

ASSEMBLY
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Agenda item 13

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Resolution A.1162(32)

**Adopted on 15 December 2021
(Agenda item 13)**

**ENCOURAGEMENT OF MEMBER STATES AND ALL RELEVANT STAKEHOLDERS TO
PROMOTE ACTIONS FOR THE PREVENTION AND SUPPRESSION OF FRAUDULENT
REGISTRATION AND FRAUDULENT REGISTRIES AND OTHER FRAUDULENT ACTS
IN THE MARITIME SECTOR**

THE ASSEMBLY,

NOTING Article 1(a) of the Convention on the International Maritime Organization (the Convention) regarding the purposes of the Organization to provide machinery for cooperation among Governments in the field of governmental regulation and practices relating to technical matters of all kinds affecting shipping engaged in international trade; to encourage and facilitate the general adoption of the highest practicable standards in matters concerning maritime safety, the efficiency of navigation and the prevention and control of marine pollution from ships; and to deal with administrative and legal matters related to the purposes set out in Article 1 of the Convention,

RECALLING Article 15(j) of the Convention regarding the functions of the Assembly,

RECALLING ALSO its resolution A.1142(31) on *Measures to prevent the fraudulent registration and fraudulent registries of ships* and the creation of the Registries of ships function in the Contact Points module in the Global Integrated Shipping Information System,

RECALLING FURTHER its resolutions A.504(XII) on *Barratry, unlawful seizure of ships and their cargoes and other forms of maritime fraud* and A.923(22) on *Measures to prevent the registration of "phantom" ships*,

RECALLING its resolution A.1117(30) on *IMO Ship Identification Number Scheme* and Circular Letter No.1886/Rev.6 supporting the implementation of the IMO Ship Identification Number Scheme,

RECALLING ALSO its resolution A.1070(28) on the *IMO Instruments Implementation Code (III Code)* inviting Governments to give renewed consideration to the ratification and implementation of the conventions and instruments relating to maritime safety, in particular those dealing with the training and certification of seafarers and the procedures for the control of substandard ships adopted with a view to the eventual elimination of substandard conditions, which contribute to the prevention and suppression of maritime fraud,

NOTING resolution MSC.160(78) on the *Adoption of the IMO unique company and registered owner identification number scheme* to enhance maritime safety, security and environmental protection and to facilitate the prevention of maritime fraud, and Circular Letter No.2554/Rev.3 supporting the implementation of resolution MSC.160(78),

RECALLING the recommended procedure for the transfer of ships between flag States adopted through MSC/Circ.1140-MEPC/Circ.424,

RECALLING ALSO the recommended best practices to assist in combating fraudulent registration and fraudulent registries of ships adopted through LEG.1/Circ.10,

ACKNOWLEDGING that the fraudulent registration of ships, proliferation of fraudulent registries and related deceptive shipping practices are a serious threat to the safety and security of international shipping, including the safety and well-being of the crew, and to the protection of the environment, and can facilitate illicit maritime trafficking and the evasion of sanctions,

RECOGNIZING the importance of maintaining and exchanging information between all stakeholders, through bilateral or multilateral mechanisms and in accordance with domestic and international law, across the maritime sector to prevent and counter such issues,

RECOGNIZING ALSO that the ratification and effective implementation of other IMO conventions and other relevant international instruments can make a significant contribution to the prevention and control of maritime fraud,

BELIEVING that the development and continuous review of national legislation would have a very significant contribution in countering fraudulent acts in the maritime sector,

DESIRING to promote actions by all relevant stakeholders for the prevention and suppression of fraudulent acts which gravely endanger the integrity of international seaborne trade,

HAVING CONSIDERED the recommendations made by the Legal Committee at its 108th session,

1 URGES all Governments and organizations concerned to cooperate fully in taking effective measures and exchanging information for the further prevention of maritime fraud bearing in mind that measures relating to documentation must not prejudice the facilitation of legitimate international maritime traffic and trade;

2 ENCOURAGES Governments to review the provisions in their national law relating to the prevention and suppression of all forms of maritime fraud and to make such additions or improvements regarding, inter alia, the exercise of due diligence, as may be necessary for the prevention and suppression of such acts and practices, and for safeguarding the interests of all stakeholders concerned, having particular regard to:

- (a) administration of national registries of ships, including requirements for provisional registration, transfer of ownership, nationality, or change of name of ships;
- (b) documentary requirements, bearing in mind that measures relating to documentation must not prejudice the facilitation of legitimate international traffic and trade; and

- (c) appropriate legal penalties for fraudulent acts and practices in the maritime sector;

3 ALSO ENCOURAGES Governments to examine their national law enforcement procedures and resources, including the availability of appropriately trained personnel, and to take such action as may be necessary for the effective prevention, investigation and detection of all forms of maritime fraud and the prosecution of all those involved;

4 INVITES Governments and relevant international organizations to inform the Secretary-General of legal, administrative and other actions taken or contemplated to implement the aims of this resolution;

5 URGES Governments to take all possible measures of cooperation with each other and with relevant intergovernmental organizations and maritime stakeholders in order to maintain and develop coordinated actions in all relevant areas to combat maritime fraud, including the exchange of information and reporting the names of ships and registries involved in fraudulent acts;

6 URGES Governments, the IMO Secretary-General, port State control authorities, vessel owners and operators, non-governmental organizations, the private sector including the maritime insurance industry, ship brokers and other relevant maritime stakeholders to develop workshops that will focus on enhancing capabilities and due diligence practices for the prevention, detection and reporting of fraudulent registration documentation;

7 REQUESTS the Secretary-General to publish the information received from all Governments and relevant maritime stakeholders related to maritime fraud by way of a circular;

8 REQUESTS the Legal Committee to keep this matter under review and take such further action as it may consider necessary in light of developments.
