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INTERNATIONAL SYMPOSIUM ON THE PACKAGING AND TRANSPORTATION OF RADIOACTIVE MATERIALS (PATRAM 2004)

IMO's Action on Maritime Security

*Opening address by Koji Sekimizu, Director, Maritime Safety Division, on behalf of
the International Maritime Organization (IMO)*

Distinguished participants, ladies and gentlemen:

It is indeed an honour for me to be here at the 2004 International Symposium on the Packaging and Transportation of Radioactive Materials (PATRAM) and speak at the opening of the Symposium on behalf of the International Maritime Organization.

I note that this is the second time that IMO has been associated with symposia organized by PATRAM. As PATRAM is a series of symposia that brings together worldwide experts from the government, industry and research organizations to exchange information on all aspects of packaging and carriage of radioactive materials, its contribution to the development of international rules and regulations governing the carriage of radioactive materials by all modes of transport is well recognized and very much appreciated. The close association and involvement of the International Atomic Energy Agency, the United States Nuclear Regulatory Commission, the European Commission, the World Nuclear Transport Institute and the German Nuclear Society only reinforce my view and provide an international dimension to the development of international regimes dealing with the safe transport of radioactive materials.

The terrorist attacks in the United States drew attention to the vulnerability of all modes of transport, including shipping, around the world and IMO has established new security measures for international shipping. Taking the opportunity of speaking to you today, I would like to briefly explain recent actions taken by IMO on maritime security.

The hijacking of the Italian cruise ship **Achille Lauro**, in October 1985, triggered IMO's involvement in the issue of maritime security. After three years' work, the Organization adopted, in March 1988, the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation, which is known as the SUA Convention. The SUA Convention ensures that appropriate action is taken against persons committing unlawful acts against ships, including the seizure of ships by force, acts of violence against persons on board ships, and the placing of devices on board a ship with the intention of destroying or damaging the ship or causing harm to persons on board the ship.

In November 2001, in the wake of the tragic events of 11 September 2001, the IMO Assembly called for a review of the existing international legal and technical measures to prevent and suppress terrorist acts against ships at sea and in port, and to improve security both on board and ashore. The aim was to reduce risks to passengers, crews, cargoes and port

personnel on board ships and in port areas and to enhance ship and port security and minimize the risk of shipping becoming a target for international terrorism.

After one year of intensive work, a Diplomatic Conference on Maritime Security was held at the IMO Headquarters in London in December 2002. The Conference adopted a number of amendments to the International Convention for the Safety of Life at Sea (SOLAS), 1974 and adopted the International Ship and Port Facility Security Code (ISPS Code).

The objectives of the ISPS Code are mainly to establish an international framework to detect and assess security threats and take preventive measures against security incidents affecting ships or port facilities used in international trade, to establish roles and responsibilities for Governments and authorities and to have appropriate security plans in place.

These objectives will be met through the designation of appropriate officers on each ship, in each port facility and in each shipping company to prepare and to put into effect the security plans that will be approved for each ship and port facility.

Since the ISPS Code came into force on 1 July 2004, we have closely monitored the status of implementation of the requirements of the Code by Contracting Governments to the SOLAS Convention and by the shipping industry.

Reports and information received indicate that the 1 July deadline passed without serious disruptions to seaborne trade and this was welcomed by the maritime community. Naturally some teething problems were reported but we hope that they will be minimal and that common sense will continue to prevail in addressing them. The shipping and port industries have now entered a new era in their joint efforts to protect international trade against the threat of terrorism. Our efforts to maintain vigilance and ensure continued compliance with the ISPS Code will certainly provide an indication of how successful the established security net has been.

I further wish to draw your attention to the current work of the Organization on amendments to the SUA Convention and Protocol. The IMO Legal Committee is currently engaged in an exercise to upgrade the SUA Convention and Protocol in order to ensure its continuing relevance in the light of the events of 9/11. The revision, once complete, will substantially increase the range of offences that will be classified as “unlawful acts”. In addition, States Parties will be given the power to board, search and, if necessary, arrest suspect vessels on the high seas, a measure that will give “teeth” to the Convention by significantly enhancing the law-enforcement capability of States. The Intersessional Working Group of the Legal Committee is making progress in preparing a draft text of amendments to these instruments. The Legal Committee is placing the highest priority on this issue and, depending on the discussion at the next Legal Committee in October, we may be able to arrange a Diplomatic Conference to adopt these amendments next year.

In the context of maritime security, the Organization is working on the development of long-range identification and tracking of ships which, when fully developed, would provide the identity of the ship; its location, in the form of its latitude and longitude; and the time and date of the position to a predetermined information point in the authorities.

As you are perhaps aware, IMO attaches great importance to activities which have a technical co-operation dimension and to the development of the human resource capacity. Noting that the mandatory implementation of the ISPS Code from 1 July 2004 has placed strenuous demands on Member Governments, the Organization placed special emphasis on the delivery of projects related to maritime security. From early 2002 to mid 2004, the Organization has delivered 91 training events, with the participation of 3,480 trainees.

At the IMO Council in June of this year, it expressed concern with regard to keeping shipping lanes of strategic importance and significance safe and open to international maritime traffic and thereby ensuring the uninterrupted flow of traffic therethrough. In this context, the Organization will continue to work, in collaboration with parties concerned, to ensure that the seamless trade by sea progresses unhampered.

Turning to non-security issues, IMO has harmonized, to a great extent, its International Maritime Dangerous Goods Code with the UN Recommendations on the transport of dangerous goods. The relevant provisions of the IAEA Safety standards series have also been incorporated in the new IMDG Code. This has been possible through close co-operation with, amongst others, the UN Committee of Experts and the IAEA. The latest edition of the IMDG Code, which is the 2002 edition, attained mandatory status from 1 January 2004 under the umbrella of the parent convention - SOLAS 1974.

As the relevant provisions of the IAEA Safety standards series ST-1 have been incorporated in the IMDG Code, these have also attained mandatory status. The Code will be updated by IMO every two years to reflect advances in maritime technology, proposals from Member Governments and the relevant decisions of the United Nations Committee of Experts on the transport of dangerous goods and the IAEA.

In order to further strengthen security matters related to the transport of packaged dangerous goods, including class 7 radioactive material, I am pleased to inform you that the Maritime Safety Committee, at its last session held in May of this year, adopted, amongst others, amendments to the IMDG Code which include a new chapter, chapter 1.4, dealing with security provisions on the handling of dangerous goods. These new provisions reinforce the provisions of the ISPS Code and also provide recommendatory general security provisions for companies, ships and port facilities, and for shore-side personnel.

The newly adopted amendments to the Code should enter into force, in mandatory form, from 1 January 2006; however, in order to facilitate the multimodal transport of dangerous goods, Member Governments are encouraged to apply the newly adopted provisions from 1 January 2005, on a voluntary basis.

The International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on board Ships, known as the INF Code, is mandatory under SOLAS 1974 and entered into force on January 2001. This Code, as its name suggests, addresses issues related to the safe transport of packaged irradiated nuclear fuel, plutonium and high-level radioactive wastes carried as cargo, in accordance with class 7 provisions of the IMDG Code. It is important to note that, in addition to compliance with the requirements of the INF Code, the provisions of the IMDG Code shall apply to the carriage of INF material.

Management and training for a ship carrying INF cargo should be to the satisfaction of the Administration, taking into account developments in the Organization. Such a ship shall carry on board a shipboard emergency plan which, if required by other instruments, may be combined into a single plan entitled "Shipboard Marine Emergency Plan".

Mr. Chairman,

It is my view that compliance with all relevant IMO and IAEA provisions would result in a safer, securer, more efficient and pollution free carriage of radioactive material by sea and contribute to the stable transportation of those materials which the modern world require for sustainable economic development and the welfare of the people.

I take this opportunity to wish you a successful and productive symposium and I look forward to meaningful and constructive co-operation between those present and IMO. I thank you for listening to me and I thank the Federal Institute for Materials Research Testing (BAM) and the organizers of PATRAM 2004 for giving me the opportunity to be here and to deliver the opening address.

Thanks you.
