

INTERNATIONAL MARITIME ORGANIZATION



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ASSEMBLY
23rd session
Agenda item 10

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Resolution A.946(23)

**Adopted on 27 November 2003
(Agenda item 10)**

VOLUNTARY IMO MEMBER STATE AUDIT SCHEME

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 and the prevention and control of marine pollution from ships,

RECALLING ALSO that one of the goals of the Organization is to ensure the consistent and effective implementation of IMO instruments globally and compliance with their requirements,

RECALLING FURTHER that, through resolutions A.777(18) and A.900(21), it reaffirmed the contents of resolution A.500(XII) and thus the assignment of the highest priority to promoting the implementation of relevant international instruments for the improvement of maritime safety and pollution prevention,

RECOGNIZING that Governments are required to meet and fulfil the obligations and responsibilities which are set forth in the international regulations, procedures and practices contained in the IMO instruments and other mandatory instruments to which they are Parties, and to take any steps which may be necessary to secure their observance,

RECOGNIZING ALSO that Parties to international conventions such as the International Convention for the Safety of Life at Sea, 1974, as amended (SOLAS 1974) and its 1988 Protocol; the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, as amended (MARPOL 73/78); the Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended (COLREG 1972); the International Convention on Load Lines, 1966 (LL 1966) and its 1988 Protocol; the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended (STCW) and the International Convention on Tonnage Measurement of Ships, 1969 (TONNAGE 1969) have, as part of the ratification process, accepted the obligation under applicable international law to fully meet their responsibilities and to discharge their obligations as prescribed by the conventions and other instruments to which they are Party,

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REAFFIRMING that States have the primary responsibility to have in place an adequate and effective system to exercise control over ships entitled to fly their flag, and to ensure that they comply with relevant international rules and regulations,

REAFFIRMING ALSO that States, in their capacity as port and coastal State, have other obligations and responsibilities under applicable international law in respect of maritime safety and security and protection of the marine environment,

NOTING that, while States may realize certain benefits by becoming Party to instruments aiming at promoting maritime safety and security and the prevention of pollution from ships, these benefits can only be fully achieved when all Parties carry out their obligations as required by the instruments concerned,

NOTING ALSO that the ultimate effectiveness of any instrument depends, *inter alia*, upon all States:

- (a) becoming Party to the instruments mentioned above;
- (b) implementing them fully and effectively;
- (c) reporting to the Organization, as required,

CONSCIOUS of the difficulties a number of Governments may face in complying with all the provisions of the various IMO instruments to which they are Party,

RECOGNIZING that any such difficulties need to be minimized and that, for that reason, the Organization has established and maintains an Integrated Technical Co-operation Programme,

BEING DESIROUS to further assist Governments in improving their capabilities and overall performance in complying with the IMO instruments to which they are Party,

HAVING CONSIDERED the recommendations made by the Council at its ninetieth regular session and twenty-second extraordinary session,

1. ENDORSES the decisions of the Council relating to the development of a Voluntary IMO Member State Audit Scheme in such a manner as not to exclude the possibility in the future of it becoming mandatory;
2. APPROVES the establishment and further development of the Voluntary IMO Member State Audit Scheme to be implemented on a voluntary basis;
3. REQUESTS the Council to develop, as a matter of high priority, procedures and other modalities for the implementation of the scheme;
4. URGES Governments to volunteer to be audited in accordance with the scheme and its principles, when developed, to assist the Organization in its efforts to achieve consistent and effective implementation of IMO instruments, recognizing that the principle of sovereignty should be fully respected;

5. RESOLVES that the process and results of the audits be used for further enhancing the implementation of instruments and for determining the technical co-operation assistance needs of audited States that would otherwise be unable to remediate identified shortcomings and enhance further their recognized efforts in critical areas of implementation;

6. DECIDES that, within the context of resolution A.901(21) IMO and Technical Co-operation in the 2000s, technical co-operation is provided as appropriate, including capacity-building aspects of the pre- and post-audit process.
