

# EUROPEAN MARITIME SAFETY AGENCY

Preparatory training session for IMSAS  
Background for IMSAS

Department 1 Sustainability and Technical Assistance  
Unit 1.3 Capacity Building

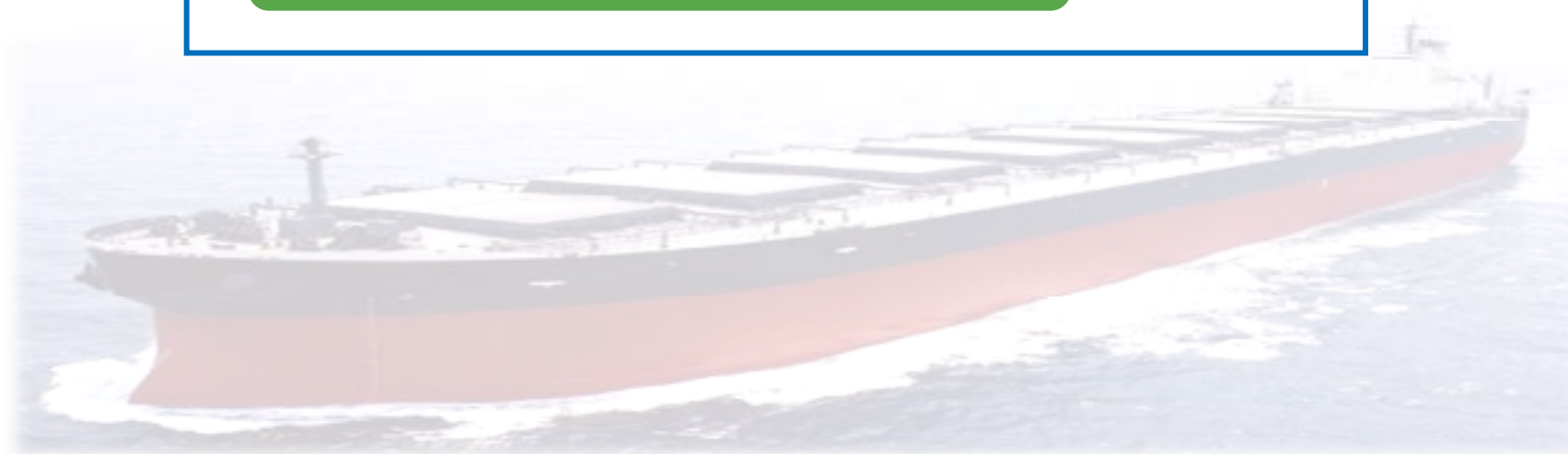
# Content of the presentation



IMO role in monitoring

From VIMSAS to IMSAS

Reference documents to IMSAS



IMO



has the responsibility to develop technical safety, security and pollution prevention standards related to maritime transport

GOVs



have the duty to implement and enforce these standards

# Actors and IMO role in monitoring



The IMO Convention **does not contain any provision** that gives the Organization an enforcement and compliance monitoring role

With the drive for greater transparency and accountability, it has often been said that IMO **needs teeth to ensure compliance**

How to achieve that **emerged gradually**



# IMO role in monitoring



## Main questions

How IMO standards, are implemented and enforced by Member States?

(in the absence of enforcement powers)

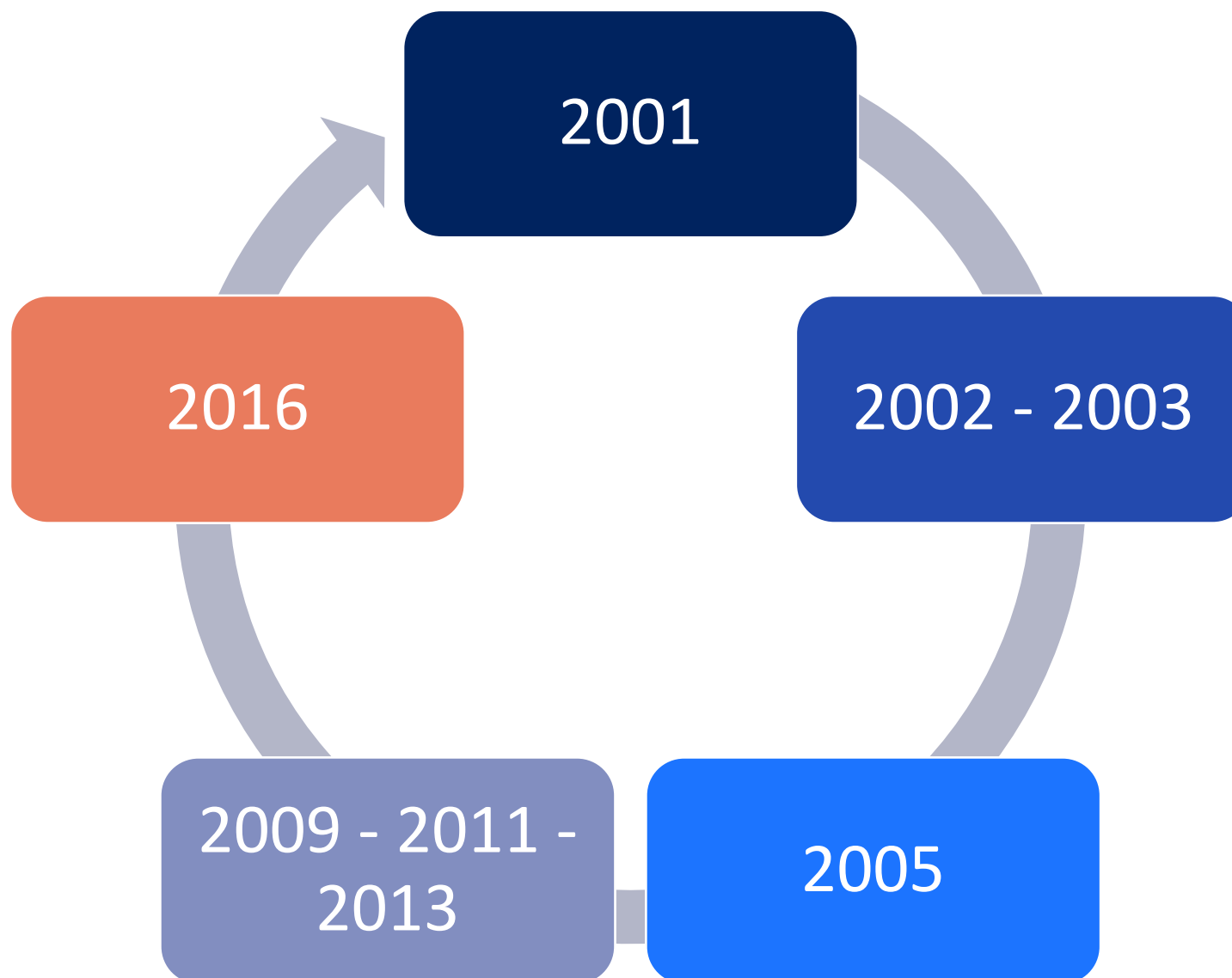
## The Gap

(No authoritative methodology in place )

First step: The FSI Sub-Committee ( “III” called today) as the way forward

The Goal: Review of implementation & enforcement issues by Member States

# Time Line of development



## SELF-ASSESSMENT OF FLAG STATE PERFORMANCE RESOLUTION A.912 (22) - 29 November 2001



**Provides** constructive and positive process for self-evaluation  
**Uniform** basis through the use of an agreed questionnaire including criteria and performance indicators



**Serves** to assist the State to obtain a clear picture of how it implements convention requirements based on agreed criteria  
**Enables** the State to determine its deficiencies and take positive steps to rectify them





## Member States

In 2002 Member States proposed to:

- FSI Sub-Committee to review resolution A.847(20) – Guidelines on Implementation of Mandatory instruments to make it a Flag State Code;
- The Council to develop an IMO Model Audit Scheme

## The Assembly

In November 2003, the Assembly adopted

- Resolution A.946(23) – the Voluntary IMO Member State Audit Scheme (VIMSAS)



The Assembly, at its 24<sup>th</sup> regular session in November/December 2005, adopted two Resolutions:

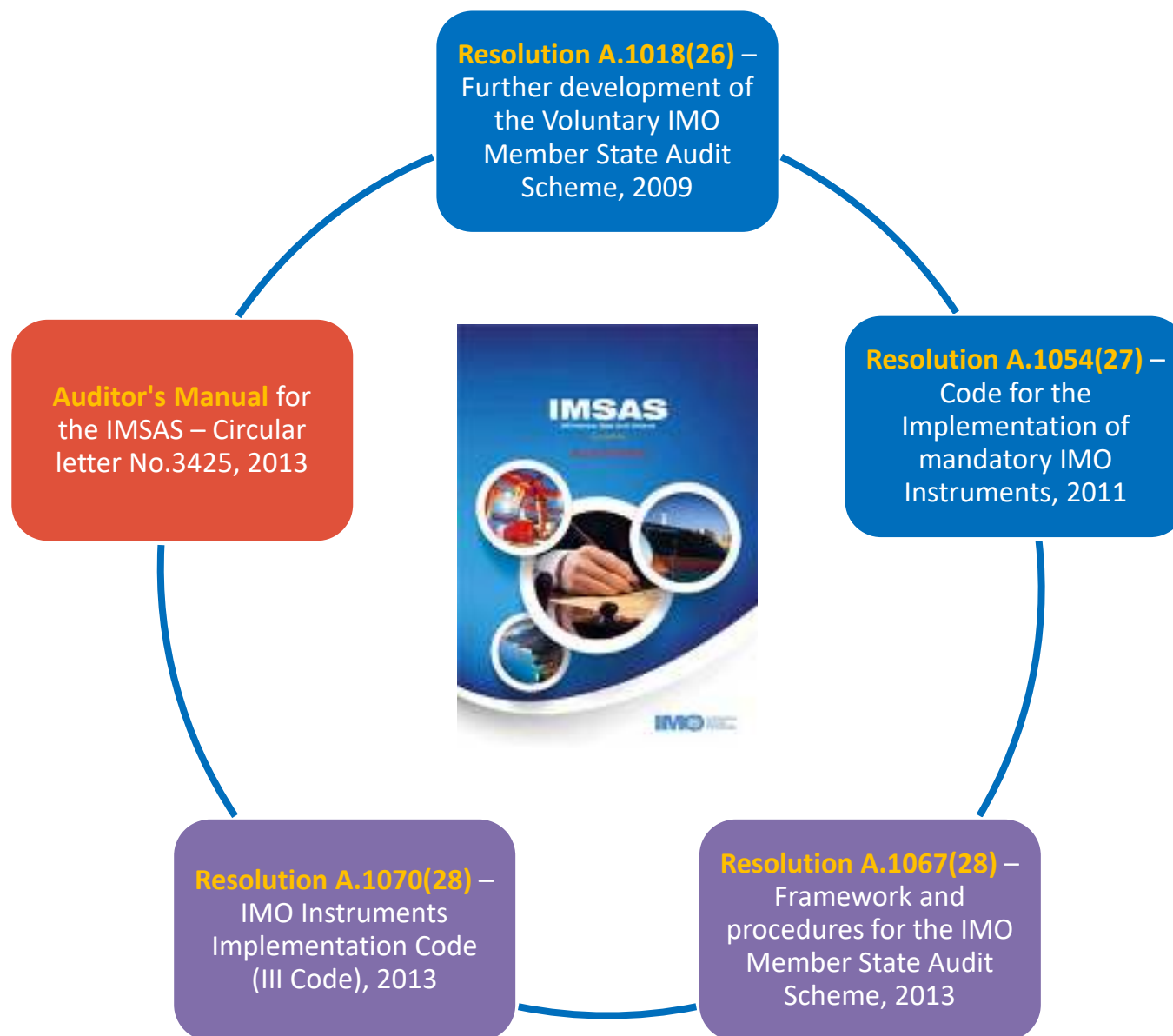


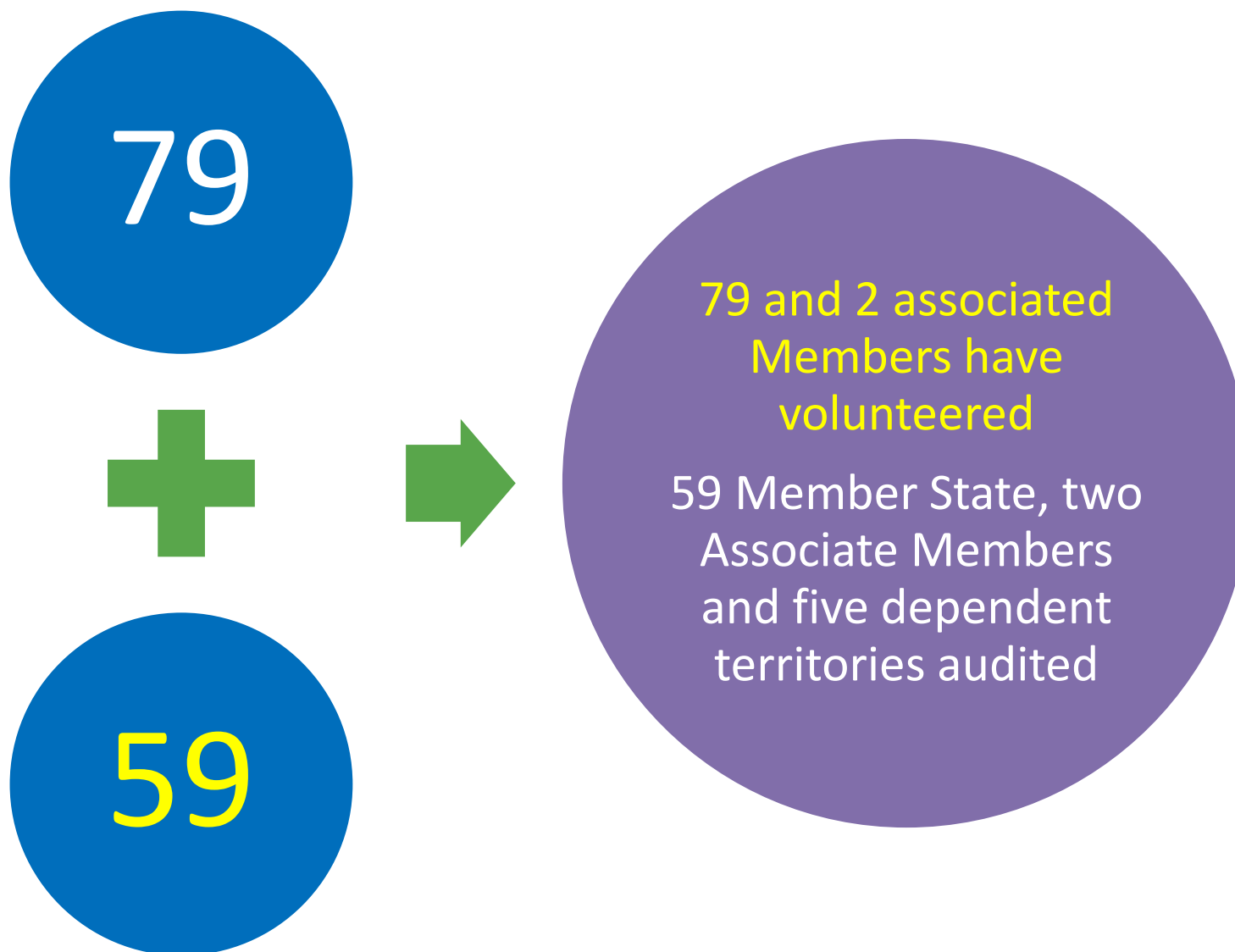
Resolution A.973(24) – Code for the implementation of mandatory IMO instruments;  
(the Audit Standard – revised several times thereafter);



Resolution A.974(24) – Framework and Procedures for the Voluntary IMO Member State Audit Scheme

# IMO role in monitoring – from VIMSAS to IMSAS





Resolution  
A.1067(28)  
4 December  
2013

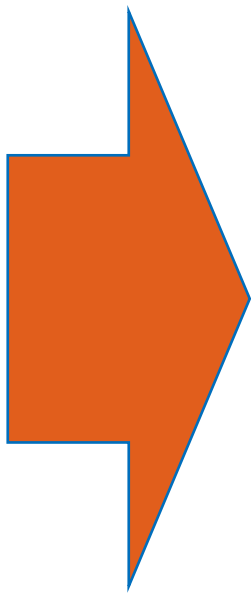
All audits after 28<sup>th</sup> session of the  
Assembly carried out:

Transition  
from the  
Voluntary IMO  
Member State  
Audit Scheme  
to the IMO  
Member State  
Audit Scheme

In accordance with the Framework and the  
Procedures Resolution A.1067(28)

Using the III Code as the audit standard  
Resolution A.1070(28)

On 1 January 2016 the IMO Member State Audit Scheme  
**STARTS**



Resolution A.1067(28) Framework and Procedures for the IMO Member State Audit Scheme

Resolution A.1070(28) IMO Instrument Implementation (III) Code (the **Audit Standard**)

Resolutions A.1083 (28), A.1084 (28), A.1085 (28), MSC. 366 (93), MSC. 373 (93), MSC. 374 (93), MEPC. 246 (66) and MEPC. 247 (66) All “should” in III Code to be read as “shall” except for paragraphs from 29 to 32

## Amendments to:

SOLAS 1974	Resolution MSC.366(93)
MARPOL	Resolution MEPC.246(66) – annexes I - V
	Resolution MEPC.247(66) – annex VI
STCW 1978	Resolution MSC.373(93)
	[Resolution MSC.374(93) - STCW Code]
LL 66	Resolution A.1083(28)
LL PROT 1988	Resolution MSC.375(93)
Tonnage 1969	Resolution A.1084(28)
COLREG 1972	Resolution A.1085(28)

Majority of amendments entered into force in January 2016 and amendments to LL 1966 has been met under the unanimous acceptance procedure and the amendments entered into force on 28 February 2018

This completes the basis for the conduct of mandatory audits under all nine instruments included in the scope of the Scheme making the auditing of Member States using the III Code mandatory

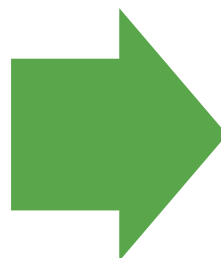
## Resolution A.1141(31)

### Non-exhaustive list of obligations under instruments relevant to the IMO Instruments Implementation Code:

Annex 1:	<u>GENERAL</u> OBLIGATIONS OF CONTRACTING GOVERNMENTS/PARTIES
Annex 2:	<u>SPECIFIC</u> FLAG STATE OBLIGATIONS
Annex 3:	<u>SPECIFIC</u> COASTAL STATE OBLIGATIONS
Annex 4:	<u>SPECIFIC</u> 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 <u>(to be continuously updated)</u>



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Members  
have been  
audited  
since 2016



Questions? Thank you



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