

Resolution A.923(22)

Adopted on 29 November 2001 (Agenda item 9)

MEASURES TO PREVENT THE REGISTRATION OF "PHANTOM" SHIPS

INTERNATIONAL MARITIME ORGANIZATION



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ASSEMBLY
22nd session
Agenda item 9

A 22/Res.923
22 January 2002
Original: ENGLISH

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THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety,

RECALLING ALSO the advice in paragraph 2.1 of the Annex to resolution A.847(20) on Guidelines to assist flag States in the implementation of IMO instruments and, in particular, the importance of providing a legal basis for general requirements for registries,

NOTING the duties of the flag State under the international law of the sea, including the provisions of article 94 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS),

NOTING ALSO the continuing increase in the number of acts of piracy and armed robbery against ships reported to the Maritime Safety Committee,

BEARING IN MIND the Maritime Safety Committee's continuing discussions about appropriate measures for reporting and investigating such incidents and for eliminating the threat of piracy and armed robbery against ships,

BEING DEEPLY CONCERNED that some ships have been registered on the basis of false or inaccurate information ("phantom" ships),

RECOGNIZING the undesirability of the registration by flag States of "phantom" ships, even if such registration is accidental,

BEING MINDFUL of the need for vigilance throughout the international maritime community and, in particular, in the ancillary financial and logistical sectors,

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HAVING CONSIDERED the recommendation of the Maritime Safety Committee at its seventy-fourth session,

1. INVITES Governments to review their ship registration procedures to ensure that adequate safeguards are in place to prevent the registration of "phantom" ships;
2. INVITES ALSO Governments to exhaust all means available to them to obtain evidence that a ship previously registered under another State's flag has been deleted, or that consent to the transfer of the ship has been obtained from that State's register. Registration of a ship which has previously not been registered should not take place until sufficient evidence of it not being registered has been received. Prior to registration of any ship, Governments should verify its identity, including the IMO Ship Identification Number, where appropriate, and other records of the ship, so that the ship does not fly the flags of two or more States simultaneously;
3. URGES Governments to submit, when requested to do so, evidence of a ship's registration status to a State requesting such documentation prior to any ship registration. Governments accepting previously registered ships should, when requested to do so, inform the previous flag State when the registration process has been completed;
4. ALSO URGES Governments to pay particular attention when accepting documents for registration purposes, especially proof of ownership, and only to accept either original paper documents or electronically submitted documents whose authenticity has been verified;
5. FURTHER URGES Governments to take steps to encourage greater vigilance from those involved in port operations, ship surveying, chartering, brokering, insurance and other activities that may bring them into contact with a ship which may have been improperly registered or involved in an act of piracy or armed robbery;
6. REQUESTS the Maritime Safety Committee to keep this resolution under review and to take action as appropriate;
7. FURTHER REQUESTS the Secretary-General to bring this resolution to the attention of the Secretary-General of the United Nations for information and action as appropriate.

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