

Maritime Security

Maritime Security Overview

Aris Klempetsanis/ Senior Project Officer

Visits and inspections

Lisbon 16-17 July 2019



The background of the slide is a photograph of a coastal scene at sunset. On the left, the dark silhouette of a lighthouse with a domed top and a tall, thin mast is visible. In the distance, a large suspension bridge spans across the water. The sky is a gradient of warm colors, from orange near the horizon to a pale yellow at the top. The sun is a bright, glowing orb just above the horizon line, partially obscured by the bridge's structure.

FRAMEWORK (IMO and EU legal instruments)

REQUIRMENTS

CONTROL

IMO legal Instruments

- SOLAS Chapter XI-2, Special measures to enhance maritime security;
- ISPS Code

- Regulation XI-2/2: enshrines the ISPS Code.
- Regulation XI-2/3: Administrations shall set security levels and ensure the provision of security level information to ships entitled to fly their flag, PFs and prior to entering a port or while in a port within their territory;
- Regulation XI-2/6: requires all ships to be provided with a Ship Security Alert System (SSAS);
- Regulation XI-2/9 control of ships on maritime security;
- Regulation XI-2/10 covers requirements for port facilities.

A comprehensive set of measures to enhance the security of ships and port facilities

Part A: Mandatory

Part B: Guidance



The ISPS Code applies to the **following types of ships** engaged on international voyages :

- passenger ships, including high-speed passenger craft;
- cargo ships, including high-speed craft, of 500 gross tonnage and upwards;
- mobile offshore drilling units; **and**
- **the port facilities serving such ships.**

- Modifications to SOLAS Chapter V/19 (AIS);
- A new regulation XI-1/5 (CSR);
- Regulation XI-I/3 (Ship identification number to be permanently marked in a visible place).



A photograph of a sunset over the ocean. The sky is a mix of orange, yellow, and light blue, with soft clouds. The water is dark blue with white, frothy waves in the foreground. The text 'Who has to comply with the ISPS Code?' is overlaid in the center in a bold, dark blue font.

Who has to comply with the ISPS Code?

- The ISPS Code is part of SOLAS, so compliance is mandatory for the 164 Contracting Parties to SOLAS Convention.
- When a Government accepts and ratifies an IMO Convention it agrees to make it part of its own national law and to enforce it just like any other law.
- The Contracting Governments are obliged to address all the objectives and functional requirements of SOLAS/XI-2 and of the ISPS Code.

A photograph of a vast ocean with white-capped waves breaking under a hazy, overcast sky. The water is a deep blue-grey, and the white foam of the waves is prominent in the foreground and middle ground.

What if Contracting governments do not comply?

Penalties?

- 
- A faded, grayscale background image showing the stern of a ship, including the propeller, rudder, and various mechanical components, with some figures visible on the deck.
- **IMO does not impose any penalties;**
 - **IMO was established to adopt legislation;**
 - **The responsibility for implementation lies with the Contracting governments.**

1. Regulation (EC) No.725/2004 on enhancing ship and port facility security;
2. Directive 2005/65EC on enhancing port security;
3. Commission Regulation (EC) No.324/2008 on procedures for conducting Commission inspections in the field of maritime security;

- Mandatory certain provisions of ISPS Code Part B;
- Application of security requirements to domestic shipping (Mandatory security assessment);
- Designation of a Competent authority for maritime security;
- Designation of a Focal point;
- National programme for maritime security;
- Sanctions;
- COM inspections.

Procedures for
conducting Commission
inspections in the field
of maritime security:

- Administrations
- Port facilities
- Ships
- Companies
- RSOs



The main objective of the Directive is to introduce community measures to enhance port security in the face of threats of security incidents.

- Port security assessments (PSA)
- Port security plans (PSP)
- Port security officer (PSO)



- **ADMINISTRATIONS**
- **COMPANIES**
- **SHIPS**
- **PORTS-PORT FACILITIES**

Regulation 725/2004, Article 9.1

- Member States shall carry out the **administrative** and **control tasks** required pursuant to the provisions of the special measures to enhance maritime security of the SOLAS Convention and of the ISPS Code.
- They shall ensure that all necessary means are allocated and effectively provided for the implementation of the provisions of this Regulation.

- Designation of national authorities responsible for implementation of maritime security;
- Deciding national requirements for maritime security;
- Setting and communication of SL;
- Designation of authorities receiving SSAS alerts;
- Approval of SSP;



- Verification-Certification of ships;
- Approval of PFSA-PFSP;
- Monitoring of Recognised Security Organisation (RSO), when delegating maritime security tasks;
- **Control:** Administrations must ensure that their **ships and port facilities** comply with the requirements.

- Appoint a Company Security Officer (CSO);
- Establish the master's overriding authority in the SSP;
- Provide to their ships all means necessary for implementation of security measures;

- Make available to the Master information through which duly authorized officers by a contracting government can establish:
 - ✓ Who is responsible for appointing the crew;
 - ✓ Who is responsible for the employment of the ship;
 - ✓ Who are the parties in case of a charter party.
- Ensure their ships are certified in accordance with ISPS requirements.



- Ship Security Assessment;
- Ship Security Plan;
- Ship Security Alert System;
- Verifications
 - Initial, Intermediate, Renewal, Additional
 - ISSC
- Ship Security Officer;
- RSOs

The ship security assessment is an essential and integral part of the process of developing and updating the ship security plan.

- **Each ship shall carry on board a ship security plan approved by the Administration.**
- **Minimum requirements for the SSP in ISPS A/9.4**







- **INITIAL**
- **INTERMEDIATE**
- **RENEWAL**
- **ADDITIONAL**

International Ship Security Certificate (ISSC)



- **Issue or endorsement of ISSC;**
- **Duration and validity;**
- **Interim certification;**





- **PFSA**
- **PFSP**
- **PFSO**

PORT FACILITY SECURITY ASSESSMENT (PFSA)

- Essential and integral part of the process of developing and updating the PFSP.
- Shall be carried out by the Contracting Government.
- A Contracting Government may authorize a RSO to carry out the PFSA.
- The security assessment shall be reviewed and **approved** for compliance with part A of ISPS Code by the Contracting Government.



**ISPS A/15.5
specifies the
minimum elements
should be included
in the PFSA**



- **Shall be developed on the basis of a port facility security assessment for each port facility;**
- **Shall be approved by the Contracting Government ;**

ISPS A/16.3

Minimum requirements for a PFSP



1. PORT FACILITIES

2. FLAG SHIPS (FSI)

3. FOREIGN FLAG SHIPS (PSC-DAO)

- In port
- Intending to enter the port

A faded background image showing a port facility with yellow gantry cranes and a ship's hull visible in the water.

There is no standard and common control system in place for port facilities. Each Member State has to develop its own control system.

States have the primary responsibility to have in place an adequate and effective system to exercise control over ships entitled to fly their flag, and to ensure that they comply with relevant international rules and regulations in respect of maritime safety, security and protection of the maritime environment.

CONTROL AND COMPLIANCE MEASURES

SOLAS regulation XI-2/9

- Control of ships in port;
- Control of ships intending to enter the port.



- **PSCO – DAO**
- **Control and compliance measures**



The Duly Authorised Officers (DAO) should determine if the vessel is complying with maritime security requirements through observation, asking questions, and reviewing security records.



- **Control of ships intending to enter the port is based on the evaluation of the Pre-arrival security information;**
- **Is carried out by DAO.**
- **Control and compliance measures**



“Member States shall ensure that effective, proportionate and dissuasive sanctions for breaching the provisions of this Regulation are introduced”.

Article 14 of Regulation 725/2004



Aristeidis.Klempetsanis@emsa.europa.eu

 [twitter@emsa_lisbon](https://twitter.com/emsa_lisbon)

 [facebook@emsa.lisbon](https://facebook.com/emsa.lisbon)