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**Adopted on 4 December 2019
(Agenda item 10)**

**GUIDANCE ON COMMUNICATION OF INFORMATION
BY MEMBER STATES**

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, by resolutions A.1029(26) on the *Global Integrated Shipping Information System (GISIS)* and A.1074(28) on *Notification and circulation through GISIS*, it recognized that GISIS aims at facilitating, inter alia, Member States' compliance with reporting requirements,

RECOGNIZING that, in order to promote the implementation of mandatory IMO instruments, the effective use of information and communication technology would contribute significantly to all Member States fulfilling their obligations of mandatory reporting and that the circulation of any such notification by the Organization could be achieved through the GISIS system,

RECOGNIZING ALSO the findings identified in audits under the IMO Member State Audit Scheme (IMSAS) related to a shortfall in the communication of information as required under IMO instruments and the *IMO Instruments Implementation Code* (resolution A.1070(28)), which have highlighted the difficulties faced by audited Member States in the implementation and enforcement of mandatory IMO instruments to which they are Parties,

RECOGNIZING FURTHER the need for guidance to facilitate compliance by Member States with the communication of information requirements under various IMO instruments and to assist them in fulfilling their reporting obligations more effectively,

HAVING CONSIDERED the recommendations made by the Marine Environment Protection Committee, at its seventy-fourth session, and the Maritime Safety Committee, at its 101st session,

1 ADOPTS the *Guidance on communication of information by Member States*, as set out in the annex to the present resolution;

2 INVITES Member States to take into account the annexed Guidance when fulfilling their obligation in communicating information to all concerned parties;

3 REQUESTS the Maritime Safety Committee and the Marine Environment Protection Committee to keep the *Guidance on communication of information by Member States* under review, for further improvement, as may be necessary.

Annex

**GUIDANCE ON COMMUNICATION OF INFORMATION
BY MEMBER STATES****1 Purpose**

The purpose of this Guidance is to facilitate compliance by Member States with the communication of information requirements under various IMO instruments and to assist them in fulfilling their reporting obligations more effectively.

2 Application

This Guidance applies to all parties that are involved in the communication of information by Member States to all concerned. The concerned parties include, but are not limited to, IMO, other Member States and other related international organizations and institutions.

3 Communication of information requirements

3.1 Reporting requirements include the obligation of communication of information under various IMO instruments, as well as those under paragraph 9 of the *IMO Instruments Implementation (III) Code* (resolution A.1070(28)).

3.2 An inventory of reporting requirements under IMO instruments, including associated guidance and information, is available in the Reporting Requirements Dashboard module of the Global Integrated Shipping Information System (hereinafter referred to as GISIS).

4 Objectives

The objectives of this Guidance are:

- .1 to promote the capacity-building of Member States in fulfilling their obligations for communication of information; and
- .2 to address difficulties encountered by Member States in fulfilling their obligations for communication of information and to take measures to further improve the effectiveness of the communication of information as required under the applicable IMO instruments.

5 Plan

5.1 Member States are recommended to establish a reporting system by identifying the obligations for communication of information under IMO instruments and assigning related responsibilities among relevant entities participating in the implementation and enforcement of the applicable IMO instruments.

5.2 A comprehensive reporting plan (CRP) is recommended to be developed, which includes, but is not limited to, the following:

- .1 coordinating department(s) for communication of information to IMO and other entities;
- .2 format of the reports;

- .3 frequency of reporting;
- .4 modality(ies) for reporting; and
- .5 periodical evaluation of the fulfilment of obligations.

6 Do

Who

6.1 As information may have to be communicated to several entities, Member States should first identify relevant parties, and respective reporting requirements, and whether the communication is done through GISIS or not. While doing so, care should be taken to ensure consistency of information and to avoid repetitive reporting and excessive use of resources.

6.2 Each Member State should designate a GISIS Administrator, in accordance with Circular Letter No.2892 on *Access to IMO web services, including GISIS and IMODOCS*, who should be responsible for creating and maintaining all user accounts for the Member State.

How

6.3 The communication of information can be done in the following four ways:

- .1 through GISIS (E-notification)

Resolution A.1074(28) on the *Notification and circulation through the Global Integrated Shipping Information System (GISIS)* in its operative paragraph 2 states that "once Contracting Governments or Parties have notified through GISIS in respect of a reporting requirement to the Organization, the requirement for the Organization to circulate any such notification under the IMO instrument concerned would have been met". Therefore, GISIS is one of the important means for Member States to fulfil their reporting obligations;

- .2 through a letter (written notification)

Each Member State could fulfil its reporting obligation by forwarding the required information through a letter, with a request to inform other Member States, as appropriate;

- .3 through XML (E-notification)

Member States may consult the Secretariat to consider a cooperation agreement on XML software development. In this case, Member States should bear the expenses of software development. The Secretariat could provide standard data formats and data verification methods for each module's interface in a suitable manner or upon the request of a Member State; and

- .4 through other platform(s) for reporting (E-notification)

Member States should verify whether information can be submitted through other platforms (such as Equasis, EMCIP).

What

6.4 Reporting requirements, format for communication (where available), reporting frequency, method of reporting and other related information are listed in the GISIS Reporting Requirements Dashboard module.

6.5 For communication of information requirements without specified instructions, the Secretariat can be contacted at the following address: info@imo.org

When

6.6 During the planning of the communication of information, the reporting time and frequency should be given due attention and the following factors may be considered:

- .1 for the information reported directly from Member States to IMO:
 - .1 reporting frequency should be followed when it is clearly stated in the IMO instruments; and
 - .2 when reporting frequency is not clearly stated in the IMO instruments:
 - .1 the texts of national legislation should be communicated after promulgation of such legislation or, alternatively, uploaded onto relevant webpages of the Member State, with a link sent to IMO;
 - .2 for information such as the change of contact points or the outcomes of hook evaluation regarding lifeboat release and retrieval system, the communication should be made through GISIS as and when the changes take place; and
 - .3 all other information should be reported annually; and
- .2 for the information to be communicated by Member States under the IMO instruments to other international organizations or institutions, the reporting frequency should be implemented by Member States according to requirements of the organizations or the institutions.

7 Check

7.1 Each Member State should establish a mechanism to evaluate the effectiveness of its communication of information. If the performance in reporting does not reach the anticipated goals, the Member State should analyse root causes and take corrective measures, including seeking technical assistance from IMO, if necessary. The verification mechanism may include internal and external checks.

7.2 In the context of an internal check, Member States should carry out a self-evaluation to determine whether remedial measures need to be taken to enhance implementation capabilities. Internal checks may include, but are not limited to:

- .1 verification whether there are new reporting requirements, and, if so, to include them in the reporting system;

- .2 self-evaluation of performance in reporting with reference to the GISIS Reporting Requirements Dashboard module;
- .3 identification of best practices and difficulties encountered in reporting; and
- .4 consideration of suggestions for improvements in the reporting.

7.3 Member States may ascertain the shortcomings and potential improvements in communication through external checks, which may include, but are not limited to:

- .1 verification of the level of the reporting performance as indicated in the GISIS Reporting Requirements Dashboard module;
- .2 findings and/or best practices related to communication of information as reported from audits of Member States under IMSAS and listed in the Consolidated Audit Summary Reports (CASRs) as issued from time to time through circular letters (e.g. Circular Letter No.3772);
- .3 analysis of data published by relevant international industries about the status of communication by Member States; and
- .4 collection of results of the above-mentioned three external checks to prepare an independent report on lessons learned. Such a report could be used by the department of a Member State responsible for reporting to improve the performance.

8 Act

8.1 Member States should develop a corrective action plan to correct any shortcomings and implement improvements in reporting.

8.2 The corrective action plan may include, but is not limited to, the following:

- .1 timeline for corrective action;
- .2 entities responsible for corrective action;
- .3 expected improvement in the performance; and
- .4 post-evaluation after the implementation of the corrective action.