MEASURES TO ENHANCE MARITIME SECURITY
PIRACY AND ARMED ROBBERY AGAINST SHIPS

Report of the Working Group

1 General

1.1 The Working Group on maritime security including piracy and armed robbery against ships (the Group) met from 25 November to 30 November 2010 under the chairmanship of Mr. Arsenio Domínguez (Panama).

1.2 The Group was attended by delegations from the following Member Governments:

ANTIGUA AND BARBUDA  LITHUANIA
ARGENTINA           LUXEMBOURG
AUSTRALIA           MALAYSIA
BAHRAIN             MALTA
BANGLADESH          MARSHALL ISLANDS
BELGIUM             NETHERLANDS
BRAZIL              NIGERIA
CANADA              NORWAY
CHILE               PANAMA
CHINA               PHILIPPINES
COLOMBIA            POLAND
CYPRUS              REPUBLIC OF KOREA
DENMARK             RUSSIAN FEDERATION
EGYPT               SAINT LUCIA
FINLAND             SAUDI ARABIA
FRANCE              SINGAPORE
GERMANY             SPAIN
GREECE              SWEDEN
INDIA               SYRIAN ARAB REPUBLIC
IRAN (ISLAMIC REPUBLIC OF)  THAILAND
ITALY               TURKEY
JAMAICA             UKRAINE
JAPAN               UNITED KINGDOM
LIBERIA             UNITED STATES
1.3 The Group was also attended by representatives from the following United Nations specialized agency:

INTERNATIONAL LABOUR ORGANIZATION (ILO)

1.4 The Group was also attended by observers from the following intergovernmental organization:

EUROPEAN COMMISSION (EC)

and by observers from the following non-governmental organizations in consultative status:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)
INTERNATIONAL UNION OF MARINE INSURANCE (IUMI)
INTERNATIONAL TRANSPORT WORKERS’ FEDERATION (ITF)
BIMCO
INTERNATIONAL FEDERATION OF SHIPMASTERS’ ASSOCIATIONS (IFSMA)
INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS (INTERTANKO)
CRUISE LINES INTERNATIONAL ASSOCIATION (CLIA)
INTERNATIONAL ASSOCIATION OF DRY CARGO SHIPOWNERS (INTERCARGO)

2 Terms of reference

2.1 The Group was instructed, taking into account the relevant decisions taken and comments made in plenary, to:

.1 consider document MSC 88/4/3 (Marshall Islands) on operational issues related to the current recommendations related to Ship security alerts (SSAS) in version 3 of the Best Management Practices (BMP3) in the context of requirements of SOLAS chapter XI-2 and the ISPS Code, the performance standards for ship security alert systems and the guidance provided in MSC circulars 1072, 1109/Rev.1 and 1155, advise the Committee on how to proceed and, if necessary, develop a draft MSC.1 circular providing clarification on the issue;

.2 prepare a draft covering MSC.1 circular on Guidance for company security officers to prepare company and crew for the contingency of hijack by pirates in waters off the coast of Somalia to which the guidance for company security officers given in the annex to document MSC 88/18/2 (United States) will be attached and circulated;

.3 using document MSC 88/18/3 (Malaysia, Philippines, Turkey and Ukraine) as a basis for discussion, consider the relationship between ship security plans under the ISPS Code and measures to avoid, deter or prevent acts of piracy and armed robbery against ships, and advise the Committee on how to proceed;

.4 review the Security-related information declaration given in annex 2 to document MSC 88/4/4 (Secretariat) for the purpose of ensuring consistency with MSC.1/Circ.1305 on Revised guidance to masters, Companies and duly authorized officers on the requirements relating to the submission of security-related information prior to the entry of a ship into port, and advise the Committee on how to proceed;
.5 review the draft FAL resolution on Revised Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases prepared by FAL 36 (annex 3 of document MSC 88/4/4 (Secretariat)) and prepare a draft MSC resolution for consideration with a view to adoption;

.6 develop draft Terms of Reference for a correspondence group on the review of the Maritime Security Manual being developed by the Secretariat; and

.7 submit a report to plenary by Thursday, 2 December 2010.

3 Piracy and armed robbery against ships

Ship security alerts

3.1 In considering document MSC 88/4/3 (Marshall Islands) on operational issues related to the current recommendations regarding SSAS alerts in BMP3 with respect to the routeing of alerts to UKMTO and its operational impact, the Group agreed that the issue needed to be addressed in the context of the requirements of SOLAS regulation XI-2/6. The Group noted that the routeing of SSAS alerts can only be undertaken with the approval of the flag State. The flag State also has to provide relevant information to the Organization and needs to communicate the related decisions and instructions to owners and Companies operating ships flying its flag.

3.2 Representatives of the industry group which developed BMP3, in acknowledging the problem and the need to avoid any inconsistencies with SOLAS regulation XI-2/6, agreed to make the appropriate corrections in the next version of the BMP and, in the meantime, to remedy the situation as quickly as possible by means of a clarification on the MSCHOA website, which is the standard method by which pressing updates to the BMP are communicated.

3.3 Considering the nature of the BMP, which is an evolving document, the Group thanked the industry group for the actions to be taken and the corrections to be made in the short and long term, all in accordance with SOLAS regulation XI-2/6, the ISPS Code, the performance standards relating to ship security alert systems and the related guidelines of the Committee on the routeing of SSAS alerts.

3.4 The Group reiterated its support for the comments made in plenary that any reference to the existence of solutions provided by commercial service providers should be made in general and not be specific to any particular service provider. The Group also noted that the use of service providers is a matter to be considered by each flag State individually and any decisions which might have a bearing on other SOLAS Contracting Governments should be communicated to the Organization.

3.5 The Group concluded, taking into account the decision of the Committee to disseminate the BMP as an industry document, that the actions to be taken by the industry group to address the issue were sufficient and that there was no need to issue an MSC.1 circular to provide clarification, as such an action might inadvertently lead to confusion.

Guidance for Company Security Officers – Preparation of a company and crew for the contingency of hijack by pirates in the Western Indian Ocean and the Gulf of Aden

3.6 The Group considered document MSC 88/18/2 (United States) on the proposed Guidance for Company Security Officers – Preparation of a company and crew for the contingency of hijack by pirates (the Guidance for CSOs), which was developed by industry
organizations (which had also developed the BMP3 guidelines) within Working Group 3 of the Contact Group on Piracy off the coast of Somalia (CGPCS). The Group was of the opinion that the document would be useful in helping to ensure that any attacked or hijacked ship and its shipboard personnel continue to be fit to operate and work on board.

3.7 In accordance with previous decisions taken by the Committee in relation to the circulation of BMP guidelines developed by the industry group that require periodic change and updating, the Group prepared the draft covering MSC.1 circular on Guidance for Company Security Officers – Preparation of a company and crew for the contingency of hijack by pirates in the Western Indian Ocean and the Gulf of Aden, attached in annex 1 and recommended it for approval by the Committee.

3.8 The Group, taking into account that the industry group intends to keep, as it does with the BMPs, the Guidance to CSOs under review and to update it as and when it finds necessary, agreed to recommend that the Committee should authorize the Secretariat to circulate future revisions of the guidance submitted to the Secretary-General by the industry group and to revoke any previous related MSC.1 circulars, on the understanding that the Secretariat would be reporting on the actions it would be taking to the first session of the Committee thereafter.

Reflecting in the ship security plans special measures to avoid, deter or prevent piracy and armed robbery against ships

3.9 The Group considered document MSC 88/18/3 (Malaysia, Philippines, Turkey and Ukraine) proposing the inclusion in the ship security plans of specific measures to avoid, deter or prevent piracy and armed robbery against ships.

3.10 The Group agreed with the fundamental principle that there was a clear need for ships operating in pirate-infested waters to take appropriate and robust measures to protect themselves from the threat of piracy and armed robbery against ships, which included the full implementation of the related IMO resolutions and guidance and the guidance provided in BMP3; cooperation with naval forces operating in the area; and participation in the distribution facility set up at IMO for the provision of LRIT information to security forces operating in waters off the Gulf of Aden and the western Indian Ocean to aid their work in the repression of piracy and armed robbery against ships.

3.11 During the extensive discussion of the proposal the delegations which participated in the discussions reiterated the views expressed during the consideration of the issue in plenary and pointed out, in particular that:

1. A considerable number of Member States had already introduced requirements to address the threat from acts and attempted acts of piracy and armed robbery and corresponding preventative measures. Some had chosen to address the issue in ship security plans developed under the SOLAS chapter XI-2 and the ISPS Code, others had chosen a different approach using the safety management system required under SOLAS chapter IX and the ISM Code. The Group agreed that the fundamental principle of preventing unauthorized access could be achieved by various means, and prescribing a specific method of addressing the issue would be restrictive;

2. A number of Member States expressed the view that SOLAS chapter XI-2 and the ISPS Code had been developed to tackle terrorism and not piracy;
.3 a number of Member States were of the view that SOLAS chapter XI-2 and the ISPS Code were appropriate instruments to address piracy and other threats to maritime security;

.4 piracy is considered a criminal activity rather than an issue of national security by a number of Member States, and the abilities of those Member States to provide accurate security level information can therefore be diluted;

.5 application of global requirements on ship security plans for regional piracy areas would place a significant resource and administrative burden on owners, Companies, SOLAS Contracting Governments and their authorized recognized security organizations called upon to prepare amendments and to re-approve ship security plans based on new ship security assessments;

.6 the measures may add confusion to the measures already taken by the Organization in addressing piracy and armed robbery against ships in waters off the coast of Somalia; and

.7 it would be valuable to attempt to identify the reasons why ships are not following the BMP prior to recommending any such remedial action.

3.12 The co-sponsors of document MSC 88/18/3 that were present expressed the view that the proposed measures did not require amendments to the ISPS Code but rather brought counter-piracy plans and measures within the control and compliance regime as mandated by SOLAS regulation XI-2/9. In relation to the concerns raised, the co-sponsors that were present were of the opinion that the ISPS Code does not directly specify the threat of piracy but is a tool to enhance maritime security and considers that piracy is one of the security threats addressed within SOLAS chapter XI-2.

3.13 In relation to the re-approval of the ship security plans, the delegation of the Ukraine suggested that flag States could share their experiences and deal with comments related to the administrative burden, taking into account that Companies know when their vessels are to operate in pirate-infested areas and national legislation of SOLAS Contracting Governments should contain provisions to assess the situation without delay and to provide for introducing necessary changes to ship security plans.

3.14 Following the discussion and noting the view of the majority that spoke, the Group concluded that there was no need to develop, in response, any guidance or recommendations to address the issue. The focus should be on the implementation of the existing guidelines and to that end the Group requested the Committee to strongly urge Member States, the shipping industry, the seafaring community and all other mariners to implement adequate, comprehensive and robust measures in accordance with the recommendations and guidance issued by the Organization and the industry group and to aid the distribution and implementation of the BMPs.

Recent incidents

3.15 The delegation of Turkey made the following statement in order to provide an example of the efficiency of a coordinated use of pre-determined "safe rooms" on board ships, to be used during pirate boardings: "A Turkish flagged bulk carrier was attacked by pirates while sailing in the eastern Gulf of Aden, on 27 November 2010. When the pirates gained access to the ship, the crew was able to hide inside a safe room prepared in the
engine-room and established phone contact with the Turkish Navy. The Turkish Navy Operations Centre informed the crew of further safety precautions to be taken. The pirates, unable to gain control of the ship, made the decision to leave. A skiff, believed to belong to the pirates, was fired upon by the helicopter from USS Shoup and withdrew from the scene.

4 Measures to enhance maritime security

Submission of security-related information prior to the entry of a ship into port

4.1 The Group reviewed the security-related information declaration form (the Form) given in annex 2 to document MSC 88/4/4 and made several revisions to the information so as to make it consistent with the numbering and terminology given in MSC.1/Circ.1305 on Revised guidance to masters, Companies and duly authorized officers on the requirements relating to the submission of security-related information prior to the entry of a ship into port.

4.2 The Group agreed to recommend to the Committee that the form should be incorporated into an updated version of MSC.1/Circ.1305. The Group agreed to recommend to the Committee for endorsement as a work in progress, the draft MSC.1 circular on Revised guidance to masters, companies and duly authorized officers on the requirements relating to the submission of security-related information prior to the entry of a ship into port as set out in annex 2. The Group recommended that the circular should be approved after the FAL Committee has finalized the EDI message for the transmission of security-related information and on the understanding that at the time of its approval appropriate cross reference to the EDI message would need to be included.

4.3 The Group noted several apparent inconsistencies between the numbering and the terminology used in the information elements of the EDI message for the transmission of security-related information given in the implementation guidelines set out in annex 1 to document MSC 88/4/4 and the corresponding requirements within MSC.1/Circ.1305. The Group requested the Committee to instruct the Secretariat to review the left column of annex 1 to document MSC 88/4/4 and to bring the apparent inconsistencies to the attention of the FAL Committee for its consideration. The Group agreed to recommend that the Committee should reiterate to the FAL Committee the need to strictly adhere to the numbering and the terminology provided in MSC.1/Circ.1305.

Revision of guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases

4.4 The Group had a general discussion on the development of a draft MSC resolution based on the Revised guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases (the revised Guidelines) prepared at FAL 36. The Group noted that much care had been taken by FAL 36 to align the text in the revised Guidelines with that used in the FAL Convention. The Group agreed to follow the same principle when revising the text to augment and supplement the existing provisions with the preventative measures specified in section 4 of the FAL Convention and those contained in SOLAS chapter XI-2 and the ISPS Code.

4.5 The Group noted that the FAL Convention is currently under review, and agreed to request the Committee to bring to the attention of the FAL Committee aspects that should be taken into account during the revisions of the FAL Convention. Specifically, the Group noted that, within the comprehensive review of the FAL Convention, the FAL Committee may wish to consider:
augmenting information associated with the impact of stowaways on issues related to safety, and specifically the available capacity of life-saving appliances provided on board and the total number of persons permitted;

systematic review of the use of the words "return" and "remove";

the issue of deviation from the planned voyage of a ship; and

systematic review of the use of the terms "attempted stowaway" and "stowaway".

4.6 The Group agreed to recommend to the Committee the adoption of the draft MSC resolution on Revised Guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases set out in annex 3 on the understanding that FAL 37 will adopt a corresponding resolution.

4.7 The Group developed the following draft terms of reference for the correspondence group on the review of the IMO Maritime Security Manual and agreed to invite the Committee to approve them and to establish the correspondence group:

The correspondence group is instructed to:

1. review the draft manual to ensure that all relevant IMO maritime security-related material is reflected within the document;
2. review and edit the text for accuracy and consistency;
3. add explanatory text where required;
4. add details of practices that will help security practitioners to meet security objectives;
5. make recommendations on the development of any supplementary materials (e.g., manuals, DVDs, training aids) that might be needed in future;
6. make recommendations with respect to expansion or revocation of existing IMO material; and
7. submit its report for consideration to MSC 89.

4.8 The Group agreed to recommend that the Secretariat should be instructed to provide to the coordinators of the correspondence group, for circulation to those who might participate in its work, a set of guiding principles that clearly state that the purpose of the manual is to consolidate existing IMO maritime security-related material into an easily read

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companion guide to SOLAS chapter XI-2 and the ISPS Code, intended both to assist SOLAS Contracting Governments in the implementation, verification of compliance with, and enforcement of the provisions of SOLAS chapter XI-2 and the ISPS Code, and to serve as an aid and reference for those engaged in delivering capacity-building activities in the field of maritime security.

5 Action requested of the Committee

5.1 The Committee is invited to consider this report and, in particular, to:

.1 note the discussion related to the matters addressed in document MSC 88/4/3 (Marshall Islands) and concur with the conclusion that there is no need to develop, in response, any guidance or recommendations (paragraphs 3.1 to 3.5);

.2 approve the draft covering MSC.1 circular on Guidance for company security officers (CSO) – Preparation of a Company and crew for the contingency of hijack by pirates in the Western Indian Ocean and the Gulf of Aden (paragraphs 3.6 and 3.7 and annex 1);

.3 authorize the Secretariat to circulate future revisions of the aforesaid guidance submitted to the Secretary-General by the industry group and to revoke any previous related MSC.1 circulars, on the understanding that the Secretariat would be reporting on the actions it would be taking to the first session of the Committee thereafter (paragraph 3.8);

.4 note the discussions related to the proposals set out in document MSC 88/18/3 (Malaysia, Philippines, Turkey and Ukraine) and concur with the conclusion that there is no need to develop, in response, any guidance or recommendations (paragraphs 3.9 to 3.13);

.5 strongly urge Member States, the shipping industry, the seafaring community and all other mariners to implement adequate, comprehensive and robust measures in accordance with the recommendations and guidance issued by the Organization and the industry group and to aid the distribution and implementation of the BMPs (paragraph 3.13);

.6 endorse as a work in progress the draft MSC.1 circular on Revised guidance to masters, Companies and duly authorized officers on the requirements relating to the submission of security-related information prior to the entry of a ship into port (paragraphs 4.1 and 4.2 and annex 2);

.7 instruct the Secretariat to review the left column of annex 1 to document MSC 88/4/4 and bring to the attention of the FAL Committee the changes required to ensure consistency with the requirements of MSC.1/Circ.1305 and the need to strictly adhere to the numbering and the terminology used in MSC.1/Circ.1305 (paragraphs 4.1 to 4.3 and annex 2);

.8 instruct the Secretariat to bring to the attention of the FAL Committee, in the context of the comprehensive review of the FAL Convention, the stowaway-related aspects that should be taken into account during the consideration of the revisions of the FAL Convention (paragraph 4.5);
.9 adopt the draft MSC resolution on Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases as set out in annex 3 on the understanding that FAL 37 will adopt a corresponding resolution (paragraphs 4.4 and 4.6 and annex 3);

.10 approve the draft terms of reference for a correspondence group on the review of the IMO Maritime Security Manual and establish the correspondence group under the joint coordination of Canada and the United States (paragraph 4.7);

.11 instruct the Secretariat to provide to the coordinators of the correspondence group, for circulation to those who might participate in its work, a set of guiding principles that clearly state the purpose of the IMO Maritime Security Manual (paragraph 4.8); and

.12 approve the report in general.

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ANNEX 1

MSC.1/Circ.[...]
[...] December 2010

GUIDANCE FOR COMPANY SECURITY OFFICERS (CSOs) – PREPARATION OF A COMPANY AND CREW FOR THE CONTINGENCY OF HIJACK BY PIRATES IN THE WESTERN INDIAN OCEAN AND THE GULF OF ADEN

1 Following adoption of United Nations Security Council resolution 1851 (2008), the Contact Group on Piracy off the coast of Somalia (CGPCS) was established and held its inaugural meeting on 14 January 2009 to facilitate discussion and coordination of actions among States and organizations to suppress piracy off the coast of Somalia. The participants in the CGPCS, inter alia, agreed to establish four working groups, one of which (Working Group 3) was to address the strengthening of shipping self-awareness and other capabilities.

2 Industry organizations within Working Group 3 developed Guidance for company security officers (CSO) – Preparation of a Company and crew for the contingency of hijack by pirates in the Western Indian Ocean and the Gulf of Aden (the Guidance), attached in annex 1.

3 The Maritime Safety Committee, at its eighty-eighth session (24 November to 3 December 2010), agreed to disseminate the Guidance to all interested parties.

4 The Guidance does not contradict the Organization’s universal guidance on countering piracy and armed robbery against ships contained in:

   .1 MSC.1/Circ.1333 on Recommendations to Governments for preventing and suppressing piracy and armed robbery against ships;

   .2 MSC.1/Circ.1334 on Guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships; and

   .3 resolution A.1025(26) on Code of practice for the investigation of crimes of piracy and armed robbery against ships,

or subsequent amendments thereto.

5 Member Governments are invited to consider the Guidance as set out in annex 1, and advise owners, operators and managers of ships entitled to fly their flag to act accordingly taking into account the guidance provided in MSC.1/Circ.1333 and 1334, and in MSC.1/Circ.1337 on Best Management Practices to Deter Piracy in the Gulf of Aden and off the Coast of Somalia.

6 Intergovernmental and non-governmental organizations with consultative status are also invited to consider the Guidance as set out in annex 1 and to advise their membership to act accordingly, taking into account the guidance provided in MSC.1/Circ.1333, 1334 and 1337.

7 Member Governments and intergovernmental and non-governmental organizations with consultative status are invited to consider bringing the results of the experience gained from using the Guidance, as set out in annex 1, to the attention of the Committee.
ANNEX

GUIDANCE FOR COMPANY SECURITY OFFICERS (CSO) – PREPARATION OF A COMPANY AND CREW FOR THE CONTINGENCY OF HIJACK BY PIRATES IN THE WESTERN INDIAN OCEAN AND THE GULF OF ADEN

Introduction

The purpose of this guidance is to assist the CSO in making preparations for vessels scheduled to transit through the Gulf of Aden and the Western Indian Ocean, an area experiencing a significant level of attacks from Somali-based pirates. The guidance is divided into 2 parts: Part 1 sets out issues to consider when preparing the crew of a vessel, and Part 2 sets out issues to consider when preparing the Company.

Piracy in the Western Indian Ocean and the Gulf of Aden differs from piracy in other areas of the world because the pirates have the clear objective to capture and hold the ship and crew in order to extract a ransom. Somali pirates appear to recognize that harm or injury to the crew or its cargo may have adverse effects on negotiations and ransom amounts.

The focus of the CSO's preparations should be directed toward preventing an attack or hijacking of the ship and/or crew. Useful advice is contained in Best Management Practices to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area (BMP3)\(^1\), which defines a geographic "High Risk Area" for piracy attacks off the Coast of Somalia and in the Arabian Sea area. The following guidance is intended to assist CSOs develop procedures to prepare crews for the contingency of their vessel being hijacked when transiting the High Risk Area. The guidance set out below also addresses the actions of the Company in fulfilling their responsibilities to the crew, and highlights the need to prepare crisis management plans specifically designed to handle hijacking and its effects on the crew.

The following documents provide useful further information:

- EUNAVFOR – "Surviving Piracy off the Coast of Somalia"
- UN Guidance on Surviving as a Hostage
- IMO Maritime Safety Committee circular MSC.1/Circ.1334 on Guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships

This guidance is supported by the following international industry representatives:

1. BIMCO
2. International Chamber of Shipping (ICS)
3. International Shipping Federation (ISF)
4. International Association of Dry Cargo Ship Owners (INTERCARGO)
5. International Association of Independent Tanker Owners (INTERTANKO)
6. International Transport Workers’ Federation (ITF)
7. Oil Companies International Marine Forum (OCIMF)

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\(^1\) MSC.1/Circ.1337 on Best Management Practices to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area.
1. **Preparation of Crew**

When preparing crews of ships that are to travel through the High Risk Area, it is recommended that the CSO gives careful consideration to the following. These considerations are in addition to preparations which primarily focus on resisting a pirate attack, as contained in BMP3.

**Training Requirements**

.1 Consider any contractual, national / flag / training or preparation requirements for the crew.

**Seafarers and Others on board the Vessel**

.1 Consider the rights of seafarers and what constitutes reasonable grounds with respect to requests for disembarkation and repatriation prior to entering the High Risk Area, this might have to be done on a case by case basis.

.2 Review the presence of seafarers and others, e.g., partners, children on board and their safety during the transit of the High Risk Area.

**Accurate Crew Records**

.1 Ensure that the personal details of crew members are up to date including:

.1 Contact details for next of kin (telephone number and e-mail address)

.2 Any medical conditions of crew members and medication required

.3 Clothing sizes for each crew member (to enable replacement clothing to be provided).

**Company Commitment**

.1 Ensure, when possible, that crew are made fully aware in advance of the voyage route of the ship including projected dates and times of transiting the High Risk Area.

.2 Ensure crews are reassured of their rights and what constitutes reasonable grounds with respect to disembarking prior to entering the High Risk Area.

.3 Ensure crews are aware of the company's commitment to their health and safety.

**Crew Awareness of the Hijack Environment**

.1 Ensure that the crew are aware of the "shock of capture" and that the greatest anxiety is usually experienced in the hours after the initial hijack incident. Feeling depressed, helpless and humiliated are emotions that many hostages experience during captivity. The crew should be encouraged to try to focus on surviving the ordeal.
.2 Ensure that the crew understand the importance of being cooperative with the demands without appearing either servile or antagonistic.

.3 Ensure that the crew appreciate the importance of mutual support, teamwork and maintaining a shipboard routine both during and in the aftermath of a hijack incident.

.4 Ensure that the crew understand the importance of trying to maintain the standard of living conditions on board for the crew.

.5 Advise that the pirates may demand that the crew pose for photographs and muster on the upper deck. This should not be resisted as this may be to prove the wellbeing of the crew to the owners during the negotiations for release.

.6 Ensure crew awareness that the pirates are likely to show them disrespect during captivity and may seek to disorientate them by possible separation into small groups or being held in confined areas, e.g., Bridge / Engine-Room.

.7 Ensure crew awareness of personal actions to reduce opportunities for coercion and intimidation by pirates in the event of capture, for example minimizing pirates access to crew's family contact details (e.g., mobile phone SIM Cards, e-mail addresses, etc.), not being isolated from other crew members, trying to establish a single point of contact amongst the crew for communications with the pirates.

.8 Advise the crew to treat all information given to them by the pirates with caution.

.9 Ensure the crew awareness of the use by Somali pirates of the drug khat and its effects.

.10 Ensure crew awareness of communications procedures to be followed during captivity by company and crew in particular:

.1 On board the ship amongst crew members

.2 Between the ship and company

.3 Between the company and crew families, e.g., via the internet, telephone contact and face-to-face meetings

.4 How the crew should co-operate with pirates during captivity – where possible try to establish a single contact point amongst the crew.

.11 Advise the crew of the need to be observant (without appearing to study the captors) during captivity in the interests of recalling events clearly during the crew debrief post-incident.

.12 Ensure that the crew and the families understand that it can take significant time to readjust after a hostage incident and that this is a normal reaction to an abnormal experience.
Crew Awareness of Company Actions

.1 Ensure that the crew are aware of company crisis management procedures that will be undertaken during captivity and after release, in particular:

.1 Assurances that the Company will do everything practical to expedite release

.2 Assurances of the Company's commitment to its continued obligations towards the crew in respect of, safety, pay, employment, replacement of personal effects, etc.

.3 Assurances that the Company will notify the Next of Kin in the event of an incident and establish a point of contact within the Company to provide families with ongoing information and coordinate support for families from internal and external sources as required

.4 Awareness that negotiation can be a lengthy process and that the company will be working hard for the crew's release

.5 Company policy on media relations during a hijack.

.2 Awareness of Company considerations / actions following release:

.1 The provision of supplies to the ship and crew as required post incident, including:

.1 Food and Water

.2 Fuel

.3 Replacement clothing

.2 The provision of medical assistance including counselling, in the period commencing after release. The Company policy on how to handle events at the first port of call including repatriation of the crew

.3 A Company policy on post-incident press relations

.4 The Company policy on post-incident debriefs and review of Crisis Management Procedures.

2. Company Crisis Management

When preparing Crisis Management Procedures to respond to a hijack of a ship and crew the CSO should as a minimum prepare and exercise plans to address the following:

.1 The Company Board's designation of a head of crisis management answerable to the Board for the duration of the crisis and to lead the response effort.

.2 Establishment of a single point of contact within the company for contact with the pirates.
The composition of the management team and the roles and responsibilities of the persons involved, including:

1. Negotiator
2. Crew welfare (including contact with families and external sources of support, e.g., welfare organizations)
3. Logistics and operations
4. Medical advice
5. Media relations.

The ongoing obligations to the crew in respect of such items as wages, employment, replacement of personal effects.

Communications policy during the crisis:

1. Recommendations on communications between captive crew members
2. Communications between company and ship
3. Communications between the company and families of crew including, internet, telephone contact and face to face meetings
4. Communications with pirates.

Provisions of supplies prior to transit and after release, including food, water, stores and fuel.

Choosing a first port of refuge post-release, factors are likely to include:

1. The availability of relevant local resources
2. The provision of vital assets to the ship, including:
   1. Counselling and/or medical assistance to the crew
   2. Replacement clothing
   3. Specialist Contractors/Advisors
   4. Full or partial replacement of crew
   5. Victuals
   6. Repatriation of crew members.

Provision of immediate medical assistance post release including counselling and the potential requirement for ongoing support and assistance.

Post-release media relations.

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ANNEX 2

MSC.1/Circ.[...]
[...] December 2010

REVISED GUIDANCE TO MASTERS, COMPANIES AND DULY AUTHORIZED OFFICERS ON THE REQUIREMENTS RELATING TO THE SUBMISSION OF SECURITY-RELATED INFORMATION PRIOR TO THE ENTRY OF A SHIP INTO PORT

1 The Maritime Safety Committee (the Committee), at its eighty-eighth session (24 November to 3 December 2010) decided to include, in the standard data set of security-related information a ship might be expected to submit prior to entry into port, a pre-printed form which might be completed in this respect and to this end it also decided to amend accordingly the Revised guidance to masters, Companies and duly authorized officers on the requirements relating to the submission of security-related information prior to the entry of a ship into port set out in the annex to MSC/Circ.1305.

2 As a result the Committee approved, based on the requirements of SOLAS regulation XI-2/9.2.1 and taking into account the guidance provided in part B of the ISPS Code and resolution MSC.159(78) on Interim guidance on control and compliance measures to enhance maritime security, a Revised guidance to masters, Companies and duly authorized officers on the requirements relating to the submission of security-related information prior to the entry of a ship into port (the Revised guidance) which is set out at annex. The Committee has developed the Revised guidance in an effort to prevent the proliferation of different demands for security-related information, which are neither conducive to the enhancement of maritime security nor facilitate the provision of such information.

3 The attached Revised guidance cites, as previously, the salient provisions of SOLAS regulation XI-2/9 and the guidance provided in paragraphs B/4.37 to B/4.40 of the ISPS Code, contains some practical advice and sets out in the appendix thereto a standard data set of security-related information a ship might be expected to submit prior to entry into port if requested to do so, and, now, provides a pre-printed form that might be used for such a submission.

4 The Committee invites SOLAS Contracting Governments to bring the attached Revised guidance to the attention of masters, Companies and, if appropriate, to the attention of port facility security officers. In addition, the Committee urges SOLAS Contracting Governments to bring the attached Revised guidance to the attention of those officers they have authorized or they may authorize to carry out control and compliance measures pursuant to the provisions of SOLAS regulation XI-2/9. Furthermore, the Committee urges SOLAS Contracting Governments to advise masters, Companies and duly authorized officers whether the submission of the information might be done by completing and submitting the pre-printed form.

5 The Committee also invites SOLAS Contracting Governments, international organizations and non-governmental organizations with consultative status to bring to the attention of the Committee the results of the experience they have gained from the use of the Revised guidance and in particular from the use of the standard data set of security-related information.
6 MSC.1/Circ.1305 is hereby revoked and any reference in any report of the Committee or in any MSC resolution or circular to either MSC/Circ.1130 or MSC.1/Circ.1305 should be read, henceforth in connection with the implementation of the provisions of SOLAS chapter XI-2 and the ISPS Code, as a reference to this circular.
ANNEX

REVISED GUIDANCE TO MASTERS, COMPANIES AND DULY AUTHORIZED OFFICERS ON THE REQUIREMENTS RELATING TO THE SUBMISSION OF SECURITY-RELATED INFORMATION PRIOR TO THE ENTRY OF A SHIP INTO PORT

PURPOSE

1 The purpose of this Guidance is to provide a standard data set of security-related information a ship might expect to provide prior to entry into port. In addition, this Guidance, in an effort to clarify the requirements of SOLAS regulation XI-2/9 on Control and compliance measures and taking into account the guidance provided in part B of the ISPS Code, cites the salient provisions of SOLAS regulation XI-2/9 and of paragraphs B/4.37 to B/4.40 of the ISPS Code.

CONTROL AND COMPLIANCE MEASURES

2 SOLAS regulation XI-2/9 describes the control and compliance measures applicable to ships to which SOLAS chapter XI-2 applies. It is divided into three distinct sections: control of ships already in port; control of ships intending to enter a port of another SOLAS Contracting Government (Contracting Government); and additional provisions applicable to both situations.

3 SOLAS regulation XI-2/9 should always be read in association with the guidance provided in paragraphs B/4.29 to B/4.40 of the ISPS Code and resolution MSC.159(78) on Interim guidance on control and compliance measures to enhance maritime security.

THE REQUIREMENT TO SUBMIT INFORMATION PRIOR TO ENTRY INTO PORT AND THE CONSEQUENCES OF FAILING TO DO SO

4 SOLAS regulation XI-2/9.2.2 requires every ship to which SOLAS chapter XI-2 applies intending to enter the port of another Contracting Government to provide the information described in SOLAS regulation XI-2/9.2.1 on the request of the officers duly authorized by that Government. The master may decline to provide such information on the understanding that failure to do so may result in denial of entry into port.

5 Paragraph B/4.40 of the ISPS Code states that SOLAS regulation XI-2/9.2.5 allows the master of a ship, upon being informed that the coastal or port State will implement control measures under SOLAS regulation XI-2/9.2, to withdraw the intention for the ship to enter port. If the master withdraws that intention, SOLAS regulation XI-2/9 no longer applies, and any other steps that are taken must be based on, and consistent with, international law.

THE STANDARD DATA SET OF SECURITY-RELATED INFORMATION

6 Appendix 1 to this Guidance provides the standard data set of security-related information a ship might be expected to submit prior to entry into port.

7 The development of the standard data set of security-related information should not be construed as preventing any Contracting Government from seeking the submission of information supplementary to that contained in the standard data set, or requiring additional information as a condition for entry into a port located within its territory.
8 In addition, the development of the standard data set of security-related information should not be construed as preventing any Contracting Government or any duly authorized officer from seeking, at any stage during the stay of the ship within port, documentary or other evidence to validate or verify the information submitted or from taking any control measures or steps against the ship pursuant to the provision of SOLAS regulation XI-2/9 during the exercise of any control and compliance measures. In this respect it is noted that SOLAS regulation XI-2/9.2.1 provides that, if requested by the Contracting Government, the ship or the Company shall provide confirmation, acceptable to that Contracting Government, of the information required.

THE PRE-PRINTED FORM

9 Appendix 2 to this Guidance provides a pre-printed form that might be completed for the purpose of providing the information described in SOLAS regulation XI-2/9.2.1 and the standard data set of the security-related information set in Appendix 1. The form should be used only in those cases where the Contracting Government requesting the submission of the information has indicated that it accepts the use of the form when submitting the information.

WHO SHOULD SUBMIT THE INFORMATION, TO WHOM, WHEN AND HOW

10 The information described in SOLAS regulation XI-2/9.2.1 should be submitted by the master of the ship. However, the Ship Security Officer and the Company Security Officer may submit the information on behalf of the master. In addition, the Agent of the ship at the port where the ship seeks entry may, under the expressed authority of the master, also submit the information on behalf of the master.

11 Contracting Governments are expected to advise Companies and ships to whom, including the relevant contact details, the security-related information is to be sent.

12 As indicated above, SOLAS regulation XI-2/9.2.2 requires every ship to which SOLAS chapter XI-2 applies intending to enter the port of another Contracting Government to provide the information described in SOLAS regulation XI-2/9.2.1 on the request of the officers duly authorized by that Government. However it is understood that a number of Contracting Governments have established national requirements which require every ship intending to enter their ports to provide such information. In such cases duly authorized officers do not make individual requests to ships for the submission of information. Those Contracting Governments who have established such practices are expected to advise Companies and ships on the standing requirements in place.

13 Contracting Governments should consider establishing either central or regional points of contact, or other means of providing up to date information on the submission of security-related information. The existence of such contact points should be publicized.

14 Unless a Contracting Government has established a different time period prior to the arrival of the ship in port for the submission of the required information the recommended default minimum period for the submission of such information is not to be less than 24 hours prior to the expected entry of the ship into port.

15 The information described in SOLAS regulation XI-2/9.2.1 and the standard data set of the security-related information set in appendix 1 may be submitted in an electronic format. In such a case it is understood that the submission will not bear the signature of the person submitting the information unless a secure form of electronic signatures is available.
OTHER SECURITY-RELATED INFORMATION WHICH MAY BE REQUIRED

16 SOLAS regulation XI-2/9.2.1.6 allows Contracting Governments to seek the submission of other practical security-related information (but not details of the ship security plan), taking into account the guidance given in part B of the ISPS Code (paragraph B/4.39 of the ISPS Code). SOLAS regulation XI-2/5 is one of the examples of practical security related information cited in paragraph B/4.39 of the ISPS Code.

17 SOLAS regulation XI-2/5 requires the Company to ensure that the master has available on board, at all times, information through which officers duly authorized by a Contracting Government can establish:

.1 who is responsible for appointing the members of the crew or other persons currently employed or engaged on board the ship in any capacity on the business of that ship;

.2 who is responsible for deciding the employment of the ship; and

.3 in cases where the ship is employed under the terms of charter party(ies), who are the parties to such charter party(ies).

18 SOLAS regulation XI-2/5 should always be read in association with the provisions of paragraphs B/6.1 to B/6.8 of the ISPS Code.
# APPENDIX 1

## STANDARD DATA SET OF SECURITY-RELATED INFORMATION

### 1 Particulars of the ship and contact details

1.1 IMO Number\(^1,2\)

1.2 Name of ship\(^1,2\)

1.3 Port of registry\(^1,2\)

1.4 Flag State\(^1,2\)

1.5 Type of ship\(^1\)

1.6 Call Sign

1.7 Inmarsat call numbers\(^3\)

1.8 Gross Tonnage\(^1\)

1.9 Name of Company\(^1,2\)

1.10 IMO Company identification number\(^2\)

1.11 Name and 24-hour contact details of the Company Security Officer\(^4\)

### 2 Port and port facility information

2.1 Port of arrival and port facility where the ship is to berth, if known

2.2 Expected date and time of arrival of the ship in port (paragraph B/4.39.3 of the ISPS Code)

2.3 Primary purpose of call

### 3 Information required by SOLAS regulation XI-2/9.2.1

3.1 The ship is provided (SOLAS regulation 9.2.1.1) with a valid:

- International Ship Security Certificate □ Yes □ No
- Interim International Ship Security Certificate □ Yes □ No

3.1.1 The certificate indicated in 3.1 has been issued by <enter name of the Contracting Government\(^1,2\) or the Recognized Security Organization\(^1,2\)> and which expires on <enter date of expiry\(^1\)>.

3.1.2 If the ship is not provided with a valid International Ship Security Certificate or a valid Interim International Ship Security Certificate, explain why?

3.1.2.1 Does the ship have an approved ship security plan on board? □ Yes □ No

3.2 Current security level (SOLAS regulation XI-2/9.2.1.2): □

3.2.1 Location of the ship at the time the report is made (paragraph B/4.39.2 of the ISPS Code)
3.3 List the last ten calls, in chronological order with the most recent call first, at port facilities at which the ship conducted ship/port interface<sup>5</sup> together with the security level at which the ship operated (SOLAS regulation XI-2/9.2.1.3):

<table>
<thead>
<tr>
<th>Date</th>
<th>No.</th>
<th>From&lt;sup&gt;6&lt;/sup&gt;</th>
<th>To&lt;sup&gt;6&lt;/sup&gt;</th>
<th>Port, Country, Port Facility and UNLOCODE&lt;sup&gt;3&lt;/sup&gt;</th>
<th>Security level</th>
</tr>
</thead>
</table>

3.3.1 Did the ship, during the period specified 3.3, take any special or additional security measures, beyond those specified in the approved ship security plan? □ Yes □ No

3.3.2 If the answer to 3.3.1 is YES, for each of such occasions please indicate the special or additional security measures which were taken by the ship (SOLAS regulation XI-2/9.2.1.4):

<table>
<thead>
<tr>
<th>Date</th>
<th>No.</th>
<th>From&lt;sup&gt;6&lt;/sup&gt;</th>
<th>To&lt;sup&gt;6&lt;/sup&gt;</th>
<th>Port, Country, Port Facility and UNLOCODE&lt;sup&gt;3&lt;/sup&gt;</th>
<th>Special or additional security measures</th>
</tr>
</thead>
</table>

3.4 List the ship-to-ship activities<sup>7</sup>, in chronological order with the most recent ship-to-ship activity first, which have been carried out during the period specified in 3.3:

□ Not applicable

<table>
<thead>
<tr>
<th>Date</th>
<th>No.</th>
<th>From&lt;sup&gt;6&lt;/sup&gt;</th>
<th>To&lt;sup&gt;6&lt;/sup&gt;</th>
<th>Location or Latitude and Longitude</th>
<th>Ship-to-ship activity</th>
</tr>
</thead>
</table>

3.4.1 Have the ship security procedures, specified in the approved ship security plan, been maintained during each of the ship-to-ship activities specified in 3.4 (SOLAS regulation XI-2/9.2.1.5)? □ Yes □ No

3.4.2 If the answer to 3.4.1 is NO, identify the ship-to-ship activities for which the ship security procedures were not maintained and indicate, for each, the security measures which were applied in lieu:

<table>
<thead>
<tr>
<th>Date</th>
<th>No.</th>
<th>From&lt;sup&gt;6&lt;/sup&gt;</th>
<th>To&lt;sup&gt;6&lt;/sup&gt;</th>
<th>Security measures applied</th>
<th>Ship-to-ship activity</th>
</tr>
</thead>
</table>

3.5 Provide a general description of cargo aboard the ship (SOLAS regulation XI-2/9.2.1.6 and paragraph B/4.39.5 of the ISPS Code):

3.5.1 Is the ship carrying any dangerous substances<sup>8</sup> as cargo? □ Yes □ No

3.5.2 If the answer to 3.5.1 is YES, provide details or attach a copy of the Dangerous Goods Manifest (IMO FAL Form 7)

3.6 A copy of the ship’s Crew List (IMO FAL Form 5) is attached (SOLAS regulation XI-2/9.2.1.6 and paragraph B/4.39.4 of the ISPS Code)

3.7 A copy of the ship’s Passenger List (IMO FAL Form 6) is attached (SOLAS regulation XI-2/9.2.1.6 and paragraph B/4.39.6 of the ISPS Code)
4 Other security-related information

4.1 Is there any security-related matter you wish to report? ☐ Yes ☐ No

4.1.1 If the answer to 4.1 is YES, provide details

5 Agent of the ship at the intended port of arrival

5.1 Name and contact details (telephone number) of the agent of the ship at the intended port of arrival:

6 Identification of the person providing the information

6.1 Name:

6.2 Title or position:

6.3 Signature:

This report is dated at <enter place> on <enter time and date>.
EXPLANATORY NOTES

1. As appearing on the ship’s International Ship Security Certificate or the ship’s Interim International Ship Security Certificate.

2. If a copy of the ship’s current Continuous Synopsis Record (CSR) is submitted there is no need to complete this entry.

3. If available.

4. Refer to paragraph 27 of the Guidance relating to the implementation of SOLAS chapter XI-2 and of the ISPS Code (MSC/Circ.1132).

5. **Ship/port interface** means the interactions that occur when a ship is directly and immediately affected by actions involving the movement of persons, goods or the provisions of port services to or from the ship (SOLAS regulation XI-2/1.1.8).

6. Provide the date.

7. **Ship-to-ship activity** means any activity not related to a port facility that involves the transfer of goods or persons from one ship to another (SOLAS regulation XI-2/1.1.10).

Information would not normally be required to include records of transfers of pilots or of customs, immigration or security officials nor bunkering, lighting, loading of supplies and unloading of waste by ship within port facilities as these would normally fall within the auspices of the Port Facility Security Plan (PFSP) (paragraph B/4.38 of the ISPS Code).

Ascertaining whether these activities fall within the PFSP should form part of the dialogue between the Ship Security Officer and the Port Facility Security Officer. It should be remembered that the physical boundaries of port facilities may not always coincide with the boundaries of the port or harbour authority.

8. **Dangerous substances as cargo** means the carriage of substances, materials and articles covered by the IMDG Code and falling under the following classes of dangerous goods irrespective of whether these are carried in bulk or packaged form:

- Class 1: Explosives
- Class 2.1: Flammable gas
- Class 2.3: Toxic gases
- Class 3: Flammable liquids
- Class 4.1: Flammable solids, self-reactive substances and desensitized explosives
- Class 5.1: Oxidizing substances
- Class 6.1: Toxic substances
- Class 6.2: Infectious substances
- Class 7: Radioactive material
- Class 8: Corrosive substances

This information may be extracted from the Dangerous Goods Manifest (IMO FAL Form 7) or the whole Dangerous Goods Manifest may be submitted.
9 Other security-related matters include but are not limited to the carriage of stowaways or any persons rescued at sea. When reporting stowaways please refer to section 4 of the Annex to the FAL Convention and the Revised guidelines on the prevention of stowaway incidents and on the allocation of responsibilities to seek the successful resolution of stowaway cases adopted by the Organization with resolution MSC.[...](88) and FAL.[...](37). The FAL Convention and the aforesaid resolution provide a Form of stowaway details report which should be completed and forwarded for each stowaway to the extent that is practically possible. When reporting persons rescued at sea please see the guidance provided in paragraph B/4.38.3 of the ISPS Code.

10 Master, Ship Security Officer, Company Security Officer or Agent of the ship at the intended port of arrival.
APPENDIX 2
SECURITY-RELATED INFORMATION DECLARATION

Note: The block numbers identify the relevant section numbers in Appendix 1

<table>
<thead>
<tr>
<th>1.1 IMO number</th>
<th>1.2 Name of ship</th>
<th>1.3 Port of registry</th>
<th>1.4 Flag State</th>
<th>1.5 Type of ship</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.6. Call sign</td>
<td>1.7 Inmarsat call numbers</td>
<td>1.8. Gross Tonnage</td>
<td>1.11 Name and 24-hour contact details of Company Security Officer</td>
<td></td>
</tr>
<tr>
<td>1.9 Name of Company</td>
<td>1.10 IMO Company identification number</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>2.1 Port of arrival and port facility where the ship is to berth</th>
<th>2.2 Date/Time of arrival</th>
<th>2.3 Primary purpose of call</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1 The ship is provided with a valid: ISSC certificate</td>
<td>☐ Yes ☐ No</td>
<td>☐ Yes ☐ No</td>
</tr>
<tr>
<td>Interim ISSC certificate</td>
<td>☐ Yes ☐ No</td>
<td>Certificate issuer/expiry date</td>
</tr>
<tr>
<td>3.1.2.1. Does the ship have an approved security plan on board?</td>
<td>☐ Yes ☐ No</td>
<td>3.2 Current security level</td>
</tr>
<tr>
<td>☐ 1 ☐ 2 ☐ 3</td>
<td>3.2.1 Location of the ship at time the report is made</td>
<td></td>
</tr>
</tbody>
</table>

<p>| 3.3 The last ten port calls where the ship conducted ship/port interface in chronological order beginning with most recent |
|---------------------------------------------------------------|--------------------------|----------------------------|</p>
<table>
<thead>
<tr>
<th>Number of port call</th>
<th>Period From (Date/Time)</th>
<th>To (Date/Time)</th>
<th>Port, country, port facility, and UNLOCODE</th>
<th>Security level</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
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<td>10</td>
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</tr>
</tbody>
</table>
### 3.4 Ship-to-ship activities during the period specified in 3.3 in chronological order beginning with most recent. If the ship was not engaged in any ship-to-ship activities during that period indicated □ Not applicable

<table>
<thead>
<tr>
<th>Number (from 3.3)</th>
<th>Period</th>
<th>Location or latitude and longitude</th>
<th>Ship-to-Ship activity</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>From (Date/Time)</td>
<td>To (Date/Time)</td>
<td></td>
</tr>
</tbody>
</table>

3.4.1 Have the ship security procedures specified in the approved security plan been maintained? Indicate Yes or No below.

3.4.2 If No, identify the ship-to-ship activities for which the ship security procedures were not maintained and indicate below, for each, the security measures which were applied in lieu.

### 3.5 General description of cargo

3.5.1 Is the ship carrying any dangerous substances as cargo? □ Yes □ No
If Yes, provide details or attach Dangerous Goods Manifest (IMO FAL Form 7)

Attached Documents
□ 3.5.2 Dangerous Goods Manifest (IMO FAL Form 7)
□ 3.6 Passenger list (IMO FAL Form 5)
□ 3.7 Crew list (IMO FAL Form 6)

### 4.1 Are there other security matters you wish to report? □ No □ Yes

4.1.1 If Yes, provide details:

### 5.1 Name and contact details (telephone number) of the agent at port of arrival

### 6.1 Name of person preparing the report

### 6.2 Title or position of person preparing the report

### 6.3 Signature of person preparing the report

### Location of person preparing the report

### Time

### Date

***
ANNEX 3

DRAFT RESOLUTION MSC [...] (88)

(adopted on [...] December 2010)

REVISED GUIDELINES ON THE PREVENTION OF ACCESS BY STOWAWAYS AND THE ALLOCATION OF RESPONSIBILITIES TO SEEK THE SUCCESSFUL RESOLUTION OF STOWAWAY CASES

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Maritime Safety Committee,

HAVING CONSIDERED the general purposes of the Convention on Facilitation of International Maritime Traffic, 1965, as amended (the FAL Convention), and in particular article III thereof,

RECALLING the provisions of resolution A.1027(26), Application and revision of the Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases (resolution A.871(20)),

RECALLING ALSO that the International Convention Relating to Stowaways, 1957, which attempted to establish an internationally acceptable regime for dealing with stowaways, has not yet come into force,

RECALLING FURTHER that, in accordance with article VII(2)(a) of the FAL Convention, the Facilitation Committee, at its twenty-ninth session, adopted on 10 January 2002 resolution FAL.7(29) on Amendments to the Convention on Facilitation of International Maritime Traffic, 1965, as amended, which introduced a new section 4 on Stowaways in the Annex to the FAL Convention prescribing Standards and Recommended Practices on matters relating to stowaways (the FAL provisions on stowaways), and which entered into force on 1 May 2003,

RECALLING IN ADDITION that, for the purposes of this resolution, a stowaway is defined as a person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person, and who is detected on board the ship after it has departed from a port, or in the cargo while unloading it in the port of arrival, and is reported as a stowaway by the master to the appropriate authorities,

NOTING with concern the number of incidents involving stowaways, the consequent potential for disruption of maritime traffic, the impact such incidents may have on the safe and secure operation of ships and the considerable risks faced by stowaways, including loss of life,

NOTING FURTHER that the Assembly at its twentieth regular session adopted on 27 November 1997 resolution A 871(20) on Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases (the Guidelines),
RECALLING that resolution A.1027(26) expressed conviction of the need to align, to the extent possible and desirable, the Guidelines with the FAL provisions on stowaways and to revise them in a manner that reflects developments in efforts undertaken to prevent stowaways, as well as to provide guidance and recommendations, taking into account the FAL provisions on stowaways, on measures which can be implemented by vessels to prevent cases involving stowaways,

RECOGNIZING that the revision of the Guidelines should be done in a manner that does not duplicate the existing provisions of the Special measures to enhance maritime security contained in chapter XI-2 of the International Convention for the Safety of Life at Sea, 1974, as amended, and in the International Ship and Port Facility Security (ISPS) Code, but augments and supplements them in the context of preventing cases involving stowaways,

RECALLING that one of the functional requirements of the ISPS Code is to prevent unauthorized access of any kind to ships, port facilities and their restricted areas, and that ship security assessments and port facility security assessments should consider all possible threats, including the presence of stowaways,

TAKING INTO ACCOUNT that some stowaways may be asylum seekers and refugees, which should entitle them to such relevant procedures as those provided by international instruments and national legislation,

BEING AWARE that considerable difficulties continue to be encountered by shipmasters and shipping companies, shipowners and ship operators when stowaways are to be disembarked from ships into the care of the appropriate authorities,

AGREEING that the existence of the present guidance should in no way be regarded as condoning or encouraging the practice of stowing away and other illegal migration, and should not undermine efforts to combat the separate problems of alien smuggling or human trafficking,

NOTING that several Member States which are also Contracting Governments to the FAL Convention:

(a) have notified the Secretary-General, in accordance with article VIII(1) of the FAL Convention (in relation to the Standards specified in section 4 of the Annex to the FAL Convention) either that they find it impracticable to comply with the above-mentioned Standards or of differences between their own practices and those Standards; or

(b) have not yet notified the Secretary-General, in accordance with article VIII(3) of the FAL Convention, that they have brought their formalities, documentary requirements and procedures into accord in so far as practicable with the Recommended Practices specified in section 4 of the Annex to the FAL Convention,

NOTING ALSO that the parallel existence of the Guidelines and the FAL provisions on stowaways has raised questions in relation to the procedures to be followed for dealing with stowaways by Member States which are also Contracting Governments to the FAL Convention – in particular those referred to above,

BELIEVING that, at present, stowaway cases can best be resolved through close co-operation among all authorities and persons concerned,
BELIEVING FURTHER that, in normal circumstances, through such co-operation, stowaways should, as soon as practicable, be removed from the ship concerned and returned to the country of nationality/citizenship or to the port of embarkation, or to any other country which would accept them,

RECOGNIZING that stowaway incidents should be dealt with humanely by all Parties involved, giving due consideration to the operational safety of the ship and its crew,

WHILST URGING national authorities, port authorities, shipowners and masters to take all reasonable precautions to prevent stowaways gaining access to vessels,

RECALLING ALSO resolution A.1027(26) adopted by the Assembly at its twenty-seventh regular session by which the Assembly, inter alia, authorized the Facilitation Committee and the Maritime Safety Committee to adopt jointly the necessary amendments to the Guidelines and to promulgate them by appropriate means,

HAVING CONSIDERED the work done at the Facilitation Committee at its thirty-sixth session,

NOTING that the Facilitation Committee, at its thirty-seventh session, is expected to adopt a resolution on Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases, in which it will adopt identical amendments to the Guidelines,

1. ADOPTS the Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases, set out in the Annex to the present resolution;

2. AGREES that the provisions of this resolution should, in accordance with resolution A.1027(26), be considered as being of relevance only with respect to:

   (a) Member States which are not Contracting Governments to the FAL Convention; and

   (b) Member States which are Contracting Governments to the FAL Convention and which:

      (i) have notified the Secretary-General, in accordance with article VIII(1) of the FAL Convention (in relation to the Standards specified in section 4 of the Annex to the FAL Convention) either that they find it impracticable to comply with the aforementioned Standards or of differences between their own practices and those Standards; or

      (ii) have not yet notified the Secretary-General, in accordance with article VIII(3) of the FAL Convention, that they have brought their formalities, documentary requirements and procedures into accord in so far as practicable with the Recommended Practices specified in section 4 of the Annex to the FAL Convention;

3. URGES Governments to implement in their national policies and practices the amended procedures recommended in the annexed Guidelines as from 1 October 2011;
4. URGES ALSO Governments to deal with stowaway cases in a spirit of co-operation with other parties concerned, on the basis of the allocation of responsibilities set out in the annexed Guidelines;

5. INVITES shipping companies, shipowners, ship operators and other stakeholders to take on the relevant responsibilities set out in the annexed Guidelines and to guide their masters and crews as to their respective responsibilities in stowaway cases;

6. INVITES Governments to develop, in co-operation with the industry, comprehensive strategies to improve access control and prevent intending stowaways from gaining access to ships;

7. AGREES that the Maritime Safety Committee should continue to monitor the effectiveness of the annexed Guidelines on the basis of information provided by Governments and the industry, to keep them under review and to take such further action; and

8. REQUESTS ALSO the Assembly to endorse the action taken by the Maritime Safety Committee and the Facilitation Committee.
ANNEX

REVISED GUIDELINES ON THE PREVENTION OF STOWAWAY INCIDENTS AND ON THE ALLOCATION OF RESPONSIBILITIES TO SEEK THE SUCCESSFUL RESOLUTION OF STOWAWAY CASES

1 Introduction
1.1 Masters, shipowners, public authorities, port authorities and other stakeholders, including those providing security services ashore, have a responsibility to co-operate to the fullest extent possible in order:

.1 to prevent stowaway incidents; and
.2 to resolve stowaway cases expeditiously and secure that an early return or repatriation of the stowaway will take place. All appropriate measures should be taken in order to avoid situations where stowaways must stay on board ships indefinitely.

1.2 However, no matter how effective port and ship security measures are, it is recognized that there will still be occasions when stowaways gain access to vessels, either secreted in the cargo or by surreptitious boarding.

1.3 The resolution of stowaway cases is difficult because of different national legislation in each of the several potentially involved States: the State of embarkation, the State of disembarkation, the flag State of the ship, the State of apparent, claimed or actual nationality/citizenship or right of residence of the stowaway, and States of transit during repatriation.

2 Definitions
2.1 For the purpose of the Guidelines:

.1 Attempted stowaway. A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person, and who is detected on board the ship before it has departed from the port.

.2 Port. Any port, terminal, offshore terminal, ship and repair yard or roadstead which is normally used for the loading, unloading, repair and anchoring of ships, or any other place at which a ship can call.

.3 Public authorities. The agencies or officials in a State responsible for the application and enforcement of the laws and regulations of that State which relate to any aspect of the present Guidelines.

.4 Security measures. Measures developed and implemented in accordance with international agreements to improve security on board ships, in port areas, facilities and of goods moving in the international supply chain to detect and prevent unlawful acts.

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.5 Shipowner. One who owns or operates a ship, whether a person, a corporation or other legal entity, and any person acting on behalf of the owner or operator.

.6 Stowaway. A person who is secreted on a ship, or in cargo which is subsequently loaded on the ship, without the consent of the shipowner or the master or any other responsible person and who is detected on board the ship after it has departed from a port, or in the cargo while unloading it in the port of arrival, and is reported as a stowaway by the master to the appropriate authorities.

3 Basic principles

3.1 On the basis of the experience thus far, the application of the following basic principles have been useful in preventing stowaway incidents and have been helpful in the speedy resolution of stowaway cases:

.1 Stowaway incidents should be dealt with in a manner consistent with humanitarian principles. Due consideration must always be given to the operational safety and security of the ship and to the safety and well-being of the stowaway.

.2 Public authorities, port authorities, shipowners and masters, should co-operate to the fullest extent possible in order to prevent stowaway incidents.

.3 Shipowners, masters, port authorities and public authorities should have adequate security arrangements in place which, as far as practicable, will prevent intending stowaways from getting aboard a ship or, if this fails, will detect them before the ship leaves port or, at the latest, before it arrives at the next port of call.

.4 Adequate, frequent and well timed searches minimize the risk of having to deal with a stowaway case and may also save the life of a stowaway who may, for example, be hiding in a place which is subsequently sealed and/or chemically treated.

.5 Public authorities, port authorities, shipowners and masters, should co-operate to the fullest extent possible in order to resolve stowaway cases expeditiously and secure that an early return or repatriation of the stowaway will take place. All appropriate measures should be taken in order to avoid situations where stowaways must stay on board ships indefinitely.

.6 Stowaways arriving at or entering a State without the required documents are, in general, illegal entrants. Decisions on dealing with such situations are the prerogative of the States where such arrival or entry occurs.

.7 Stowaway asylum-seekers should be treated in accordance with international protection principles as set out in international instruments, such as the provisions of the United Nations Convention relating to the Status of Refugees of 28 July 1951 and of the United Nations Protocol
relating to the Status of Refugees of 31 January 1967 and relevant national legislation.2

.8 Every effort should be made to avoid situations where a stowaway has to be detained on board a ship indefinitely. In this regard States should co-operate with the shipowner in arranging the disembarkation of a stowaway to an appropriate State.

.9 States should accept the return of stowaways who have full nationality/citizenship status in that State, or have a right of residence in that State.

.10 Where the nationality or citizenship or right of residence cannot be established, the State of the original port of embarkation of a stowaway should accept the return of such a stowaway for examination pending final case disposition.

4 Preventive measures

4.1 Port/terminal authorities

4.1.1 States and port and terminal owners, operators and authorities should ensure that the necessary infrastructure, and operational and security arrangements for the purpose of preventing persons attempting to stowaway on board ships from gaining access to port installations and to ships, are established in all their ports, taking into consideration when developing these arrangements the size of the port, and what type of cargo is shipped from the port. This should be done in close co-operation with relevant public authorities, shipowners and shore-side entities, with the aim of preventing stowaway occurrences in the individual port.

4.1.2 Operational arrangements and/or security plans should, inter alia, address the following issues where appropriate:

regular patrolling of port areas;

establishment of special storage facilities for cargo subject to high risk of access of stowaways, and continuous monitoring of both persons and cargo entering these areas;

inspections of warehouses and cargo storage areas;

search of cargo itself, when presence of stowaways is clearly indicated;

co-operation between public authorities, shipowners, masters and relevant shore-side entities in developing operational arrangements;

co-operation between port authorities and other relevant authorities (for example, police, customs, immigration) in order to prevent smuggling of humans;

2 In addition, public authorities may wish to consider the non-binding conclusion of the UNHCR Executive Committee on Stowaway Asylum-Seekers (1988, No. 53 (XXXIX)).
developing and implementing agreements with stevedores and other shore-side entities operating in ports to ensure that only personnel authorized by these entities participate in the stowing/unstowing or loading/unloading of ships or other functions related to the ships stay in port;

devloping and implementing agreements with stevedores and other shoreside entities to ensure that their personnel having access to the ship are easily identifiable, and a list of names of persons likely to need to board the ship in the course of their duties is provided; and

encouraging stevedores and other persons working in the port area to report to the public and port authorities, the presence of any persons apparently not authorized to be in the port area.

4.2 Shipowner/Master

4.2.1 Shipowners and masters should ensure that adequate security arrangements are in place which, as far as practicable, will prevent intending stowaways from getting aboard the ship, and, if this fails, as far as practicable, will detect them before the ship leaves port or, at the latest, before it arrives at the next port of call.

4.2.2 When calling at ports and during stay in ports, where there is risk of stowaway embarkation, security arrangements should at least contain the following preventive measures:

all doors, hatches and means of access to holds or stores, which are not used during the ship's stay in port should be locked;

access points to the ship should be kept to a minimum and be adequately secured;

areas seaward of the ship should be adequately secured;

adequate deck watch should be kept;

boardings and disembarkations should, where possible, be tallied by the ship's crew or, after agreement with the master, by others;

adequate means of communication should be maintained; and

at night, adequate lighting should be maintained both inside and along the hull.

4.2.3 When departing from a port, where there is risk of stowaway embarkation, a ship should undergo a thorough search in accordance with a specific plan or schedule, and with priorities given to places where stowaways might hide. Search methods, which are likely to harm secreted stowaways should not be used.

4.2.4 Fumigation or sealing should not be carried out until a thorough search of the areas to be fumigated or sealed has taken place in order to ensure that no stowaways are present in those areas.
5 Responsibilities in relation to the resolution of stowaway cases

5.1 Questioning and notification by the master

5.1.1 It is the responsibility of the master of the ship which finds any stowaways on board:

.1 to make every effort to determine immediately the port of embarkation of the stowaway;

.2 to make every effort to establish the identity, including the nationality/citizenship and the right of residence of the stowaway;

.3 to prepare a statement containing all available information relevant to the stowaway for presentation to the appropriate authorities (for example, the public authorities at the port of embarkation, the flag State and any subsequent ports of call if relevant) and the shipowner. In this respect the reporting form provided in the Appendix should be used and completed as far as practicable;

.4 to notify the existence of a stowaway and any relevant details to the shipowner and appropriate authorities at the port of embarkation, the next port of call and the flag State; with the understanding that when a stowaway declares himself/herself to be a refugee, this information should be treated as confidential to the extent necessary for the security of the stowaway;

.5 not to depart from the planned voyage to seek the disembarkation of a stowaway discovered on board the ship after it has left the territorial waters of the State where the stowaways embarked unless permission to disembark the stowaway has been granted by the public authorities of the State to whose port the ship deviates, or repatriation has been arranged elsewhere with sufficient documentation and permission given for disembarkation, or unless there are extenuating safety, security, health or compassionate reasons;

.6 to ensure that the stowaway is presented to the appropriate authorities at the next port of call in accordance with their requirements;

.7 to take appropriate measures to ensure the security, general health, welfare and safety of the stowaway until disembarkation, including providing him/her with adequate provisioning, accommodation, proper medical attention and sanitary facilities;

.8 to ensure that stowaways are not made to work on board the ship, except in emergency situations or in relation to the stowaway's accommodation on board; and

.9 to ensure that stowaways are treated humanely, consistent with the basic principles.
5.2    The shipowner

5.2.1    It is the responsibility of the shipowner of the ship on which stowaways are found:

.1    to ensure that the existence of, and any relevant information on, the stowaway has been notified to the appropriate authorities at the port of embarkation, the next port of call and the flag State;

.2    to comply with any removal directions made by the competent national authorities at the port of disembarkation; and

.3    to cover any applicable costs relating to the removal, detention, care and disembarkation of the stowaway in accordance with the legislation of the States which may be involved.

5.3    The State of the first port of call according to the voyage plan

5.3.1    It is the responsibility of the State of first port of call according to the voyage plan after the discovery of the stowaway:

.1    to accept the stowaway for examination in accordance with the national laws of that State and, where the competent national authority considers that it would facilitate matters, to allow the shipowner and the competent or appointed P&I Club correspondent to have access to the stowaway;

.2    to favourably consider allowing disembarkation and provide, as necessary and in accordance with national law, secure accommodation which may be at the expense of the shipowner, where:

.1    a case is unresolved at the time of sailing of the ship, or

.2    the stowaway is in possession of valid documents for return and the public authorities are satisfied that timely arrangements have been or will be made for repatriation and all the requisites for transit fulfilled, or

.3    other factors make it impractical to remove the stowaway from the ship on arrival; such factors may include but are not limited to cases where a stowaway's presence on board would endanger the safe and secure operation of the ship, the health of the crew or the stowaway;

.3    to make every effort to co-operate in the identification of the stowaway and the establishment of his/her nationality/citizenship or right of residence;

.4    to make every effort to co-operate in establishing the validity and authenticity of a stowaway's documents and, when a stowaway has inadequate documents, to whenever practicable and to an extent compatible with national legislation and security requirements, issue a covering letter with a photograph of the stowaway and any other important information. The letter, authorizing the return of the stowaway either to his/her State of origin or to the point where the stowaway commenced his/her journey, as appropriate, by any means of transportation and specifying any other conditions imposed by the authorities, should be
handed over to the operator effecting the removal of the stowaway. This letter will include information required by the authorities at transit points and/or the point of disembarkation;

.5 to give directions for the removal of the stowaway to the port of embarkation, State of nationality/citizenship or right of residence or to some other State to which lawful directions may be made, in co-operation with the shipowner;

.6 to inform the shipowner on whose ship the stowaway was found, as far as practicable, of the level of cost of detention and return of the stowaway, if the shipowner is to cover these costs. In addition, public authorities should keep such costs to a minimum, as far as practicable, and according to national legislation, if they are to be covered by the shipowner, as well as keeping to a minimum the period during which shipowners are held liable to defray costs of maintenance of a stowaway by public authorities;

.7 to consider mitigation of charges that might otherwise be applicable when shipowners have co-operated with the control authorities to the satisfaction of those authorities in measures designed to prevent the transportation of stowaways; or where the master has properly declared the existence of a stowaway to the appropriate authorities in the port of arrival, and has shown that all reasonable preventive measures had been taken to prevent stowaways gaining access to the ship;

.8 to issue, if necessary, in the event that the stowaway has no identification and/or travel documents, a document attesting to the circumstances of embarkation and arrival to facilitate the return of the stowaway either to his/her State of origin, to the State of the port of embarkation, or to any other State to which lawful directions can be made, by any means of transport;

.9 to provide the document to the transport operator effecting the removal of the stowaway;

.10 to take proper account of the interests of, and implications for, the shipowner when directing detention and setting removal directions, so far as is consistent with the maintenance of control, their duties or obligations to the stowaway under the law, and the cost to public funds;

.11 to report incidents of stowaways to the Organization;

.12 to co-operate with flag State of the ship in identifying the stowaway and their nationality/citizenship and right of residence, to assist in removal of the stowaway from the ship, and to make arrangements for removal or repatriation; and

.13 if disembarkation is refused, to notify the flag State of the ship the reasons for refusing disembarkation.

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3 Refer to FAL.2/Circ.50/Rev.2 on Reports on Stowaway Incidents as it may be amended.
5.4 Subsequent ports of call

5.4.1 When the disembarkation of a stowaway has not been possible at the first port of call, it is the responsibility of the State of subsequent port of call to follow the guidance provided in paragraph 5.3.

5.5 State of embarkation

5.5.1 It is the responsibility of the State of the original port of embarkation of the stowaway (i.e. the State where the stowaway first boarded the ship):

1. to accept any returned stowaway having nationality/citizenship or right of residence;

2. to accept a stowaway back for examination where the port of embarkation is identified to the satisfaction of the public authorities of the receiving State; the public authorities of the State of embarkation should not return such stowaways to the State where they were earlier found to be inadmissible;

3. to apprehend and detain the attempted stowaway, where permitted by national legislation, if the attempted stowaway is discovered before sailing either on the ship or in cargo due to be loaded; to refer the attempted stowaway to local authorities for prosecution, and/or, where applicable, to the immigration authorities for examination and possible removal: no charge is to be imposed on the shipowner in respect of detention or removal costs, and no penalty is to be imposed;

4. to apprehend and detain the stowaway, where permitted by national legislation, if the stowaway is discovered while the ship is still in the territorial waters of the State of the port of his/her embarkation, or in another port in the same State (not having called at a port in another State in the meantime): no charge is to be imposed on the shipowner in respect of detention or removal costs, and no penalty is to be imposed;

5. to report incidents of stowaways or attempted stowaways to the Organization; and

6. to reassess the preventative arrangements and measures in place and to verify the implementation and effectiveness of any corrective actions.

5.6 State of nationality or right of residence

5.6.1 It is the responsibility of the apparent or claimed State of nationality/citizenship of the stowaway and/or of the apparent or claimed State of residence of the stowaway:

1. to make every effort to assist in determining the identity and nationality/citizenship or the rights of residence of the stowaway and to document the stowaway, accordingly once satisfied that he or she holds the nationality/citizenship or the right of residence claimed;

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4 Refer to FAL.2/Circ.50/Rev.2 on Reports on Stowaway Incidents as it may be amended.
.2 to accept the stowaway where nationality/citizenship or right of residence is established; and
.3 to report incidents of stowaways to the Organization⁵.

5.7 The flag State

5.7.1 It is the responsibility of the flag State of the ship:

.1 to be willing, if practicable, to assist the master/shipowner or the appropriate authority at the port of disembarkation in identifying the stowaway and determining his/her nationality/citizenship or right of residence;

.2 to be prepared to make representations to the relevant authority to assist in the removal of the stowaway from the ship at the first available opportunity;

.3 to be prepared to assist the master/shipowner or the authority at the port of disembarkation in making arrangements for the removal or repatriation of the stowaway; and

.4 to report incidents of stowaways to the Organization⁶.

5.8 States of transit during repatriation

5.8.1 It is the responsibility of any States of transit during repatriation to allow, subject to normal visa requirements and national security concerns, the transit through their ports and airports of stowaways travelling under the removal instructions or directions of the State of the port of disembarkation.

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⁵ Refer to FAL.2/Circ.50/Rev.2 on Reports on Stowaway Incidents as it may be amended.
⁶ Refer to FAL.2/Circ.50/Rev.2 on Reports on Stowaway Incidents as it may be amended.
APPENDIX

Form of stowaway details referred to in Recommended Practice 4.6.2 of the Convention on Facilitation of International Maritime Traffic 1965, as amended

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<thead>
<tr>
<th>SHIP DETAILS</th>
<th>STOWAWAY DETAILS</th>
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<tbody>
<tr>
<td><strong>Name of ship:</strong></td>
<td><strong>Date/time found on board:</strong></td>
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<td><strong>IMO number:</strong></td>
<td><strong>Place of boarding:</strong></td>
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<td><strong>Flag:</strong></td>
<td><strong>Country of boarding:</strong></td>
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<tr>
<td><strong>Company:</strong></td>
<td><strong>Date/time of boarding:</strong></td>
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<td><strong>Intended final destination:</strong></td>
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<td><strong>Agent in next port:</strong></td>
<td><strong>Stated reasons for boarding the ship:</strong></td>
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<td><strong>Agent address:</strong></td>
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*Photograph if available

**General physical description of the stowaway:**

If the stowaway declares himself to be a refugee or an asylum seeker, this information shall be treated as confidential to the extent necessary to the security of the stowaway.
Other details:

1) Method of boarding, including other persons involved (e.g., crew, port workers, etc.), and whether the stowaway was secreted in cargo/container or hidden in the ship:

2) Inventory of the stowaway’s possessions:

3) Statement made by the stowaway:

4) Statement made by the master (including any observations on the credibility of the information provided by the stowaway):

Date(s) of interview(s):

Stowaway’s signature: Master’s signature:

Date: Date: