



IMO

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RECOMMENDATIONS ON THE ESTABLISHMENT OF NATIONAL FACILITATION COMMITTEES

Guidelines for the establishment, membership and
operation of national facilitation committees

1 The IMO Facilitation Committee has considered the importance of establishing national facilitation committees in order to promote and co-ordinate measures to improve the facilitation of maritime transport between Contracting Parties to the 1965 FAL Convention and to reduce the number of differences from the standards and recommended practices in the annex to the FAL Convention, notified to the Organization in accordance with article VIII of the Convention.

2 The usefulness of national and regional facilitation committees was already recognized at the adoption of the Convention, when the Conference in 1965 adopted resolution 3 which deals with this matter and reads as follows:

"Resolution 3

The creation of national and regional committees

The International Conference on Facilitation of Maritime Travel and Transport, 1965:

RECOGNIZING the value of existing national and regional committees for the encouragement of measures of facilitation which will advance the purposes of the Convention on Facilitation of International Maritime Traffic;

RESOLVES

- (1) to invite Contracting Governments to create national and regional committees where such committees do not already exist in order to encourage the recommendation of measures of facilitation, their adoption and their implementation in the States concerned;

- (2) further to invite such Governments to notify the Secretary-General of the Inter-Governmental Maritime Consultative Organization* of the existence or of the creation of any such committees."

3 National facilitation committees have been established in many IMO Member States and have proven an effective means of implementing facilitation programmes. Other States are also contemplating establishing their own committees. The purpose of this circular is to suggest guidelines for the establishment, membership and operation of national facilitation committees.

4 In this connection, it is important to pay attention to the broader aspects of facilitation in order to ensure that maritime transport has its place in the overall national facilitation programme so as not to overlap with facilities provided for other modes of transport and to ensure that there are no gaps in the national programmes. Other international organizations have adopted similar instruments. For instance, ICAO already has guidelines included in Annex 9 of its Convention (chapter 8, section E and appendix 7) and further guidance is given in ICAO resolutions and circulars. The World Tourism Organization (WTO) has drafted a facilitation convention to be submitted for adoption at a diplomatic conference in 1989, which provides for the establishment of a national facilitation committee where none is in existence, or another similar body, to facilitate the travel of tourists, "irrespective of the means of transport that they use".

5 The establishment of national facilitation programmes and committees is also recommended for surface transport by the Inland Transport Committee of the Economic Commission for Europe (ECE), its Committee on the Development of Trade and the Working Party on Facilitation of International Trade Procedures (WP.4). It is also recalled that the ECE participates in a joint facilitation programme (FALPRO) with UNCTAD and the General Agreement on Tariffs and Trade (GATT) which recommends the establishment of national facilitation committees for surface transport in their Member States.

* The name of the Organization was changed to the "International Maritime Organization" on 22 May 1982.

6 Whether States should have a national facilitation committee covering all modes of transport (with sub-committees covering particular modes), or a separate national facilitation committee for each mode, is a matter for individual Governments to decide. It is necessary, however, to ensure that the pertinent provisions of the guidelines are drafted in such a way as to avoid duplication and provide for co-ordination with other transport modes and other disciplines involved in the implementation of the facilitation programme.

7 It is, accordingly, suggested including in the Annex to the FAL Convention, in the future, one new recommended practice regarding the establishment of national facilitation committees and the objectives to be pursued by such committees and, furthermore, the inclusion of a recommended practice to draw attention to guidelines on national facilitation committees. The recommended practices which are agreed in principle are reproduced below:

"Recommended Practice - Each Contracting Government should, where it considers such action necessary and appropriate, establish a national maritime transport facilitation programme based on the facilitation requirements of this Annex, and ensure that the objective of its facilitation programme is to adopt all appropriate measures to facilitate and expedite the movement of ships, cargo, crews, passengers, mail and stores, and to remove and prevent unnecessary obstacles and delays.

Recommended Practice - Each Contracting Government should establish a national maritime transport facilitation committee or a similar co-ordinating body, for the encouragement of measures of facilitation activities between departments, agencies, and other organizations of the Government concerned with, or responsible for, various aspects of international maritime traffic as well as with ports, shipowners or operators*".

* In establishing a national maritime transport facilitation committee or similar co-ordinating body, Contracting Governments are invited to take into account the guidelines presented in FAL 5/Circ.2.

8 It is also suggested to agree on the following guidelines for the establishment of national maritime facilitation committees, the wording of which is closely aligned with what has recently been agreed for inclusion in Annex 9 of the ICAO Convention:

"GUIDELINES FOR THE ESTABLISHMENT, MEMBERSHIP AND OPERATION OF A NATIONAL MARITIME TRANSPORT FACILITATION COMMITTEE

The following guidelines outline suggested terms of reference, membership and methods of operation of a national maritime transport facilitation committee.

Terms of reference

Where a national maritime transport facilitation committee (or a similar co-ordinating body) is formed, its functions should broadly be:

- .1 to implement the national facilitation programme or programmes;
- .2 to review questions of policy in relation to clearance formalities applied to international maritime transport services;
- .3 to make recommendations to the departments, competent authorities and other organizations concerned with the national facilitation programme or programmes; and
- .4 to keep the departments, competent authorities, and other organizations concerned, informed of significant developments in the field of international maritime traffic in so far as they affect operations into and out of the Contracting Government.

Membership

A national maritime transport facilitation committee should be composed of senior officials representing the main interests concerned with

facilitation, including the following, as required: maritime transport authorities, government clearance agencies (immigration, customs, consular, passport and visa, public health, agriculture, security and narcotics control), other government agencies concerned with facilitation (such as postal services, tourism and trade departments), port authorities, shipowners and operators, freight forwarders and shipping agents.

Operation

- .1 It is suggested that the facilitation committee meets on a regular basis. It is desirable that the site of the meetings be rotated between the premises of the different government agencies involved.
 - .2 Whenever possible, periodic inspection tours of ports within the national territories and abroad should be arranged for members of the committee.
 - .3 Representatives of shipowners and operators should be encouraged to attend the meetings and to submit their co-ordinated approach to current facilitation problems, together with proposed solutions.
 - .4 Whenever appropriate, the facilitation committee should consider the establishment of sub-committees to study particular facilitation problems (e.g. cargo). Such sub-committees should have a balanced representation similar to that of the committee.
 - .5 States should inform the Organization of the work of their facilitation committees, so that this information can be distributed to other Governments".
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