



MARITIME SAFETY COMMITTEE
74th session
Agenda item 17

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PIRACY AND ARMED ROBBERY AGAINST SHIPS

“Phantom” Ships

Submitted by Germany, Hong Kong (China), ICC-IMB, ICFTU, IFSMA and ISMA

SUMMARY

Executive summary: This submission proposes mandatory permanent marking of ship’s IMO identification number on the ship side and on one of the main bulkheads in the machinery space of all ships to which Regulation 3 of the annex to the 1974 SOLAS Convention applies in order to enhance ship identification and prevent the ships being used as “Phantom” ships.

Action to be taken: Paragraph 10

Related documents: MSC 73/21, paragraph 14.43

Introduction

1 Hong Kong, China had suggested at MSC 73 that one of the measures which could help in early detection of “Phantom” ships would be marking of the ship’s IMO identification number on the ship side. Several delegates had supported the suggestion. Accordingly co-sponsors of this submission propose that consideration be given to requiring, under the SOLAS Convention, the permanent marking of the ship’s identification number on the ship’s side and on one of the main bulkheads in the machinery space of all ships to which Regulation 3 of the annex to the 1974 SOLAS Convention applies.

Background

2 A major difficulty encountered in investigations relating to “Phantom” ships is temporary registration based on false documentation. As a result the ship can be registered under several names with different particulars. Such phantom identity provides the alleged owners of such ships with a tool to commit theft of cargoes and related crimes, and offers them protection during any subsequent legal proceedings. Positively identifying a “Phantom” ship, which does not carry a permanent identity, becomes extremely difficult.

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The proposal

3 It is therefore proposed that Regulation 3.3 of Chapter XI (Special measures to enhance maritime safety) of the annex to the 1974 SOLAS Convention be amended by the addition of the following provision at the end:

“In addition, it shall be permanently marked, by cut of at least 5 mm plate and welded on the shell or bulkhead in Arabic numerals:-

- .1 on the shipside at the stern either below or above the ship’s name, of height of not less than 30 centimetres; and
- .2 in a prominent visible and accessible location on one of the main bulkheads in the machinery space as defined in Chapter II-1, of height not less than 10 centimetres.

4 It is further proposed that a new paragraph *3bis* to be inserted to read: “The Arabic numerals shall be preceded by the words “IMO No.” which shall be similarly cut-in and shall be of the same size as the identification number. The marking shall be painted on the ship’s side in white or yellow on a dark ground or in black on a light ground.

Suggested follow-up action on suspicion of false documentation or marking

5 As the ship’s identification number never changes from its construction until its demolition, the true identity of the ship can be easily established by contacting the purported flag State of the ship. Permanent cutting in of the marking on the ship’s side and on the bulkhead in the machinery space will make it more difficult for any one to falsify its identification number. Details of the ship matching the IMO Number can be readily obtained from the “Register of Ships” published by the Lloyd’s Register. Details relating to ownership and flag can be further checked on the EQUASIS website¹. Port State Control Officers (PSCOs) should be encouraged to positively check the IMO Number cut-in at the stern, and when in doubt, also in the machinery space. If the name, flag or other details shown on the ship’s documents do not match with the details in the Lloyd’s Register and/or EQUASIS, the PSCOs should be encouraged to verify the registration details with the flag State. In case of doubt, the PSCOs should be encouraged to report the matter to ICC International Maritime Bureau (IMB) for further investigation. If this proposal is accepted, a MSC Circular should be issued to promulgate this advice. Consideration may also be given to recommending permanent marking of the identification numbers as proposed in paragraphs 3 and 4 above on a voluntary basis in advance of the SOLAS amendments by means of the MSC Circular.

6 If the cutting in of the identification numbers is checked by PSCOs frequently enough, any change in the marking for fraudulent means would become readily apparent as any recent change would stand out. It is IMB’s experience that perpetrators of such fraud usually do a very shoddy job when they change the name or markings on the ship side. More often than not they merely paint the new name or identification over the existing one. A close inspection would readily reveal the original marking made below the fresh paint.

¹ www.equasis.org

Compelling need

7 Piracy and armed robbery incidents continue to increase in spite of all the measures so far introduced by the IMO. There is clearly a need to do more. The permanent marking of the IMO Number on the ship's side and in the machinery space will go a long way in assisting the identification of "Phantom" ships.

Cost benefit analysis

8 The cost of cutting in the IMO identification number on the ship's side and on the bulkhead in the machinery space will range from about US\$1,000 to US\$5,000, depending upon the port where the work is carried out. The cost is less when it is carried out during the routine dry-docking of the ship. The cost involved therefore is marginal when compared with the benefit that is likely to accrue.

Associated legislative and administrative burden

9 It is suggested that the proposed amendment is brought into force along with the bundle of SOLAS amendments that are likely to be developed for entering into force in the 4 yearly cycle due on 1 July 2006. This will allow about 4 years (see paragraph 10 below) for the ship owners to arrange for the work to be carried out in a cost effective manner and in good time. This would be a relatively simple amendment required be made in the legislation of the parties to SOLAS Convention. Implementation verification can be easily carried out during one of the annual safety surveys or by arranging a special visit by an official authorized by the flag State.

Priority and target completion date

10 It is recommended that this item be given high priority with target completion date of 2002 to ensure sufficient advance notice to the shipping industry before the requirement becomes mandatory in July 2006. As it is relatively a simple amendment, the consideration should require no more than one session of the Committee.

Action requested of the Committee

11 The Committee is invited to consider the amendments proposed in paragraphs 3 and 4 and further suggestions made in respect of a MSC Circular in paragraph 5 above and decide as appropriate.
