

**Organization for Security and Co-operation in Europe**  
**Sixteenth OSCE Economic and Environmental Forum – Part 2**  
**“Maritime and inland waterways co-operation in the OSCE area:  
Increasing security and protecting the environment”**  
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ENGLISH only

OPENING STATEMENT BY MR. G. LIBRANDO, INTERNATIONAL MARITIME ORGANIZATION (IMO)

Good afternoon Excellencies, ladies and gentlemen,

I am Gaetano Librando, Head of the Treaties and Rules Section at the International Maritime Organization (IMO). It is a pleasure, and honour for me, to represent the Organization at this important Forum. I am particularly pleased also because this is my first visit to Prague, one of the most beautiful cities in Europe, protected by UNESCO as World Heritage Site.

I trust most of you know IMO, nevertheless, allow me a short reminder. IMO is the United Nations specialized agency competent to regulate matters regarding the safety and security of navigation, the prevention of marine pollution from ships and the legal matters relating thereto. The Organization's mission statement is "Safe, Secure and Efficient Shipping on Clean Oceans". Established by a UN Convention adopted in Geneva in 1948, today IMO has 167 Member States; three Associate Members and a host of intergovernmental and non-governmental organizations also participate actively in its work.

Broadly speaking, IMO's measures fall into three categories. In the first place, there are those aimed at preventing accidents, casualties and environmental damage from ships. The second category comprises measures that recognize that accidents do happen, despite the best efforts of all concerned, and try to mitigate their negative effects. Rules on oil spill clean-up, response and co-operation fall into this category. The final group is concerned with the aftermath of accidents and, in particular, with establishing mechanisms to ensure that those who have suffered the consequences of an accident - for example, the victims of pollution incidents - are compensated adequately and expeditiously.

I understand that the main focus of this Forum is enhancing security and protecting the environment, with particular reference to the need for co-operation. IMO falls squarely within these topics, since it has acquired a great deal of experience in creating the international

regulatory framework which encompasses both maritime security and environmental protection. It is therefore appropriate to talk about some of the measures taken in this respect and of possible co-operation between the two Organizations.

The fifty treaties adopted under the auspices of IMO govern every facet of the shipping operations and industry and the vast majority of them is now in force and widely accepted. However, their implementation and enforcement depends on Governments, through their national maritime laws, and therefore at every stage, during and after the adoption of the regulatory framework, IMO needs partners and champions. This is where OSCE could come into play in a critical fashion.

Coming to the two key issues on the agenda, the tragic events of 11 September 2001 in the United States were the catalyst for the shipping community to undertake a comprehensive review of the existing security measures. IMO was the logical place for this review to be carried out.

Just over a year of intense work led, in 2002, to the adoption of amendments to the 1974 Safety of Life at Sea Convention (SOLAS). These amendments produced sweeping changes to the maritime and port security system, among which a landmark decision to require that both ships and port facilities should appoint dedicated and properly trained security officers and have Government-approved security plans in place. At the same time IMO adopted the International Ship and Port Facilities Security Code (ISPS Code), which provides the blueprint for today's maritime security.

In essence, the amendments to the SOLAS Convention and the related ISPS Code took the approach that ensuring the security of ships and port facilities is basically a risk-management activity. To determine what security measures are appropriate, an assessment of the risks must be made in each particular case. The Code provides a standardised framework for evaluating risks. It also establishes a three-tier system for escalating security levels and requires that ship and port security plans set out in detail the measures to put in place for each of those levels. Both, the 2002 SOLAS amendments and the ISPS Code, entered into force on 1 July 2004 and are mandatory for the 158 States parties to the SOLAS Convention.

In order to adequately complement the technical measures with legal measures, in October 2005, a Conference convened by IMO adopted Protocols revising two of the twelve

universal anti-terrorism conventions, namely the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, 1988 (1988 SUA Convention) and the Protocol relating to Fixed Platforms Located on the Continental Shelf, 1988 (1988 SUA Protocol) (the 2005 SUA Protocols). The 2005 SUA Protocol to the 1988 SUA Convention profoundly revises the original Convention by broadening the list of offences. It also introduces provisions for the boarding of ships, where there are reasonable grounds to suspect that the ship, or a person on board the ship is, has been, or is about to be, involved in committing an offence regulated by the Convention.

Turning now to environmental issues, IMO discharges its commitment to protecting the marine environment from pollution at global level along three different, but mutually supporting paths: prevention, preparedness and response, and technical co-operation.

Treaties such as the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the 1978 and 1997 Protocols relating thereto - otherwise known as MARPOL 73/78 and its six Annexes - and the OPRC Convention 1990, which addresses preparedness, response and co-operation for oil pollution incidents, provide the international regulations to limit the introduction of oil and other unwanted pollutants into the marine environment and, where this is not possible, to effectively manage the consequences.

IMO's environmental work in recent years has also covered the prevention of the transport of invasive microscopic aquatic species around the world in ships' ballast water, which is considered by IMO as one of the most serious problems threatening entire ecosystems. To tackle it, the Ballast Water Management Convention was adopted at IMO in 2004.

Other IMO Conventions deal with issues such as the use of harmful anti-fouling paint on ships' hulls, and address the right of States to intervene on the high seas to prevent, mitigate or eliminate danger to their coastlines, or related interests, from pollution, following a maritime casualty.

Ladies and gentlemen, I am aware that the speakers today have been set a strict time limit and I know that the IMO colleagues who have participated in the sessions leading to this Forum have already covered the environmental and security issues. Tomorrow I will address more in detail the treaties concerning liability and compensation for pollution damage and the status of the IMO's treaties of relevance to the participants in this Forum.

Before concluding, I would like to make some suggestions on possible areas of co-operation between the two Organizations:

- Conclude an Agreement of Co-operation with IMO, in order to be able to participate in mutual meetings and to better co-ordinate the efforts within the framework of the missions assigned to each Organization;
- Sensitize OSCE's political decision makers to the importance of the early ratification and/or proper implementation of the IMO treaty instruments relating to the protection of the marine environment, particularly the 2001 Anti-fouling Convention and the 2004 Ballast Water Convention, and to prevent and combat maritime terrorism, i.e. the 2002 SOLAS Amendments, the ISPS Code and the 2005 SUA Convention and Protocol;
- Co-fund on-ground training initiatives on capacity building in port and ship management, including contingency planning - some IMO Integrated Technical Co-operation Program funds are already earmarked for activities in the CIS/Eastern Europe region;
- Link into and benefit from the Globallast partnership program by facilitating the attendance of training events;
- Support the establishment of regional oil spill and HNS spill response arrangements, particularly in all semi-enclosed or closed seas in the OSCE area; and
- Use the OSCE network of field presences to deliver IMO messages and programmes.

I hope I have provided some food for thought and, also on behalf of the Secretary-General, I wish you every success with your future endeavours in increasing security and protecting the environment.

Thank you for your attention.

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