



IMO

INTERNATIONAL CONFERENCE ON
THE SUPPRESSION OF UNLAWFUL
ACTS AGAINST THE SAFETY OF
MARITIME NAVIGATION -

Agenda item 8

CONSIDERATION OF THE DRAFT CONVENTION FOR THE SUPPRESSION OF
UNLAWFUL ACTS AGAINST THE SAFETY OF MARITIME NAVIGATION
AND THE DRAFT PROTOCOL FOR THE SUPPRESSION OF UNLAWFUL
ACTS AGAINST THE SAFETY OF FIXED PLATFORMS LOCATED
ON THE CONTINENTAL SHELF

DRAFT TEXT OF THE
FINAL ACT OF THE INTERNATIONAL CONFERENCE ON THE SUPPRESSION
OF UNLAWFUL ACTS AGAINST THE SAFETY OF
MARITIME NAVIGATION

as revised by the Drafting Committee

1 In accordance with Article 2(b) of the Convention on the International Maritime Organization the Council of the Organization decided, at its fifty-eighth session in June 1987, to convene an international conference on the suppression of unlawful acts against the safety of maritime navigation. This decision was endorsed by the Assembly of the Organization at its fifteenth regular session by resolution A.633(15) of 20 November 1987. The purpose of the conference was to consider the adoption of instruments on the suppression of unlawful acts against the safety of maritime navigation and the safety of fixed platforms located on the continental shelf.

2 The Council, with the approval of the Assembly, accepted with gratitude the kind invitation of the Government of Italy for the conference to be held in Rome.

3 The Conference was held at the Headquarters of the Food and Agriculture Organization of the United Nations in Rome, from 1 March to 10 March 1988.

4 Representatives of 76 States participated in the Conference, namely the representatives of:

ALGERIA	HUNGARY
ARGENTINA	INDIA
AUSTRALIA	INDONESIA
AUSTRIA	IRAN (ISLAMIC REPUBLIC OF)
BAHAMAS	IRAQ
BANGLADESH	IRELAND
BELGIUM	ISRAEL
BOLIVIA	ITALY
BRAZIL	JAPAN
BRUNEI DARUSSALAM	JORDAN
BULGARIA	KENYA
BYELORUSSIAN SOVIET SOCIALIST REPUBLIC	KUWAIT
CANADA	LEBANON
CHILE	LIBERIA
CHINA	LIBYAN ARAB JAMAHIRIYA
COLOMBIA	MALAYSIA
COSTA RICA	MALTA
CYPRUS	MEXICO
CZECHOSLOVAKIA	MOROCCO
DENMARK	NETHERLANDS
ECUADOR	NEW ZEALAND
EGYPT	NICARAGUA
FINLAND	NIGERIA
FRANCE	NORWAY
GERMAN DEMOCRATIC REPUBLIC	PERU
GERMANY, FEDERAL REPUBLIC OF	PHILIPPINES
GHANA	POLAND
GREECE	PORTUGAL
HAITI	REPUBLIC OF KOREA
HONDURAS	SAUDI ARABIA
	SOMALIA

SPAIN	UNION OF SOVIET SOCIALIST REPUBLICS
SUDAN	
SWEDEN	UNITED ARAB EMIRATES
SWITZERLAND	UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND
SYRIAN ARAB REPUBLIC	UNITED STATES OF AMERICA
THAILAND	YEMEN
TURKEY	YUGOSLAVIA
UKRAINIAN SOVIET SOCIALIST REPUBLIC	ZAIRE

5 The following States sent observers to the Conference:

CUBA
GUINEA
HOLY SEE
PANAMA
QATAR
TUNISIA

6 The Palestine Liberation Organization (PLO) sent observers to the Conference.

7 The United Nations was represented at the Conference.

8 The Office of the United Nations High Commissioner for Refugees was represented at the Conference.

9 The following intergovernmental organization sent observers to the Conference:

INTERNATIONAL INSTITUTE FOR THE UNIFICATION OF PRIVATE LAW (UNIDROIT)

10 The following non-governmental international organizations sent observers to the Conference:

INTERNATIONAL CHAMBER OF SHIPPING (ICS)
BALTIC AND INTERNATIONAL MARITIME COUNCIL (BIMCO)

11 The Conference was opened by Mr. C.P. Srivastava, Secretary-General of the International Maritime Organization. On behalf of the Government of

Italy, Hon. Prof. Giuliano Vassalli, the Minister of Justice, made a statement welcoming the delegates.

12 Professor L. Ferrari Bravo, Head of the delegation of Italy, was elected President of the Conference.

13 The Vice-Presidents elected by the Conference were:

H.E. Sr. J.A. Medicis (Brazil)
M. C. Tepavitcharov (Bulgaria)
Mr. Shen Zhaoqi (China)
S.E. Dr. G. Bula Hoyos (Colombia)
M. C. Douay (France)
Mr. H.-J. Heldt (Federal Republic of Germany)
Hon. Mr. J.P. Keller (Liberia)
H.E. Mr. J.T. Kolo (Nigeria)
H.E. Eng. A.Y. Al-Turki (Saudi Arabia)
Mr. V.A. Vasilenko (Ukrainian SSR)

14 The Secretary-General of the Conference was Mr. C.P. Srivastava, Secretary-General of the Organization. Mr. T.A. Mensah, Assistant Secretary-General of the Organization, served as Executive Secretary of the Conference and Mr. C.H. Zimmerli, Senior Deputy Director, Legal Affairs and External Relations Division, served as Deputy Executive Secretary.

15 The Conference established a Committee of the Whole with the mandate to consider the two draft instruments before the Conference, namely, the draft Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and the draft Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.

16 The Conference also established a Drafting Committee consisting of the following States: Algeria, Argentina, Austria, China, Egypt, France, the German Democratic Republic, Japan, Kenya, Peru, the Philippines, Spain, Sweden, the USSR, the United Kingdom and the United States.

17 A Credentials Committee consisting of Bangladesh, Belgium, Czechoslovakia, Ghana and Honduras was appointed to examine the credentials of representatives attending the Conference.

18 The officers elected for the Committee were as follows:

Committee of the Whole:

Chairman: Mr. P. Kirsch (Canada)

Vice-Chairmen: Ms. R. Hussein (Malaysia)

H.E. Señor Luis Solari (Peru)

Citoyen S.K. Milombe (Zaire)

Drafting Committee:

Chairman: H.E. Mr. Ahmed Abulkheir (Egypt)

Vice-Chairmen: H.E. Dr. H. Tuerk (Austria)

Dr. G. Plant (United Kingdom)

Credentials Committee:

Chairman: Mr. W.K. Ansa-Otu (Ghana)

19 The Conference used as the basis of its work the draft texts prepared by the Ad Hoc Preparatory Committee on the Suppression of Unlawful Acts against the Safety of Maritime Navigation which was established by the Council of IMO. These were:

- draft Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation;
- draft Protocol for the Suppression of Unlawful Acts against the Safety of Fixed Platforms Located on the Continental Shelf.

20 The Conference also had before it a document containing the comments of the Legal Committee of IMO, which had been submitted in accordance with the request of the Council of the Organization.

21 Also before the Conference were a number of documents, comments and observations, including proposed amendments, from Governments and interested organizations in relation to the draft texts referred to in paragraph 19 above.

22 As a result of its deliberations, as recorded in the reports of the plenary meetings and of the various committees, the Conference adopted the following instruments:

(a) CONVENTION FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST
THE SAFETY OF MARITIME NAVIGATION

(b) PROTOCOL FOR THE SUPPRESSION OF UNLAWFUL ACTS AGAINST THE
SAFETY OF FIXED PLATFORMS LOCATED ON THE CONTINENTAL SHELF

23 In relation to article 4 of the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, some delegations were in favour of the inclusion in article 4, paragraph 1, of straits used for international navigation. Other delegations pointed out that it was unnecessary to include them since navigation in such straits was one of the situations envisaged in article 4, paragraph 1. Therefore, the Convention will apply in straits used for international navigation, without prejudice to the legal status of the waters forming such straits in accordance with relevant conventions and other rules of international law.

24 This Final Act is established in a single original text in the Arabic, Chinese, English, French, Russian and Spanish languages. The original text is to be deposited with the Secretary-General of the International Maritime Organization.

25 The Secretary-General shall send certified copies of this Final Act and certified copies of the authentic texts of the instruments referred to in paragraph 22 above to the Governments of the States invited to be represented at the Conference, in accordance with the wishes of those Governments.

IN WITNESS WHEREOF the undersigned have affixed their signature to this Final Act.

DONE AT ROME this tenth day of March, one thousand nine hundred and eighty-eight.
