



ASSEMBLY
22nd session
Agenda item 8

A 22/Res.920
22 January 2002
Original: ENGLISH

Resolution A.920(22)

**Adopted on 29 November 2001
(Agenda item 8)**

**REVIEW OF SAFETY MEASURES AND PROCEDURES FOR
THE TREATMENT OF PERSONS RESCUED AT SEA**

THE ASSEMBLY,

RECALLING Articles 1 and 15(j) of the Convention on the International Maritime Organization concerning the purposes of the Organization and the functions of the Assembly in relation to regulations and guidelines concerning maritime safety; and also the general purpose of the Convention on Facilitation of International Maritime Traffic, 1965,

DESIRING to ensure that the life of persons on board ships, including small craft, whether underway or at anchor, is safeguarded at any time pending their delivery to a place of safety,

RECALLING the provisions of the United Nations Convention on the Law of the Sea, in particular article 98 thereof relating to the duty to render assistance,

RECALLING ALSO the provisions of the International Convention for the Safety of Life at Sea, 1974, as amended, relating to the obligation of:

- shipmasters to proceed with all speed to the assistance of persons in distress at sea; and
- Contracting Governments to ensure arrangements for coast watching and for the rescue of persons in distress at sea round their coasts,

RECALLING FURTHER the provisions of the International Convention on Maritime Search and Rescue, 1979, as amended, relating to the provision of assistance to any person in distress at sea regardless of the nationality or status of such person or the circumstances in which that person is found,

For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.

FURTHER RECALLING the provisions of the Convention on Facilitation of International Maritime Traffic, 1965, as amended, relating to the facilitation of, *inter alia*, the arrival and departure of ships engaged in emergency operations necessary to ensure maritime safety,

FURTHER RECALLING the provisions of the International Convention on Salvage, 1989, relating to the master's duty to render assistance to any person in danger of being lost at sea and to the need for co-operation between parties and public authorities in order to ensure the successful saving of lives in danger,

RECALLING FINALLY the provisions of:

- (a) resolution A.773(18) on Enhancement of safety of life at sea by the prevention and suppression of unsafe practices associated with alien smuggling by ships,
- (b) resolution A.871(20) on Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases;
- (c) resolution A.867(20) on Combating unsafe practices associated with the trafficking or transport of migrants by sea; and
- (d) MSC/Circ.896/Rev.1 on Interim measures for combating unsafe practices associated with the trafficking or transport of migrants by sea,

AFFIRMING that matters not regulated by the international conventions referred to above should continue to be governed, *inter alia*, by the rules and principles of customary international law,

NOTING the initiative taken by the Secretary-General to involve competent United Nations specialized agencies and programmes in the consideration of the issues addressed in this resolution, for the purpose of agreeing on a common approach which will resolve them in an efficient and consistent manner,

RECOGNIZING the need for the Organization to consider whether international measures, additional to those already agreed to, are necessary to improve safety at sea and reduce the risk to the lives of persons on board ships, in particular in rescue operations,

1. REQUESTS the Maritime Safety Committee, the Legal Committee and the Facilitation Committee, under the direction of the Council, to review on a priority basis the international conventions referred to above and any other IMO instruments under their scope, for the purpose of identifying any existing gaps, inconsistencies, ambiguities, vagueness or other inadequacies and, in the light of such review, to take action as appropriate, so that:

- survivors of distress incidents are given assistance regardless of nationality or status or of the circumstances in which they are found;
- ships which have retrieved persons in distress at sea are able to deliver the survivors to a place of safety; and

- survivors, regardless of nationality or status, including undocumented migrants, asylum seekers, refugees and stowaways, are treated while on board in the manner prescribed in the relevant IMO instruments and in accordance with relevant international agreements and long-standing humanitarian maritime traditions;

2. REQUESTS ALSO the Committees referred to above, when taking action as requested in operative paragraph 1, to take account of the rules and principles of general international law with respect to the duty to render assistance to persons in distress at sea, and to identify possible needs for codification and progressive development of these rules and principles;

3. REQUESTS FURTHER the Committees referred to above, when taking action as requested in operative paragraphs 1 and 2, to take account of the work of, and consult as appropriate with, other international organizations, including industry organizations, relating to the search and rescue of persons in distress or in danger at sea, including persons who may be undocumented migrants or stowaways;

4. FURTHER REQUESTS the Secretary-General to pursue his initiative as referred to in the tenth preambular paragraph, and to inform the competent IMO bodies of developments in due course;

5. FINALLY REQUESTS the Secretary-General to submit a report to the twenty-third session of the Assembly on progress made in the interim.
