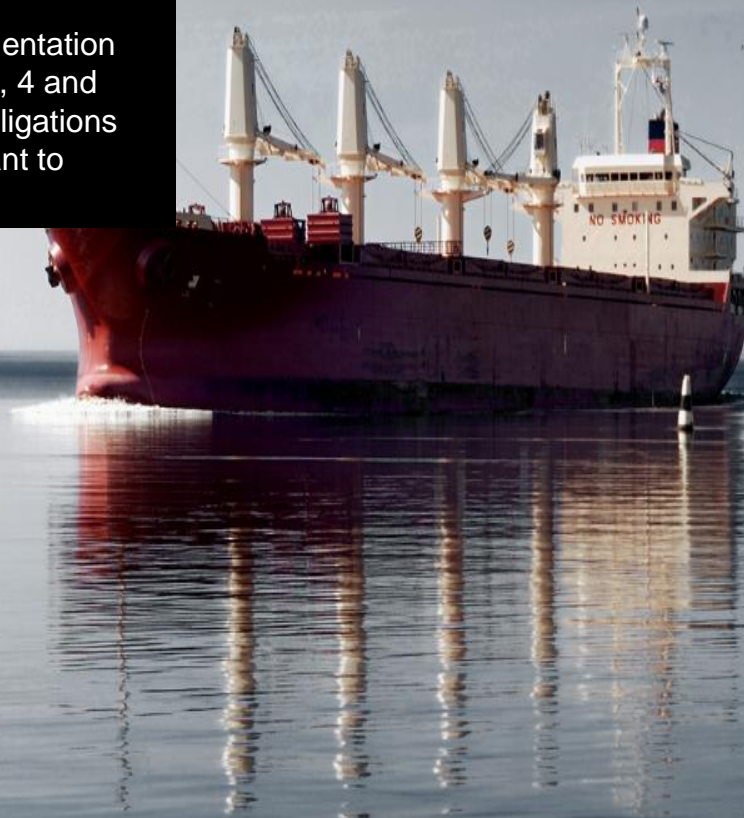


IMO MEMBER STATE AUDIT SCHEME

SAFEMED IV Training on the implementation of the III Code

Resolution A.1070(28)
IMO Instruments Implementation
Code (III Code) - Parts 3, 4 and
Non-exhaustive list of obligations
under instruments relevant to
the III Code



Contents

- Part 3 Coastal States
- Part 4 Port States
- Non-exhaustive list of obligations under instruments relevant to the III Code [Resolution A.1121\(30\)](#)

Part 3: Coastal States

- Implementation
- Enforcement
- Evaluation and review

Coastal state

What are the requirements?

❖ Implementation

- ✓ Coastal States have certain rights and obligations under various mandatory IMO instruments. When exercising their rights under the instruments coastal States incur additional obligations.
- ✓ In order to effectively meet their obligations, coastal States should:
 - implement policies and guidance which will assist in the implementation and enforcement of their obligations; and
 - assign responsibilities within their Administration to update and revise any relevant policies adopted, as necessary.

Coastal state

What are the requirements?

❖ Enforcement

- Coastal States should take all necessary measures to ensure their observance of international rules when exercising their rights and fulfilling their obligations.

- A coastal State should consider developing and implementing a control and monitoring programme, as appropriate, in order to:
 - provide for the allocation of statistical data so that trend analyses can be conducted to identify problem areas;
 - provide for timely response to pollution incidents in its waters; and
 - co-operate with flag States and/or port States, as appropriate, in investigations of maritime casualties.

Coastal state

What are the requirements?

❖ **Evaluation and Review**

- ✓ Coastal States should periodically evaluate their performance in respect of exercising their rights and meeting their obligations under mandatory IMO instruments.

Coastal state

General principle

What needs to be done?

1. Legislation/guidance
2. Policies
3. Responsible party
4. Resources
5. Implementation

Coastal state obligations

- What are the obligations?
 - radiocommunication services
 - meteorological services
 - search and rescue services
 - hydrographic services
 - ships' routing
 - ship reporting systems
 - vessel traffic services
 - aids to navigation

Coastal state obligations

- **Res. A.1121(30) 2017 Non-exhaustive list of obligations, Annex 3**

❖ Obligations of Contracting Governments/Parties (I)

– SOLAS

- ✓ Reg IV/5 Provision of radiocommunication services and communication of information on such provision
- ✓ Reg IV/5 - 1 Global maritime distress and safety system identities – ensuring suitable arrangements
- ✓ Reg. V/5 - Meteorological services and warnings
- ✓ Reg. V/6 - Ice Patrol Service
- ✓ Reg. V/10 - Ships' routing
- ✓ Reg. V/11 - Ship reporting systems

Coastal state obligations

- **Res. A.1121(30) 2017 Non-exhaustive list of obligations, Annex 3**

❖ Obligations of Contracting Governments/Parties (II)

– SOLAS

- ✓ Reg. V/12 - Vessel traffic services
- ✓ Reg. V/13 - Establishment and operation of aids to navigation
- ✓ Reg. V/31.2 - Danger messages – bring to the knowledge of those concerned and communicate to other interested Governments
- ✓ Reg. V/33.1-1 - Distress situations: obligations and procedures – co-ordination and co-operation
- ✓ Reg. VI/1.2 - Appropriate information on safe carriage of cargoes
- ✓ Reg. VII/2.4 - Issue of instructions on emergency response, etc.
- ✓ Reg. VII/7-1 - Issue of instructions on emergency response, etc.

Coastal state obligations

- **Res. A.1121(30) 2017 Non-exhaustive list of obligations, Annex 3**

❖ Specific Coastal State Obligations (I)

– SOLAS

Reg. V/4 - Navigation warnings

Reg. V/7.1 - Search and rescue services – necessary arrangements

Reg. V/7.2 - Search and rescue services – information to IMO

Reg. V/8 - Life-saving signals

Reg. V/9 - Hydrographic services

Reg. VII/6.1 and 7-4.1 - Reporting of incidents involving dangerous goods

Coastal state obligations

- **Res. A.1121(30) 2017 Non-exhaustive list of obligations, Annex 3**

❖ Specific Coastal State Obligations (II)

– **MARPOL**

✓ Annex I

- Reg. 4.3 - Exceptions – discharge of substances containing oil for the purpose of combating pollution incidents

✓ Annex II

- Reg. 3.1.3 - Exceptions – approval of discharge of NLS for the purpose of combating pollution incidents
- Reg. 13.2.3 - Control of discharges of residues of NLS – agreement and communication to IMO

Part 4: Port States

- Implementation
- Enforcement
- Evaluation and review

Implementation: para 52 - 56

- Port States have certain rights and obligations. When exercising their rights additional obligations are incurred
- The role and responsibilities of a port State derive from a combination of international treaties, conventions, national laws, as well as in some instances, bilateral and multilateral agreements

Implementation: para 52 – 56 (cont.)

- Rights, obligations and responsibilities may include, inter alia:
 - provision of appropriate reception facilities or capability to accept all waste streams regulated under the instruments of the Organization
 - port State control
 - keeping a register of fuel oil suppliers

Enforcement: para 57 - 62

- Take all necessary measures to ensure their observance of international rules when exercising their rights and fulfilling their obligations
- No-more favourable treatment clause
- Establish processes to administer a port State control programme

Enforcement (cont.): para 57 - 62

- Only use authorized and qualified Port State Control officers
- No commercial interest
- [Resolution A.1119\(30\)](#) – Procedures for Port State Control, 2017

Evaluation and Review: para 63

Evaluation of performance should be conducted on a periodic basis

- This will facilitate identification of:
 - weaknesses and strengths; and
 - ensure continued implementation of improvements where necessary

Supporting reference document

- [Resolution A.1121\(30\)](#) - 2017 Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code (to be kept under review):

Annex 1:	OBLIGATIONS OF CONTRACTING GOVERNMENTS/PARTIES
Annex 2:	SPECIFIC FLAG STATE OBLIGATIONS
Annex 3:	SPECIFIC COASTAL STATE OBLIGATIONS
Annex 4:	SPECIFIC PORT STATE OBLIGATIONS
Annex 5:	INSTRUMENTS MADE MANDATORY UNDER IMO CONVENTIONS
Annex 6:	SUMMARY OF AMENDMENTS TO MANDATORY INSTRUMENTS REFLECTED IN THE NON-EXHAUSTIVE LIST OF OBLIGATIONS (ANNEXES 1 TO 4)
Annex 7:	AMENDMENTS TO IMO INSTRUMENTS EXPECTED TO BE ACCEPTED AND TO ENTER INTO FORCE BETWEEN 1 JANUARY 2018 AND 1 JULY 2018

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