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MARITIME SAFETY AND SECURITY

FUNCTIONS AND CURRENT ACTIVITIES OF IMO AND ITS ACHIEVEMENTS COVERING TECHNICAL FIELDS OF SHIPPING ENGAGED IN INTERNATIONAL TRADE

MANDATE OF IMO

Since 1959, the International Maritime Organization ("IMO"), as the sole United Nation's specialized agency exclusively devoted to maritime affairs, has been providing a forum for co-operation among Governments in the field of governmental regulations and practices relating to all kinds of shipping engaged in international trade, facilitating the adoption of comprehensive multilateral treaties for a wide range of technical measures and, in particular, the adoption of the highest practicable standards, designed to enhance safety, security and efficiency in shipping engaged in international trade.

The achievements of IMO in its field of competence since 1959 have been the adoption of some 50 international conventions and protocols and well over 800 codes, recommendations and guidelines relating to these international instruments.

The scope of IMO's responsibilities covers comprehensively all technical as well as operational areas of competence affecting maritime safety and security, including, but not limited to, technological development; design and equipment of ships; fire protection; safety of navigation; radiocommunication; search and rescue; training and certification of seafarers; carriage of cargoes; flag State implementation; port State control; enhancing security on ships and in ports; and facilitation of international maritime traffic.

IMO has effective and efficient mechanisms in place for the elaboration, development and adoption of international treaties, rules and regulations and their implementation through the tacit acceptance procedure adopted for amendments to most fundamental international conventions. During 2007, IMO has continued focusing its activities on the adoption and implementation of international rules and standards for the safety of navigation, prevention of the pollution of the marine environment and maritime security.

The wide acceptance and legitimacy of IMO's mandate, in accordance with international law, is evidenced by the following facts:

- 167 sovereign States representing all regions of the world are Members of IMO;

- all Members are entitled to participate at meetings of IMO bodies in charge of the elaboration and adoption of recommendations containing safety, security and anti-pollution rules and standards. These rules and standards are normally adopted by consensus; and

- all States, irrespective of whether they are Members of IMO are invited to participate at IMO conferences for adopting new IMO conventions.

At present, between 138 and 158 States (depending on the treaty) have become Parties to

the main IMO conventions. Since these shipping-related conventions set out responsibility of flag States for their implementation of agreed technical measures, it is of paramount importance that Parties to these Conventions in all cases represent more than 90 per cent of the world's merchant fleet.

Adoption of new treaties, and amendments to existing ones, have been guided by adherence to the proactive safety policy according to which rules and standards should be developed in order to prevent accidents at sea, and not in response to them. Accordingly, operational features are constantly under review in order to ensure that shipping activities conform to the highest possible safety, security and anti-pollution preventative regulations.

IMO attaches the highest priority to the need of ensuring that its numerous rules and standards contained in these treaties are properly implemented. In order to help ensure this implementation, IMO focuses on the continuous strengthening of regulations to ensure that flag and port States, shipowners, managers, shipbuilders, equipment manufacturers, training institutes and other stakeholders develop their capacities and exert their responsibility to the fullest. Technical co-operation has been intensified by the operation of the Integrated Technical Co-operation Programme, aimed at ensuring that funds from different donor sources are properly channelled towards the execution of projects under the supervision of IMO as executing agency, and at strengthening the maritime infrastructure of developing countries.

STRATEGIC DIRECTIONS AND THE HIGH LEVEL ACTION PLAN

IMO has encouraged and facilitated the adoption of the highest practicable standards in matters concerning maritime safety and security, efficiency of navigation and prevention and control of marine pollution from ships to promote its objectives. In 2003, to ensure the fulfilment of the Organization's aims and objectives and the setting out of clear priorities for the purpose of achieving them in a uniform manner on a global basis, the IMO Assembly adopted a six-year Strategic Plan for the Organization, which was updated at its 24th sessions.

The Organization's Strategic Plan comprises four sections: the Mission Statement; the trends and developments in the shipping and maritime world and the related challenges for the Organization; the strategic directions that the Organization wishes to take over the period; and a series of performance indicators, and includes thirteen key strategic directions to enable IMO to achieve its mission objectives.

In 2003, in order for the Organization to effectively address those strategic objectives, a high-level action plan was also adopted by the IMO Assembly identify the actions required to achieve its mission objectives and provide a linkage between the Organization's strategy and the work of its Committees.

The IMO Assembly, at its 25th session held in November 2007, reviewed the current plans and adopted the Strategic Plan for the Organization (for the six-year period 2008-2013) (A.989(25)) and High-Level Action Plan of the Organization and priorities for 2008-2009 Biennium (A.990(25)).

SAFETY OF PASSENGER SHIPS

As a result of a comprehensive review on the safety of passenger ships, in particular large cruise ships built in recent years, the MSC at its 82nd session held in December 2006 adopted amendments to the SOLAS Convention. The work in developing the new regulations has based its guiding philosophy on the dual premise that the regulatory framework should place more emphasis on the prevention of a casualty from occurring in the first place and that future passenger ships should be designed for improved survivability so that, in the event of a casualty, persons can stay safely on board as the ship proceeds to port.

The amendments include new concepts such as the incorporation of criteria for the casualty threshold (the amount of damage a ship is able to withstand, according to the design basis, and still safely return to port) into SOLAS chapters II-1 and II-2. The amendments also provide regulatory flexibility so that ship designers can meet any safety challenges the future may bring. The amendments include:

- alternative designs and arrangements;
- safe areas and the essential systems to be maintained while a ship proceeds to port after a casualty, which will require redundancy of propulsion and other essential systems;
- on-board safety centres, from where safety systems can be controlled, operated and monitored;
- fixed fire detection and alarm systems, including requirements for fire detectors and manually operated call points to be capable of being remotely and individually identified;
- fire prevention, including amendments aimed at enhancing the fire safety of atriums, the means of escape in case of fire and ventilation systems; and
- time for orderly evacuation and abandonment, including requirements for the essential systems that must remain operational in case any one main vertical zone is unserviceable due to fire.

The amendments are expected to enter into force on 1 July 2010**.** The MSC at its 81st session in May 2006 also agreed to develop mandatory performance standards for recovery systems for all types of ships to assist in the recovery of persons from survival craft, which are expected to be adopted by the MSC in 2012.

At its 83rd session, the MSC approval draft amendments to SOLAS chapters II-1 and II-2 to prevent the build-up of fire-fighting water in enclosed ro-ro spaces in the light of the tragic loss of life on board the passenger ferry **Al Salam Boccaccio 98,** which capsized in the Red Sea after catching fire in February 2006. The proposed amendments are expected to be adopted by the MSC at its 84th session to be held in May 2008.

GOAL-BASED NEW SHIP CONSTRUCTION STANDARDS (GBS)

The IMO Assembly at its 23rd session held in November 2003 decided to include the development of goal-based new ship construction standards ("GBS") in the IMO Strategic Plan to determine new hull construction standards for new ships which is currently largely under the responsibility of classification societies. The standards, once finalized, are intended to ensure that hull standards developed by classifications societies and other recognized organizations conform to the safety goals and functional requirements established by IMO.

Detailed technical work was initiated by the IMO Maritime Safety Committee ("MSC") at its 78th session, held in May 2004, and it was agreed to focus initially on the development of GBS for bulk carriers and oil tankers. The MSC at its 82nd session held in December 2006 progressed its work on the development of GBS for bulk carriers and oil tankers following a five-tier system agreed at the beginning of the work. The MSC has so far approved, in principle, goals (Tier I) and functional requirements (Tier II) for bulk carriers and oil tankers and significantly progressed the development of guidelines for the verification of compliance (Tier III) for bulk carriers and oil tankers with the help of a pilot project on trial application of the Tier III verification process, which started in January 2007 and is still on-going. The MSC at its 83rd session held in October 2007 made further progress on its activity to develop draft amendments to the International Convention for the Safety of Life at Sea ("SOLAS"), 1974, as amended, to make the GBS for bulk carriers and oil tankers mandatory.

FORMAL SAFETY ASSESSMENT

In 2002, the MSC and the Marine Environment Protection Committee ("MEPC") introduced a new methodology called Formal Safety Assessment ("FSA"), for its rule-making process to incorporate risk assessment techniques that have been successfully used in several other industries such as nuclear and offshore industries. FSA Guidelines were approved by the MSC in 2002 and the guidelines have been routinely amended to keep them up to date with the latest knowledge on the subject.

The above Committees are utilizing the FSA process in the evaluation of proposed regulations for maritime safety, security and the protection of the marine environment, and in making a comparison between existing regulations and proposed new measures with a view to achieving a balance between the technical and operational issues, including the human element, and between costs and benefits.

Since 2002, FSA's has been used in several cases by the MSC. The most notable one was to assess the safety of bulk carriers, which resulted in the adoption of a comprehensive set of amendments to SOLAS chapter XII (Additional safety measures for bulk carriers), which entered into force in July 2006. At present, the MSC, having received several new FSA studies submitted by IMO Member Governments, agreed, in principle, to establish a group of experts to review these FSA studies for use in future rule-makings.

THE HUMAN ELEMENT

In November 1997, the IMO Assembly adopted a resolution containing a human element vision, principles and goals for the Organization. This resolution recalled a previous resolutions on IMO guidelines on management for the safe operation of ships and for pollution prevention, which invited Governments to encourage those responsible for the management and operation of ships to develop, implement and assess safety and pollution prevention management systems; and recalled a resolution on fatigue factors in manning and safety, aiming at increasing awareness of the complexity of fatigue and encouraging all parties involved in ship operations to take these factors into account when making operational decisions. The resolution also acknowledged the need for increased focus on human-related activities in the safe operation of ships, and the need to achieve and maintain high standards of safety and environmental protection for the purpose of significantly reducing maritime casualties. The human element vision, principles and goals for the Organization were updated in November 2003.

In this context, the MSC and the MEPC, in 2006, approved the Organization's strategy to address the human element directed at enhancing safety, security and the protection of the marine environment, which was developed in support of the IMO's strategic plan and the human element vision, principles and goals, to provide a simple and practicable way to address the human element aspect of shipping with view to improving the efficiency in maritime transport. Furthermore, the MEPC and the MSC agreed that IMO's strategy to address the human element and, in particular, the action plan should be continuously reviewed and revised, when necessary.

SEAFARERS' TRAINING AND CERTIFICATION

In IMO, the role of the human element in safe ship operation and the importance of maintaining high-level training standards for seafarers have long been recognised. The first international convention on seafarer training standards – the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers ("STCW") – was adopted in 1978. Since then, IMO has regularly revised and updated the STCW Convention bearing in mind the importance of the human element in safety management ashore and afloat and in particular, the need to maintain global standard for training for seafarers.

Bearing in mind that more than ten years had elapsed since its last major revision**,** the MSC, in 2007, agreed to undertake a review of the STCW Convention so as to take into account new and innovative training methodologies, including the use of simulators for training, e-learning, and training related to cargoes of liquefied natural gas, liquefied petroleum gas, oil and chemicals carried by tankers, to ensure that it meets the new challenges facing the shipping industry today and in the years to come. The review is expected to be completed in 2010.

INTERNATIONAL SAFETY MANAGEMENT (ISM) CODE

In 1989, IMO adopted guidelines on management for the safe operation of ships and for pollution prevention - the forerunner of what became the International Safety Management (ISM) Code, which was made mandatory through the International Convention for the Safety of Life at Sea, 1974 (SOLAS). The Code establishes an international standard for the safe management and operation of ships and for the implementation of a safety management system (SMS) and became mandatory for oil tankers, bulk carriers and passenger ships in 1998 and for all other ships in 2002.

In 2005, an independent experts group was established by the IMO Secretary-General to study the impact of the ISM Code. The relevant Committees, having endorsed the group's recommendations, approved circulars on guidelines for operational implementation of the ISM Code by companies; and qualification, training and experience necessary for undertaking the role of designated person under the provisions of the ISM Code.

SHIPS' ROUTEING MEASURES

Over the years, IMO has undertaken a regular review of ships' routeing systems and the adoption of new ships' routeing systems including mandatory ship reporting systems. The objective of ships' routeing and ship reporting is to improve the safety of navigation in converging areas; areas where the density of traffic is great or where the freedom of movement of shipping is inhibited by restricted sea room, obstructions to navigation, limited depths or unfavourable meteorological conditions; and in environmentally sensitive sea areas. This work has also included the review of associated protective measures for particularly sensitive sea areas, which is an IMO designated area that needs special protection because of its significance for recognized ecological or socio-economic or scientific reasons.

SAFETY OF NAVIGATION

In 2005 and following a corresponding proposal, the MSC agreed to develop a broad strategic vision for Electronic Navigation ("E-navigation") incorporating the use of new technologies in a structured way and ensuring that their use was compliant with the various navigational communication technologies and services that were already available, with the aim of developing an overarching accurate, secure and cost-effective system with the potential to provide global coverage for ships of all sizes.

The MSC continues to make progress on the matter and a report thereon will be submitted to the MSC at its 85th session, in 2008, on the development of the necessary policy direction for this work. To enhance the foundations for E-navigation, the MSC adopted revised performance standards for shipborne voyage data recorders and simplified voyage data recorders, electronic chart display and information systems, survival craft automatic identification systems, search and rescue transmitters and integrated navigation systems.

REGIONAL MARINE ELECTRONIC HIGHWAY (MEH) IN THE EAST ASIAN SEAS

IMO, in co-operation with the World Bank and the Global Environment Facility (GEF), is in the process of implementing a new project for the Development of a Regional Marine Electronic Highway (MEH) in the East Asian Seas**.** The overall objectives of the MEH project are to enhance maritime services, improve navigational safety and security and promote marine environment protection and the sustainable development and use of the coastal and marine resources for the Straits of Malacca and Singapore. The First Meeting of the Project Steering Committee (PSC) was held from 29 to 31 May 2007 and the PSC approved the revised Project Implementation Plan and the budget; approved the scope of services for the hydrographic survey of the Traffic Separation Scheme of the Straits of Malacca and Singapore. It is expected that the Electronic Navigational Charts (ENCs) will be established for the Straits and the demonstration of the MEH system with hundreds of tankers will take place around 2010.

SEARCH AND RESCUE

With the adoption of the International Convention on Maritime Search and Rescue ("SAR Convention") in 1979, IMO has made great strides in the implementation of that Convention and the development of the global SAR plan, designating SAR regions of responsibility to individual IMO Member States aiming at covering the entire globe. In addition, since 2000, IMO has made continuous efforts to strengthen the global network of search and rescue services and regions established under the SAR Convention, including the establishment of a framework of regional Maritime Rescue Co-ordination Centres and Maritime Rescue Sub-Centres in Africa for carrying out search and rescue operations following accidents at sea.

RADIOCOMMUNICATIONS, INCLUDING GMDSS

In 1988, IMO adopted requirements for the Global Maritime Distress and Safety System ("GMDSS") under SOLAS chapter IV to ensure that no matter where a ship is in distress, assistance and search and rescue operations can be undertaken, as appropriate. The requirements entered into force in February 1992 with a phase-in period until February 1999. The GMDSS requirements for ships are contained in SOLAS Chapter IV and the IMO Member States are responsible for the establishment of shore-based facilities. Radiocommunications is of importance to the maritime community for the operation of the GMDSS, which consists of many separate sub-systems using terrestrial and satellite services. The terrestrial systems are using mainly frequencies in the MF, HF and VHF and the satellite sub-systems are provided by Inmarsat and Cospas-Sarsat. Regarding the use of the frequencies, IMO is closely co-operating with the International Telecommunication Union (ITU).

Radiocommunications are also extensively in use for commercial and private communications from shore to ship and vice versa, including high-speed fax and data services. There is also a growing use of radiocommunication systems for maritime security messages (i.e., long range identification and tracking, the ship security alert system, automatic identification system, etc). All these fields are continuously reviewed by IMO with a view to establishing necessary measures including guidelines and recommendations for Governments, the shipping industry and mariners.

CARRIAGE OF DANGEROUS GOODS IN PACKAGED FORM

The IMO has continued its efforts in formulating safety standards for the carriage of dangerous goods in packaged form through amendments to the SOLAS Convention on making the International Maritime Dangerous Goods Code ("IMDG Code") mandatory and harmonizing the provisions of the Code with those of the United Nations Recommendations on the transport of dangerous goods. Amendments to the IMDG Code are prepared on the basis of proposals from Member States and organizations in consultative status with IMO.

The MSC decided that the provisions governing the safe carriage of solid bulk cargoes should be made mandatory. Draft text of amendments to the SOLAS Convention have been prepared and the Code of Safe Practice for Solid Bulk Cargoes (BC Code), renamed as the International Maritime Solid Bulk Cargoes Code (IMSBC Code), will be made mandatory. In the light of developments in technology and lessons learnt from the application, the Code is subject to regular review in the future.

The IMDG Code and the BC Code are internationally recognized instruments which govern the safe carriage of packaged dangerous goods and solid bulk cargoes respectively.

IMPROVING MARINE TECHNOLOGY STANDARDS

Since 1959, IMO has recognized the importance of enhancing safety at sea by improving technology-based regulations in the SOLAS Convention with a view to keeping them update with the latest marine technologies used in ship design. As such, the MSC routinely adopts numerous codes and guidelines to support matters related to fire safety, lifesaving, marine equipment, stability and the carriage of dangerous goods and hazardous cargoes.

The MSC routinely improves the technical requirements concerning fire safety through the development of amendments to relevant IMO instruments (i.e. SOLAS chapter II-2; the Fire Test Procedures Code and the Fire Safety Systems Code) and guidance on various issues prepared in the form of MSC circulars. In this regard, special consideration has been given to the safety of passenger ships to prevent serious accidents that could result in a large loss of life.

In regard to the stability of ships and with serious concern about overloading, especially if the cargo shifts during the course of a voyage, the IMO adopted the 1966 Load Lines (LL) Convention to establish international rules with respect to the limits to which ships may be loaded (load lines). Most merchant ships today are covered by the 1966 LL Convention. In 1988, in order to facilitate the adoption of amendments related to the 1966 LL Convention, IMO adopted the 1988 LL Protocol, which harmonized the Convention's survey and certification requirement with those contained in SOLAS and MARPOL 73/78. IMO also developed, in 1993, the Code on Intact Stability ("IS Code") for all types of ships covered by IMO Instruments and the MSC is currently revising the IS Code to incorporate state-of-art knowledge, such as dynamic stability and performance-based criteria. The revised IS Code, once adopted, will make parts of the IS Code mandatory under the SOLAS Convention and the 1988 LL Protocol. At its 80th session, the MSC also adopted new damage stability requirements in SOLAS chapter II-1 to incorporate the latest probabilistic concepts used for designing ships. The new probabilistic SOLAS regulations are expected to enter into force in January 2009.

The MSC also routinely improves the technical and operational requirements concerning life-saving appliances through the development of amendments to relevant IMO instruments (SOLAS Convention; International Life-Saving Appliance (LSA) Code; and Recommendation

on testing of LSA) and guidance on various issues prepared in the form of MSC circulars. In this regard, special consideration has been given to the development of measures to prevent serious accidents which occurred in recent years during lifeboat maintenance, inspection and drills.

A number of other IMO instruments which deal with the safe carriage of hazardous cargoes, whether in bulk or not, containers, timber, etc., have been developed by the MSC and are subject to regular review and amendments, as appropriate.

FISHING VESSEL SAFETY

IMO has developed international standards for the safety of fishermen and fishing vessels. The IMO, in co-operation with FAO and ILO, approved the revision of the Code of safety for fishermen and fishing vessels (Fishing Vessel Safety Code, 2005) and the revision of the Voluntary Guidelines for the design, construction and equipment of small fishing vessels (Voluntary Guidelines, 2005), which apply to new decked fishing vessels of 12 m in length and over, but less than 24 m in length. The MSC is currently developing the draft Safety recommendations for decked fishing vessels of less than 12 metres in length and undecked fishing vessels.

ENTRY INTO FORCE OF THE 1993 TORREMOLINOS PROTOCOL AND THE 1995 STCW-F CONVENTION

With regard to the development of mandatory standards applicable to fishing vessels, IMO continued its efforts to promote the entry into force and implementation of the 1993 Torremolinos Protocol and the 1995 STCW-F Convention. IMO actively co-operates with FAO and ILO with a view to addressing the continuing and alarmingly high number of fishermen's lives and of fishing vessels reportedly lost every year and to eradicating substandard fishing vessels as a contributing factor to illegal, unreported and unregulated (IUU) fishing.

The Second session of the Joint FAO/IMO *Ad Hoc* Working Group on IUU Fishing and Related Matters (JWG), which was held at FAO in July 2007, considered ways to achieve the entry into force of the Torremolinos Protocol and recommended that IMO and FAO undertake a series of joint activities to support the entry into force of the Torremolinos Protocol and the STCW-F Convention.

Subject to the submission by interested delegations of a proposal for a relevant new work programme item so as to progress the matter, IMO would explore the legal options presented to the JWG which are aimed at facilitating the entry into force of the Protocol, including the possibility of preparing a draft Agreement relating to its implementation with a view to adoption by an appropriate IMO body. Accordingly, the Assembly adopted resolution A.1003(25) requesting the Maritime Safety Committee to review the situation concerning entry into force of the Torremolinos Protocol and, in the light of such review, to take action as it deems appropriate.

FLAG STATE IMPLEMENTATION

IMO, while developing global maritime standards concerning maritime safety and security and the protection of the marine environment, carries out a comprehensive review of the rights and obligations of States emanating from IMO treaty instruments. In this context, IMO

has always acknowledged that the effective implementation and enforcement of these standards are primarily the responsibility of, although not being limited to, the flag States.

IMO, therefore, provides for the assessment, monitoring and review of the level of implementation of IMO instruments by States in their capacity as flag, port and coastal States and countries training and certifying officers and crews, while paying particular attention to the difficulties faced by developing countries.

In order to develop measures to ensure that flag States give full and complete effect to the IMO and other relevant conventions to which they are Parties, IMO has developed and maintains under constant review the Code for the implementation of IMO mandatory instruments, which serves as a tool for the measurement of the Member State's performance in the wider scope of their responsibilities as flag State, coastal State and port State.

HARMONIZATION OF PORT STATE CONTROL ACTIVITIES

Consistent with the UN General Assembly resolution 58/240, IMO recognizes the important role of port State controls ("PSC") in promoting the effective enforcement by flag States of internationally agreed safety, labour and pollution standards, as well as maritime security regulations and is pursuing the integration and harmonization of port State control activities.

IMO provides technical assistance to developing countries – individually and collectively – for establishing effective national PSC capacities, or regional mechanisms of co-operation for PSC activities. With the support of IMO, nine regions have established regional PSC regimes; i.e. the Paris Memorandum of Understanding (MoU) (1982), Viña del Mar Agreement (1992); Tokyo MoU (1993); Caribbean MoU (1996); Mediterranean MoU (1997); Indian Ocean MoU (1998); Abuja MoU (1999); Black Sea MoU (2000); and Gulf Co-operation Council (Riyadh) MoU (2004).

IMO is promoting the exchange of information between port States control authorities, as well as the transparency of maritime data through the development of the IMO Global Integrated Shipping Information System (GISIS).

IMO promotes harmonization of procedure and practice of PSC activities among regional PSC regimes. In this context, a Code of good practices for PSC Officers was recently approved and the procedures for PSC are currently under comprehensive review.

IMO VOLUNTARY MEMBER STATES AUDIT SCHEME

The Voluntary IMO Member State Audit Scheme is intended to provide an audited Member State with a comprehensive and objective assessment of how effectively it administers and implements those mandatory IMO instruments which are covered by the Scheme. The Audit Scheme was approved by the IMO Assembly at its 23rd session in November 2003.

The IMO Assembly at its 24th session in December 2005 adopted a framework and procedures for the Voluntary IMO Member State Audit Scheme and a Code for the Implementation of mandatory IMO instruments, which provides the audit standard.

The Audit Scheme brings about many benefits, such as identifying where capacity-building activities would have the greatest effect. Targeting of appropriate action to improve performance would be greatly improved. The IMO Member States themselves would also receive valuable feedback, intended to assist them in improving their own capacity to put the applicable instruments into practice; and generic lessons learnt from audits could be provided to all IMO Member States so that the benefits could be widely shared. The results of the audits could also be systematically fed back into the regulatory process at IMO to help make measurable improvements in the effectiveness of the international regulatory framework of shipping.

Since the commencement of audits in September 2006, 18 audits have been successfully conducted by 43 auditors, who have undertaken a total of 61 individual assignments. A further 16 Member States have formally indicated their readiness to be audited.

In this context, the IMO Assembly at its 25th session held in November 2007 is invited IMO Member States to nominate qualified auditors and encouraged IMO Member States that have not yet volunteered for audits to do so as and when they are ready and as early as possible.

INVESTIGATION OF MARITIME CASUALTIES AND INCIDENTS

On the issue of the investigation of maritime casualties and incidents, IMO is ensuring and facilitating the conduct of investigations, analyses and reporting, in accordance with globally recognized best practices, with a view to maintaining an efficient and comprehensive knowledge-based mechanism to support the identification of trends and the IMO rule-making process.

To this aim and within the framework of article 94.7 of the United Nations Convention on the Law of the Sea (UNCLOS), and relevant provisions contained in IMO Conventions, IMO has developed a casualty reporting scheme and guidance on investigation procedures, through the adoption of the Code for the Investigation of Marine Casualties and Incidents. The MSC recently developed a new Code of the International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident (Casualty Investigation Code), which is now under consideration for becoming mandatory under the SOLAS Convention.

TECHNICAL ASSISTANCE FOR CAPACITY-BUILDING

Although IMO Instruments are widely accepted by most Governments and the global shipping industry, which carries over 90% of the world's trade, many countries – especially the developing countries – have serious difficulties in giving full and complete effects of IMO's instruments. Because of this, and as mandated by the Convention which institutionalized IMO, the Organization has established an Integrated Technical Co-operation Programme ("ITCP"), the purpose of which is to assist countries in building up their human and institutional capacities for uniform and effective implementation of the Organization's regulatory framework.

The role of the ITCP in promoting sustainable development was officially affirmed in 1999 by the IMO Assembly, through the adoption of a resolution entitled "IMO and technical co-operation in the 2000s – capacity building", as a major contributor towards ensuring safer shipping and cleaner oceans. By fostering capacity-building in the maritime sector, the ITCP helps countries to ensure safe, secure and efficient shipping and protection of the marine environment.

During the 2006-2007 biennium, under the ITCP, 36 consultancy missions were carried out, with a preponderance of Maritime Safety and Security assignments; 93 courses, seminars and workshops were held at the national, regional and global levels; 70 fellowships and other activities were carried out; and approximately 2433 participants worldwide attended the courses.

LONGRANGE IDENTIFICATION AND TRACKING (LRIT)

Pursuant to the 2002 SOLAS Conference resolution 10 on Early implementation of long-range ship's identification and tracking, the MSC at its 81st session held in May 2006 adopted SOLAS regulation V/19.1 on Long-range identification and tracking of ships. The MSC also adopted performance standards and functional requirements for the long-range identification and tracking of ships; and a resolution on arrangements for the timely establishment of the long-range identification and tracking system.

IMO continues to progress the work on the introduction and establishment of a system for the long-range identification and tracking of ships for the purpose of enhancing safety, security and environmental protection and for the search and rescue of persons in distress at sea, with a view to full implementation of the LRIT system from the beginning of 2009.

PIRACY AND ARMED ROBBERY AGAINST SHIPS

The IMO Assembly at its 22nd session and the MSC have developed and issued a range of guidance to Governments, shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships. Such guidance includes the Code of Practice for the Investigation of the Crimes of Piracy and Armed Robbery against Ships; the Recommendations to Governments for preventing and suppressing piracy and armed robbery against ships; and Guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships.

In response to an increase of incidents of piracy and armed robbery off Somalia including the hijacking in June 2005 of the motor vessel **Semlow**, a ship chartered by the UN World Food Programme (WFP) to deliver food aid, followed in October 2005 by the hijacking of the **Miltzow**, another WFP charter, and the attack on the passenger ship **Seabourn Spirit** in

November 2005, led to the IMO Assembly to adopt resolution A.979(24) on piracy and armed robbery against ships in the waters off Somalia.

The purpose of above IMO Assembly resolution was to raise the level of awareness of the situation; encourage flag States to provide specific instructions to their ships; and to foster co-operative arrangements in an effort to reduce the likelihood of occurrence of further incidents in the waters off the coast of Somalia. The resolution also urges all States, in cooperation with the IMO and by implementing its guidelines on preventing attacks of piracy and armed robbery, to combat piracy and armed robbery at sea by adopting measures, including those relating to assistance with capacity-building through training of seafarers, port staff and enforcement personnel in the prevention; reporting and investigation of incidents; bringing the alleged perpetrators to justice, in accordance with international law; and by adopting national legislation, as well as providing enforcement vessels and equipment and guarding against fraudulent ship registration.

Whilst the recommendations set out in resolution A.979(24) continue to be sound and relevant, a review of a number of incidents reported to the Organization appeared to suggest that not all Member States had acted pursuant to it. In view of the continuing situation in the waters off the coast of Somalia and the impact any act of piracy and armed robbery may have on human life, the safety of navigation and the environment and, in view of the decision of C 98 (June 2007), pursuant to resolution A.979(24), to authorize the Secretary-General to bring, once again, the situation in waters off the coast of Somalia to the attention of the Security Council through the UN Secretary-General, the Assembly reaffirmed its recommendations and raised, once more, the level of international awareness, especially in view of the risk to human life placed by the continual operation of pirates and armed robbers in the area under review by adopting resolution A.1002(25) on Piracy and armed robbery against ships in waters off the coast of Somalia. The new resolution requests the Transitional Federal Government of Somalia, the Council and the Secretary-General to take appropriate action within their remit; and, in particular, the Maritime Safety Committee to undertake a comprehensive review of the existing guidance provided by the Organization for preventing and suppressing piracy and armed robbery against ships.

The MSC, at its 83rd session in October 2007, noted that the number of acts of piracy and armed robbery against ships reported to IMO (occurring between 1 October 2006 and 30 June 2007) was 201 against 187 over the same period for 2005/6, which representing an increase of 7.5% from the figure for 1 October 2005 to 30 June 2006. This 7.5% increase in the reported acts of piracy and armed robbery against ships during the period under review was largely attributable to an increase in such criminal activities in the Gulf of Aden, Arabian Sea and off the coast of West Africa. The MSC further observed that during the period under review (i.e., 1 October 2006 and 30 June 2007), it had emerged that the areas most affected (i.e., five incidents reported or more) were the Far East, in particular, the South China Sea and the Malacca Strait, East Africa, the Indian Ocean, West Africa, the Arabian Sea, South America (Atlantic), South America (Pacific) and the Caribbean. Most of the attacks worldwide occurred or had been attempted in territorial waters while the ships were at anchor or berthed.

The MSC expressed deep concern that in many of the reports received, the crews had been violently attacked by groups of five to ten people carrying knives or guns. It was noted that during the period under review, 26 crew members were killed, 58 crew members were assaulted/injured and 133 crew members were taken hostage. Eleven ships were hijacked. One vessel and its crew were still missing.

IMO continues to urge all States, in particular coastal States, in affected regions to take all necessary and appropriate measures to prevent and combat incidents of piracy and armed

robbery at sea, including through regional cooperation, and to investigate or cooperate in the investigation of such incidents wherever they occur and to submit reports on such investigations to the Organization. Ongoing regional initiatives to suppress piracy include working with the Regional Co-operation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) and its new Information Sharing Centre; working with the Maritime Organization of West and Central Africa (MOWCA) to develop a regional network of agencies performing coast guard functions in that region; developing a regional maritime information exchange system for States in the Gulf of Aden and Red Sea area: and a regional initiative to enhance safety, security and environmental protection in the Straits of Malacca and Singapore.

PROTECTION OF STRATEGIC SHIPPING LANES

IMO has continued its work relating to the protection of shipping lanes of strategic importance and significance, and in particular in enhancing safety, security and environmental protection in straits used for international navigation. The Organization encourages States bordering straits or shipping lanes of strategic importance and significance and user States to continue their cooperation efforts to keep such straits and lanes safe and open to international navigation at all times, consistent with international law, in particular UNCLOS.

IMO further promotes cooperation by user States and States bordering straits for international navigation through agreement on matters relating to navigational safety, including safety aids for navigation, and the prevention, reduction and control of pollution from ships.

IMO welcomed the establishment, in the context of article 43 of UNCLOS, of a cooperative mechanism on safety of navigation and environmental protection to promote dialogue and facilitate close cooperation between the littoral States, user States, shipping industry and other stakeholders in relation to the Straits of Malacca and Singapore.

TREATMENT OF PERSONS RESCUED AT SEA

Following several high profile incidents where persons rescued at sea subsequently turned out to be asylum seekers or undocumented migrants, the IMO Assembly, at its 22nd session in December 2001, adopted a resolution on the review of safety measures and procedures for the treatment of persons rescued at sea. That resolution requested various IMO bodies to review selected IMO Conventions to identify any gaps, inconsistencies, ambiguities, vagueness or other inadequacies associated with the treatment of persons rescued at sea.

Pursuant to this, the IMO Secretary-General brought the issue of persons rescued at sea to the attention of a number of competent United Nations specialized agencies and programmes highlighting the need for a co-ordinated approach among United Nations agencies, and soliciting the input of relevant agencies, including UNHCR within the scope of their respective mandates. Such an inter-agency effort focusing on State responsibilities for non-rescue issues, such as immigration and asylum that are beyond the competence of IMO, is an essential complement to IMO efforts.

Following considerable and complex negotiations, IMO adopted amendments to the SOLAS and SAR Conventions so that the obligation of the master to render assistance should complement the corresponding obligation of IMO Member Governments to co-ordinate and co-operate in relieving the master of the responsibility to provide follow up care of survivors and to deliver the persons retrieved at sea to a place of safety. These amendments entered into force in July 2006. Associated guidelines were also adopted. The purpose of these amendments and

the associated guidelines is to help ensure that persons in distress are assisted, while minimizing the inconvenience to assisting ships and ensuring the continued integrity of SAR services.

In 2006, the problem of undocumented migration by sea continued, particularly in the Mediterranean and Eastern North Atlantic Ocean, where major flows of undocumented migrants from North Africa were being experienced. Close co-operation continued between the Secretariat and UNHCR and other UN agencies relevant to persons rescued at sea which subsequently turn out to be involved in unregulated migration.

Following on from inter-agency activities in relation to the treatment of persons rescued at sea, the IMO Secretariat, at UNHCR invitation, attended several meetings in 2006 to consider the specific migration problems relating to the Mediterranean, such as the trafficking of migrants from North Africa and the implications on SAR in the region, etc. At those meetings, the IMO Secretariat gave presentations on the legal and humanitarian obligations on masters of ships at sea and on the new SOLAS and SAR Convention amendments and associated guidelines and had represented maritime interests in discussions, particularly on the implications of the new amendments to the Convention to Member States.

In 2006, UNHCR and IMO Secretariats compiled and finalized a guidance leaflet which was intended to be distributed to ship masters as a quick guide to principles and practice as applied to migrants and refugees and this received wide distribution to the shipping industry. The UN inter-agency initiative continued to achieve effective liaison and close co-operation between agencies during several recent incidents involving the rescue of persons in distress by ships at sea and the subsequent disembarkation to a place of safety ashore.

The Facilitation Committee of IMO ("FAL") is currently examining relevant administrative procedures from IMO Member States and considering the preparation of additional guidance which could be useful for the expeditious and orderly disembarkation of persons rescued at sea.

SMUGGLING OF MIGRANTS BY SEA

In the context of the increasing problem of the smuggling of migrants by sea, and in cooperation with other UN agencies, IMO continues to encourage States that have not yet done so to become parties to the Protocol against the Smuggling of Migrants by Land, Sea and Air, supplementing the United Nations Convention against Transnational Organized Crime and the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime, and to take appropriate measures to ensure their effective implementation.

FAIR TREATMENT OF SEAFARERS

Given the global nature of the shipping industry and the different jurisdictions within which seafarers may be brought into contact, seafarers need special protection, especially in relation to contact with public authorities.

In 2006, the IMO Legal Committee (LEG) adopted the guidelines on fair treatment of seafarers in the event of a maritime accident. The objective of the guidelines is to ensure that seafarers are treated fairly following a maritime accident, during any investigation and detention by public authorities, and that detention is for no longer than necessary.

The Guidelines also give advice on steps to be taken by all those who may be involved following an incident, namely, the port or coastal State, flag State, the seafarer's State, or the shipowners and seafarers themselves. The emphasis is on co-operation and communication between those involved and in ensuring that no discriminatory or retaliatory measures are taken against seafarers because of their participation in investigations. All necessary measures should be taken to ensure the fair treatment of seafarers.

PLACES OF REFUGE

In 2003, IMO developed guidance for IMO Member States to deal with issues relating to places of refuge. In October 2007, the MSC at its 83rd session adopted guidelines on places of refuge for ships in need of assistance, including procedures to implement the associated IMO guidelines; the Maritime Assistance Service; and on the control of ships in an emergency.

ENHANCEMENT OF MARITIME SECURITY. MEASURES TO PREVENT AND COMBAT TERRORISM

SOLAS XI-2 and the ISPS Code

The IMO Assembly at its 22nd session held in November 2001, adopted a resolution on review of measures and procedures to prevent acts of terrorism which threaten the security of passengers and crews and the safety of ships. As a result, a Diplomatic Conference on Maritime Security was held at the London headquarters of IMO in December 2002 ("2002 SOLAS Conference"), which adopted a number of amendments to the SOLAS Convention, the most far-reaching of which enshrined the new International Ship and Port Facility Security Code ("ISPS Code").

The purpose of the ISPS Code is to provide a standardized, consistent framework for evaluating security risks, enabling Contracting Governments to the SOLAS Convention (Contracting Governments) to offset, through appropriate security instructions, changes in security threats with changes in vulnerability for ships and port facilities. As a result the measures provide a universal standard for preventing and combating terrorist acts in the international maritime transport sector.

The ISPS Code contains detailed security-related requirements for Governments, port authorities and shipping companies in a mandatory section (Part A), together with a series of guidelines about how to meet these requirements in a second, non-mandatory section (Part B). The 2002 SOLAS Conference also adopted a series of resolutions on implementation of the

amendments and the application of the measures to ships and port facilities not covered by the Code providing future work programme on the subject.

Chapter XI-2 of the SOLAS Convention (SOLAS chapter XI-2) and the ISPS Code together stipulate a variety of mandatory measures aimed at enhancing the security of ships engaged on international voyages and the port facilities which serve them. They address all facets of security and are not limited to preventing or suppressing acts of terrorism.

The measures aim at preventing security incidents and address: (1) the ship as a target; (2) the use of a ship as a weapon; and (3) the use of a ship as a means for transporting either persons intending to cause a security incident or their means for such an incident. The use of a ship in a lawful trade for the purpose of generating funds to finance terrorist activities is not explicitly addressed. However, ships are required to carry on board a number of documents which may be of use to those investigating terrorist financing-related activities.

In support of the requirements set out in SOLAS chapter XI-2 and the ISPS Code, IMO has developed extensive guidance and guidelines on the interpretation and application of their provisions.

SOLAS chapter XI-2 and part A of the ISPS Code are mandatory since 1 July 2004. They are presently in force for 158 States, which together constitute just over 99 % of the gross tonnage of the world's merchant fleet.

IMO continues to develop guidance material and encouraged States to cooperate to address threats to maritime safety and security, including piracy, armed robbery at sea, smuggling and terrorist acts against shipping, offshore installations and other maritime interests, through bilateral and multilateral instruments and mechanisms aimed at monitoring, preventing and responding to such threats.

The MSC 83 began consideration of issues relating to the security aspects of the operation of ships which do not fall within the scope of SOLAS chapter XI-2 and the ISPS Code (including cargo ships of less than 500 gross tonnage which travel on international routes). The MSC 83 agreed that non-SOLAS vessels share the same operational environment as ships which fall within the scope of application of SOLAS chapter XI-2 and the ISPS Code and the operations of the former affect the security of the latter. Thus, it was necessary to address the security aspects of the operation of non-SOLAS ships in a systematic and analytical manner, so as to achieve a tangible enhancement of the global security net which the provisions of SOLAS chapter XI-2 and the ISPS Code were seeking to establish.

The MSC 83 also agreed that any guidelines developed should be non-mandatory and that their application should be under the purview of the individual Contracting Governments concerned and proportionate to the assessed levels of threat and risk. A correspondence group was established to undertake a study to determine the scope of the issues and threats involved and to develop recommendatory guidelines on measures to enhance maritime security to complement measures required by SOLAS chapter XI-2 and the ISPS Code, which could be utilized by Contracting Governments and/or Administrations, at their own discretion.

IMO treaties on the suppression of unlawful acts against the safety of navigation (SUA)

The prevention and punishment of crimes at sea are particularly difficult to prosecute and punish them on account of the interaction between flag and coastal State jurisdiction in the territorial sea and the exclusive economic zone and the exclusivity of flag State jurisdiction in the high seas. The Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 (1988 SUA Convention) introduces legal certainty in this regard by enabling clear distinctions between piracy and other unlawful acts. On the basis of these distinctions the 1988 SUA Convention define crimes and establish procedures to ensure that alleged criminals are detained and prosecuted, or extradited to another country with jurisdiction to prosecute. The "prosecute or extradite" principle is therefore regulated by the 1988 SUA Convention bearing in mind the unique jurisdictional features imposed by the law of the sea and international criminal law. A feature of paramount importance for the implementation of the 1988 SUA Convention is the incorporation of different offences into the domestic law, as well as the need to coordinate this incorporation with existing legislation and treaties on extradition.

The 1988 SUA Convention provides the legal basis for action to be taken against persons committing unlawful acts against ships, including the seizure of ships by force, acts of violence against persons on board ships, and the placing of devices on board which are likely to destroy or damage the ship.

A protocol to this treaty, the Protocol relating to Fixed Platforms Located on the Continental Shelf, 1988 (1988 SUA Protocol), extends its application, as appropriate, to unlawful acts against the safety of fixed platforms in the continental shelf.

The 1988 SUA Treaties entered into force on 1 March 1992. As at 4 May 2007, 144 States had become Parties to the 1988 SUA Convention and 133 States had become Parties the 1988 SUA Protocol.

The 1988 SUA Convention and the 1988 SUA Protocol were updated by two new protocols adopted on 14 October 2005 (the 2005 Protocol).

The 2005 Protocols take into account developments in the United Nations system relating to anti-terrorism. The relevant UN Security Council resolutions and other instruments, including the International Convention for the Suppression of Terrorist Bombings, 1997 and the International Convention for the Suppression of the Financing of Terrorism, 1999.

The Protocol of 2005 to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (2005 SUA Protocol to the 1988 SUA Convention) amends the original treaties by broadening the list of offences, such as to include the offence of using a ship itself in a manner that causes death or serious injury or damage and the transport of weapons or equipment that could be used for weapons of mass destruction. It also introduces provisions for the boarding of ships where there are reasonable grounds to suspect that the ship or a person on board the ship is, has been, or is about to be involved in, the commission of an offence under the regulated by the Convention.

The Protocol of 2005 to the Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf (2005 SUA Protocol to the 1988 SUA Protocol) extends the scope of provisions on the new offences to fixed platforms in the continental shelf, as appropriate.

The 2005 SUA Protocol to the 1988 SUA Convention will enter into force ninety days after the date on which twelve States have either signed it without reservation as to ratification,

acceptance or approval, or have deposited an instrument of ratification, acceptance, approval or accession with the Secretary-General of IMO.

The 2005 SUA Protocol to the 1988 SUA Protocol requires ratification from three States which are also Parties to the 2005 SUA Protocol to the 1988 SUA Convention but it cannot come into force unless this last one is already in force.

Each of the 2005 Protocols had been signed by 18 States. In all cases signature was made under reservation as to ratification, acceptance or approval. So far no State, out of the ones which they have signed the instruments, has deposited any instrument of ratification, acceptance approval to formally become Party to any of the two 2005 Protocols. However, as of 4 May 2007, 2 States have deposited instruments of accession to the 2005 SUA Protocol to the 1988 SUA Convention.

The consolidated texts of the 1988 SUA treaties, as amended by the 2005 Protocols shall be called as:

- Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 2005 (2005 SUA Convention); and

- Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf, 2005 (2005 SUA Fixed Platforms Protocol).

Capacity building to prevent and combat terrorism and to strengthen the role of the United Nations in this regard

IMO, through its technical cooperation programme, continues to assist States to effectively implement the Special measures to enhance maritime security set out in the SOLAS and the ISPS Code and to promote safe and secure shipping while ensuring freedom of navigation. These activities, which are often conducted in conjunction with other UN agencies, international organizations and non-governmental organizations, aim to improve the protection of offshore installations by adopting measures related to the prevention, reporting and investigation of acts of violence against installations, in accordance with international law, and by implementing such measures through national legislation to ensure proper and adequate enforcement.

In February 2002, IMO launched a global programme on maritime security within the framework of its Integrated Technical Co-operation Programme (ITCP), 11 months before the adoption of Special measures to enhance maritime security (SOLAS chapter XI-2 and the ISPS Code). Since then, this programme has gone through several phases.

The first phase (2002) was to promote awareness of all possible maritime security threats, including terrorism, piracy and armed robbery against ships, as well as of a new maritime security regime that was being developed.

The second phase (2003-2005) was to: (a) enhance understanding of the provisions of SOLAS chapter XI-2 and ISPS Code; (b): build up of a cadre of instructors equipped to train others using IMO model courses (Train-the-Trainer courses); and (c): organize meetings to promote regional or sub-regional collaboration on counter-terrorism and prevention of unlawful acts at sea and in ports.

The programme activities for 2006-2007 focus, with respect to those countries that are already Contracting Governments to the 1974 SOLAS Convention (SOLAS Contracting Governments), on: (a) review of the implementation of SOLAS chapter XI-2 and the ISPS Code with a view to identifying areas where SOLAS Contracting Governments need specific assistance; (b) continuing to promote collaboration at the regional and sub-regional level; and (c) training more maritime security instructors. Specific programmes are also made available to those countries that become or are planning to become SOLAS Contracting Governments.

Programme activities are delivered through regional, sub-regional and national seminars, workshops or training courses; regional and sub-regional meetings to promote co-operation at the regional and sub-regional level; needs assessment and technical advisory missions; and through the provision of training materials such as maritime security manuals for participants and instructors, IMO model courses for Ship, Company and Port Facility Security Officers, a Train-the-Trainer course, a DVD film "Know your port" and an interactive computer-based Port Facility Security Officer Training.

To ensure effective delivery of the programme activities, IMO has allocated extra funds to this programme. To date, the IMO Technical Co-operation Fund has contributed a total of some US$4 million. In addition, as proposed by operative paragraph 4 of 2002 SOLAS Conference resolution 5, the International Maritime Security Trust Fund (IMST Fund), a multi-lateral trust fund, was established in 2003. At the time of writing (May 2007), 11 donors have contributed a total of some US$1.27 million to the IMST Fund.

There are some 50 partnership arrangements in operation for IMO technical co-operation activities, three of which (Australia, Canada and Norway) were established for the sole purpose of providing support for the implementation of this programme. The Australia Memorandum of Understanding provides maritime security experts free of cost. Canadian and Norwegian grant agreements have provided a total of some US$702,000. In addition to its contribution of US$327,879 to the IMST Fund, the United Kingdom has donated US$658,000 for nine selected maritime security related activities.

Since the launch of the programme, IMO has delivered a total of 156 technical co-operation security-related events (48 regional or sub-regional and 67 national seminars/workshops/training courses and 41 country needs assessment and advisory missions). Some 6,000 people have been trained in the process.

Following the adoption of the 2005 SUA Treaties, the worldwide adoption and implementation of the 1988 and 2005 SUA Treaties has become a major task within the framework of technical co-operation activities in the field of maritime legislation. National seminars on this subject were held in Manila, Philippines in September 2006 and in Colombo, Sri Lanka and Bangkok, Thailand in April 2007. Other national and regional exercises of the kind are being considered in order to help developing countries to address the incorporation of the 1988 and 2005 SUA Treaties into their national legislation.

Regional and sub-regional activities

A regional event for countries bordering the Red Sea and the Gulf of Aden was held in Sana'a, Yemen in April 2005 (the Sana'a meeting) addressing piracy and armed robbery and measures to enhance maritime security; implementation of the SOLAS chapter XI-2 and ISPS Code; and regional co-operation in this area. Ten States in the region adopted a resolution on improving communication, co-operation and co-ordination of security in the region

(the Sana'a resolution). A follow-up seminar to monitor progress and enhance implementation of the Sana'a resolution was held in Muscat, Oman, in January 2006. The Muscat meeting also discussed a draft regional Memorandum of Understanding on enhancing maritime security which is under further consideration.

A similar event was held in Vera Cruz, Mexico in October 2005 for Caribbean and Latin American countries and was followed by a Seminar on maritime security, piracy and armed robbery against ships for the Caribbean Sub-Region which was held in Port of Spain, Trinidad and Tobago in April 2006.

An IMO/MOWCA Forum on the establishment of an integrated coast guard function network for West and Central African countries was held in Dakar, Senegal in October 2006 (the Dakar meeting) which, *inter alia*, considered the potential benefits of such a network across a wide range of activities, including maritime safety, security and environmental protection, fisheries protection, control of borders and law enforcement. The conclusions and recommendations of the forum are being considered by the Maritime Organization of West and Central Africa (MOCWA).

A sub-regional workshop on the implementation of SOLAS chapter XI-2 and the ISPS Code was held in Manila, Philippines in December 2005 for countries of the Southern and Eastern Asia. It was followed by similar workshops for countries of the Indian subcontinent and parts of the India Ocean which was held in Mumbai, India in April 2006 and for countries of the Eastern and Southern Africa was held in Maputo, Mozambique in February 2007. The aim of the workshops is to update the participants on the latest developments from IMO, to assess the level of implementation, to foster co-operation amongst the participating countries and to address issues related with the enhancement of coastal security including combating piracy and armed robbery against ships and other unlawful acts.

A Sub-Regional Seminar on Maritime Security for the Persian Gulf area was held in Manama, Bahrain, from 23 to 26 April 2007 which adopted a number of recommendations on national and regional strategies for the enhancement of maritime safety, security and environmental protection; development of exclusive economic zones; and countering maritime crime. These include recommendations on: implementation of relevant international legal instruments, including UNCLOS; implementation of national maritime security policies and legislation; co-ordination between national agencies, both nationally and internationally; multi-modal transport security strategies; countering piracy, armed robbery against ships, criminal and other unlawful acts at sea; maintaining a balance between security and the facilitation of global trade; co-operation with respect to the safety of life at sea, search and rescue, protection of the marine environment and development of sustainable fisheries.

Co-operation with United Nations entities and other international organizations

As a result of the discussions within IMO during the development of SOLAS chapter XI-2 and the ISPS Code, the International Labour Organization (ILO) was requested, in December 2002, to consider matters related with seafarers' identification documents and was invited to co-operate with IMO on addressing security in the wider port area.

In response, the International Labour Conference adopted, in July 2003, the Seafarers' Identity Documents Convention (Revised), 2003 (ILO Convention No. 185) and Governing Body of ILO and Maritime Safety Committee of IMO adopted jointly, in March and May 2004

respectively, the ILO/IMO Code of Practice on Security in Ports which addresses security in the wider port area.

Also during the development of SOLAS chapter XI-2 and the ISPS Code, the multimodal nature of the transport of freight containers and of other closed cargo transport units was recognized and IMO requested World Customs Organization (WCO), in December 2002, to urgently consider measures to enhance security throughout the international transport of closed cargo transport units.

This request led to the adoption by WCO, in June 2005, of the SAFE Framework of standards to secure and facilitate global trade and, as indicated above, IMO is presently considering how best to incorporate the relevant standards into the appropriate IMO instruments (e.g. the SOLAS and FAL Convention).

IMO has also co-operated with International Organization of Standardization (ISO) on the development of Publicly Available Specifications relating to the development of port facility security assessments and plans and on supply chain security.

Following the establishment, by the Secretary-General of the United Nations, of the Counter Terrorism Implementation Taskforce (CTITF) in June 2005, IMO has been fully involved in the work of that body and in particular on the development of the United Nations Global counter-terrorism strategy and its associated implementation measures. Subsequently a Counter terrorism Handbook was developed by CTITF, which provides Member States with current and relevant information on the United Nations' and its entities' work and resources contributing to countering terrorism. A number of different search functions are provided to help in better determining and accessing the information needed (http://www.un.org/terrorism/cthandbook/).

IMO is also, apart from updating the UN Security Council Counter Terrorism Committee Assistance Matrix, co-operating with UN Counter-Terrorism Executive Directorate (CTED) and participates in on-site visits in selected countries to assess and evaluate the implementation of those aspects of UN Security Council resolution S/Res/1373(2001) which fall within the scope of work of IMO.

In the field of application of the 1988 and 2005 SUA Treaties, the United Nations Office on Drugs and Crime (UNODC) cooperates with IMO regarding consultations on the co-relation between these treaties and other anti-terrorist conventions regulating the “prosecution or extradition” principle.

Other examples of field applications are the involvement of UNODC and UNICRI in the Sana’a meeting and the involvement of UN/DOALOS, FAO, UNHCR, UNODC and Interpol in the Dakar meeting.

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