



COUNCIL
90th session
Agenda item 8

C 90/8
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CONSIDERATION OF THE REPORT OF THE FACILITATION COMMITTEE

Note by the Secretary-General

SUMMARY

<i>Executive summary:</i>	This document reports on the outcome of the thirtieth session of the Facilitation Committee
<i>Action to be taken:</i>	Paragraph 22
<i>Related document:</i>	FAL 30/20

General

1 The Facilitation (FAL) Committee held its thirtieth session from 27 to 31 January 2003 under the chairmanship of Mr. C. Abela (Malta) and was attended by 53 Member States, 1 Associate Member, 1 United Nations specialized agency, 1 intergovernmental organization and 16 non-governmental organizations in consultative status.

2 The report of the thirtieth session of the FAL Committee has been circulated to all IMO Member Governments and Contracting Governments to the 1965 Facilitation Convention under the symbol FAL 30/20.

3 Decisions taken by the Committee during the session under review are summarized in the ensuing paragraphs.

Electronic means for the clearance of ships

4 The Committee approved amendments to the IMO Compendium on Facilitation and Electronic Business (FAL.5/Circ.15/Corr.1) and also approved a FAL Circular on E-Addresses (FAL.5/Circ.19), recognizing that publication of one or more dedicated E-addresses of appropriate Governmental authorities in a port or in a country would facilitate the exchange of electronic information between masters of ships and shore-based authorities.

Development of a questionnaire to obtain up-to-date information on differences to Convention Standards and Recommended Practices

5 The Committee developed a questionnaire seeking information from FAL Contracting Governments on differences they had registered between national practices and the Standards

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and Recommended Practices contained in the Annex to the FAL Convention, with a view to determining whether they were outdated or could be amended to make them more universally acceptable; and to provide a mechanism through which FAL parties would be encouraged to review the exceptions they had registered and other measures taken to align their national requirements and procedures with those of the Convention. To this effect, the Committee approved an associated FAL circular (FAL.3/Circ.184).

Development of a FAL Convention explanatory Manual

6 The Committee agreed that the development of an explanatory Manual to the FAL Convention could help in interpreting the legal provisions of the Convention some of which are complex and, at times, difficult to understand. To this effect, it established an intersessional correspondence group to prepare the general outline of such a Manual for submission to FAL 31 for consideration.

Facilitation aspects in the context of maritime security

7 In the context of security and as requested by the Assembly in resolution A.924(22), the Committee considered facilitation aspects of maritime traffic, and agreed to further consider the following issues at FAL 31:

- a detailed study of WCO data requirements for a cargo report along with IMO FAL Forms (1 to 7), the IMO Compendium on Facilitation and Electronic Business and the security-related documentation requirements (e.g. the International Ship Security Certificate, Continuous Synopsis Record, etc.) to facilitate international trade and support measures to enhance maritime security; and
- review of resolution A.872(20) on Guidelines for the prevention and suppression of the smuggling of drugs, psychotropic substances and precursor chemicals on ships engaged in international maritime traffic.

Facilitation aspects relating to measures and procedures for the treatment of persons rescued at sea

8 The Committee considered the issue from the facilitation point of view as requested by the Assembly in resolution A.920(22), and gave preliminary consideration to issues such as: identification of administrative procedures for the disembarkation of persons rescued at sea; identification of the need for a checklist for recording information on persons rescued at sea; and related amendments to the FAL Convention, and agreed to further consider these issues at FAL 31, taking into consideration any relevant developments in the Organization and other international fora.

Stowaway incidents

9 The Committee reviewed reports on stowaway incidents and, while agreeing that the statistics presented contained valuable information regarding the assessment of the Guidelines on the allocation of responsibilities to seek successful resolution of stowaway cases (resolution A.871(20)), invited Member Governments and non-governmental international organizations to unfailingly submit such reports to the Organization.

Availability of tug assistance

10 The Committee, noting that MSC 75 (in considering the draft MSC/MEPC/FAL circular on Availability of tug assistance, which had been prepared by the SPI Working Group during FAL 29) had acknowledged the need for the annex to that circular to be available in French and Spanish as well and had requested the SPI Working Group to reconsider the contents and status of the draft circular, considered a draft revision, as prepared by the SPI Working Group, and approved it (FAL 30/20, annex 3), inviting MSC and MEPC to act accordingly.

Development of guidelines for the training of port marine personnel

11 The Committee considered the justification for the work on the development of guidance for minimum training and education requirements for mooring services personnel, prepared by the SPI Working Group, as instructed by MSC 75 and itself, and, having agreed to change the title of the item to “Guidelines on minimum training and education for shore-side mooring personnel” to clearly indicate that the Guidelines were directed to shore-side personnel, approved it (FAL 30/20, annex 4) and invited MSC 77 to concur with its decision.

SPI Working Group’s action on measures to enhance maritime security

12 The Committee noted that the SPI Working Group had, as instructed by MSC 76, given preliminary consideration to various requests of the 2002 Maritime Security Conference and prepared a draft outline for the development of a model course for Port Facility Security Officers, which had been subsequently submitted to STW 34 for consideration.

Harmonization of certificates and documents

13 The Committee noted that MSC 75 had considered the issue and, recognizing that there would be little practical benefits from that exercise, agreed not to pursue it for the time being, and to revisit it should any form of suitable technology be developed in the future enabling certificate merger. MEPC 48 having concurred with MSC’s decision, the Committee agreed not to pursue the issue for the time being.

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

14 The Committee, recognizing that more than two years had passed since the issuance of a list of certificates and documents required to be carried on board ships, agreed to update it and, to that effect, instructed the Secretariat to prepare a draft updated list and submit it to MSC, MEPC and the Committee for consideration.

Facilitation-related thematic priorities for the 2004-2005 ITCP

15 The Committee agreed that the following facilitation-related thematic priorities should be included in the ITCP for the 2004-2005:

- .1 enhancing facilitation of maritime traffic in the context of maritime security;
- .2 fostering the wider acceptance of the FAL Convention and the 1991 amendments to the IMO Convention aiming at institutionalising the FAL Committee and the effective implementation of the FAL Convention;

- .3 contributing to capacity-building in maritime Administrations in respect of training, assessment and examination responsibilities and quality standards relating to the FAL Convention;
- .4 supporting Administrations to introduce and adopt electronic data processing and interchange techniques based on Electronic Data Interchange Maritime (EDIMAR) standards or other internationally accepted relevant standards to facilitate the clearance of ships, crews, passengers and cargo, effective port operation and vessels' turnaround; and
- .5 supporting training of personnel involved in ship/port interface activities with the aim of raising awareness and understanding of their responsibilities and improving communication and co-operation between all parties involved at the ship/port interface, including Administrations.

Institutionalization of the Facilitation Committee

16 The Committee noted that the Council, at its eighty-eighth session, noting that 42 acceptances were still needed to fulfil the requirements for the entry into force of the 1991 amendments to the IMO Convention (resolution A.724(17)), had re-emphasized the importance of those amendments' entry into force and adopted resolution C.75(88) entitled "1991 amendments to the Convention of the International Maritime Organization (Institutionalization of the Facilitation Committee)".

17 The Committee, having expressed appreciation to the Secretary-General and the Council for the action taken in this regard, noted that the said amendments had, by the time of its meeting, been adopted by 76 Member States. Although this represented a significant increase of acceptances since the last session of the Committee, 32 acceptances were still needed to fulfil the entry-into-force requirements and, therefore, it urged Member Governments to accept the 1991 amendments to the IMO Convention at their earliest convenience stressing that they had no financial implications for countries accepting them.

Work programme

18 On the basis of progress made during the session under review, the Committee reviewed and revised its work programme, agreed on a list of substantive items to be included in the agenda for its thirty-first session, and invited the Council to approve both (FAL 30/20, annex 5).

Long-term work plan

19 As requested by the Assembly, at its twenty-second session in resolution A.907(22), the Committee considered, for submission through the Council to the twenty-third session of the Assembly, proposals on its long-term work plan (up to 2010) and agreed on the plan it intended to pursue (FAL 30/20, annex 6).

Meeting weeks for the Committee in the biennium 2004-2005

20 In the light of its future work plan and short-term workload, the Committee agreed to recommend to the Council that it be allocated two meeting-weeks in the biennium 2004-2005 (FAL 30/20, annex 7).

Work programme of the SPI Working Group

21 The Committee approved the proposed revised work programme of the SPI Working Group as far as facilitation-related items are concerned (FAL 30/20, annex 7).

Action requested of the Council

22 The Council is invited:

- .1 note the approval of amendments to the IMO Compendium on Facilitation and Electronic Business (FAL.5/Circ.15/Corr.1) and of FAL.5/Circ.19 on E-addresses (paragraph 4);
- .2 note the Committee's decision to develop a questionnaire to obtain up-to-date information on differences to Standards and Recommended Practices contained in the annex to the FAL Convention; and to approve an associated FAL Circular (FAL.3/Circ.184) (paragraph 5);
- .3 endorse the establishment of a correspondence group to develop an explanatory Manual to the FAL Convention (paragraph 6);
- .4 note the Committee's action on facilitation-related maritime security issues (paragraph 7);
- .5 note the Committee's action on facilitation aspects relating to measures and procedures for the treatment of persons rescued at sea (paragraph 8);
- .6 note the Committee's action on the issue of stowaways (paragraph 9);
- .7 note the Committee's decision on the availability of tug assistance (paragraph 10);
- .8 note the Committee's decision on the development of Guidelines on minimum training and education for shore-side mooring personnel (paragraph 11);
- .9 note the SPI Working Group's action on measures to enhance maritime security (paragraph 12);
- .10 note the Committee's decision on harmonization of certificates and documents (paragraph 13);
- .11 note the Committee's decision on updating of certificates and documents required to be carried on board ships (paragraph 14);
- .12 note the Committee's action on facilitation-related thematic priorities for the ITCP for the 2004-2005 biennium (paragraph 15);
- .13 note the Committee's action on expediting its institutionalization (paragraphs 16 and 17);
- .14 approve the list of substantive items to be included in the agenda for the Committee's thirty-first session (paragraph 18 and FAL 30/20, annex 5);

- .15 approve the Committee's long-term work plan (up to 2010) and forward it to the Assembly for endorsement (paragraph 19 and FAL 30/20, annex 6), which will be considered under item 21 of the Council's agenda;
 - .16 approve two meeting-weeks for the Committee in the biennium 2004-2005 (paragraph 20);
 - .17 note the Committee's action in respect of the SPI Working Group's work programme (paragraph 21); and
 - .18 approve the report in general.
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