAL forms.

5.15 The Committee recalled that FAL 37 had also noted the necessity of identifying the compelling need for the project, their potential users and the benefits of the project, but it was agreed that the availability of the information would be beneficial to Port State Control (PSC) officers, who would have the information on the ship before its arrival, and it could identify better the ships to be inspected as well as reduce the time of the PSC inspection.

5.16 The Committee recalled that FAL 37 had noted that the idea of having access to electronic versions of certificates and documents required to be carried on board ships was in general welcomed and should remain as a goal of the Organization. FAL 37 had noted that there could be several options for accessing electronic versions of certificates and documents to supplement or replace paper forms, for example:

- .1 a ship-based system, where the master of ship would be responsible for maintaining, updating and transmitting the necessary electronic certificates and documents as an attachment to the pre-arrival message;
- .2 a centralized database for storing electronic versions of certificates and documents;
- .3 distributed databases, maintained and updated by issuer Administrations with adequate reliability, a validation process and secure access to electronic versions of certificates and documents, and including a website, for example at IMO, containing links to the issuer Administrations; and
- .4 a combination of any of the above-mentioned systems.

5.17 The Committee also recalled that FAL 37 had noted that:

- .1 the proposal for a ship-based system had been considered in the past by the Correspondence Group on Online Access to Certificates and Documents Required to be Carried on Board Ships established by FAL 34 and FAL 35, and that, at that time, no preference had been clearly indicated for a ship-based system or an online system;
- .2 the establishment of a system based on a centralized database had not received sufficient support and that, instead, a distributed system might be most appropriate;
- .3 the architecture of the system should be developed after defining the objectives, scope and vision of the system bearing in mind the user's needs;
- .4 further consideration should be given to the issue of whether the focus should be centred on electronic copies of certificates and documents (e.g. a scanned copy of the document) or, whether, the term "electronic information" would be most adequate (e.g. pieces of information related to documents and certificates stored in online databases);
- .5 in the future, it would be necessary to decide if the proposed system should be analysed as a system that could supplement or replace paper certificates, taking into account that a system which, for instance, could work in parallel with, but not replace paper certificates, could be more feasible to achieve in the near future; and
- .6 the acceptability of electronic copies or a validation process should be discussed by the appropriate IMO body, bearing in mind existing guidance on available technologies or standards that could lead to the possible acceptance of electronic certificates.

5.18 The Committee recalled that FAL 37 had approved a road map of actions to put in place either the system of online access to certificates and documents or a ship based system to achieve the same results. According to this road map, FAL 37 had re-established the Correspondence Group on Electronic Access to Certificates and Documents, under the coordination of the United States, to continue the work on acceptance of electronic access or electronic versions of certificates and documents, including validation of certificates and documents.



5.19 The Committee recalled that FAL 37 had agreed that, based on the results of the work of the Correspondence Group, FAL 38 should explore the possibilities of working together with other relevant committees to identify under what conditions an electronic version of documents and certificates could be acceptable. FAL 37 had also agreed that, at FAL 39, it would consider the responses from the relevant IMO committees and, if the benefits outweighed the costs and met the goals of the IMO committees, it would decide on whether guidelines for acceptance of electronic access or electronic versions of certificates and documents should be prepared.

5.20 The Committee recalled that MEPC 63, in considering the request for views on making available electronic copies of documents and certificates held on board ships for facilitation purposes, had noted that no objections or concerns were raised, and had agreed with the development of this system.

5.21 The Committee recalled that MSC 91 had concurred with the decision of MEPC 64 to endorse FSI 20's decision to further clarify the meaning of "originals" to be carried on board ships taking into account the ongoing work of the FAL Committee on electronic access to certificates and documents and any related work being undertaken within the Organization. This discussion was held at FSI 21.

5.22 The Committee considered the result of FSI 21 regarding the meaning of "originals" to be carried on board ships, taking into account the ongoing work of the FAL Committee on electronic access to certificates and documents and any related work being undertaken within the Organization. FSI 21 invited FAL 38 to consider, subject to endorsement by MEPC 65 and MSC 92, its opinion that certificates carried on board have to be valid and drawn up in the form corresponding to the model required by the relevant international convention and that a certificate may also be considered as "original" or "authentic" while containing an "authorized" electronically applied signature or stamp. The Committee agreed to refer this subject to the Working Group on Electronic Means for the Clearance of Ships for its consideration.

#### *Consideration of the report of the Correspondence Group*

5.23 The Committee noted with appreciation the report of the Correspondence Group concerning electronic access to, or electronic versions of, certificates and documents required to be carried on ships and the considerable work done on reviewing the compendium, in particular by its coordinator, Mr. Butturini (United States).

5.24 In considering the report of the Correspondence Group, the Committee agreed to refer it to the Working Group on Electronic Means for the Clearance of Ships for its consideration.

5.25 In considering document FAL 38/5/1 (Republic of Korea), the Committee noted that the Republic of Korea had introduced the concept of a "Radio Frequency Identification (RFID)-based Ubiquitous Port (U-Port)". Implementing an RFID-based U-Port, in connection with the Single Window, can improve port operations and information flow. The Republic of Korea proposed this U-Port as a best practice case and expressed its intention to explain its necessary components and technologies at FAL 39.

5.26 The Committee noted document FAL 38/5/2 (IAPH). This document had been prepared by EPCSA (European Port Community Systems Association) and described the concept of Port Community Systems (PCS) as clearing centres for Single Window. The PCS brings the business-to-business information exchange into the equation, as well as providing the gateway for business-to-government processes, and is therefore complementary as well as supplementary to the Single Window at both national and international level.

5.27 In considering document FAL 38/5/3 (ISO), the Committee noted the recently completed ISO 28005 series of standards for Electronic Port Clearance (EPC) that provides the first internationally approved XML-based standard for EPC. It had been developed as a stand-alone and easy-to-use specification and an alternative to UN/EDIFACT formats in cases where the latter cannot be used. ISO 28005 standards are part of the widely used ISO 28000 series of management systems standard for supply chain security.

5.28 The Committee also noted documents FAL 38/5/12 and FAL 38/INF.3 (WCO), which gave a summary of WCO initiatives on e-Business and pointed out the complementary nature of the work being done by the WCO and IMO in this area. Through its work, WCO supports and enhances the possibilities of using e-Business techniques in the facilitation of maritime traffic. The WCO reported that, in order to promote consistency between the WCO Data Model and the IMO FAL forms, it had produced an "Information Package" providing a summary of the usage of the WCO Data Model elements in different IMO FAL forms. The tabulation suggested that there was considerable overlap in the pieces of information that are required to be reported by the carriers/shipowners in different FAL forms. The WCO requested the FAL Committee to consider and provide references to WCO's "IMO FAL Information Package" as a source of useful information in the text of the IMO FAL Compendium and in the IMO Circular FAL.5/Circ.36 on the *Guidelines for Setting up a Single Window System in Maritime Transport*.

5.29 In considering document FAL 38/INF.2 (Republic of Korea), the Committee noted that the Republic of Korea had been conducting research on relevant technologies for a data communication network at sea since 2010, on the basis that current data communication networks had limitations in supporting increased volumes. This research covered development of such fundamental technologies as network modems as well as application level technology, including the "Ship ad-hoc network" (SANET). The SANET, based on an ad hoc network, enables dynamic determination of ships on the sea as a node, so that maritime logistics information can be forwarded to the base station in land. The Republic of Korea expressed its intention to provide further information at the next session of the Committee.

5.30 The Committee considered document FAL 38/INF.4 (European Commission) and noted the development of the Single Window in the context of European Union Directive 2010/65/EU of the European Parliament and of the Council of 20 October 2010 concerning reporting formalities for ships arriving in and/or departing from ports of the Member States, which will be operational by 1 June 2015. The Committee noted that the main focus of the Directive is the simplification of reporting formalities through the use of electronic means of data transmission for all reporting formalities, and the European Commission would keep the Committee informed of developments with the Single Window in the European Union.

5.31 In considering document FAL 38/INF.5 (UNECE), the Committee noted the 10th Anniversary since UNECE had published "Recommendation 33 – Recommendation and Guidelines on establishing a single window to enhance the efficient exchange of information between trade and government" developed by the UNECE Centre for Trade Facilitation and Electronic Business (UN/CEFACT), and that, since that time, implementation of a Single Window worldwide had been extensive, with several models and approaches being

adopted. UNECE highlighted that it is essential that the various approaches to the Single Window work towards the longer-term objective of a simplified, harmonized and seamless flow of information between business and government.

5.32 After further general discussion the Committee decided to forward all documents to the Working Group on Electronic means for the clearance of ships.

5.33 One delegation proposed that it would be necessary to consider the future structure of the Compendium and the procedure for its review, and the Committee agreed to refer this subject to the Working Group on Electronic means for the clearance of ships for its consideration.

### **Establishment of the Working Group**

5.34 The Committee re-established the Working Group on Electronic means for the clearance of ships, under the chairmanship of Mr. Butturini (United States), and instructed it, taking into account documents FAL 38/5, FAL 38/5/1, FAL 38/5/2, FAL 38/5/3, FAL 38/5/12, FAL 38/INF.2, FAL 38/INF.3, FAL 38/INF.4 and FAL 38/INF.5 and the relevant discussions and decisions in plenary, to:

- .1 develop guidelines for use of printed versions of electronic certificates in lieu of original printed copies;
- .2 consider document FAL 38/5/3, and advise on:
  - .1 possible future amendments to the IMO Compendium on Facilitation and Electronic Business to include XML messages, according to the ISO 28005 standard; and
  - .2 the convenience of the possible use of ISO 28005 for small ports or certain types of ship;
- .3 review the list of list of certificates and documents required to be carried on board ships;
- .4 review the Revised IMO Compendium on Facilitation and Electronic Business prepared by the drafting group;
- .5 revisit the road map agreed by FAL 37 on actions to be taken to put in place the system of online access to certificates and documents or a ship-based system to achieve the same results (FAL 37/17, paragraphs 7.24 and 7.25);
- .6 consider the other documents presented and advise on the impact on or possibilities for future work;
- .7 consider whether it is necessary to re-establish the Correspondence Group on Electronic Access to Certificates and Documents; if so, advise the Committee as appropriate and prepare draft terms of reference;
- .8 if time allows, consider the future format of the IMO Compendium on Facilitation and Electronic Business to make it more efficient; and
- .9 report to plenary on Friday, 12 April 2013.

### *Consideration of the report of the working group*

5.35 Having received the report of the working group (FAL 38/WP.5), the Committee approved it in general, discussed the recommendations of the group and took action as indicated in the following paragraphs.

5.36 The Committee noted that some small ports might not have the infrastructure to receive and process EDIFACT messages, and the standard developed by ISO (ISO 28005) might be an alternative.

5.37 The Committee invited submissions on how to put in place the system of online access to certificates and documents or a ship-based system, with a view to FAL 40 developing guidelines for online access and incorporating electronic certificates through the Single Window concept.

### **Guidelines for use of printed versions of electronic certificates**

5.38 The Committee noted the opinion of the working group that the purpose of the guidelines was limited to providing information to Administrations using electronic certificates, and that the guidelines were only the first step in the transition to a paperless system and greater reliance on web-based electronic access to certificates.

5.39 The Committee further noted the opinion of the working group that the ultimate objectives of the recommended standards are that printed versions of electronic certificates should be valid and drawn up in the form corresponding to the model where required by the relevant international convention or instrument, and that further work on developing electronic access to certificates or electronic versions of certificates was needed.

5.40 The Committee considered the draft FAL resolution prepared by the Working Group on the Use of Printed Versions of Electronic Certificates, and agreed to issue it as interim guidelines by means of a FAL circular, as inputs from other Committees were expected. The Committee approved FAL.5/Circ.39 on *Interim Guidelines for use of printed versions of electronic certificates*.

### **IMO Compendium on facilitation and electronic business**

5.41 The Committee approved FAL.5/Circ.40 on *Revised IMO Compendium on Facilitation and Electronic Business*.

### **List of certificates and documents required to be carried on board ships**

5.42 The Committee approved the revised list of certificates and documents required to be carried on board ships, as set out in annex 1 of this report and approved as FAL.2/Circ.127, subject to concurrent decision of MSC 92 and MEPC 65.

## **Terms of reference of the Correspondence Group on Electronic Access to Certificates and Documents**

5.43 The Committee approved the following terms of reference for the Intersessional Correspondence Group on Electronic Access to Certificates and Documents, under the coordination of the United States\* which should:

- .1 collect lessons learned through implementation of the *Guidelines for Use of printed versions of electronic certificates*;
- .2 identify the stakeholders for accommodating required periodic endorsements of printed versions of electronic certificates and recommend efficient methods for handling these endorsements;
- .3 continue work on online access to certificates and electronic versions of documents, including features of websites used for their access;
- .4 consider the future format of the IMO Compendium on Facilitation and Electronic Business; and
- .5 report to FAL 39.

## **6 FORMALITIES CONNECTED WITH THE ARRIVAL, STAY AND DEPARTURE OF PERSONS**

### **Formalities connected with the arrival, stay and departure of persons: the Facilitation module in IMO's Global Integrated Shipping Information System (GISIS)**

6.1 The Committee noted that FAL 37 considered the proposal presented by the Secretariat (FAL 37/WP.4) to establish a new module in GISIS to collect and display:

- .1 reports on stowaway incidents, referred to in FAL.2/Circ.50/Rev.2;
- .2 reports on unsafe practice associated with the trafficking or transport of migrants by sea, referred to in MSC/Circ.896/Rev.1;
- .3 information on the contact addresses of the offices of designated national authorities and international organizations for facilitation purposes;
- .4 information on E-addresses of governmental authorities for facilitating the exchange of electronic information;
- .5 the differences between States' own practices and related standards, in accordance with article VIII(1) of the FAL Convention;

---

\* **Coordinator:**  
Mr. Roger Butturini  
United States Coast Guard  
United States Department of Homeland Security  
E-mail: [roger.k.butturini@uscg.mil](mailto:roger.k.butturini@uscg.mil)

- .6 notification by Contracting Governments when their formalities, documentary requirements and procedures are brought into agreement with the recommended practices, in accordance with article VIII(3) of the FAL Convention; and
- .7 information on experience gained with the provisions of the Convention or the guidelines and the measures taken and obstacles encountered with their implementation, as referred to in FAL.3/Circ.187.

6.2 The Committee recalled that FAL 37 had considered it premature at that time to approve the development of GISIS modules to address subparagraphs .4, .5, .6 and .7 above and had suggested that the issue should be given further consideration at FAL 38. Some Member States had expressed the concern that it was not clear if the information provided by electronic means would replace the requirement of notification to IMO through paper form.

6.3 The Committee noted that the Secretariat, consistent with the decision taken by FAL 37, has implemented the new Facilitation module in GISIS and had promulgated the details by Circular letter No.3281 of 28 June 2012. The new module contains the following internet-based databases:

- .1 the facilitation database (FALD), with the aim of facilitating reporting and global access to information on stowaways and illegal migrants rescued at sea, and promoting the exchange of data; and
- .2 the contact addresses for FAL database (CAFALD), to facilitate global access to information on designated national authorities, United Nations and specialized agencies, intergovernmental organizations and non-governmental organizations in consultative status, for facilitation purposes.

Member States and organizations in consultative status have been encouraged to use these modules to promulgate and receive the appropriate information.

6.4 The Committee considered document FAL 38/6 (Secretariat) that gave details on the new Facilitation module in GISIS, and gave further information on those proposals not approved by FAL 37, mentioned in paragraph 6.2.

*Notification by electronic means only*

6.5 The Committee noted that there were two precedents where Member States agreed there was no need to submit reports in hard copy and that GISIS was an accepted way to submit reports to IMO, thus replacing paper submissions. The first one was the reporting of reception facilities under MARPOL, where FSI 16 agreed that Member States did not need to complete part 3 of their reports under MEPC/Circ.318. Instead, the Secretariat should utilize data extracted from the GISIS module on port reception facilities when compiling summary reports for the Annual Enforcement Report on Reception Facilities. This decision was endorsed by MEPC 58 (MEPC 58/23, paragraph 10.55). Another precedent was the provision of maritime security-related information pursuant to SOLAS regulation XI-2/13 on Communication of information, via GISIS. The Committee further noted that the Legal Division had advised that the wording of the FAL Convention did not appear to be an impediment to finding a modern mechanism for reporting, but it was up to the Parties to agree on an interpretation which is consistent with the purpose of the requirement, and that the FAL Committee was the right body to discuss the matter.

6.6 The Committee agreed that the information provided to IMO pursuant to article VIII of the FAL Convention may be submitted by electronic means rather than through paper format.

*Obligation of Contracting Governments to notify IMO pursuant to article VIII of the FAL Convention*

6.7 The Committee noted that the Secretariat has been circulating periodically the consolidated list of notifications received by IMO, and that the last consolidated list was in appendix 6 of the seventh edition of the FAL Convention, published in 1998. Since then, the Secretariat has received 16 notifications that have been circulated through FAL.3 circulars. The list of these circulars is set out in the annex to document FAL 38/6 (Secretariat).

6.8 Consistent with the decision taken above, the Committee approved the establishment of a new module in GISIS with respect to the reports on the notifications to IMO pursuant to article VIII of the FAL Convention, also retaining the right to submit such information in hard copy.

*Information on E-addresses of governmental authorities for facilitating the exchange of electronic information*

6.9 The Committee recalled that following the decision taken by FAL 30 (paragraph 5.13 of FAL 30/20), FAL.5/Circ.19 had invited all Contracting Governments to provide information on E-addresses, of appropriate Governmental authorities only (i.e. not of individual employees), and also to indicate the format of the data, e.g. e-mail with attachment, secure file, website address with web-based solutions, EDI requirements in accordance with the IMO Compendium on Facilitation and Electronic Business. This system would facilitate the exchange of electronic information between masters of ships and shore-based authorities.

6.10 The Committee further recalled that the most recent circular issued by the Secretariat was FAL.5/Circ.34 which contains information provided by 17 Member States and one Associate Member.

6.11 The Committee agreed to approve the proposal to establish a new module on GISIS with respect to the information on E-addresses of governmental authorities for facilitating the exchange of electronic information, also retaining the right to submit such information by hard copy.

**Formalities connected with the arrival, stay and departure of persons: shipboard personnel**

6.12 The Committee noted that no documents had been submitted for consideration under this specific sub-item.

**Formalities connected with the arrival, stay and departure of persons: stowaways**

*Stowaway incidents*

6.13 The Committee noted information from the Secretariat that, since FAL 37, the Secretariat has issued FAL.2/Circ.124 which sets out the information reported to the Organization in relation to stowaway incidents from May to December 2011. The annual statistics for 2011 are set out in FAL.2/Circ.125 and for 2012 in FAL.2/Circ.126.

6.14 According to these reports, 494 stowaway cases were reported to the Organization in 2008, 314 in 2009, 253 in 2010, 73 in 2011 and 90 in 2012. In terms of numbers of stowaways, the cases reported to the Organization involved 2,052 stowaways in 2008; 1,070 in 2009, 721 in 2010, 193 in 2011 and 166 in 2012.

6.15 Reports on stowaway incidents were received by the Organization from nine Member States; one Associate Member and one non-governmental organization in 2008; from eight Member States, one Associate Member and one non-governmental organization in 2009, from five Member States and one Associate Member in 2010, from five Member States and one Associate Member in 2011, and from five Member States and one Associate Member in 2012.

#### **Stowaway cases and stowaways**

<b>Year</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Stowaway cases	494	314	253	73	90
Stowaways	2,052	1,070	721	193	166

#### **Reporting sources**

<b>Year</b>	<b>2008</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
Member States	9	8	5	5	5
Associate Members	1	1	1	1	1
NGOs	1	1	0	0	0

6.16 The Committee noted that the total number of reports received by the Organization until 31 March 2013 was 4,336, which involved 13,705 stowaways.

6.17 The Committee recalled that, at FAL 36, P&I Clubs had presented document FAL 36/6 containing an analysis of claims data collated by the International Group of P&I Clubs on stowaway cases from 20 February 2007 to 20 February 2008. FAL 36 had noted the big difference between the official statistics published by the Organization on stowaway cases, which are primarily received from flag States and port States, and the ones provided by the P&I Clubs. It would seem that the statistics published by the Organization based on reports received seriously under-report the scale of the problem.

6.18 The Committee considered document FAL 38/6/2 (P&I Clubs), which provided an analysis of claims data collated by the International Group of P&I Clubs on stowaway cases from 20 February 2011 to 20 February 2012 in order to facilitate the discussions on stowaways in the FAL Committee, and requested FAL 38 to take action as necessary to assist those Member States where the problem of stowaways is significant to introduce and/or implement adequate security measures within their ports, in accordance with their obligations under SOLAS chapter XI-2 and the ISPS Code, in order to reduce the number of stowaways. The P&I Clubs identified the top 10 ports of embarkation of stowaways.

6.19 The Committee expressed appreciation for the effort by the P&I Clubs to present this information, and noted the difficulty for the P&I Clubs to collect this information for future sessions, in view of the cost and time involved.



6.20 The Committee noted with concern that the statistics published by IMO clearly under-report the scale of the problem of stowaways because, according to the IMO figures from 1 January 2011 to 1 January 2012, 73 incidents involving 193 stowaways were reported to the Organization. However, the number of stowaway cases collated by the P&I Clubs from 20 February 2011 to 20 February 2012 totalled 774 incidents involving 1,640 stowaways.

6.21 The Committee agreed to encourage Member States (particularly flag States) and non-governmental organizations to provide information on stowaway cases to IMO, making use of the GISIS module.

6.22 The Committee noted further the figures provided by the P&I Clubs, which suggested that the scale of the stowaway problem has not decreased to any significant degree (the P&I Clubs reported to FAL 36 that, in the period from 20 February 2007 to 20 February 2008, there had been 842 incidents involving 1,955 stowaways, and the figures provided to FAL 38, for the period from 20 February 2011 to 20 February 2012, there had been 774 incidents involving 1,640 stowaways) and that the annual cost of the stowaway problem to the P&I Clubs is approximately \$15.3 million. The Committee agreed that further technical co-operation actions were needed to reduce the number of stowaways through adequate security measures within the ports of these countries.

6.23 The Committee noted the information provided by the Secretariat on its activity to promote maritime capacity-building for sustainable development and to enhance maritime security in west and central Africa. IMO will convene a regional meeting focusing on the prevention of stowaways in Africa in the second half of 2013, in one country of the south or west Africa region.

#### *IMO Stowaway Focal Point*

6.24 The Committee recalled that FAL 34 had requested the Secretary-General to establish within the Secretariat, subject to available resources, an IMO Stowaway Focal Point on a trial experimental basis. FAL 34 agreed that the primary function of the IMO Stowaway Focal Point was to provide assistance for the successful resolution of stowaway cases only when the parties concerned had been unable to resolve such issues within the means available to them. In this respect, FAL 34 approved the terms of reference for the conduct of such trials and agreed to review the experience gained during FAL 35 before taking any further action.

6.25 The Committee recalled that FAL 35, FAL 36 and FAL 37 had noted that the Secretariat had been requested to assist in only a very limited number of cases of stowaways on board ship, with a view to the effective disembarkation of such stowaways at the next port.

6.26 The Committee recalled that FAL 37 had considered a proposal from the Secretariat to discontinue the trial of the IMO Stowaway Focal Point, but FAL 37 had requested the Secretariat to provide more detailed information to FAL 38 on the number of times the Focal Point was used and what action was taken, in order to take a more informed decision.

6.27 The Committee considered document FAL 38/6/1 (Secretariat) providing the information requested by FAL 37, and recalled that the Secretariat had been requested to assist in a very limited number of cases of stowaways on board ship; there were records of only four incidents (of which one was a drill).

6.28 The Committee agreed that stowaways still remain a major problem for international maritime traffic. However, in view of the very low activity of the IMO Stowaway Focal Point since its creation in 2007, and the day-to-day practicalities of stowaway incidents, i.e. in the great majority of cases the incidents are handled at local level by relevant authorities and representatives of the P&I Clubs, there is little or no role for the Secretariat. The Committee therefore agreed to discontinue the trial of the IMO Stowaway Focal Point, but noted the availability of the Secretariat to assist Member States where considered necessary towards the successful and expeditious resolution of stowaway cases.

### **Formalities connected with the arrival, stay and departure of persons: Illegal migrants**

#### *Illegal migrant incidents*

6.29 The Committee noted that, since FAL 37, the Secretariat had issued MSC.3/Circ.20 containing the second biannual report of 2011 for the period 1 June to 31 December 2011, MSC.3/Circ.21 containing the annual statistics for 2011 and MSC.3/Circ.22 containing the annual statistics for 2012. Fifty-five incidents of illegal migrants transported by sea were reported to the Organization in 2008, 381 incidents were reported in 2009, 86 incidents were reported in 2010, and 189 incidents were reported in 2011.

6.30 In terms of numbers of illegal migrants, the cases reported to the Organization involved 1,266 illegal migrants in 2008, 8,747 in 2009, and 2,376 in 2010 and 14,985 in 2011. During 2012, the Organization has received 86 reports of illegal migrants transported by sea, involving 978 migrants.

#### **Number of incidents and number of illegal migrants**

Year	2008	2009	2010	2011	2012
Illegal migrant cases	55	381	86	189	86
Illegal migrants	1,266	8,747	2,376	14,985	978

6.31 In 2011 the reports were provided by four Member States: Canada, Greece, Italy and Turkey, and in 2012 only two Member States provided information: Italy and Greece.

6.32 The total number of incidents related to unsafe practices associated with the trafficking or transport of migrants by sea reported to the Organization for the period between 1 January 1999 and 20 February 2013 is 2,157 involving 103,958 illegal migrants.

6.33 The Committee noted that in a number of cases the Organization has received reports late, including information from previous years, which creates an erroneous impression under the current system of recording the reports. The Committee agreed to encourage Member States to provide timely and accurate information on illegal migrant cases to IMO, making use of the GISIS module.

### **Formalities connected with the arrival, stay and departure of persons: Persons rescued at sea**

6.34 The Committee recalled that FAL 37 had noted the progress made on the development of a draft regional agreement on concerted procedures relating to the disembarkation of persons rescued at sea, according to the terms of reference of a consultation group, prepared by the

Secretariat in cooperation with interested parties, which would include Italy, Malta and Spain. FAL 37 also had noted that three meetings of the consultation group had been held: the first in July 2010; the second in April 2011 and the third in June 2011. The third meeting further developed the terms of reference and discussed a draft regional agreement. FAL 37 also noted the decision taken by MSC 89 to extend the current target completion date to 2012.

6.35 The Committee recalled that the first regional meeting had been kindly hosted by Italy on 12 October 2011, back-to-back with the World Maritime Day parallel event in Rome, and attended by countries of the Mediterranean region (Algeria, Cyprus, France, Greece, Italy, Lebanon, Malta, Morocco, Spain, Turkey), the United Kingdom and the Secretariat. The draft terms of reference were approved in principle and the draft regional Memorandum of Understanding (MoU) was partly revised during that meeting.

6.36 The Committee recalled further that in order to make significant progress towards finalizing the draft regional MoU, it was considered beneficial to hold informal consultations among interested parties to agree on some of the more contentious issues and associated draft texts before organizing the next regional formal meeting. Accordingly, informal consultations of interested parties were held at IMO Headquarters on 21 February 2012. Some of the most contentious aspects were discussed and agreements reached on sensitive subjects and the draft text of the regional MoU was improved accordingly.

6.37 The Committee recalled that the second formal regional meeting had been planned to be held on 18 April 2012 at IMO Headquarters, with a view to reviewing the draft of the instrument on procedures relating to the disembarkation of persons rescued at sea.

6.38 The Committee noted that following a request for more time to be given for informal consultations between some Parties concerned, the meeting was postponed. The Committee further noted that bilateral consultations have continued in recent months which have helped towards resolving some differences. Therefore, it is expected that the second regional meeting will be rescheduled in the coming months.

6.39 United Nations High Commissioner for Refugees (UNHCR) reiterated its support and partnership with the IMO and other stakeholders for rescue at sea and disembarkation of asylum seekers and refugees. UNHCR provided information on the Fifth Ministerial Conference of the Bali Process on People Smuggling, Trafficking in Persons and Related Transnational Crime, held on 2 April 2013 in Indonesia, where, on the subject of Irregular Maritime Movements, Ministers from the Asia Pacific region recommended the development of a protection-sensitive regional approach.

6.40 The Committee noted that COMSAR 17 and FSI 21 had decided to invite MSC 92 to extend the target completion year for this planned output to 2014.

6.41 The Committee agreed to extend the target completion year for this item to 2014 when discussing its biennial agenda under agenda item 12.

## **7 ENSURING SECURITY IN AND FACILITATING INTERNATIONAL TRADE**

### **Maritime trade recovery**

7.1 The Committee recalled that FAL 37 had established the Correspondence Group on Ensuring Security in and Facilitating International Trade by Means of Guidance on Measures Towards Enhancing Maritime Trade Recovery Related to the Global Supply Chain System and Maritime Conveyances (the correspondence group), under the coordination of Canada

and the United States, and that the correspondence group had been tasked with preparing and submitting a report, together with the draft guidance, to FAL 38 for consideration.

7.2 The Committee recalled also that C/ES.26 had approved new planned output 8.0.2.6 of the High-Level Action Plan of the Organization and priorities for the 2012-2013 biennium, related to ensuring security in and facilitating international trade by means of guidance on this subject.

7.3 The Committee considered the report of the correspondence group, document FAL 38/7 (Canada and United States), and noted that the group had developed voluntary guidelines based on current and prior experience of developing resilience for practices in maritime commerce in each country. The proposed guidelines consisted of three parts:

1. a listing of information requirements critical to improving supply-chain resilience and facilitating trade recovery following a severe disruption to the maritime supply chain;
2. information relating to the development of communication mechanisms between parties; and
3. information relevant to the establishment of industry support groups.

7.4 The Committee noted that the voluntary guidelines are intended for use by IMO Member States and industry to increase the resilience of the global maritime supply chain and minimize disruptions in the event of large-scale emergencies. This recognizes the importance of ensuring that the maritime transportation system is prepared for, and can recover in a timely manner from, major supply chain disruptions. In developing the guidelines, instruments related to maritime trade and resilience from the International Organization for Standardization and the World Customs Organization were consulted. Material from the Asia-Pacific Economic Cooperation Trade Recovery Programme was also analysed.

7.5 The Committee expressed support for the outcome of the correspondence group with a view to the subsequent adoption of the voluntary guidelines. Getting a robust framework in place as proposed by these guidelines was considered a good first step into this critical area of trade recovery. Explicit support was also given to the inclusion of existing guidance from other international and regional organizations so as not to “reinvent the wheel”. The Committee agreed to refer these guidelines to the Working Group on Ensuring Security in and Facilitating International Trade for its consideration and further refinement of the text, and agreed further to the proposal made by the Chairman of the working group to optimize the accessibility of the guidelines primarily by shortening some paragraph headings.

#### **Information related to Privately contracted armed security personnel (PCASP) embarkation and disembarkation**

7.6 The Committee considered document FAL 38/7/1 (Secretariat) that contained information related to the questionnaire on information on port and coastal State requirements related to privately contracted armed security personnel on board ships. This questionnaire was finalized by an intersessional meeting of the Maritime Security and Piracy Working Group and circulated as MSC-FAL.1/Circ.2 entitled "Questionnaire on information on port and coastal State requirements related to PCASP". The circular urged Member Governments and, in particular, those of the coastal States bordering the Indian Ocean, Arabian Sea, Gulf of Aden and Red Sea, to raise awareness of their relevant national legislation, policies and procedures relating to the carriage, embarkation and disembarkation

of firearms and security-related equipment through their territory and to the movement of PCASP, by completing the questionnaire and submitting it to the Organization.

7.7 The Committee noted that the responses to the questionnaire and any related national legislation, policies and procedures provided were posted by the Secretariat, in the language received, on IMO's public website ([www.imo.org](http://www.imo.org)). The Secretariat had received responses to MSC-FAL.1/Circ.2 from 13 Member States and one Associate Member, five of which border the Indian Ocean, Arabian Sea, Gulf of Aden or Red Sea.

7.8 The Committee noted also that in addition to responses to the MSC-FAL.1/Circ.2, WCO had produced and issued a short questionnaire on customs issues related to PCASP, which the Secretariat had also promulgated on the IMO public website.

7.9 The Committee invited Contracting Governments to note the information promulgated on the IMO website and urged Member States that had not done so to complete the questionnaire annexed to MSC-FAL.1/Circ.2 and submit the information to the Organization at their earliest convenience.

7.10 The Committee agreed to refer the consideration on possible ways to promote the replies to MSC-FAL.1/Circ.2 to the Working Group on Ensuring Security in and Facilitating International Trade, for its consideration.

7.11 The Committee considered a proposal on whether the Working Group on Ensuring Security in and Facilitating International Trade might advise on those aspects of maritime security that should be considered in the general review of the FAL Convention, but the Committee did not accept it, as no concrete proposal had been made and another working group was working on the general review process. One delegation expressed the opinion that there was need to promote the inclusion of further aspects on security in the FAL Convention.

### **Establishment of the working group**

7.12 The Committee established the Working Group on Ensuring Security in and Facilitating International Trade, under the chairmanship of Mr. Philip White (United Kingdom), and instructed it, taking into account documents FAL 38/7 and FAL 38/7/1 and the relevant discussions and decisions in plenary, to:

- .1 review the *Guidelines on measures towards enhancing maritime trade recovery related to the Global Supply Chain system and maritime conveyances*, and, if appropriate, prepare a final draft for approval by the Committee;
- .2 prepare the cover of a FAL circular;
- .3 advise on the procedures to promote the replies of the Member States of the information requested in MSC-FAL.1/Circ.2; and
- .4 report to plenary on Friday, 12 April 2013.

### *Consideration of the report of the working group*

7.13 Having received the report of the working group (FAL 38/WP.6), the Committee approved it in general, discussed the recommendations of the group and took action as indicated in the following paragraphs.

7.14 The Committee approved the inclusion of trade recovery and contingency practices in the general review of the FAL Convention and their inclusion in the terms of reference of the proposed correspondence group on review and implementation of the Convention.

7.15 Regarding the insufficient number of replies provided by the Member States to MSC-FAL.1/Circ.2, the Committee agreed with the proposal made by the working group to request the Secretariat to communicate with Member States reminding them of the need to supply the information requested therein. Taking into account the importance of this issue, the Committee decided to revisit this subject in FAL 39.

### **Guidelines on measures toward enhancing maritime trade recovery related to the global supply chain system and maritime conveyances**

7.16 The Committee approved FAL.6/Circ.16 on the *Guidelines on measures towards enhancing maritime trade recovery related to the global supply chain system and maritime conveyances*.

## **8 SHIP/PORT INTERFACE**

### *Facilitation of shipments of dangerous cargoes*

8.1 The Committee recalled that FAL 34 had noted operative paragraph 7 of resolution A.984(24) on *Facilitation of the carriage of IMDG Code class 7 radioactive materials, including those in packaged form used in medical or public health applications*, and had requested the Secretary-General to explore the possibility of establishing an ad hoc mechanism within the Organization to coordinate efforts to speedily resolve difficulties in the carriage of the IMDG Code class 7 radioactive materials, in close cooperation with the IAEA.

8.2 The Committee recalled further that FAL 36 had agreed that, in view of the results of the trials, the issue of denial of shipments had not yet been resolved. As a result, the Committee agreed to request the Secretary-General to continue the trials of the mechanism within the IMO Secretariat for the resolution of difficulties in the carriage of IMDG Code dangerous goods including class 7 radioactive materials, and instructed the Secretariat to report the results of the experience gained to FAL 37, so that the Committee could determine the actions to be taken.

8.3 The Committee recalled that FAL 37 had considered whether to finalize the trial of the mechanism established by FAL 34 and to maintain the mechanism on a permanent basis. However, FAL 37 had decided that it would be prudent to conduct a full examination of and justification for the mechanism, including cost and staffing implications. FAL 37 had instructed the Secretariat to continue the trial of the mechanism and to submit a written report on its experience to FAL 38 for a more detailed evaluation of results of the trial.

8.4 The Committee considered document FAL 38/8 (Secretariat), which provided the information requested by FAL 37 on the mechanism to coordinate efforts to resolve difficulties in the carriage of the IMDG Code Dangerous Goods including class 7 radioactive materials and, taking into account its neutral impact on budget and limited effect on the workload of staff, the Secretariat recommended finalizing the trial of the mechanism and maintaining it on a permanent basis.

8.5 The Committee noted that the Secretariat had attended the meeting of the International Steering Committee on the Denial of Shipments of Radioactive Materials, held in Vienna from 13 to 15 April 2012, where the Secretariat had reported on the outcome of FAL 37. The International Steering Committee had expressed its appreciation for the interest of IMO in maintaining that mechanism in place, including the delays and denials database on a permanent basis.

8.6 The Committee noted that the Secretariat's role had been limited to the resolution of difficulties associated with class 7 radioactive material; however, information submitted on difficulties encountered in the shipments of other dangerous goods had been compiled for consideration by the appropriate bodies.

8.7 The Committee noted that the Secretariat had assisted in resolving such difficulties when required (3 cases so far), although most of the cases had required the expertise of the IAEA and the role of the Secretariat had been primarily as a facilitator. In a small number of cases, the Secretariat had been involved in the investigation and/or resolution of the problem, which had not taken up significant staff time.

8.8 Regarding the Dangerous Goods Denial Database set up by the Secretariat, the Committee noted there had not been any further report since FAL 37, and therefore the figures remained as noted by FAL 37. The IMO database continued to be accessible to IAEA and ICAO and a synopsis of the database showed that out of the 236 reports there were 182 relating to sea mode, 51 to air mode and three to land mode.

8.9 The Committee further noted that the financial implication of the database was not significant, due to its operational system being within GISIS. Thus, the impact of the mechanism on the workload of the Secretariat was very limited, and therefore, the cost implication was reduced.

8.10 The Committee agreed to:

- .1 finalize the trials of the mechanism established by FAL 34, for the resolution of difficulties in the carriage of IMDG Code Class 7 Radioactive Materials, and to leave it on a permanent basis until the problem is resolved, as set out in annex 5 to FAL 34/19; and
- .2 cooperate with relevant agencies and organizations on issues surrounding the delays and denials of shipments of IMDG Code classified cargoes, in particular IMDG Code class 7 radioactive materials, including those in packaged form used in medical or public health applications, and to report accordingly to FAL 39.

8.11 The Committee noted the information that almost 630 stakeholders have used the computer-based training package on class 7 e-learning which has been developed and is functional on [www.class7elearning.com](http://www.class7elearning.com). The Committee noted that this programme is available free of cost to all non-commercial users.

### **Training of mooring personnel**

8.12 The Committee recalled that FAL 32 had approved FAL.6/Circ.11, *Guidelines on minimum training and education for mooring personnel*, and had established the Correspondence Group on Development of a Model Course on Training of Mooring Personnel.

8.13 The Committee recalled that FAL 33 had decided to defer the consideration of the development of a model course because the correspondence group was not in a position to report to FAL 33, due to the illness of the group's coordinator (Captain Roos (Germany)).

8.14 The Committee recalled that FAL 34 had agreed that there was a need, in light of the fact that FAL 32 had approved FAL.6/Circ.11 on the *Guidelines on minimum training and education for mooring personnel* and the lack of response to MSC/Circ.1098-FAL/Circ.99 (*Development of guidelines on minimum training and education for shore-side mooring personnel*) – which invited Member States and non-governmental organizations to submit such standards to the coordinator of the correspondence group – to seriously reflect on why, for almost 10 years, there had been very little progress on this issue. FAL 34 had agreed that it may be appropriate, at the current stage, to allow some time for experience to be gained from the use of the Guidelines before the question of the development of a model course is re-examined.

8.15 The Committee considered document FAL 38/8/1 (Italy and Spain), which proposed amendments to FAL.6/Circ.11, aimed at increasing the level of safety when ships proceed to mooring operations, by updating the training taking into account the experience gained.

8.16 The Committee agreed on the need to include the training of mooring personnel as a new output in the proposals for the High-level Action Plan of the Organization and priorities for the 2014–2015 biennium, for approval by the 110th session of Council (C 110) in July 2013 and the twenty-eighth session of Assembly (A 28) in November 2013.

8.17 The Committee noted the general support for the review of the current circular, but some delegations expressed the opinion that the training of these shoreside personnel should be appropriate to their functions in the port. The Committee agreed that a working group in FAL 39 might consider this subject, and invited Contracting Governments, Member States, NGOs and IGOs, to submit proposals to FAL 39.

## **9 TECHNICAL CO-OPERATION AND ASSISTANCE**

9.1 The Committee recalled that the Technical Co-operation Committee (TCC) at its sixty-first session had approved the Integrated Technical Co-operation Programme (ITCP) for 2012-2013 which included several activities relevant to the FAL Convention to be implemented during next biennium.

9.2 The Committee recalled that FAL 37 had noted the decision taken in June 2011 by the Organisation for Economic Co-operation and Development (OECD) Development Assistance Committee to include IMO in the OECD list of organizations eligible to receive official development assistance. As a result, the Organization, with its recognized capacity to contribute to the development agenda, would now be part of the Statistical Reporting Directives lists. This was a significant achievement that should be fully utilized to ensure the sustainable financing of the ITCP. This might serve to encourage Member States of the OECD and international and regional organizations to make financial contributions to the ITCP.

9.3 The Committee considered document FAL 38/9/Rev.1 (Secretariat), which reported on the status of activities relevant to the implementation of the FAL Convention, as amended, conducted under the ITCP. In the period from June 2011 to December 2012 a regional seminar in Bulgaria and two national seminars in Bahrain and Egypt were carried out. The two national seminars were planned to offer a better understanding of the FAL Convention and of electronic means for the clearance of ships and the use of the Single Window concept, and the conclusions of the seminars were very positive concerning the good opportunity they offered to improve coordination between public authorities and the private sector in ports.



9.4 The Committee noted that the Secretariat planned to develop technical co-operation activities giving preference to national seminars rather than subregional seminars so as to focus on increasing the number of ratifications by Member States of the FAL Convention (58 Member States are not parties to the Convention) and to achieve more effective implementation of the FAL Convention, on the basis that the national format was the best way to gather all the authorities involved in port activities together with the private sector and to discuss ways to improve the current situation, and that it is also more cost-effective. These national seminars of three days' duration will be focused mainly on FAL and electronic means for the clearance of ships and aim to achieve better coordination between all the stakeholders in port activities. This national format will help to identify and address the legal and organizational obstacles to improving facilitation.

9.5 The Committee recalled that TCC 62 had approved the Demonstration Project with the aim of "showing the potential role of maritime transport facilitation in the reduction of poverty (MDG 1)". The ToRs of the Demonstration Project were in the report of the correspondence group under the coordination of Angola (document TC 62/5/1). The Committee noted that the final goal of the project was to show the potential role of improved facilitation of maritime transport in the reduction of poverty; the duration of the project was more than two years. The project had been conducted in Cameroon, and the Committee noted that a needs-assessment mission had been conducted from 9 to 23 March 2013 and that the results of the mission will be reported to TCC 63.

#### **Proposed thematic priorities for 2014/2015 biennium**

9.6 The Committee noted that TCC 63, in July 2013, was expected to approve the ITCP for 2014–2015, which will be developed on the basis of assessed needs of the beneficiaries, the approved work programme of the Organization, the interests of developing partners and the thematic priorities agreed by the Committees and the corresponding needs of developing countries.

9.7 The Committee recalled the review and reform initiative of the Secretary-General submitted to the Council (document C 109/3/1, paragraph 48) which focused on a limited number of priority TC themes per year to provide a more effective delivery and maximize the impact under national activities throughout the regions, financed through the allocation of a ring-fenced percentage of core TC Funds and based on the existing Technical Advisory Services Programme as a blue-print. In this regard, and although the main needs of countries/regions have not changed substantially, and therefore the eight thematic priorities presented for consideration by the Committee at FAL 36 would continue to apply to most regions, the Secretariat, based on experience gained from the delivery of technical assistance, suggested, for the Committee's consideration the following five priority themes for the 2014-2015 biennium:

- .1 Promote the FAL Convention (thematic priority No.2);
- .2 Encourage the use of information and communication technology (thematic priority No.4);
- .3 Support the training of personnel involved in port activities (thematic priority No.5);
- .4 Assist Member States on the problems caused by stowaways and illegal migrants (thematic priority No.6);
- .5 Promote the ratification and effective implementation of the FAL Convention in developing countries, especially in Africa (thematic priority No.8).

9.8 The Committee instructed the Secretariat to forward these to the Technical Co-operation Committee for consideration for inclusion in the ITCP.

9.9 Regarding thematic priority No.1, the Committee agreed, in partnership with the TCC, to consider developing a document on: *FAL Convention: How to do it?*, on the understanding that this document will not only help the existing Parties to implement FAL, but will further motivate non-Parties to be aware of the expectations and to seriously consider ratification of the instrument.

#### **Name of the agenda item on Technical Co-operation and assistance**

9.10 The Committee recalled that MSC 90 had agreed to amend the title of the agenda item on "Technical Assistance Sub-programme in maritime safety and security" to "Technical Co-operation activities relating to maritime safety and security", to be consistent with the ITCP. The Committee noted that the MEPC and LEG had also amended the title of these agenda items to be consistent with the ITCP.

9.11 Taking into consideration the decisions already taken by the other Committees, the Committee agreed to amend the title of this agenda item from "Technical Co-operation and Assistance" to "Technical Co-operation activities related to facilitation of maritime traffic".

### **10 RELATIONS WITH OTHER ORGANIZATIONS**

#### **Relations with non-governmental organizations**

10.1 In considering document FAL 38/10 (Secretariat), the Committee noted the relevant decisions of C 108 and C 109 in respect of relations with non-governmental organizations.

10.2 The Committee noted, inter alia, that since FAL 37 the Council at its 108th session had decided not to grant consultative status to any new non-governmental organizations. The list of organizations in consultative status grouped according to interests/activities is contained in document C 108/15(d)/1.

10.3 The Committee noted that, with respect to its review of the Guidelines on the Grant of Consultative Status, the Council at its 109th session had decided to:

- .1 approve the consolidated revised text of the Rules and Guidelines for submission to the twenty-eighth session of the Assembly for approval;
- .2 approve the revised questionnaire; and
- .3 endorse the existing role of the Secretariat in the process of screening new applications.

### **11 APPLICATION OF THE COMMITTEE'S GUIDELINES**

11.1 The Committee recalled that FAL 36 had approved revised *Guidelines on the organization and method of work of the Facilitation Committee* for circulation after MSC 88 by means of a new FAL.3 Circular that would incorporate the approved amendments and supersede the existing Guidelines as set out in FAL.3/Circ.195. The Guidelines had been circulated under FAL.3/Circ.206 on 6 July 2011.

11.2 The Committee recalled that the Council, at its twenty-sixth extraordinary session (17 and 18 November 2011), had agreed, in accordance with paragraph 4 of resolution A.1013(26), to incorporate within the *Guidelines on the Application of the Strategic Plan and the High-level Action Plan of the Organization* ("the GAP"), and with immediate effect, the checklist for identifying administrative requirements and burdens in the future; had requested the Committees to update the Guidelines on the organization and method of their work accordingly; and had requested Member States to observe the provisions of the GAP.

11.3 The Committee considered documents FAL 38/11 and FAL 38/11/Rev.1 (Secretariat), proposing amendments to the Committee's Guidelines on the organization and method of its work. The amendments proposed incorporated the request by C/ES.26 to harmonize the FAL Guidelines as much as possible with those of the Maritime Safety and Marine Environment Protection Committees, and to make editorial improvements in the text.

11.4 The Committee approved FAL.3/Circ.209 on the revised Guidelines on the organization and method of work of the Facilitation Committee.

11.5 The Committee further agreed to advise the other committees to review their Guidelines on the organization and method of work, following the editorial improvement made by FAL 38, to have a more accurate and comprehensive text.

## **12 WORK PROGRAMME**

12.1 The Committee recalled that FAL 37 had decided to propose to the Council that the Committee should, in future, meet every 18 months, starting from FAL 38. This decision would need to be reviewed periodically, taking into account the agenda of the Committee as well as the need to progress facilitation-related matters. C/ES.26 approved the report of FAL 37, and the Assembly approved the reports of FAL 36 and FAL 37.

### *Substantive items for inclusion in the agenda for FAL 39*

12.2 In considering document FAL 38/WP.2 (Chairman) and on the basis of the progress made during the session, the Committee amended and approved the list of substantive items to be included in the provisional agenda for FAL 39, as set out in annex 2.

### *Establishment of working and drafting groups during FAL 39*

12.3 The Committee, taking into account the decisions made under various agenda items, agreed that working groups on the following items should be established at FAL 39:

- .1 General review and implementation of the Convention;
- .2 Electronic access to, or electronic versions of, certificates and documents required to be carried on ships; and
- .3 Training of mooring personnel.

12.4 The Committee also agreed that, at this stage, it was not possible to predict the exact needs for the establishment of drafting groups at FAL 39.

12.5 The Committee further agreed that, should the need arise, FAL 39 would determine any other working or drafting groups which might need to be established when considering the various agenda items. The Committee instructed the Secretariat, in consultation with the Chairman, to prepare and circulate the provisional timetable for FAL 39 and a list of the likely working or drafting groups which might need to be established for consideration by FAL 39.

*Date and venue of the next session*

12.6 The Committee noted that FAL 39 had been tentatively scheduled to take place from 20 to 24 October 2014 at IMO Headquarters, 4 Albert Embankment, London, United Kingdom.

*Status of planned outputs of the Committee for the 2012-2013 biennium*

12.7 The Committee recalled that in accordance with paragraph 9.1 of the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization*, adopted by resolution A.1013(26), the reports on the status of planned outputs included in the High-level Action Plan and priorities for the 2010-2011 biennium should be prepared and annexed to the report of each session of the sub-committees and committees, and to the biennial report of the Council to the Assembly. Such reports should separately identify unplanned outputs accepted for inclusion in the biennial agendas.

12.8 The Committee recalled further that resolution A.1013(26) also requested that, in preparing such report, each organ of the Organization should consolidate therein all the reports on the status of planned outputs which it has received since its previous report.

12.9 The Committee endorsed the status of planned outputs for the 2012-2013 biennium, reproducing the items listed in resolution A.1012(26), relating to the work of the Committee and relevant sub-committees, which had been prepared by the Secretariat, in consultation with the Chairman, as set out in annex 3.

*Post-biennial agenda of the Committee*

12.10 The Committee recalled that in the context of the *Guidelines on the application of the Strategic Plan and High-level Action Plan* (resolution A.1013(26)), the Committee should establish and maintain a post-biennial agenda, using the format set out in the aforementioned Guidelines, and it should be annexed to the reports of each session.

12.11 The Committee endorsed the status of planned outputs for the 2012-2013 biennium, which are accepted as post-biennial outputs and are provided in annex 4.

12.12 The Committee considered document FAL 38/WP.3 containing the "Proposals for the High-level Action Plan of the Organization and priorities for the 2014-2015 biennium", prepared by the Secretariat in consultation with the Chairman and taking into account the progress made by the Committee during the current biennium.

12.13 The Committee approved the proposals for the High-level Action Plan of the Organization and priorities for the 2014-2015 biennium for the Committee for submission to the 110th session of Council (C 110) in July 2013, as set out in annex 5.

### **13 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2014**

13.1 The Committee, in accordance with its Rules of Procedure, re-elected Mr. Yuri Melenas (Russian Federation) to the post of Chairman and Mrs. Marina Angsell (Sweden) to the post of Vice-Chairman for 2014, by acclamation.

### **14 ANY OTHER BUSINESS**

14.1 The Committee noted that there were no documents submitted on this item, but the Committee considered under this agenda item document FAL 38/2/2 (Denmark), highlighting the views of the end users in relation to the administrative burdens at sea, in order to evaluate if the regulations really work. The Committee expressed its appreciation for the presentation made by Denmark that offered a lively exposition on bureaucratic overload and the problems that a master finds when the ship calls at a port.

14.2 The Committee considered the draft Assembly resolution agreed by FSI 21, concerning notification and circulation through GISIS. This resolution promotes the use of GISIS to enhance the implementation of mandatory IMO instruments, particularly in respect of the rate of notifications, making an effective use of information and communication technology, and potentially reducing the administrative burden; provides a means whereby Contracting Governments or Parties can fulfil mandatory reporting requirements; and facilitates the circulation of the related notifications by the Organization.

14.3 The Committee approved the draft Assembly resolution on *Notification and circulation through the global integrated shipping information system* (GISIS), as set out in annex 6, and noted that during this session, under agenda item 6, the Committee had agreed that information provided to the Organization pursuant to article VIII of the Convention could be by electronic means rather than by paper format.

### **15 ACTION REQUESTED OF OTHER IMO BODIES**

15.1 The Assembly, at its twenty-eighth session, is invited to consider and adopt the draft Assembly resolution on *Notification and circulation through the global integrated shipping information system (GISIS)* (paragraph 14.2 and annex 6).

15.2 The Council, at its one hundredth and tenth regular session, is invited to:

- .1 consider the report of the thirty-eighth session of the Facilitation Committee and, in accordance with Article 21(b) of the IMO Convention, transmit it, with its comments and recommendations, to the twenty-eighth session of the Assembly;
- .2 decide on the preferred option for the consideration of the adoption of the amendments to the annex to the FAL Convention arising from the General Review of the FAL Convention (paragraphs 4.22 to 4.25);
- .3 note the Committee's revised Guidelines on the organization and method of work (FAL.3/Circ.209), and consider if the editorial improvements made by FAL 38 might be included in any revision to Assembly resolution A.1013(26) (paragraphs 11.3 to 11.5);

---

\*

Please note that the presentation may be downloaded from:  
<http://www.dma.dk/news/Sider/Danishpresentationgavefoodforthought.aspx>.

- .4 note the report on the status of planned outputs for the 2012-2013 biennium (paragraph 12.9 and annex 3);
- .5 note the updated post-biennial agenda of the FAL Committee (paragraph 12.11 and annex 4); and
- .6 endorse the proposals for the High-level Action Plan of the Organization and priorities for the 2014-2015 biennium for the FAL Committee (paragraph 12.13 and annex 5).

15.3 The Maritime Safety Committee, at its ninety-second session, is invited to:

- .1 note the discussion and agreement on shore leave (paragraphs 4.30, and 4.37 to 4.38);
- .2 note the discussion regarding the possible harmonization of requirements for transmission of pre-arrival and pre-departure information with the WCO SAFE Framework of standards, and upgrade the relevant FAL Recommended Practice to a Standard (paragraph 4.36);
- .3 approve the list of certificates and documents required to be carried on board ships (paragraphs 5.4 and 5.42 and annex 1);
- .4 consider FAL.5/Circ.39 on *Interim Guidelines for use of printed versions of electronic certificates*, and advise FAL 39 of any additions or amendments required (paragraphs 5.38 to 5.40);
- .5 note that the number of stowaway incidents has not decreased to any significant degree and that further technical cooperation activities are needed to reduce the number of stowaways through improvement of security measures within the ports of these countries (paragraphs 6.18 to 6.23);
- .6 note the decision to extend to 2014 the target completion year for the planned output on "Development of measures to protect the safety of persons rescued at sea" (paragraph 6.41);
- .7 note the need to supply the information requested in MSC-FAL.1/Circ.2 on PCASP, and the decision to revisit this subject in FAL 39 (paragraph 7.15);
- .8 note FAL.6/Circ.16 on *Guidelines on measures towards enhancing maritime trade recovery related to the global supply chain system and maritime conveyances* (paragraph 7.16); and
- .9 note the revised Committee's Guidelines on the organization and method of work (FAL.3/Circ.209), and consider if the editorial improvements made by FAL 38 might be included in MSC-MEPC.1/Circ.4.Rev.2 (paragraphs 11.3 to 11.5).

- 15.4 The Marine Environment Protection Committee, at its sixty-fifth session, is invited to:
- .1 approve the list of certificates and documents required to be carried on board ships (paragraphs 5.4 and 5.42 and annex 1);
  - .2 consider FAL.5/Circ.39 on *Interim Guidelines for use of printed versions of electronic certificates*, and advise FAL 39 of any additions or amendments required (paragraphs 5.38 to 5.40); and
  - .3 note the revised Committee's Guidelines on the organization and method of work (FAL.3/Circ.209), and consider if the editorial improvements made by FAL 38 might be included in MSC-MEPC.1/Circ.4.Rev.2 (paragraphs 11.3 to 11.5).
- 15.5 The Legal Committee, at its 101st session, is invited to:
- .1 note the discussion and agreement on shore leave (paragraphs 4.30, and 4.37 to 4.38); and
  - .2 note the revised Committee's Guidelines on the organization and method of work (FAL.3/Circ.209), and consider if the editorial improvements made by FAL 38 might be included in LEG.1/Circ.7 (paragraphs 11.3 to 11.5).
- 15.6 The Technical Co-operation Committee, at its sixty-third session, is invited to:
- .1 note the approval of the priority themes for the ITCP covering the 2014-2015 biennium and take action as appropriate (paragraphs 9.7 and 9.8);
  - .2 consider developing in partnership with FAL a document on *FAL Convention: How to do it?* (paragraph 9.9);
  - .3 note the decision of FAL 38 to amend the title of the agenda item on "Technical Co-operation and Assistance" to "Technical Co-operation activities related to facilitation of maritime traffic" (paragraph 9.11); and
  - .4 note the revised Committee's Guidelines on the organization and method of work (FAL.3/Circ.209), and consider if the editorial improvements made by FAL 38 might be included in TC.1/Circ.66 (paragraphs 11.3 to 11.5).
- 15.7 The Sub-Committee on Dangerous Goods, Solid Cargoes and Containers (DSC), at its eighteenth session, is invited to:
- .1 advise on the proposal made in document FAL 38/4/1 (IVODGA) regarding the amendments to the Dangerous Goods Manifests (paragraphs 4.20, 4.21 and 4.39); and
  - .2 note the decision adopted by FAL 38 regarding facilitation of shipments of dangerous cargoes (paragraph 8.10).
- 15.8 The Sub-Committee on Standards of Training and Watchkeeping (STW), at its forty-fifth session, is invited to note the discussion on training of mooring personnel (paragraphs 8.12 to 8.17).

\*\*\*





**ANNEX 1**

**FAL.2/Circ.127**  
**MEPC.1/Circ.[...]**  
**MSC.1/Circ.[...]**  
**[..... 2013]**

**REVISED LIST OF CERTIFICATES AND DOCUMENTS REQUIRED  
TO BE CARRIED ON BOARD SHIPS, 2013**

1 The Facilitation Committee, at its thirty-eighth session (8 to 12 April 2013), the Marine Environment Protection Committee, at its [sixty-fifth session (13 to 17 May 2013)], and the Maritime Safety Committee, at its [ninety-second session (12 to 21 June 2013)], approved the List of certificates and documents required to be carried on board ships, 2013, as set out in the annex.

2 This work was carried out in accordance with the provisions of section 2 of the annex to the FAL Convention concerning formalities required of shipowners by public authorities on the arrival, stay and departure of ships. It is reiterated that these provisions should not be read as precluding a requirement for the presentation for inspection by the appropriate authorities of certificates and other documents carried by the ship pertaining to its registry, measurement, safety, manning, classification and other related matters.

3 Due to amendments to relevant instruments since the issuance of FAL.2/Circ.123-MEPC/Circ.769-MS/Circ.1409, the list has been revised to take account of the relevant provisions of the aforementioned amendments.

4 This circular lists only the certificates and documents that are required under IMO instruments and it does not include certificates or documents required by other international organizations or governmental authorities.

5 This circular should not be used in the context of port State control inspections for which convention requirements should be referred to.

6 Member Governments are invited to note the information provided in the annex and take action as appropriate.

7 This circular supersedes FAL.2/Circ.123-MEPC/Circ.769-MS/Circ.1409.

\* \* \*

ANNEX

**CERTIFICATES AND DOCUMENTS REQUIRED TO BE CARRIED  
ON BOARD SHIPS**

(Note: All certificates to be carried on board must be valid and drawn up in the form corresponding to the model where required by the relevant international convention or instrument.)

No.	Contents	Reference
1	<b>All ships to which the referenced convention applies</b>	
	<b>International Tonnage Certificate (1969)</b> An International Tonnage Certificate (1969) shall be issued to every ship, the gross and net tonnage of which have been determined in accordance with the Convention.	Tonnage Convention, article 7
	<b>International Load Line Certificate</b> An International Load Line Certificate shall be issued under the provisions of the International Convention on Load Lines, 1966, to every ship which has been surveyed and marked in accordance with the Convention or the Convention as modified by the 1988 LL Protocol, as appropriate.	LL Convention, article 16; 1988 LL Protocol, article 16
	<b>International Load Line Exemption Certificate</b> An International Load Line Exemption Certificate shall be issued to any ship to which an exemption has been granted under and in accordance with article 6 of the Load Line Convention or the Convention as modified by the 1988 LL Protocol, as appropriate.	LL Convention, article 6; 1988 LL Protocol, article 16
	<b>Coating Technical File</b> A Coating Technical File, containing specifications of the coating system applied to dedicated seawater ballast tanks in all types of ships and double-side skin spaces of bulk carriers of 150 m in length and upwards, record of the shipyard's and shipowner's coating work, detailed criteria for coating sections, job specifications, inspection, maintenance and repair, shall be kept on board and maintained throughout the life of the ship.	SOLAS 1974, regulation II-1/3-2; Performance standard for protective coatings for dedicated seawater ballast tanks in all types of ships and double-side skin spaces of bulk carriers (resolution MSC.215(82))

No.	Contents	Reference
	<p><b>Construction drawings</b> A set of as-built construction drawings and other plans showing any subsequent structural alterations shall be kept on board a ship constructed on or after 1 January 2007.</p>	<p>SOLAS 1974, regulation II-1/3-7; MSC/Circ.1135 on As-built construction drawings to be maintained on board the ship and ashore</p>
	<p><b>Ship Construction File</b> A Ship Construction File with specific information should be kept on board oil tankers of 150 m in length and above and bulk carriers of 150 m in length and above, constructed with single deck, top-side tanks and hopper side tanks in cargo spaces, excluding ore carriers and combination carriers:</p> <ul style="list-style-type: none"> <li>.1 for which the building contract is placed on or after 1 July 2016;</li> <li>.2 in the absence of a building contract, the keels of which are laid or which are at a similar stage of construction on or after 1 July 2017; or</li> <li>.3 the delivery of which is on or after 1 July 2020 shall carry a Ship Construction File containing information in accordance with regulations and guidelines,</li> </ul> <p>and updated as appropriate throughout the ship's life in order to facilitate safe operation, maintenance, survey, repair and emergency measures.</p>	<p>SOLAS 1974, regulation II-1/3-10; MSC.1/Circ.1343 on Guidelines for the information to be included in a Ship Construction File</p>
	<p><b>Stability information</b> Every passenger ship regardless of size and every cargo ship of 24 metres and over shall be inclined on completion and the elements of their stability determined. The master shall be supplied with stability information containing such information as is necessary to enable him, by rapid and simple procedures, to obtain accurate guidance as to the stability of the ship under varying conditions of service to maintain the required intact stability and stability after damage. For bulk carriers, the information required in a bulk carrier booklet may be contained in the stability information.</p>	<p>SOLAS 1974, regulations II-1/5 and II-1/5-1; LL Convention; 1988 LL Protocol, regulation 10</p>
	<p><b>Damage control plans and booklets</b> On passenger and cargo ships, there shall be permanently exhibited plans showing clearly for each deck and hold the boundaries of the watertight compartments, the openings therein with the means of closure and position of any controls thereof, and the arrangements for the correction of any list due to flooding. Booklets containing the aforementioned information shall be made available to the officers of the ship.</p>	<p>SOLAS 1974, regulation II-1/19; MSC.1/Circ.1245</p>

No.	Contents	Reference
	<p><b>Minimum safe manning document</b> Every ship to which chapter I of the Convention applies shall be provided with an appropriate safe manning document or equivalent issued by the Administration as evidence of the minimum safe manning.</p>	SOLAS 1974, regulation V/14.2
	<p><b>Fire safety training manual</b> A training manual shall be written in the working language of the ship and shall be provided in each crew mess room and recreation room or in each crew cabin. The manual shall contain the instructions and information required in regulation II-2/15.2.3.4. Part of such information may be provided in the form of audio-visual aids in lieu of the manual.</p>	SOLAS 1974, regulation II-2/15.2.3
	<p><b>Fire Control plan/booklet</b> General arrangement plans shall be permanently exhibited for the guidance of the ship's officers, showing clearly for each deck the control stations, the various fire sections together with particulars of the fire detection and fire alarm systems and the fire-extinguishing appliances, etc. Alternatively, at the discretion of the Administration, the aforementioned details may be set out in a booklet, a copy of which shall be supplied to each officer, and one copy shall at all times be available on board in an accessible position. Plans and booklets shall be kept up to date; any alterations shall be recorded as soon as practicable. A duplicate set of fire control plans or a booklet containing such plans shall be permanently stored in a prominently marked weathertight enclosure outside the deckhouse for the assistance of shore-side fire-fighting personnel.</p>	SOLAS 1974, regulations II-2/15.2.4 and II-2/15.3.2
	<p><b>Onboard training and drills record</b> Fire drills shall be conducted and recorded in accordance with the provisions of regulations III/19.3 and III/19.5.</p>	SOLAS 1974, regulation II-2/15.2.2.5
	<p><b>Fire safety operational booklet</b> The fire safety operational booklet shall contain the necessary information and instructions for the safe operation of the ship and cargo handling operations in relation to fire safety. The booklet shall be written in the working language of the ship and be provided in each crew mess room and recreation room or in each crew cabin. The booklet may be combined with the fire safety training manuals required in regulation II-2/15.2.3.</p>	SOLAS 1974, regulation II-2/16.2
	<p><b>Maintenance Plans</b> The maintenance plan shall include the necessary information about fire protection systems and fire-fighting systems and appliances as required under regulation II-2/14.2.2. For tankers, additional requirements are referred to in regulation II-2/14.4.</p>	SOLAS 1974, regulations II-2/14.2.2 and II-2/14.4

No.	Contents	Reference
	<p><b>Training manual</b> The training manual, which may comprise several volumes, shall contain instructions and information, in easily understood terms illustrated wherever possible, on the life-saving appliances provided in the ship and on the best methods of survival. Any part of such information may be provided in the form of audio-visual aids in lieu of the manual.</p>	SOLAS 1974, regulation III/35
	<p><b>Nautical charts and nautical publications</b> Nautical charts and nautical publications for the intended voyage shall be adequate and up to date. An electronic chart display and information system (ECDIS) is also accepted as meeting the chart carriage requirements of this subparagraph.</p>	SOLAS 1974, regulations V/19.2.1.4 and V/27
	<p><b>International Code of Signals and a copy of Volume III of IAMSAR Manual</b> All ships required to carry a radio installation shall carry the International Code of Signal; all ships shall carry an up-to-date copy of Volume III of the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual.</p>	SOLAS 1974, regulation V/21
	<p><b>Records of navigational activities</b> All ships engaged on international voyages shall keep on board a record of navigational activities and incidents including drills and pre-departure tests. When such information is not maintained in the ship's logbook, it shall be maintained in another form approved by the Administration.</p>	SOLAS 1974, regulations V/26 and V/28.1
	<p><b>Manoeuvring booklet</b> The stopping times, ship headings and distances recorded on trials, together with the results of trials to determine the ability of ships having multiple propellers to navigate and manoeuvre with one or more propellers inoperative, shall be available on board for the use of the master or designated personnel.</p>	SOLAS 1974, regulation II-1/28
	<p><b>Material Safety Data Sheets (MSDs)</b> Ships carrying oil or oil fuel, as defined in regulation 1 of annex 1 of the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, shall be provided with material safety data sheets, based on the recommendations developed by the Organization, prior to the loading of such oil as cargo in bulk or bunkering of oil fuel.</p>	SOLAS 1974, regulation VI/5-1; resolution MSC.286(86)

No.	Contents	Reference
	<p><b>AIS test report</b> The Automatic Identification System (AIS) shall be subjected to an annual test by an approved surveyor or an approved testing or servicing facility. A copy of the test report shall be retained on board and should be in accordance with a model form set out in the annex to MSC.1/Circ.1252</p>	<p>SOLAS 1974, regulation V/18.9; MSC.1/Circ.1252</p>
	<p><b>Certificates for masters, officers or ratings</b> Certificates for masters, officers or ratings shall be issued to those candidates who, to the satisfaction of the Administration, meet the requirements for service, age, medical fitness, training, qualifications and examinations in accordance with the provisions of the STCW Code annexed to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978. Formats of certificates are given in section A-I/2 of the STCW Code. Certificates must be kept available in their original form on board the ships on which the holder is serving.</p>	<p>STCW 1978, article VI, regulation I/2; STCW Code, section A-I/2</p>
	<p><b>Records of hours of rest</b> Records of daily hours of rest of seafarers shall be maintained on board.</p>	<p>STCW Code, section A-VIII/1; Maritime Labour Convention, 2006; Seafarers' Hours of Work and the Manning of Ships Convention, 1996 (No.180); IMO/ILO Guidelines for the development of tables of seafarers' shipboard working arrangements and formats of records of seafarers' hours of work or hours of rest</p> <p><i>Note: The Maritime Labour Convention, 2006 shall come into force on 20/08/2013.</i></p>

No.	Contents	Reference
	<p><b>International Oil Pollution Prevention Certificate</b> An international Oil Pollution Prevention Certificate shall be issued, after survey in accordance with regulation 6 of Annex I of MARPOL, to any oil tanker of 150 gross tonnage and above and any other ship of 400 gross tonnage and above which is engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to MARPOL . The certificate is supplemented with a Record of Construction and Equipment for Ships other than Oil Tankers (Form A) or a Record of Construction and Equipment for Oil Tankers (Form B), as appropriate.</p>	<p>MARPOL Annex I, regulation 7</p>
	<p><b>Oil Record Book</b> Every oil tanker of 150 gross tonnage and above and every ship of 400 gross tonnage and above other than an oil tanker shall be provided with an Oil Record Book, Part I (Machinery space operations). Every oil tanker of 150 gross tonnage and above shall also be provided with an Oil Record Book, Part II (Cargo/ballast operations).</p>	<p>MARPOL Annex I, regulations 17 and 36</p>
	<p><b>Shipboard Oil Pollution Emergency Plan</b> Every oil tanker of 150 gross tonnage and above and every ship other than an oil tanker of 400 gross tonnage and above shall carry on board a Shipboard Oil Pollution Emergency Plan approved by the Administration.</p>	<p>MARPOL Annex I, regulation 37; resolution MEPC.54(32) as amended by resolution MEPC.86(44)</p>
	<p><b>International Sewage Pollution Prevention Certificate</b> An International Sewage Pollution Prevention Certificate shall be issued, after an initial or renewal survey in accordance with the provisions of regulation 4 of Annex IV of MARPOL, to any ship which is required to comply with the provisions of that Annex and is engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention.</p>	<p>MARPOL Annex IV, regulation 5; MEPC/Circ.408</p>
	<p><b>Garbage Management Plan</b> Every ship of 100 gross tonnage and above and every ship which is certified to carry 15 persons or more shall carry a garbage management plan which the crew shall follow.</p>	<p>MARPOL Annex V, regulation 10 resolution MEPC.71(38) MEPC/Circ.317</p>
	<p><b>Garbage Record Book</b> Every ship of 400 gross tonnage and above and every ship which is certified to carry 15 persons or more engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties to the Convention and every fixed and floating platform engaged in exploration and exploitation of the seabed shall be provided with a Garbage Record Book.</p>	<p>MARPOL Annex V, regulation 10</p>

No.	Contents	Reference
	<p><b>Voyage data recorder system-certificate of compliance</b> The voyage data recorder system, including all sensors, shall be subjected to an annual performance test. The test shall be conducted by an approved testing or servicing facility to verify the accuracy, duration and recoverability of the recorded data. In addition, tests and inspections shall be conducted to determine the serviceability of all protective enclosures and devices fitted to aid location. A copy of the certificate of compliance issued by the testing facility, stating the date of compliance and the applicable performance standards, shall be retained on board the ship.</p>	SOLAS 1974 regulation V/18.8
	<p><b>Cargo Securing Manual</b> All cargoes other than solid and liquid bulk cargoes, cargo units and cargo transport units, shall be loaded, stowed and secured throughout the voyage in accordance with the Cargo Securing Manual approved by the Administration. In ships with ro-ro spaces, as defined in regulation II-2/3.41, all securing of such cargoes, cargo units and cargo transport units, in accordance with the Cargo Securing Manual, shall be completed before the ship leaves the berth. The Cargo Securing Manual is required on all types of ships engaged in the carriage of all cargoes other than solid and liquid bulk cargoes, which shall be drawn up to a standard at least equivalent to the guidelines developed by the Organization.</p>	SOLAS 1974, regulations VI/5.6 and VII/5; MSC.1/Circ.1353
	<p><b>Document of Compliance</b> A document of compliance shall be issued to every company which complies with the requirements of the ISM Code. A copy of the document shall be kept on board.</p>	SOLAS 1974, regulation IX/4; ISM Code, paragraph 13
	<p><b>Safety Management Certificate</b> A Safety Management Certificate shall be issued to every ship by the Administration or an organization recognized by the Administration. The Administration or an organization recognized by it shall, before issuing the Safety Management Certificate, verify that the company and its shipboard management operate in accordance with the approved safety management system.</p>	SOLAS 1974, regulation IX/4; ISM Code, paragraph 13
	<p><b>International Ship Security Certificate (ISSC) or Interim International Ship Security Certificate</b> An International Ship Security Certificate (ISSC) shall be issued to every ship by the Administration or an organization recognized by it to verify that the ship complies with the maritime security provisions of SOLAS chapter XI-2 and part A of the ISPS Code. An interim ISSC may be issued under the ISPS Code part A, section 19.4.</p>	SOLAS 1974, regulation XI-2/9.1.1; ISPS Code part A, section 19 and appendices.



No.	Contents	Reference
	<p><b>Ship Security Plan and associated records</b> Each ship shall carry on board a ship security plan approved by the Administration. The plan shall make provisions for the three security levels as defined in part A of the ISPS Code. Records of the following activities addressed in the ship security plan shall be kept on board for at least the minimum period specified by the Administration:</p> <ul style="list-style-type: none"> <li>.1 training, drills and exercises;</li> <li>.2 security threats and security incidents;</li> <li>.3 breaches of security;</li> <li>.4 changes in security level;</li> <li>.5 communications relating to the direct security of the ship such as specific threats to the ship or to port facilities the ship is, or has been, in;</li> <li>.6 internal audits and reviews of security activities;</li> <li>.7 periodic review of the ship security assessment;</li> <li>.8 periodic review of the ship security plan;</li> <li>.9 implementation of any amendments to the plan; and</li> <li>.10 maintenance, calibration and testing of any security equipment provided on board, including testing of the ship security alert system.</li> </ul>	<p>SOLAS 1974, regulation XI-2/9; ISPS Code part A, sections 9 and 10</p>
	<p><b>Continuous Synopsis Record (CSR)</b> Every ship to which chapter I of the Convention applies shall be issued with a Continuous Synopsis Record. The Continuous Synopsis Record provides an onboard record of the history of the ship with respect to the information recorded therein.</p>	<p>SOLAS 1974, regulation XI-1/5</p>
	<p><b>International Anti-fouling System Certificate</b> Ships of 400 GT and above engaged in international voyages, excluding fixed or floating platforms, FSUs, and FPSOs, shall be issued after inspection and survey an international Anti-fouling System Certificate together with a Record of Anti-fouling Systems.</p>	<p>AFS Convention regulation 2(1) of annex 4</p>
	<p><b>Declaration on Anti-fouling System</b> Ships of 24 m or more in length, but less than 400 GT engaged in international voyages, excluding fixed or floating platforms, FSUs, and FPSOs, shall carry a declaration signed by the owner or owner's authorized agents. Such a declaration shall be accompanied by appropriate documentation (such as a paint receipt or a contractor invoice) or contain appropriate endorsement.</p>	<p>AFS Convention regulation 5(1) of annex 4</p>

No.	Contents	Reference
	<p><b>International Air Pollution Prevention Certificate</b> Ships constructed before the date of entry into force of the Protocol of 1997 shall be issued with an International Air Pollution Prevention Certificate. Any ship of 400 gross tonnage and above engaged in voyages to ports or offshore terminals under the jurisdiction of other Parties and platforms and drilling rigs engaged in voyages to waters under the sovereignty or jurisdiction of other Parties to the Protocol of 1997 shall be issued with an International Air Pollution Prevention Certificate.</p>	<p>MARPOL Annex VI, regulation 6</p>
	<p><b>International Energy Efficiency Certificate</b> An International Energy Efficiency Certificate for the ship shall be issued after a survey in accordance with the provisions of regulation 5.4 to any ships of 400 gross tonnage and above before that ship may engage in voyages to ports or offshore terminals under the jurisdiction of other Parties.</p>	<p>MARPOL Annex VI, regulation 6</p>
	<p><b>Ozone Depleting Substances Record Book</b> Each ship subject to MARPOL Annex VI/reg.6.1 that has rechargeable systems that contain ozone-depleting substances shall maintain an ozone-depleting substances record book.</p>	<p>MARPOL Annex VI, regulation 12.6</p>
	<p><b>Fuel Oil Changeover Procedure and Logbook (record of fuel changeover)</b> Those ships using separate fuel oils to comply with MARPOL Annex VI regulation 14.3 and entering or leaving an emission control area shall carry a written procedure showing how the fuel oil changeover is to be done. The volume of low sulphur fuel oils in each tank as well as the date, time and position of the ship when any fuel oil changeover operation is completed prior to the entry into an emission control area or commenced after exit from such an area shall be recorded in such logbook as prescribed by the Administration.</p>	<p>MARPOL Annex VI, regulation 14.6</p>
	<p><b>Manufacturer's Operating Manual for Incinerators</b> Incinerators installed in accordance with the requirements of MARPOL Annex VI regulation 16.6.1 shall be provided with a Manufacturer's Operating Manual, which is to be retained with the unit.</p>	<p>MARPOL Annex VI, regulation 16.7</p>
	<p><b>Bunker Delivery Note and Representative Sample</b> Bunker Delivery Note and representative sample of the fuel oil delivered shall be kept on board in accordance with requirements of MARPOL Annex VI regulations 18.6 and 18.8.1.</p>	<p>MARPOL Annex VI, regulations 18.6 and 18.8.1</p>

No.	Contents	Reference
	<p><b>Ship Energy Efficiency Management Plan (SEEMP)</b> All ships of 400 gross tonnage and above, excluding platforms (including FPSOs and FSUs) and drilling rigs, regardless of their propulsion, shall keep on board a ship specific Ship Energy Efficiency Management Plan (SEEMP). This may form part of the ship's Safety management System (SMS)</p>	<p>MARPOL Annex VI, regulation 22 MEPC.1/Circ.795</p>
	<p><b>EEDI Technical File</b> Applicable to ships falling into one or more of categories in MARPOL Annex VI regulations 2.25 to 2.35</p>	<p>MARPOL Annex VI, regulation 20</p>
	<p><b>Technical File</b> Every marine diesel engine installed on board a ship shall be provided with a Technical File. The Technical File shall be prepared by the applicant for engine certification and approved by the Administration, and is required to accompany an engine throughout its life on board ships. The Technical File shall contain the information as specified in paragraph 2.4.1 of the NO<sub>x</sub> Technical Code.</p>	<p>NO<sub>x</sub> Technical Code, paragraph 2.3.4</p>
	<p><b>Record Book of Engine Parameters</b> Where the Engine Parameter Check method in accordance with paragraph 6.2 of the NO<sub>x</sub> Technical Code is used to verify compliance, if any adjustments or modifications are made to an engine after its pre-certification, a full record of such adjustments or modifications shall be recorded in the engine's Record Book of Engine Parameters.</p>	<p>NO<sub>x</sub> Technical Code, paragraph 2.3.7</p>
	<p><b>Exemption Certificate<sup>1</sup></b> When an exemption is granted to a ship under and in accordance with the provisions of SOLAS 1974, a certificate called an Exemption Certificate shall be issued in addition to the certificates listed above.</p>	<p>SOLAS 1974, regulation I/12; 1988 SOLAS Protocol, regulation I/12</p>
	<p><b>LRIT conformance test report</b> A Conformance test report should be issued, on satisfactory completion of a conformance test, by the Administration or the ASP who conducted the test acting on behalf of the Administration and should be in accordance with the model set out in appendix 2 of MSC.1/Circ.1307.</p>	<p>SOLAS 1974, regulation V/19-1; MSC.1/Circ.1307</p>

<sup>1</sup> SLS.14/Circ.115, Add.1, Add.2 and Add.3 refer to the issue of exemption certificate.

No.	Contents	Reference
	<p><b>Noise Survey Report</b> Applicable to new ships of 1600 gross tonnage and above, excluding dynamically supported crafts, high-speed crafts, fishing vessels, pipe-laying barges, crane barges, mobile offshore drilling units, pleasure yachts not engaged in trade, ships of war and troopships, ships not propelled by mechanical means, pile driving vessels and dredgers.</p> <p>A noise survey report shall always be carried on board and be accessible for the crew.</p> <p>For existing ships, refer to section "Other certificates and documents which are not mandatory – Noise Survey Report" (resolution A.468(XII))</p>	<p>SOLAS 1974, regulation II-1/3-12; Code on noise levels on board ships, section 4.3</p> <p><i>Note: The above mandatory requirements are expected to enter into force on 1/7/2014</i></p>
	<p><b>Ship-specific Plans and Procedures for Recovery of Persons from the Water</b> All ships shall have ship-specific plans and procedures for recovery of persons from the water. Ships constructed before 1 July 2014 shall comply with this requirement by the first periodical or renewal safety equipment survey of the ship to be carried out after 1 July 2014, whichever comes first.</p> <p>Ro-ro passenger ships which comply with regulation III/26.4 shall be deemed to comply with this regulation.</p> <p>The Plans and Procedures should be considered as a part of the emergency preparedness plan required by paragraph 8 of the ISM Code.</p>	<p>SOLAS 1974 regulation, III/17-1; Resolution MSC.346(91); MSC.1/Circ.1447</p> <p><i>Note: The above mandatory requirements are expected to enter into force on 1/7/2014</i></p>
2	<p><b>In addition to the certificates listed in section 1 above, passenger ships shall carry:</b></p>	
	<p><b>Passenger Ship Safety Certificate</b> A certificate called a Passenger Ship Safety Certificate shall be issued after inspection and survey to a passenger ship which complies with the requirements of chapters II-1, II-2, III, IV and V and any other relevant requirements of SOLAS 1974. A Record of Equipment for the Passenger Ship Safety Certificate (Form P) shall be permanently attached.</p>	<p>SOLAS 1974, regulation I/12; 1988 SOLAS Protocol, regulation I/12,</p>
	<p><b>Special Trade Passenger Ship Safety Certificate, Special Trade Passenger Ship Space Certificate</b> A Special Trade Passenger Ship Safety Certificate issued under the provisions of the Special Trade Passenger Ships Agreement, 1971. A certificate called a Special Trade Passenger Ship Space Certificate shall be issued under the provisions of the Protocol on Space Requirements for Special Trade Passenger Ships, 1973.</p>	<p>STP 71, rule 5</p> <p>SSTP 73, rule 5</p>

No.	Contents	Reference
	<p><b>Search and rescue cooperation plan</b> Passenger ships to which chapter I of the Convention applies shall have on board a plan for cooperation with appropriate search and rescue services in event of an emergency.</p>	SOLAS 1974, regulation V/7.3
	<p><b>List of operational limitations</b> Passenger ships to which chapter I of the Convention applies shall keep on board a list of all limitations on the operation of the ship, including exemptions from any of the SOLAS, regulations, restrictions in operating areas, weather restrictions, sea state restrictions, restrictions in permissible loads, trim, speed and any other limitations, whether imposed by the Administration or established during the design or the building stages.</p>	SOLAS 1974, regulation V/30
	<p><b>Decision support system for masters</b> In all passenger ships, a decision support system for emergency management shall be provided on the navigation bridge.</p>	SOLAS 1974, regulation III/29
<b>3</b>	<p><b>In addition to the certificates listed in section 1 above, cargo ships shall carry:</b></p>	
	<p><b>Cargo Ship Safety Construction Certificate</b> A certificate called a Cargo Ship Safety Construction Certificate shall be issued after survey to a cargo ship of 500 gross tonnage and over which satisfies the requirements for cargo ships on survey, set out in regulation I/10 of SOLAS 1974, and complies with the applicable requirements of chapters II-1 and II-2, other than those relating to fire-extinguishing appliances and fire control plans.</p>	SOLAS 1974, regulation I/12; 1988 SOLAS Protocol, regulation I/12
	<p><b>Cargo Ship Safety Equipment Certificate</b> A certificate called a Cargo Ship Safety Equipment Certificate shall be issued after survey to a cargo ship of 500 gross tonnage and over which complies with the relevant requirements of chapters II-1 and II-2, III and V and any other relevant requirements of SOLAS 1974. A Record of Equipment for the Cargo Ship Safety Equipment Certificate (Form E) shall be permanently attached.</p>	SOLAS 1974, regulation I/12; 1988 SOLAS Protocol, regulation I/12

No.	Contents	Reference
	<p><b>Cargo Ship Safety Radio Certificate</b> A certificate called a Cargo Ship Safety Radio Certificate shall be issued after survey to a cargo ship of 300 gross tonnage and over, fitted with a radio installation, including those used in life-saving appliances, which complies with the requirements of chapter IV and any other relevant requirements of SOLAS 1974. A Record of Equipment for the Cargo Ship Safety Radio Certificate (Form R) shall be permanently attached.</p>	<p>SOLAS 1974, regulation I/12, as amended by the GMDSS amendments; 1988 SOLAS Protocol, regulation I/12</p>
	<p><b>Cargo Ship Safety Certificate</b> A certificate called a Cargo Ship Safety Certificate may be issued after survey to a cargo ship which complies with the relevant requirements of chapters II-1, II-2, III, IV and V and other relevant requirements of SOLAS 1974 as modified by the 1988 SOLAS Protocol, as an alternative to the Cargo Ship Safety Construction Certificate, Cargo Ship Safety Equipment Certificate and Cargo Ship Safety Radio Certificate. A Record of Equipment for the Cargo Ship Safety Certificate (Form C) shall be permanently attached.</p>	<p>1988 SOLAS Protocol, regulation I/12</p>
	<p><b>Document of authorization for the carriage of grain and grain loading manual</b> A document of authorization shall be issued for every ship loaded in accordance with the regulations of the International Code for the Safe Carriage of Grain in Bulk. The document shall accompany or be incorporated into the grain loading manual provided to enable the master to meet the stability requirements of the Code.</p>	<p>SOLAS 1974, regulation VI/9; International Code for the Safe Carriage of Grain in Bulk, section 3</p>
	<p><b>Certificate of insurance or other financial security in respect of civil liability for oil pollution damage</b> A certificate attesting that insurance or other financial security is in force shall be issued to each ship carrying more than 2,000 tons of oil in bulk as cargo. It shall be issued or certified by the appropriate authority of the State of the ship's registry after determining that the requirements of article VII, paragraph 1, of the CLC Convention have been complied with.</p>	<p>CLC 1969, article VII</p>

No.	Contents	Reference
	<p><b>Certificate of insurance or other financial security in respect of civil liability for bunker oil pollution damage</b>            Certificate attesting that insurance or other financial security is in force in accordance with the provisions of this Convention shall be issued to each ship of greater than 1,000 GT after the appropriate authority of a State Party has determined that the requirements of article 7, paragraph 1 have been complied with. With respect to a ship registered in a State Party such certificate shall be issued or certified by the appropriate authority of the State of the ship's registry; with respect to a ship not registered in a State Party it may be issued or certified by the appropriate authority of any State Party. A State Party may authorize either an institution or an organization recognized by it to issue the certificate referred to in paragraph 2.</p>	<p>Bunker Convention 2001, article 7</p>
	<p><b>Certificate of insurance or other financial security in respect of civil liability for oil pollution damage</b>            A certificate attesting that insurance or other financial security is in force in accordance with the provisions of the 1992 CLC Convention shall be issued to each ship carrying more than 2,000 tons of oil in bulk as cargo after the appropriate authority of a Contracting State has determined that the requirements of article VII, paragraph 1, of the Convention have been complied with. With respect to a ship registered in a Contracting State, such certificate shall be issued by the appropriate authority of the State of the ship's registry; with respect to a ship not registered in a Contracting State, it may be issued or certified by the appropriate authority of any Contracting State.</p>	<p>CLC 1992, article VII</p>
	<p><b>Enhanced survey report file</b>            Bulk carriers and oil tankers shall have a survey report file and supporting documents complying with paragraphs 6.2 and 6.3 of annex A and annex B of resolution A.744(18) – Guidelines on the enhanced programme of inspections during surveys of bulk carriers and oil tankers.</p> <p><i>Note: refer to requirements of survey report file and supporting documents for bulk carriers and oil tankers as referred in paragraphs 6.2 and 6.3 of annex A/annex B, part A/part B, 2011 ESP Code.</i></p>	<p>SOLAS 1974, regulation XI-1/2; resolution A.744(18)</p> <p><i>Note: The 2011 ESP Code is expected to come into force on 1/1/2014 and to supersede resolution A.744(18)</i></p>

No.	Contents	Reference
	<p><b>Record of oil discharge monitoring and control system for the last ballast voyage</b> Subject to the provisions of paragraphs 4 and 5 of regulation 3 of MARPOL Annex I, every oil tanker of 150 gross tonnage and above shall be equipped with an oil discharge monitoring and control system approved by the Administration. The system shall be fitted with a recording device to provide a continuous record of the discharge in litres per nautical mile and total quantity discharged, or the oil content and rate of discharge. The record shall be identifiable as to time and date and shall be kept for at least three years.</p>	<p>MARPOL Annex I, regulation 31</p>
	<p><b>Oil Discharge Monitoring and Control (ODMC) Operational Manual</b> Every oil tanker fitted with an Oil Discharge Monitoring and Control system shall be provided with instructions as to the operation of the system in accordance with an operational manual approved by the Administration.</p>	<p>MARPOL Annex I, regulation 31; resolution A.496(XII); resolution A.586(14); resolution MEPC.108(49)</p>
	<p><b>Cargo Information</b> The shipper shall provide the master or his representative with appropriate information, confirmed in writing, on the cargo, in advance of loading. In bulk carriers, the density of the cargo shall be provided in the above information.</p>	<p>SOLAS 1974, regulations VI/2 and XII/10; MSC/Circ.663</p>
	<p><b>Ship Structure Access Manual</b> This regulation applies to oil tankers of 500 gross tonnage and over and bulk carriers, as defined in regulation IX/1, of 20,000 gross tonnage and over, constructed on or after 1 January 2006. A ship's means of access to carry out overall and close-up inspections and thickness measurements shall be described in a Ship structure access manual approved by the Administration, an updated copy of which shall be kept on board.</p>	<p>SOLAS 1974, regulation II-1/3-6</p>
	<p><b>Bulk Carrier Booklet</b> To enable the master to prevent excessive stress in the ship's structure, the ship loading and unloading solid bulk cargoes shall be provided with a booklet referred to in SOLAS regulation VI/7.2. The booklet shall be endorsed by the Administration or on its behalf to indicate that SOLAS regulations XII/4, 5, 6 and 7, as appropriate, are complied with. As an alternative to a separate booklet, the required information may be contained in the intact stability booklet.</p>	<p>SOLAS 1974, regulations VI/7 and XII/8; Code of Practice for the Safe Loading and Unloading of Bulk Carriers (BLU Code)</p>



No.	Contents	Reference
	<p><b>Crude Oil Washing Operation and Equipment Manual (COW Manual)</b> Every oil tanker operating with crude oil washing systems shall be provided with an Operations and Equipment Manual detailing the system and equipment and specifying operational procedures. Such a Manual shall be to the satisfaction of the Administration and shall contain all the information set out in the specifications referred to in regulation 35 of Annex I of MARPOL.</p>	<p>MARPOL Annex I, regulation 35; resolution MEPC.81(43)</p>
	<p><b>Condition Assessment Scheme (CAS) Statement of Compliance, CAS Final Report and Review Record</b> A Statement of Compliance shall be issued by the Administration to every oil tanker which has been surveyed in accordance with the requirements of the Condition Assessment Scheme (CAS) and found to be in compliance with these requirements. In addition, a copy of the CAS Final Report which was reviewed by the Administration for the issue of the Statement of Compliance and a copy of the relevant Review Record shall be placed on board to accompany the Statement of Compliance.</p>	<p>MARPOL Annex I regulations 20 and 21; resolution MEPC.94(46); resolution MEPC.99(48); resolution MEPC.112(50); resolution MEPC.131(53); resolution MEPC.155(55)</p>
	<p><b>Subdivision and stability information</b> Every oil tanker to which regulation 28 of Annex I of MARPOL applies shall be provided in an approved form with information relative to loading and distribution of cargo necessary to ensure compliance with the provisions of this regulation and data on the ability of the ship to comply with damage stability criteria as determined by this regulation.</p>	<p>MARPOL Annex I, regulation 28</p>
	<p><b>STS Operation Plan and Records of STS Operations</b> Any oil tanker involved in STS operations shall carry on board a plan prescribing how to conduct STS operations (STS operations Plan) not later than the date of the first annual, intermediate or renewal survey of the ship to be carried out on or after 1 January 2011. Each oil tanker's STS operations plan shall be approved by the Administration. The STS operations plan shall be written in the working language of the ship.</p> <p>Records of STS operations shall be retained on board for three years and be readily available for inspection.</p>	<p>MARPOL Annex I, regulation 41</p>
	<p><b>VOC Management Plan</b> A tanker carrying crude oil, to which MARPOL Annex VI regulation 15.1 applies, shall have on board and implement a VOC Management Plan.</p>	<p>MARPOL Annex VI, regulation 15.6</p>

No.	Contents	Reference
4	<p><b>In addition to the certificates listed in sections 1 and 3 above, where appropriate, any ship carrying noxious liquid chemical substances in bulk shall carry:</b></p>	
	<p><b>International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk (NLS Certificate)</b> An international pollution prevention certificate for the carriage of noxious liquid substances in bulk (NLS certificate) shall be issued, after survey in accordance with the provisions of regulation 8 of Annex II of MARPOL, to any ship carrying noxious liquid substances in bulk and which is engaged in voyages to ports or terminals under the jurisdiction of other Parties to MARPOL. In respect of chemical tankers, the Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk and the International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk, issued under the provisions of the Bulk Chemical Code and International Bulk Chemical Code, respectively, shall have the same force and receive the same recognition as the NLS certificate.</p>	MARPOL Annex II, regulation 8
	<p><b>Cargo record book</b> Ships carrying noxious liquid substances in bulk shall be provided with a Cargo Record Book, whether as part of the ship's official log book or otherwise, in the form specified in appendix II to the Annex II.</p>	MARPOL Annex II, regulation 15.2
	<p><b>Procedures and Arrangements Manual (P &amp; A Manual)</b> Every ship certified to carry noxious liquid substances in bulk shall have on board a Procedures and Arrangements Manual approved by the Administration.</p>	MARPOL Annex II, regulation 14; resolution MEPC.18(22),
	<p><b>Shipboard Marine Pollution Emergency Plan for Noxious Liquid Substances</b> Every ship of 150 gross tonnage and above certified to carry noxious liquid substances in bulk shall carry on board a shipboard marine pollution emergency plan for noxious liquid substances approved by the Administration.</p>	MARPOL Annex II, regulation 17

No.	Contents	Reference
5	<p><b>In addition to the certificates listed in sections 1 and 3 above, where applicable, any chemical tanker shall carry:</b></p>	
	<p><b>Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk</b>  A certificate called a Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk, the model form of which is set out in the appendix to the Bulk Chemical Code, should be issued after an initial or periodical survey to a chemical tanker engaged in international voyages which complies with the relevant requirements of the Code.</p> <p><i>Note: The Code is mandatory under Annex II of MARPOL for chemical tankers constructed before 1 July 1986.</i></p> <p><b>or</b></p>	<p>BCH Code, section 1.6;  BCH Code as modified by resolution MSC.18(58), section 1.6</p>
	<p><b>International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk</b>  A certificate called an International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk, the model form of which is set out in the appendix to the International Bulk Chemical Code, should be issued after an initial or periodical survey to a chemical tanker engaged in international voyages which complies with the relevant requirements of the Code.</p> <p><i>Note: The Code is mandatory under both chapter VII of SOLAS 1974 and Annex II of MARPOL for chemical tankers constructed on or after 1 July 1986.</i></p>	<p>IBC Code, section 1.5;  IBC Code as modified by resolutions MSC.16(58) and MEPC.40(29), section 1.5</p>
6	<p><b>In addition to the certificates listed in sections 1 and 3 above, where applicable, any gas carrier shall carry:</b></p>	
	<p><b>Certificate of Fitness for the Carriage of Liquefied Gases in Bulk</b>  A certificate called a Certificate of Fitness for the Carriage of Liquefied Gases in Bulk, the model form of which is set out in the appendix to the Gas Carrier Code, should be issued after an initial or periodical survey to a gas carrier which complies with the relevant requirements of the Code.</p>	<p>GC Code, section 1.6</p>

No.	Contents	Reference
	<p><b>International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk</b></p> <p>A certificate called an International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk, the model form of which is set out in the appendix to the International Gas Carrier Code, should be issued after an initial or periodical survey to a gas carrier which complies with the relevant requirements of the Code.</p> <p><i>Note: The Code is mandatory under chapter VII of SOLAS 1974 for gas carriers constructed on or after 1 July 1986.</i></p>	<p>IGC Code, section 1.5; IGC Code as modified by resolution MSC.17(58), section 1.5</p>
7	<p><b>In addition to the certificates listed in sections 1, and 2 or 3 above, where applicable, any high-speed craft shall carry:</b></p>	
	<p><b>High-Speed Craft Safety Certificate</b></p> <p>A certificate called a High-Speed Craft Safety Certificate shall be issued after completion of an initial or renewal survey to a craft which complies with the requirements of the 1994 HSC Code or the 2000 HSC Code, as appropriate.</p>	<p>SOLAS 1974, regulation X/3; 1994 HSC Code, section 1.8; 2000 HSC Code, section 1.8</p>
	<p><b>Permit to Operate High-Speed Craft</b></p> <p>A certificate called a Permit to Operate High-Speed Craft shall be issued to a craft which complies with the requirements set out in paragraphs 1.2.2 to 1.2.7 of the 1994 HSC Code or the 2000 HSC Code, as appropriate.</p>	<p>1994 HSC Code, section 1.9; 2000 HSC Code, section 1.9</p>
8	<p><b>In addition to the certificates listed in sections 1, and 2 or 3 above, where applicable, any ship carrying dangerous goods shall carry:</b></p>	
	<p><b>Document of compliance with the special requirements for ships carrying dangerous goods</b></p> <p>The Administration shall provide the ship with an appropriate document as evidence of compliance of construction and equipment with the requirements of regulation II-2/19 of SOLAS 1974. Certification for dangerous goods, except solid dangerous goods in bulk, is not required for those cargoes specified as class 6.2 and 7 and dangerous goods in limited quantities.</p>	<p>SOLAS 1974, regulation II-2/19.4</p>

No.	Contents	Reference
9	<p><b>In addition to the certificates listed in sections 1, and 2 or 3 above, where applicable, any ship carrying dangerous goods in packaged form shall carry:</b></p>	
	<p><b>Dangerous goods manifest or stowage plan</b> Each ship carrying dangerous goods in packaged form shall have a special list or manifest setting forth, in accordance with the classification set out in the IMDG Code, the dangerous goods on board and the location thereof. Each ship carrying dangerous goods in solid form in bulk shall have a list or manifest setting forth the dangerous goods on board and the location thereof. A detailed stowage plan, which identifies by class and sets out the location of all dangerous goods on board, may be used in place of such a special list or manifest. A copy of one of these documents shall be made available before departure to the person or organization designated by the port State authority.</p>	<p>SOLAS 1974, regulations VII/4.5 and VII/7-2; MARPOL Annex III, regulation 4</p>
10	<p><b>In addition to the certificates listed in sections 1, and 2 or 3 above, where applicable, any ship carrying INF cargo shall carry:</b></p>	
	<p><b>International Certificate of Fitness for the Carriage of INF Cargo</b> A ship carrying INF cargo shall comply with the requirements of the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF Code) in addition to any other applicable requirements of the SOLAS regulations and shall be surveyed and be provided with the International Certificate of Fitness for the Carriage of INF Cargo.</p>	<p>SOLAS 1974, regulation VII/16; INF Code (resolution MSC.88(71)), paragraph 1.3</p>
11	<p><b>In addition to the certificates listed in sections 1, and 2 or 3 above, where applicable, any Nuclear Ship shall carry:</b></p>	
	<p><b>A Nuclear Cargo Ship Safety Certificate or Nuclear Passenger Ship Safety Certificate, in place of the Cargo Ship Safety Certificate or Passenger Ship Safety Certificate, as appropriate.</b> Every Nuclear powered ship shall be issued with the certificate required by SOLAS chapter VIII.</p>	<p>SOLAS 1974, regulation VIII/10</p>

No.	Contents	Reference
<b>Other certificates and documents which are not mandatory</b>		
<b>Special purpose ships</b>		
	<p><b>Special Purpose Ship Safety Certificate</b> In addition to SOLAS certificates as specified in paragraph 7 of the Preamble of the Code of Safety for Special Purpose Ships, a Special Purpose Ship Safety Certificate should be issued after survey in accordance with the provisions of paragraph 1.6 of the Code for Special Purpose Ships. The duration and validity of the certificate should be governed by the respective provisions for cargo ships in SOLAS 1974. If a certificate is issued for a special purpose ship of less than 500 gross tonnage, this certificate should indicate to what extent relaxations in accordance with 1.2 were accepted.</p>	<p>Resolution A.534(13) as amended by MSC/Circ.739; 2008 SPS Code (resolution MSC.266(84)), SOLAS 1974, regulation I/12; 1988 SOLAS Protocol, regulation I/12</p>
<b>Offshore support vessels</b>		
	<p><b>Offshore Supply Vessel Document of Compliance</b> The Document of Compliance should be issued after satisfied that the vessel complies with the provisions of the Guidelines for the design and construction of Offshore Supply Vessels, 2006.</p>	<p>Resolution MSC.235(82)</p>
	<p><b>Certificate of Fitness for Offshore Support Vessels</b> When carrying such cargoes, offshore support vessels should carry a Certificate of Fitness issued under the "Guidelines for the Transport and Handling of Limited Amounts of Hazardous and Noxious Liquid Substances in Bulk on Offshore Support Vessels". If an offshore support vessel carries only noxious liquid substances, a suitably endorsed International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk may be issued instead of the above Certificate of Fitness.</p>	<p>Resolution A.673(16); MARPOL Annex II, regulation 13(4)</p>
<b>Diving systems</b>		
	<p><b>Diving System Safety Certificate</b> A certificate should be issued either by the Administration or any person or organization duly authorized by it after survey or inspection to a diving system which complies with the requirements of the Code of Safety for Diving Systems. In every case, the Administration should assume full responsibility for the certificate.</p>	<p>Resolution A.536(13), section 1.6</p>

No.	Contents	Reference
	<b>Passenger submersible craft</b>	
	<p><b>Safety Compliance Certificate for Passenger Submersible Craft</b> Applicable to submersible craft adapted to accommodate passengers and intended for underwater excursions with the pressure in the passenger compartment at or near one atmosphere.</p> <p>A Design and Construction Document issued by the Administration should be attached to the Safety Compliance Certificate.</p>	MSC/Circ.981, as amended by MSC/Circ.1125
	<b>Dynamically supported craft</b>	
	<p><b>Dynamically Supported Craft Construction and Equipment Certificate</b> To be issued after survey carried out in accordance with paragraph 1.5.1(a) of the Code of Safety for Dynamically Supported Craft.</p>	Resolution A.373(X), section 1.6
	<b>Mobile offshore drilling units</b>	
	<p><b>Mobile Offshore Drilling Unit Safety Certificate</b> To be issued after survey carried out in accordance with the provisions of the Code for the Construction and Equipment of Mobile Offshore Drilling Units, 1979, or, for units constructed on or after 1 May 1991, the Code for the Construction and Equipment of Drilling Units, 1989.</p>	Resolution A.414(XI), section 1.6; resolution A.649(16) section 1.6; resolution A.649(16) as modified by resolution MSC.38(63), section 1.6, 2009 MODU Code (resolution A.1023(26))
	<b>Wing-In-Ground (WIG) Craft</b>	
	<p><b>Wing-in-ground Craft Safety Certificate</b> A certificate called a WIG Craft Safety Certificate should be issued after completion of an initial or renewal survey to a craft, which complies with the provisions of the Interim Guidelines for WIG craft.</p>	MSC/Circ.1054, section 9
	<p><b>Permit to Operate WIG Craft</b> A permit to operate should be issued by the Administration to certify compliance with the provisions of the Interim Guidelines for WIG craft.</p>	MSC/Circ.1054, section 10

No.	Contents	Reference
	<b>Noise levels</b>	
	<b>Noise Survey Report</b> Applicable to existing ships to which SOLAS II-1/3-12 does not apply.  A noise survey report should be made for each ship in accordance with the Code on Noise Levels on Board Ships.	Resolution .468(XII), section 4.3

\*\*\*



## ANNEX 2

### LIST OF SUBSTANTIVE ITEMS FOR INCLUSION IN THE PROVISIONAL AGENDA FOR THE THIRTY-NINTH SESSION OF THE COMMITTEE

- 1 Decisions of other IMO bodies
- 2 Consideration and adoption of proposed amendments to the Convention
- 3 General review of the Convention, including harmonization with other international instruments
- 4 E-business possibilities for the facilitation of maritime traffic:
  - .1 electronic means for the clearance of ships, cargo and passengers
  - .2 electronic access to, or electronic versions of, certificates and documents required to be carried on ships
- 5 Formalities connected with the arrival, stay and departure of persons:
  - .1 shipboard personnel
  - .2 stowaways
  - .3 illegal migrants
  - .4 persons rescued at sea
- 6 Ensuring security in and facilitating international trade:
  - .1 shore leave and access to ships
  - .2 trade recovery
- 7 Ship/port interface
- 8 Technical Co-operation activities related to facilitation of maritime traffic
- 9 Relations with other organizations
- 10 Application of the Committee's Guidelines
- 11 Work programme
- 12 Election of Chairman and Vice-Chairman for 2015
- 13 Any other business

\*\*\*



**ANNEX 3**  
**REPORT ON THE STATUS OF PLANNED OUTPUTS FOR THE FAL COMMITTEE**

Planned output number in the High-level Action Plan for 2012-2013	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1 <sup>1</sup>	Status of output for Year 2	References
1.1.1.1	Permanent analysis, demonstration and promotion of the linkage between a safe, secure, efficient and environmentally friendly maritime transport infrastructure, the development of global trade and the world economy and the achievement of the Millennium Development Goals (MDGs)	Continuous	Assembly	Council	MSC/MEPC/ FAL/LEG/ TCC/ Secretariat		Ongoing	
1.1.2.8	Cooperation with data providers: protocols on data exchange with international, regional and national entities	Continuous	MSC/MEPC/ FAL/LEG/ TCC	FSI/ Secretariat	Secretariat		Ongoing	
1.1.2.20	Liaison statements to/from UNHCR: persons rescued at sea	Continuous	MSC/FAL	COMSAR	NAV		Ongoing	
1.1.2.36	Policy input/guidance to IAEA: facilitation of the shipment of class 7 radioactive materials, including delays and denials	Continuous	FAL	DSC			Ongoing	

<sup>1</sup> No FAL session in 2012.

Planned output number in the High-level Action Plan for 2012-2013	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1 <sup>2</sup>	Status of output for Year 2	References
1.1.2.37	Policy input/guidance to UNECE/UNCEFACT: single window, trade facilitation and electronic transmission of information-related matters	Continuous	FAL				Ongoing	
1.1.2.38	Policy input/guidance to UNODC/WCO: prevention and control of illicit drug trafficking	Continuous	FAL				Ongoing	
1.1.2.39	Policy/input guidance to WCO: single window, clearance of ships, persons and cargoes; and security of the supply chain	Continuous	FAL				Ongoing	
1.3.4.2	Review and update the Explanatory Manual to the FAL Convention to reflect any amendments to the Annex to the FAL Convention.	Continuous	FAL				Postponed <sup>3</sup>	
2.0.1.22	GISIS module on mandatory and non-mandatory requirements	Annual	MSC/MEPC/ FAL/LEG/ TCC	Secretariat	FSI		Ongoing	
2.0.2.2	Implementation of approved proposals for the further development of the Audit Scheme	Continuous	Assembly	Council	MSC/MEPC/ FAL/LEG/ TCC/ Secretariat		Ongoing	

<sup>2</sup> No FAL session in 2012.

<sup>3</sup> Delete this output as it is repeated in 8.0.1.2.

Planned output number in the High-level Action Plan for 2012-2013	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1 <sup>4</sup>	Status of output for Year 2	References
3.4.1.1	Guidance on identifying the emerging needs of developing countries, in particular SIDS and LDCs	Continuous	MSC/MEPC/ FAL/LEG/ TCC				Ongoing	
3.5.1.5	Input to the ITCP on facilitation of international maritime traffic	Continuous	FAL				Ongoing	
4.0.1.7 (UO)	Proposals to ensure a forward-looking, efficient and cost-conscious Organization with strengthened and knowledge-based authority in global standard setting through the Secretary-General's Review and Reform mechanism	2013	Secretariat	Council	MSC/MEPC/ FAL/LEG/ TCC		Ongoing	
4.0.2.1	Guidance on the establishment or further development of information systems (databases, websites, etc.) as part of GISIS	Continuous	MSC/MEPC/ FAL/LEG/ TCC	Secretariat	FSI		Ongoing	
4.0.2.3	Protocols on data exchange with other international, regional and national data providers	Continuous	MSC/MEPC/ FAL/LEG/ TCC	FSI	Secretariat		Ongoing	
5.1.2.2	Development of measures to protect the safety of persons rescued at sea	2013	MSC/FAL	COMSAR	FSI		Postponed	

<sup>4</sup> No FAL session in 2012.

Planned output number in the High-level Action Plan for 2012-2013	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1 <sup>5</sup>	Status of output for Year 2	References
6.1.1.2	Measures to enhance the security of closed cargo transport units and of freight containers	Continuous	MSC/FAL				Postponed <sup>6</sup>	
8.0.1.1	Comprehensive review of the FAL Convention	2013	FAL				Postponed	
8.0.1.2	Review and update the Explanatory Manual to the FAL Convention to reflect any amendments to the Annex to the FAL Convention	Continuous	FAL				Postponed <sup>7</sup>	
8.0.2.1	Access procedures at the ship/port interface for public officers and service providers visiting a vessel	2012	FAL				Postponed <sup>8</sup>	
8.0.2.2	Procedures to facilitate seafarers' access in and out of a port facility during shore leave, if necessary	2012	FAL				Postponed <sup>9</sup>	
8.0.2.3	Guidance on documentation required by passengers, particularly transit cruise passengers, to ensure their smooth flow through ports	Continuous	FAL				Postponed <sup>10</sup>	

<sup>5</sup> No FAL session in 2012.

<sup>6</sup> FAL 38 agreed not to include in 2014-2015 biennium, because there had been no discussion since the approval of the output in 2010-2011.

<sup>7</sup> It will be considered after the adoption of the amendments currently under discussion.

<sup>8</sup> FAL 38 agreed not to include in 2014-2015 biennium, because there had been no discussion since the approval of the output in 2010-2011.

<sup>9</sup> FAL 38 agreed not to include in 2014-2015 biennium, because there had been no discussion since the approval of the output in 2010-2011.

<sup>10</sup> FAL 38 agreed not to include in 2014-2015 biennium, because there had been no discussion since the approval of the output in 2010-2011.

Planned output number in the High-level Action Plan for 2012-2013	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1 <sup>11</sup>	Status of output for Year 2	References
8.0.2.4	Procedures for cargo and baggage clearance through a port facility	2012	FAL				Postponed <sup>12</sup>	
8.0.2.5	Reports and information on illegal migrants	Continuous	MSC/FAL	Secretariat			Ongoing	
8.0.2.6	Ensuring security in, and facilitating, international trade by means of guidance on measures toward enhancing maritime trade recovery related to the global supply chain system and maritime conveyances (with WCO)	2013	FAL				Completed	
8.0.3.1	Information technology solutions (e.g. electronic signature) developed to facilitate the process of clearing the ship, its cargo, passengers and crew	2012	FAL				Completed <sup>13</sup>	
8.0.3.2	Electronic access to, or electronic versions of, certificates and documents required to be carried on ships	2013	FAL	MSC/MEPC/LEG	LEG/FSI		Postponed	

<sup>11</sup> No FAL session in 2012.

<sup>12</sup> FAL 38 agreed not to include in 2014-2015 biennium, because there had been no discussion since the approval of the output in 2010-2011.

<sup>13</sup> FAL 38 decided to delete this output for 2014-2015, because no specific document has been presented on this issue and the discussion on this subject may be included in 8.0.3.2.

Planned output number in the High-level Action Plan for 2012-2013	Description	Target completion year	Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Status of output for Year 1 <sup>14</sup>	Status of output for Year 2	References
8.0.4.3	First half of the stakeholders' consultation completed, second half ongoing; analysis of the responses (i.e. identification and assessment of administrative requirements in mandatory IMO instruments that are perceived as being a burden) ongoing	2013	Council	MSC/MEPC/ FAL/LEG/ TCC	BLG/ COMSAR/DE/ DSC/FP/FSI/ NAV/SLF/ STW / Secretariat		In progress	
11.1.1.1	Permanent analysis, demonstration and promotion of the linkage between a safe, secure, efficient and environmentally friendly maritime transport infrastructure, the development of global trade and the world economy and the achievement of the MDGs	Continuous	Assembly	Council	MSC/MEPC/ FAL/LEG/ TCC/ Secretariat		Ongoing	
13.0.2.2	Databases as part of GISIS and other means, including electronic ones	Continuous	MSC/MEPC/ FAL/LEG/ TCC	Secretariat			In progress	

\*\*\*

<sup>14</sup> No FAL session in 2012.



**ANNEX 4**

**POST-BIENNIAL AGENDA OF THE COMMITTEE**

Facilitation Committee (FAL)								
ACCEPTED POST-BIENNIAL OUTPUTS				Parent organ(s)	Coordinating organ(s)	Associated organ(s)	Timescale (sessions)	References
Number	Biennium (when the output was placed on the post-biennial agenda)	Reference to High-level Actions	Description					
2	2012-2013	8.0.1	Comprehensive review of the FAL Convention	FAL			2	FAL 35/17, paragraph 4.16
	2010-2011	5.1.2	Development of measures to protect the safety of persons rescued at sea	MSC/FAL	COMSAR	FSI		MSC 84/24, paragraph 22.25
59	2012-2013	5.2.1	Review the Guidelines on minimum training and education for mooring personnel	FAL			2	FAL 38/17, paragraph 8.16
60	2012-2013	8.0.1	Review and update the Explanatory Manual to the FAL Convention to reflect any amendments to the Annex to the FAL Convention	FAL			2	FAL 37/17, paragraph 4.6
	2012-2013	8.0.3	Electronic access to, or electronic versions of, certificates and documents required to be carried on ships	FAL	MSC/MEPC/LEG	LEG/FSI		FAL 37/17, annex 5

\*\*\*



**ANNEX 5**

**PROPOSALS FOR THE HIGH-LEVEL ACTION PLAN OF THE ORGANIZATION  
AND PRIORITIES FOR THE 2014–2015 BIENNIUM FOR THE FACILITATION COMMITTEE\***

No.**	High-level Actions (HLAs)	No.**	Planned outputs (POs) for 2014–2015
<b>Broad category: Enhancing the status and effectiveness of IMO</b>			
1.1.1	Take the lead and actively promote its role as the primary international forum on matters within its purview	1.1.1.1	Note: POs of the Organization meeting this high-level action are tabulated in this annex against the most relevant HLAs Permanent analysis, demonstration and promotion of the linkage between a safe, secure, efficient and environmentally-friendly maritime transport infrastructure, the development of global trade and the world economy and the achievement of the MDGs (Assembly, Council, all committees and Secretariat)
1.1.2	Cooperate with the United Nations and other international bodies on matters of mutual interest	1.1.2.8	Cooperation with data providers: protocols on data exchange with international, regional and national entities (all committees, as appropriate/Secretariat)
		1.1.2.20	Liaison statements to/from UNHCR: persons rescued at sea (MSC/FAL)
		1.1.2.36	Policy input/guidance to IAEA: facilitation of the shipment of class 7 radioactive materials, including delays and denials (FAL)
		1.1.2.37	Policy input/guidance to UNECE/UNCEFACT: single window, trade facilitation and electronic transmission of information-related matters (FAL)
		1.1.2.38	Policy input/guidance to UNODC/WCO: prevention and control of illicit drug trafficking (FAL)
		1.1.2.39	Policy/input guidance to WCO: single window, clearance of ships, persons and cargoes; and security of the supply chain (FAL)
		1.1.2.40	Policy and strategy input to CTITF and any of its 30 entities for the implementation of the IMO-related aspects of the UN Global Counter-Terrorism Strategy (MSC/LEG/TCC/FAL)

\* Strike-outs indicate proposed deletions and underlined text indicates proposed additions/revisions (R = revised) to the annex of resolution A.1012(26).

\*\* New numbers will be assigned by the Council, in due course, for the High-level Action Plan and planned outputs for the 2014-2015 biennium. New planned outputs which currently have no numbers are marked as NEW.

No.**	High-level Actions (HLAs)	No.**	Planned outputs (POs) for 2014–2015
1.3.4	Promote facilitation measures	1.3.4.1	Participation in relevant international forums (Secretariat)
		1.3.4.2	Review and update the Explanatory Manual to the FAL Convention to reflect any amendments to the annex to the FAL Convention (FAL)
3.5.1	Consider, prioritize and implement technical co-operation programmes	3.5.1.5	Input to the ITCP on facilitation of international maritime traffic (FAL)
4.0.2	Develop, implement, enhance, support and manage information systems in support of a knowledge and information-based Organization	4.0.2.1	Guidance on the establishment or further development of information systems (databases, websites, etc.) as part of GISIS (all committees, as appropriate)
		4.0.2.3	Protocols on data exchange with other international, regional and national data providers (all committees, as appropriate/Secretariat)
4.0.5	Implement and keep under review working methods and processes	4.0.5.1	Revised guidelines on organization and method of work, as appropriate (Council and all committees)
5.1.2	Development and review of safe evacuation, survival, recovery and treatment of people following maritime casualties or in case of distress	5.1.2.2	Development of measures to protect the safety of persons rescued at sea (MSC/FAL, COMSAR and FSI)
[5.2.1]	[Keep under review the technical and operational safety aspects of all types of ships, including fishing vessels]		NEW: Review the Guidelines on minimum training and education for mooring personnel (FAL)
8.0.1	Promote wider acceptance of the FAL Convention and adoption of measures contained therein, to assist the FAL Committee's effort and work towards the universal implementation of measures to facilitate international maritime traffic	8.0.1.1	Comprehensive review of the FAL Convention (FAL)
		8.0.1.2	Review and update the Explanatory Manual to the FAL Convention to reflect any amendments to the annex to the FAL Convention (FAL)
8.0.2	Ensure that an appropriate balance is maintained between measures to enhance maritime security and measures to facilitate maritime international traffic	<del>8.0.2.1</del>	<del>Access procedures at the ship/port interface for public officers and service providers visiting a vessel (FAL)</del>
		<del>8.0.2.2</del>	<del>Procedures to facilitate seafarers' access in and out of a port facility during shore leave, if necessary (FAL)</del>
		<del>8.0.2.3</del>	<del>Guidance on documentation required by passengers, particularly transit cruise passengers, to ensure their smooth flow through ports (FAL)</del>
		8.0.2.4	Procedures for cargo and baggage clearance through a port facility (FAL)

No.**	High-level Actions (HLAs)	No.**	Planned outputs (POs) for 2014–2015
		8.0.2.5	Reports and information on illegal migrants (MSC/FAL)
		<del>8.0.2.6</del>	<del>Ensuring security in, and facilitating, international trade by means of guidance on measures toward enhancing maritime trade recovery related to the global supply chain system and maritime conveyances (with WCO) (FAL)</del>
8.0.3	Encourage the use of information and communication technology to drive continuous improvement and innovation in the facilitation of maritime traffic	<del>8.0.3.1</del>	<del>Information technology solutions (e.g. electronic signature) developed to facilitate the process of clearing the ship, its cargo, passengers and crew (FAL)</del>
		8.0.3.2	Electronic access to, or electronic versions of, certificates and documents required to be carried on ships (FAL/MSC/MEPC/LEG)
11.1.1	Raise awareness of the role of international shipping in world trade and the global economy and the importance of the Organization's role	11.1.1.1	Permanent analysis, demonstration and promotion of the linkage between a safe, secure, efficient and environmentally friendly maritime transport infrastructure, the development of global trade and the world economy and the achievement of the MDGs (Assembly, Council, all committees and Secretariat)

\*\*\*



**ANNEX 6**

**DRAFT ASSEMBLY RESOLUTION**

**Resolution A.[...](28)  
Adopted on [...] 2013  
(Agenda item [...])**

**NOTIFICATION AND CIRCULATION THROUGH THE  
GLOBAL INTEGRATED SHIPPING INFORMATION SYSTEM (GISIS)**

THE ASSEMBLY,

RECALLING article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships,

RECALLING ALSO that one of the goals of the Organization is to ensure the consistent and effective implementation of IMO instruments globally and compliance with their requirements,

RECALLING FURTHER that, since 2004, the Strategic Plan for the Organization has promoted the effective use of information and communication technology and the availability of, and access to, information relating to ship safety and security and environmental protection (i.e. transparency),

RECALLING IN PARTICULAR that, by resolution A.1029(26) on the Global Integrated Shipping Information System (GISIS), it recognized that GISIS aims at facilitating, inter alia, Member States' compliance with reporting requirements, and urged Member States specifically to use GISIS reporting facilities to sustain and even enhance compliance with mandatory reporting requirements, as contained in those mandatory instruments to which they are Parties, thereby potentially assisting them in the context of the Voluntary IMO Member State Audit Scheme,

NOTING WITH SATISFACTION that GISIS has been continuously developed and additional modules have been released since its launch in 2005 in order to allow a wider coverage of direct reporting by Member States in compliance with existing requirements,

RECOGNIZING that, to promote the implementation of mandatory IMO instruments, the effective use of information and communication technology would contribute significantly to all Member States fulfilling their obligations of mandatory reporting and the circulation of any such notification by the Organization could be achieved through the GISIS system,

RECOGNIZING ALSO the important role the system could play in respect of enhancing the rate of notification and potentially reducing the administrative burden for the Contracting Governments or Parties,

RECOGNIZING FURTHER the fact that, once the Organization has been notified through GISIS by a Contracting Government or Party, the related mandatory report would also become accessible to other Contracting Governments or Parties through GISIS, and the administrative burden of the Organization could be reduced,

HAVING CONSIDERED the recommendation made by the Facilitation Committee, at its thirty-eighth session (8 to 12 April 2013), the Marine Environment Protection Committee, at its [sixty-fifth session (13 to 17 May 2013)], and the Maritime Safety Committee, at its [ninety-second session (12 to 21 June 2013)],

1. AGREES that notification through GISIS should be considered as one effective way for Contracting Governments or Parties to IMO instruments to fulfil their reporting obligations under the various mandatory IMO instruments;
2. FURTHER AGREES that once Contracting Governments or Parties have notified through GISIS in respect of a reporting requirement to the Organization, the requirement for the Organization to circulate any such notification under the IMO instrument concerned would have been met;
3. URGES Member States to use the reporting facilities available through GISIS to fulfil their reporting obligations under the various IMO instruments and to work towards the improvement of the quality of the data being collected through GISIS by implementing comprehensive validation processes when entering data into the system; and
4. REQUESTS the Secretary-General to continue developing the system, particularly its modules related to mandatory reporting requirements, in close cooperation with Member States, IMO organs, international organizations and all other stakeholders of the global maritime community, as appropriate.

---