

ASSEMBLY  
27th session  
Agenda item 10

A 27/Res.1055  
20 December 2011  
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**Resolution A.1055(27)**

**Adopted on 30 November 2011  
(Agenda item 10)**

**ISSUE OF BUNKERS CERTIFICATES TO SHIPS  
THAT ARE ALSO REQUIRED TO HOLD A CLC CERTIFICATE**

The ASSEMBLY,

RECALLING Article 33 of the Convention on the International Maritime Organization concerning the functions of the Legal Committee,

BEARING IN MIND the International Convention on Civil Liability for Oil Pollution Damage, 1992, as amended (hereinafter referred to as "the Civil Liability Convention"),

RECALLING FURTHER the adoption by the International Conference on Liability and Compensation for Bunker Oil Pollution Damage, held at the Organization's headquarters in 2001, of the International Convention on Civil Liability for Bunker Oil Pollution Damage (hereinafter referred to as "the Bunkers Convention"),

RECALLING ALSO that according to both the Civil Liability Convention and the Bunkers Convention, the registered owner is required to obtain liability insurance and hold certificates attesting that such insurance is in force,

ACKNOWLEDGING that the Bunkers Convention has a broader scope of application than the Civil Liability Convention, because both the definition of ship and the types of oil included are more comprehensive,

ACKNOWLEDGING ALSO that the Bunkers Convention does not provide clear guidance on the subject matter and may lead to differing interpretations among States Parties to the Bunkers Convention as to whether both certificates should be required,

DESIRING to remove ambiguity and assist present and future States Parties to the Bunkers Convention in applying it in a uniform manner,

BEING CONSCIOUS of the need to provide certainty in the application of the Bunkers Convention, thereby assisting shipowners, ship operators, ship managers and ship companies in avoiding unnecessary delay or detention of ships, and DESIRING to minimize administrative burdens imposed on the shipping industry,

CONCERNED that, if shipowners do not have effective and adequate insurance coverage or equivalent financial security, eligible claimants may not obtain prompt and adequate compensation,

HAVING CONSIDERED the recommendations made by the Legal Committee at its ninety-seventh session,

1. RECOMMENDS that States Parties to the Bunkers Convention:

- .1 issue the certificate prescribed by the Bunkers Convention even when the ships concerned also hold a CLC certificate;
- .2 require ships of 1,000 gross tonnage and above flying their flag or entering or leaving ports or offshore facilities in their territory to be insured and to hold a bunkers certificate as prescribed by the Bunkers Convention even when the ships concerned already hold a CLC certificate; and
- .3 avoid taking action that could cause unnecessary bureaucracy;

2. REQUESTS States Parties to the Bunkers Convention to bring the content of this resolution to the attention of shipowners, ship managers, shipping companies and all other parties concerned for information and action, as appropriate.

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