FACILITATION ASPECTS OF IMO FORMS AND CERTIFICATES

Report of the Correspondence Group on Electronic Access to Certificates and Documents

Submitted by the International Chamber of Shipping (ICS)

SUMMARY	
Executive summary:	This document provides the report of the Correspondence Group on Electronic Access to Certificates and Documents established at FAL 33
Action to be taken:	Paragraph 29
Related documents:	FAL 32/15, FAL 33/11/1, FAL.2/Circ.87-MEPC/Circ.426-MSC/Circ.1151

1 Following a proposal that the validation and examination of many mandatory certificates and documents required to be carried on board ships could be better achieved through online access to the databases of the issuing administrations (FAL 32/15 submitted by ICS), the Committee, at its thirty-third session, established the Correspondence Group on Electronic Access to Certificates and Documents, with the following terms of reference:

> ".1 identify which certificates might be appropriate for inclusion in online databases;
>
> .2 identify the steps leading to online access to certificates and documents required to be carried on board ships;
>
> .3 explain each step and determine the associated time frames;
>
> .4 comment on the reliability and security of databases on online access to information."

2 The Correspondence Group, co-ordinated by ICS, consisted of the Bahamas, Brazil, Liberia, the Netherlands, Norway, St. Kitts and Nevis, United Kingdom, BIMCO, IACS, Intertanko and IFSMA.

3 The Correspondence Group underlines that this is a very long term proposal which may require major conceptual changes, as well as possibly large capacity building projects, and will therefore not be achieved immediately. However, as the Committee acknowledged in its initial consideration of the proposal, such a project could have a number of benefits, including speeding up validation procedures, increasing security and improving an administration's ability to assess the security risk posed by an individual ship. In addition, it would also help promote the principles of the FAL Convention, by streamlining information requirements and control procedures through the use of modern communications technology. The Correspondence Group therefore hopes that its considerations, summarised below, will help identify the next steps for taking this long term project forward.

4 The Correspondence Group's initial discussions made it clear that the online database proposal could be carried out in a wide variety of ways with very different results. It

was therefore agreed that the Group's starting point should be to identify a number of general principles on which the project might be based. Rather than attempting to detail the individual steps and associated time frames for the project at this stage, the Group therefore focused on drawing up a suggested list of documents that might be appropriate for electronic access (paragraphs 5 and 6) and on highlighting some key points for further consideration by the Committee (paragraphs 7 to 24). The Group also identified some general thoughts on the reliability and security of online databases (paragraphs 25 to 28), as an aid to further discussion.

Certificates appropriate for inclusion in online databases

5 The Group considered which certificates and documents might be appropriate for inclusion in online databases. The original ICS proposal had included a list of possible documents (Annex 1 of FAL 32/15), based upon FAL.2/Circ.87 ('Revised List of Certificates and Documents Required to be Carried on Board Ships', dated 17 December 2004). The Group therefore used the ICS document as its starting point, taking into consideration documents that post-dated the latest IMO list, such as the International Air Pollution Prevention Certificate, which became a mandatory carriage requirement following the entry into force of MARPOL Annex VI in May 2005.

6 To make the list manageable, the Group decided initially to limit its list of appropriate documents to the main mandatory international certificates, relevant to the majority of ships, which are issued by the flag State and which might therefore reasonably be expected to be held electronically. It is to be stressed that other certificates and documents required to be carried on board ships may be appropriate for inclusion as the project develops. However, the Group's short provisional list, which is attached as Annex I of this document, is intended to act as a starting point for getting the project underway, perhaps via a pilot project between flag and port State authorities, and will probably need to be fine-tuned, and possibly added to, at a later date.

Steps leading to online access to certificates and documents required to be carried on board ships

7 The Group considered the next steps for establishing online access to certificates and agreed that it was important to underline that online access would be an alternative to, and not a replacement for, on board verification, and that the originals of documents and certificates required to be carried on board would always take precedence over electronic copies.

8 The Group then considered some of the different options available and the various challenges ahead. However, it soon became apparent that, because such a project would be dependent on a range of factors, the first stage would have to be to determine the project criteria, before any practical steps could be taken. Political commitment to some key principles and to a broad framework were prerequisites. The Group therefore identified a number of fundamental principles that the Committee might wish to consider further.

What information should be provided online?

9 The original proposal was for an electronic copy of the on board certificate to be available online (possibly as a pdf), to allow port State control authorities to verify the relevant information more easily. This would appear to be the most straightforward way of reproducing on board documentation electronically and, for the purposes of verification, would be the closest alternative to checking the on board original.

10 However, there was a concern that electronic copies of actual certificates could easily be open to abuse. An alternative, therefore, might be for the database to be limited to specific pieces of information from the certificates. This option might have the advantage of

avoiding the fraudulent use of certificates, but on the other hand it would involve creating a new set of information, which might require more manpower and could increase the possibility of errors being introduced. In addition, administrations may not feel that this would be an adequate alternative to inspecting the original documents. For the time being, the majority of the Group is therefore inclined towards the concept of pdf copies of certificates as the preferred option.

What form should the database take?

11 The Group considered a number of different possibilities. One option might be to set up an IMO archive for storing pdf versions of certificates. Whenever a new certificate or document is issued to the ship, a digital copy could then be forwarded to the IMO, for uploading into its archive database. However, this might lead to the duplication of information already stored by flag administrations, and there may be concerns about proper control of and responsibility for information, as well as questions about the principle of basing port state control inspections on information not directly received from the issuing administration. It is also likely to have major resource implications for IMO, which would be responsible for maintaining literally hundreds of thousands of certificates.

12 An alternative might be for the information to be accessed directly from the online databases of the separate issuing administrations, perhaps through a page on the IMO website which would link directly to the administrations' databases, similar to the current system for the verification of STCW certificates. As an interim measure for flag states without online databases, there might therefore be an option for users to email the flag state to request an electronic copy of a certificate for validation (although this would slow down the checking process). Or users could connect to a separate IMO database which draws information directly from an administration's database, so that there is a central 'portal' for users to access. Both of these options would mean that administrations would retain responsibility for their own databases, with IMO providing a form of central access. However, these would be much more ambitious projects, given that some administrations do not yet have a database, and there would have to be a whole set of standardised systems and procedures for setting up and maintaining the databases, as well as ensuring standardised appearance and search criteria. Again, these are likely to have resource implications for IMO.

Should the database have other functions?

13 The Group concluded that the form of the database and the type of information it contained would also depend on what the system is to be used for. Should the database be used only as an alternative to on board checking of certificates or should it be designed with other uses in mind, such as collecting statistics? A central storage system could be very useful for other purposes, such as requests for transfer of flag or for checking information in the event of a casualty, but this would not be possible if the database contained only static copies of certificates that could only be searched by ship name and number.

14 The more information that was included in the database, and the wider its functions, the more value it was likely to have for port state control authorities, and therefore the more likely it was to be used.

15 However, it would be important to find the right balance between adding value to the system and developing something manageable. A dedicated system for online verification of certificates would be simpler to achieve, and States may have concerns about jurisdiction and liability issues of extending the proposal to cover additional functions. The Group felt that perhaps the answer should be to select a simpler system initially, but to design it so that it is possible to use it for additional and more ambitious purposes at a future date.

How would the database function?

16 It would also be important to consider whether the system should be manual or automated, in terms of both uploading and accessing the information. An automated system would be easier and quicker to use, and would mean that users could access the information unassisted, but it would be considerably more complicated to set up and would require much higher levels of technology. Some thought could also be given to the use of the single window concept and to using systems and software that are compatible, or even interoperable, with other electronic reporting processes used by administrations.

Who would be responsible for providing, maintaining and updating the information in the database?

17 The Correspondence Group recommended that information should only be stored, uploaded or amended by those who have issued the original documents. However, there would need to be a decision on whether this should be only the issuing administration or, in cases where the issuing of certificates is delegated to Recognized Organizations (ROs), whether this could include entities such as classification societies. At present, administrations do not appear automatically to have access to information on certificates and documents issued on their behalf by ROs, so there may well be a need to establish a standard procedure. Or there may need to be some form of legal arrangement, between an administration and an RO, authorising third party access to certificates held on the database of the RO. In addition, there is the question of who will be responsible for ensuring the information is up to date. Any uploading and amendment functions should presumably be limited solely to parties acting on the behalf of the issuing administration.

How to ensure accuracy of information?

18 The accuracy of the online information will also be essential for the success of such a project. In particular, some thought should be given as to what would happen in cases where the information on the database is not up to date or in case of time delay between issuing new documents and uploading them into the database. Allowing ships to check their own data should help contribute to the accuracy of the information. However, it will be important to ensure that the source of all data is clear, and that there is a proper mechanism for addressing any queries to the relevant flag administration and for resolving any disagreements about the veracity of the information stored online. There will also need to be a clear understanding that the on board documentation takes precedence in cases where the information on the database is not up to date or is in dispute.

Who would have access to the information?

19 This is partly a security issue, but also one of principle. Parties authorised by one flag State will need to have access to the database of another flag State. But should access be limited to port State authorities or is there a need to allow other parties to have access to the information? For example, individual ships should be allowed to check their own information to ensure it is accurate, but what kind of protection would ships have against the misuse of their information? One solution might be the use of different levels of access – perhaps one level to allow the issuing administration to upload information into its own database and another 'read only' level for the State carrying out the verification. It will also need to be clear whether any port State administration with access to the internet will be able to check the records of any relevant flag State database, or whether the flag State should have to issue specific approval for access to its information. Clearly, administrations will wish to have some control over the use of their data, but the system is less likely to be used if it is very restrictive.

Further steps

20 The Correspondence Group also put forward some more general ideas which the Committee might wish to take into account once the key principles for the project have been agreed.

21 For example, the next stages could involve carrying out a status report, to assess any technology needs or capacity building issues to enable administrations to take part in such a system. IT issues would need careful consideration and technical experts need to be included at an early stage. Standardised procedures and systems would need to be developed, and there might be a need for these to be codified in, for example, a Memorandum of Understanding, between individual flag administrations or with IMO.

22 It will also be important to get a clearer understanding of the possible costs involved, before budgets and specifications can be agreed. Some thought could also be given to possible pilot projects, to assess the viability of different options and assess the amount of work (in terms of training, infrastructure provision, data entry etc) involved in a full scale project.

23 The various Conventions covering the documentation and the requirement for its presence on board will also need to be considered, to see whether they need amending. It will also be important to consider any legal obstacles to information sharing.

24 It will also be essential to ensure proper involvement of all relevant parties, including flag states, port state control authorities, classification societies, ship operators and technical experts, as well as considering what kind of external expert advice might be useful. The Correspondence Group therefore recommends that the outcome of the FAL discussions should widely circulated, for example, to port state control MOUs and to IACS.

The reliability and security of databases on online access to information

25 The Group also came up with some general comments about the reliability and security of databases, which the Committee might like to consider, as follows:

26 In many respects, it appears that the physical reliability and security of databases are dependent on resource and infrastructure issues. The Group therefore concluded that the project would need to establish some IT standards. For example, an administration would need good hardware with an adequate storage capacity. To ensure high enough levels of security and reliability, any database would need to use properly licensed software with certain security features, such as firewalls and virus controls.

27 To ensure reliability, there would need to be various safeguards, such as a backup system in the event of power failure, and a commitment to having maintenance easily available, as well as 24 hour access to the system.

28 To ensure security, there would need to be proper access control, using user names and passwords. Locked or ‘read only’ documents should prevent information from being tampered with, as would proper procedures to ensure that information is centrally stored and uploaded only by those authorised by the issuing State. In addition, there could be a system of registering users, so that there is an audit trail to see what information is being accessed and by whom, particularly if information is subsequently used for illegal activities.

Action Requested of the Committee:

29 The Committee is invited to:

.1 note the report of the Correspondence Group;

.2 agree in principle to the provisional list of appropriate certificates attached at Annex 1;

.3 consider the key principles highlighted in the report, with a view to agreeing clear parameters for the electronic access project;

.4 give a commitment to further development of the online proposals.

ANNEX

Provisional list of certificates which might be appropriate for inclusion in online databases

Ship type:	**Document name:**
All ships	International Load Line Certificate
	International Load Line Exemption Certificate
	Minimum Safe Manning Document
	International Oil Pollution Prevention Certificate
	International Sewage Pollution Prevention Certificate
	International Air Pollution Prevention Certificate
	Document of Compliance
	Safety Management Certificate
	International Ship Security Certificate
	Continuous Synopsis Record
Passenger ships	Passenger Ship Safety Certificate / Exemption Certificate
	Special Trade Passenger Ship Safety Certificate
	Special Trade Passenger Ship Space Certificate
Cargo ships	Cargo Ship Safety Construction Certificate
	Cargo Ship Safety Equipment Certificate
	Cargo Ship Safety Radio Certificate
	Cargo Ship Safety Certificate
	Exemption Certificate
	Certificate of Insurance or Other Financial Security in respect of Civil Liabilities for Oil Pollution Damage
Ships Carrying Noxious Liquid Chemicals in Bulk	International Pollution Prevention Certificate for the Carriage of Noxious Liquid Chemicals in Bulk
Any Chemical Tanker (where applicable)	International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (IBC Code)
	Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk (BCH Code)
Any Gas Carrier (where applicable)	International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk (IGC Code)
	Certificate of Fitness for the Carriage of Liquefied Gases in Bulk (GC Code)
High Speed Craft	High Speed Craft Safety Certificate
	Permit to Operate High Speed Craft
Ships Carrying Dangerous Goods	Document of Compliance with the Special Requirements for Ships Carrying Dangerous Goods