



SUB-COMMITTEE ON STANDARDS OF
TRAINING AND WATCHKEEPING
33rd session
Agenda item 2

STW 33/2/2
30 November 2001
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DECISIONS OF OTHER IMO BODIES

Decisions of the twenty-second session of the Assembly

Note by the Secretariat

SUMMARY

<i>Executive summary:</i>	This document reports on the outcome of A 22 on matters relevant to the work of the Sub-Committee
<i>Action to be taken:</i>	Paragraph 15
<i>Related documents:</i>	A 22/8/1 (annexes 2 and 3) and A 22/5(b)/2

1 The twenty-second session of the Assembly was held from 19 to 29 November 2001. Decisions taken by the Assembly relevant to the work of the Sub-Committee with references to the Sub-Committee's provisional agenda (STW 33/1) are given below.

Agenda item 14 – Work programme and agenda for STW 34

Organization's long-term work plan

2 The Assembly considered the draft Assembly resolution on Long-term work plan of the Organization up to 2008 (document A 22/23 and A 22/23/1) adopted resolution A.907(22), as amended by the addition to the Maritime Safety Committee's list of general subjects of the following two new high-priority items:

"10 Prevention/suppression of acts of terrorism against shipping; and

11 Safety measures and procedures for the treatment of persons rescued at sea".

Agenda item 16 – Any other business

Measures and procedures to prevent acts of terrorism which threaten the security of passengers and crews and the safety of ships

3 The Assembly (A 22/5(b)/2, paragraph 79) unanimously adopted resolution A.924(22) on Measures and procedures to prevent acts of terrorism which threaten the security of passengers and crews and the safety of ships, which had been proposed by the Secretary-General in the aftermath of the terrorist attacks in New York and Washington, D.C. on 11 September 2001

(annex 3 to document A 22/8/1) and had already been unanimously approved by the Council at its twenty-first extraordinary session, as set out in the annex to this document. The Assembly also decided, responding to a proposal by the United States' delegation, that, in order for action on the Assembly's requests in the resolution to be taken expeditiously, an intersessional working group should be established to prepare appropriate recommendations for submission to MSC 75 for any necessary follow-up action.

4 The elaboration of details to pursue IMO's further work on maritime security was tasked to the Assembly's Committee 2 (Technical Committee). On the Assembly's concluding session, the Plenary considered the recommendations made by the Technical Committee and approved them as proposed. Details of the decisions of the Technical Committee are outlined in the ensuing paragraphs.

5 The Technical Committee recalled that, among the measures the United States was considering, included:

- .1 reviewing the issues related to the installation of automatic identification systems (AIS) on ships;
- .2 considering the need for security plans on ships, port facilities and off-shore terminals;
- .3 reviewing the need for identification verification and background security checks for seafarers; and
- .4 ensuring a secure chain of custody for containers from their port of origin to their destination.

6 Following presentation of a possible expeditious course of action, the Secretariat explained that, while AIS matters could be considered within the context of the revised SOLAS chapter V, the port and ships' security plans issue could not be considered under any other SOLAS chapter, in which case it might be appropriate to have it dealt with by means of a possible amendment(s) to SOLAS chapter XI on Special measures to enhance maritime safety. If that chapter were to be amended, it could incorporate other maritime security measures proposed, in which case it might be appropriate to rename it "Special measures to enhance maritime safety **and security**". Naturally, any final decision as to which parts of SOLAS, STCW or other IMO Conventions should be amended would be a matter for MSC 75 to decide.

7 The Technical Committee agreed that the intersessional MSC Working Group on Maritime Security should meet (against IMO costs, including interpretation costs, covered by the United States) at IMO Headquarters from 11 to 15 February 2002, to:

- .1 start work on the review requested in operative paragraph 1 of the resolution;
- .2 prepare a list of subjects to be further discussed which, according to their nature, should then be forwarded to the MSC and, if appropriate, the Legal and FAL Committees for further elaboration;
- .3 consider proposals and information on maritime security issues submitted by Member Governments and international organizations concerned;

- .4 prepare a work plan and timeframe for the work to be undertaken on this matter;
and
- .5 submit its report to MSC 75.

8 In order to pursue the matter further in an expeditious manner, the Technical Committee decided that the outcome of the intersessional working group be submitted to MSC 75 for follow-up by an *ad hoc* working group; as well as to the Legal and FAL Committees for appropriate action.

9 In this context, the Technical Committee was advised by the Secretariat, on behalf of the Chairman of the MSC on the status of the working groups agreed, in principle, to be established at MSC 75; and that the Committee's decision for a new Working Group on Maritime Security would, in essence, mean a fourth group which would go beyond the provisions of the Guidelines on organization and method of work. The MSC Chairman's personal view was that exceptional circumstances demanded exceptional actions and that the special effort the MSC would be asked to make would be worth taking for the sake of both maritime safety and security and the Organization's good name.

10 The Technical Committee, having noted the MSC Chairman's information and view, decided that, in principle, a fourth working group, i.e., a Working Group on Maritime Security, should be established at MSC 75 with top priority and that it be left to MSC 75 to decide on the need for, and which working groups, should be established. It further decided that its decisions on the matter be conveyed to the extraordinary session of the MSC, for information and action, as appropriate.

11 In the context of the aforementioned presentation by the Secretariat as mentioned in paragraph 4, the Technical Committee's attention was drawn to the fact that, in order that amendments to SOLAS chapter XI be adopted, there would, in accordance with resolution 5 of the 1994 SOLAS Conference, be a need to convene a conference of SOLAS Contracting Governments. Further to acting in accordance with that resolution, the Assembly recognized that, opting for a [SOLAS] conference, a strong message would be conveyed about the seriousness IMO was attaching to the issue of maritime security.

12 The Technical Committee agreed that such a conference could be organized in conjunction with MSC 76 in December 2002, provided the Assembly decided that such a conference was desirable and such a decision was concurred to by at least one third of SOLAS Contracting Governments attending the Assembly in accordance with SOLAS article VIII. The Technical Committee, and eventually the Assembly, also noted that organizing the Conference in conjunction with an MSC session would entail no additional financial cost to the Organization.

13 It was agreed that the decisions of the Assembly, calling for an intersessional working group; a fourth working group at MSC 75; and the convening of a conference, should not create any precedence for similar action to be taken in future and needed to be seen in the light of the exceptional circumstances in which they had been taken.

14 In concluding its deliberations on the issue, the Technical Committee, and eventually the Assembly, approved, with the concurrence of representatives of Governments constituting more than one-third of Contracting Governments [and Parties] to SOLAS [and the STCW] Convention(s) present at the Assembly, the convening of an IMO Conference on Maritime Security to take place in conjunction with MSC 76 in December 2002, to consider, with a view to adoption, proposed amendments to SOLAS [and STCW] Convention(s); and expressed deep

appreciation to the Secretary-General for his timely and appropriate initiative to submit the relevant resolution to the Assembly through the Council.

Action requested of the Sub-Committee

15 The Sub-Committee is invited to consider the above information; consider, in particular, how it could contribute, from the training point of view, to the effort to prevent and suppress acts of terrorism against shipping; and, eventually, advise the intersessional working group accordingly.

ANNEX

ASSEMBLY RESOLUTION A.924(22)

**REVIEW OF MEASURES AND PROCEDURES TO PREVENT
ACTS OF TERRORISM WHICH THREATEN THE SECURITY OF
PASSENGERS AND CREWS AND THE SAFETY OF SHIPS**

THE ASSEMBLY,

RECALLING Articles 1 and 15(j) of the Convention on the International Maritime Organization concerning the purposes of the Organization and the functions of the Assembly in relation to regulations and guidelines concerning maritime safety; and also the general purpose of the Convention on Facilitation of International Maritime Traffic, 1965,

TAKING INTO ACCOUNT United Nations:

- General Assembly resolution 56/1 and Security Council resolution 1368, both adopted on 12 September 2001, condemning the terrorist attacks on the United States of America on 11 September 2001; and
- Security Council resolution 1373(2001) calling on the international community to redouble their efforts to prevent and suppress terrorist acts, including full implementation of the anti-terrorist conventions,

EXPRESSING great concern for the security of passengers and crews on board ships, including small craft, both at anchor and under way, in the context of incidents involving terrorism and other unlawful acts against ships and the associated risks to people on shore or populations in port areas as well as to ports, offshore terminals and the marine environment,

RECALLING resolution A.584(14) on Measures to prevent unlawful acts which threaten the safety of ships and the security of their passengers and crews,

RECALLING ALSO MSC/Circ.443 on Measures to prevent unlawful acts against passengers and crews on board ships, approved by the Maritime Safety Committee at its fifty-third session, in pursuance of the requests of the Assembly as contained in the aforementioned resolution A.584(14),

RECALLING FURTHER MSC/Circ.754 on Passenger Ferry Security, approved by the Maritime Safety Committee at its sixty-sixth session,

FURTHER RECALLING the provisions of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation (Rome 1988) and its Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms located on the Continental Shelf,

FINALLY RECALLING United Nations General Assembly resolution 55/7 urging States to become party to the 1988 Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol, and to ensure their effective implementation,

RECOGNIZING the need for the Organization to review, with the intent to revise, existing, and consider new, appropriate international legal and technical measures to prevent and suppress terrorism against ships and to improve security aboard and ashore in order to reduce the risk to passengers, crews and port personnel on board ships and in port areas and to the vessels and their cargoes,

1. REQUESTS the Maritime Safety Committee, the Legal Committee and the Facilitation Committee, under the direction of the Council, to undertake, on a high priority basis, a review to ascertain whether there is a need to update the instruments referred to in the preambular paragraphs and any other relevant IMO instrument under their scope and/or to adopt other security measures and, in the light of such a review, to take prompt action as appropriate;
 2. REQUESTS ALSO the Committees referred to above, when taking action as requested in operative paragraph 1, to take account of the work of other international organizations competent in the development of standards for transport-related safety and security by land, air and sea, as well as industry organizations;
 3. CALLS on Governments, which have not accepted the 1988 Rome Convention and Protocol, to consider doing so at the earliest opportunity;
 4. ENCOURAGES Governments, pending the outcome of work tasked to the Committees referred to in paragraph 1 above, to put in place and vigorously implement appropriate security measures around and in port areas and terminals, including offshore terminals;
 5. REQUESTS the Secretary-General to take appropriate measures, within the Integrated Technical Co-operation Programme, to assist Governments to assess, put in place or enhance, as the case may be, appropriate infrastructure and measures to strengthen port safety and security to prevent and suppress terrorist acts directed against ports and port personnel as well as ships in port areas, passengers and crews;
 6. REQUESTS FURTHER the Secretary-General to submit a report to the twenty-third session of the Assembly on progress made in the interim.
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