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Agenda item 15

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SUPPLEMENTARY AGENDA ITEMS

Measures to prevent acts of endangering the safety of navigation

Submitted by Australia, Belgium, Canada, France, Germany, Greece, Italy, Japan, Malaysia, the Netherlands, the Philippines, the Republic of Korea, Spain, the United Kingdom and the United States

SUMMARY

Executive summary: This document proposes actions for the Council to take following the repeated firings of ballistic missiles by the Democratic People's Republic of Korea. The proposed actions include strongly condemning the unlawful launches and reiterating the importance of the action to be taken by the Democratic People's Republic of Korea, following MSC.1/Circ.1551.

Strategic direction: 2

High-level action: No related provisions

Output: No related provisions

Action to be taken: Paragraph 4

Related documents: Resolution A.706(17), as amended; MSC/Circ.893; MSC.1/Circ.1225 and MSC.1/Circ.1551

1 Attention of the Council is drawn to MSC.1/Circ.1551 *Navigational warnings concerning operations endangering the safety of navigation*, as set out in the annex to this document, which was approved by MSC 97 (21 to 25 November 2016) following numerous missile launches without any proper navigational warnings by the Democratic People's Republic of Korea.

2 Despite such action, there have been continued unlawful launches of missiles by the Democratic People's Republic of Korea in contravention of relevant United Nations Security Council resolutions; in the case of recent launches, the missiles flew over the dense and important sea traffic routes connecting Asia to North America, which posed serious danger to the safety of navigation. With this series of incidents, the co-sponsors see a compelling need for the Council, on the basis of MSC.1/Circ.1551 and preceding circulars regarding the past missile launches (MSC/Circ.893 and MSC.1/Circ.1225), to further condemn any action which endangers shipping engaged in international trade and to send a strong message to the Democratic People's Republic of Korea to that effect.

3 In this context, the co-sponsors have noted that the International Civil Aviation Organization (ICAO) recently adopted a working paper which expressed "strong condemnation" of the continued unlawful launching of ballistic missiles by the Democratic People's Republic of Korea and strongly urged the Democratic People's Republic of Korea to comply with the provisions of the Convention on International Civil Aviation and so on, in the extraordinary session of its Council that was urgently convened on 6 October 2017.

4 Against the above background, the Council is invited to:

- .1 strongly condemn the recent missile launches by the Democratic People's Republic of Korea which posed clear and serious danger to the safety of shipping in international trade;
- .2 reiterate the imperative of the action to be taken by the Democratic People's Republic of Korea to cease unlawful ballistic missile launches over international shipping lanes, following MSC.1/Circ.1551; and
- .3 instruct the Secretary-General to circulate the above decisions to all Member States.

ANNEX

MSC.1/Circ.1551
25 November 2016

**NAVIGATIONAL WARNINGS CONCERNING OPERATIONS
ENDANGERING THE SAFETY OF NAVIGATION**

1 The Maritime Safety Committee, at its ninety-seventh session (21 to 25 November 2016), having received a report on numerous missile launches without any proper navigational warnings by the Democratic People's Republic of Korea, expressed its grave concern over those operations, which pose a serious threat to maritime safety.

2 The Committee confirmed the significance and continued validity of resolution A.706(17), as amended, on *World-Wide navigational warning service*, as well as MSC/Circ.893 and MSC.1/Circ.1225 on *Navigational warnings concerning operations endangering the safety of navigation*.

3 The Committee recognized that the repetitions of unnotified firings of missiles are clearly contrary to these documents and underlined the importance of ensuring that navigational safety is not compromised by any such operations.

4 The Committee, therefore, urged all Members States to:

- .1 attach the greatest importance to the safety of navigation and avoid taking any action which might adversely affect shipping engaged in international trade; and
- .2 strictly comply with SOLAS regulation V/4 and the recommendations contained in resolution A.706(17), as amended, on *World-Wide navigational warning service* (in particular paragraph 4.2.1.3.13 of annex 1 thereto) so that operations should not endanger the safety of navigation.

5 Member States are invited to bring this circular to the attention of all parties concerned.
