

FAL 42 REPORT- 5 – 8 JUN 2018

INTRODUCTION – ADOPTION OF THE AGENDA

The forty-second session of the Facilitation Committee was held at IMO Headquarters from 5 to 8 June 2018, chaired by Mr. Yury Melenas (Russian Federation). The Vice-Chair of the Committee, Mrs. Marina Angsell (Sweden), was also present.

The session was also attended by the Chair of the Legal Committee, Mr. Volker Schöfisch (Germany).

OPENING ADDRESS OF THE SECRETARY-GENERAL

The Secretary General, Mr K Lim, welcomed delegates to the 42nd meeting of FAL. He made customary reference to World Maritime Day, the theme for this year being “IMO 70: Our heritage - better shipping for a better future” and which will be celebrated at IMO Headquarters on 27 September.

The full text of which can be downloaded from the IMO website at the following link:

<http://www.imo.org/MediaCentre/SecretaryGeneral/Secretary-GeneralsSpeechesToMeetings>.

1. Adoption of the agenda

- a. There were 2 Working Groups at this session with no requirement for IFSMA to attend as the business was dealt with in Plenary:
 - i. WG1 Working Group on Electronic business; and
 - ii. WG2 Working Group on Review of the Explanatory Manual to the FAL Convention.

2. Agenda item 2 - Decisions of other IMO bodies

- a. FAL 42/2 – Sec – Outcome of the thirtieth session of the Assembly
- b. FAL 42/2/1 – Sec – Outcomes of LEG 104, MSC 98, MEPC 71, TC 67, C 118 and C/ES.29
- c. Nothing Significant to report for IFSMA

3. Agenda item 3 – Consideration and adoption of proposed amendments to the Convention

- a. FAL 42/3 – Sec – Legal advice on the status of the appendices to the FAL Convention Outcome of LEG 104
- b. FAL 42/3/1 – Marshall Isles – Ch Legal Cttee - Legal advice on the status of the appendices to the FAL Convention
- c. Nothing Significant to report for IFSMA

4. Agenda Item 4 – Review and update the Explanatory Manual to the FAL Convention

- a. FAL 42/4 – France – Report of the Correspondence Group

- b. The WG took the work of the Correspondence Group and the few comments made during plenary for completion of the work in updating the Explanatory Manual of the FAL Convention. Nothing Significant to report for IFSMA.
- 5. **Agenda Item 5** - Application of single-window concept
 - a. FAL 42/5 – Norway – Facilitation of automated ship reporting based on the single window concept
 - b. FAL 42/5/1 – ICS – A perspective on the prototype maritime single window project
 - c. FAL 42/Inf.3 – Rep of Korea – Implementation of Simplified Services for Ships' Port Clearance by Using Maritime Multi-band Ad-hoc Communication Technology
 - d. Useful to read progress made in the Single Window Concept which is trying to reduce the Administrative Burden of the Shipmaster and Mariners.
- 6. **Agenda Item 6** – Review and Revision of the IMO Compendium on Facilitation and Electronic Business
 - a. FAL 42/6 – WCO - Update on the progress of discussions on the IMO Compendium on Facilitation and Electronic Business
 - b. Useful for info on the progress IMO is trying to make in the reduction of the Administrative Burden
- 7. **Agenda Item 7** – Developing guidance for authentication, integrity and confidentiality of content for the purpose of exchange via maritime single window
 - a. No Papers submitted
- 8. **Agenda Item 8** – Update the Guidelines for setting up a Single Window System in Maritime Transport
 - a. FAL 42/8 – Japan - Report of the Correspondence Group on "Update the Guidelines for Setting up a Single Window System in Maritime Transport"
 - b. A useful update on the work of the Correspondence Group but nothing significant for IFSMA although we should support the progress made in the SW Process
- 9. **Agenda Item 9** - Unsafe mixed migration by sea
 - a. FAL 42/9 – Sec – Outcome of the interagency meeting with the maritime industry on mixed migration
 - b. A useful and correct account of the Meeting that the President and Sec gen of IFSMA attended. Other Invitees were from IOM, UNCHR, OHCHR, UNODC, EU NAVFOR, ICS, BIMCO and ITF.
 - c. The key points from the meeting have previously been issued but are at the Annex to the Paper. It is interesting that the media is reporting that the first 3 months of this year has seen the highest

number of Migrants being rescued off Libya since this started. Depending what is said in Plenary, there may be a need for IFSMA to Intervene.

- d. This report will be discussed at a meeting at the UN in July 2018. The Secretariat confirmed the large number of Migrants rescued and lost at sea which highlighted that this issue is far from over.

10. Agenda Item 10 – Consideration and analysis of reports and information on persons rescued at sea and stowaways

- a. FAL 42/10 – Sec - Review of resolution FAL.11(37) on Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases
- b. FAL 42/10/1 – Cameroon, Ghana, Kenya, Nigeria, South Africa, ISCOS, PMAESA and PMAWCA - Findings from the seminar on stowaways.

IFSMA intervened with. Chair, the Text has been amended so that Stowaways are not allowed to be kept onboard for an “Unreasonable amount of time” . Notwithstanding, the Annex Para 5.1.5 states “a significant period of time”. Whilst neither is a quantified term and open to individual interpretation there should at least be consistency of terminology. Thank you Chair.

- c. In terms of numbers of stowaways, the cases reported to the Organization were set out in the following table:

Year	2010	2011	2012	2013	2014	2015	2016	2017
Stowaway cases	253	73	90	70	61	28	55	63
Stowaways	721	193	166	203	120	80	163	157

- d. It was noted that the total number of reports received by the Organization until 31 December 2017 was 4,577, which involved 14,270 stowaways; and the fact that, despite the new facility provided in GISIS, the downward trend of notifications to IMO was pronounced, and the number of reports submitted was very low and, therefore, the statistics were not very reliable.

11. Agenda Item 11 - Technical cooperation activities related to facilitation of Maritime traffic

- a. FAL 42/11 – Sec – Activities relevant to the FAL Convention
- b. Nothing Significant to report for IFSMA

12. Agenda Item 12 – Relations with other organizations

- a. FAL 42/12 – Sec – External relations: relations with non-governmental organizations Outcomes of C 118 and C/ES.29
 - i. Nothing of interest to report for IFSMA.

13. **Agenda Item 13** – Application of the Committee's procedures on organization and method of work
 - a. FAL 42/13 – Sec – Outcome of A 30 Draft revised Organization and method of work of the Facilitation Committee
 - b. FAL 42/13/1 and Corr.1 – Chair of Committee - Rules of Procedure of the Committee
 - c. **Nothing of interest to report for IFSMA.**

14. **Agenda Item 14** – Work programme
 - a. FAL 42/14 – Turkey – Proposal to add a new output in the work programme on the revision of the annex to the FAL Convention
 - i. **This should be supported as part of the Single Window and aimed at reducing the Administrative Burden**
 - b. FAL 42/14/1 – Liberia, the Marshall Islands, Turkey and BIMCO - Extension of the existing output "Review and Revision of the IMO Compendium on Facilitation and Electronic Business"
 - i. **This should be supported as part of the Single Window and aimed at reducing the Administrative Burden**
 - c. FAL 42/14/2 – Montenegro and Turkey – Proposal for a new output to amend FAL.5/Circ.2
 - d. FAL 42/14/3 – Chile - Proposed circular on creating a tool to measure domestic implementation of the FAL Convention
 - e. **Other than a. and b. above, nothing significant to report for IFSMA**

15. **Agenda Item 15** - Election of Chairman and Vice-Chairman for 2019
 - a. In accordance with its Rules of Procedure, the Committee unanimously elected [Mrs. Marina Angsell (Sweden)] as Chair and [Mr. Moises de Gracia (Panama)] as Vice-Chair, both for 2019.

16. **Agenda Item 16** - Any other business
 - a. FAL 42/16 – Sec – National Maritime Transport Facilitation Programmes and Committees.
 - i. **Nothing significant to report for IFSMA**
 - b. FAL 42/16/1 – WNTI - Difficulties in Shipments of IMDG Code Class 7 Radioactive Materials.
 - i. **Nothing significant to report for IFSMA**
 - c. FAL 42/16/2 – Sec – Review of FAL.6/CIRC.14 revised list of publications relevant to the ship/port interface
 - i. **This is a really useful updated List of Publications. May be updated to include OCIMF Info at 16/4 and 16/5 below.**
 - d. FAL 42/16/3 – ICS, IAPH, ICHCA, IHMA, IMPA, INTERTANKO, INTERMANAGER, IPTA, IBIA, FONASBA, ITF and NI - Maritime corruption Impact on global trade, port governance and seafarers
 - i. **An interesting Paper. Sec Gen IFSMA has been investigating the basis of this Paper and will be introduced to the International Cross Disciplinary Group with a view to joining**

them (Similar to the ILG). Paper was supported with the following Intervention.

Chair, I would like to thank ICS and others for this very important Paper informing of the work being taken forward by MACN with the difficult problem that the shipping Industry continues to face with corruption in some Nations' Ports around the World. As their Paper highlights, it is often the Shipmaster and crew of the vessels involved that have to take the lead on this for the Shipping Company and are often threatened if they do not accede to these illegal demands. Since the issuing of this paper, IFSMA too has joined in with this Cross Industry Working Group on Maritime Anti-Corruption and will be urging our 35 Member Associations around the World, with their declared numbers of over 11,000 Shipmasters, to make full use of the Anonymous Reporting System put in Place by MACN. IFSMA urges Nations to make every effort at their disposal to stamp out this corruption which is a continued threat and danger to our business and in particular our Mariners. They should not have to put up with this and there is no place for Corruption in our World of today. I will forward this intervention to the Secretariat and ask for its inclusion in the Record of the Committee. Thank you Chair.

- e. Norway, Vanuatu, Bimco, France and WMU all spoke out in support of the Paper. The Chair asked all delegates to note the discussion that had taken place and that IMO should try and find a solution to help reduce corruption by the use of GSIS. Member States should submit papers for future meetings to suggest how IMO could address this sensitive issue. It was agreed that the Secretariat would look at this and report to FAL 43. Cook Islands stated that this was running away with procedures and that the paper said to note the information only, not to take action and therefore directing the Secretariat to find a solution was not correct. Both the CI and Bahamas stated that needs further thought and resources put into this so that IMO's response could be measured and meaningful. It was therefore agreed that Papers should be submitted to the next session.
- f. FAL 42/16/4 – OCIMF – Comments on the review of FAL.6/Circ.14 revised list of publications relevant to areas and topics relating to the ship/port interface (Part 1 – Deletions)
- g. FAL 42/16/5 - OCIMF – Comments on the review of FAL.6/Circ.14 revised list of publications relevant to areas and topics relating to the ship/port interface (Part 2 – Additions)
- i. Papers 16/4 and 16/5 forwarded to the Drafting Group for consideration and inclusion.