

## ANNEX 29

### RESOLUTION MSC.324(89) (adopted on 20 May 2011)

#### IMPLEMENTATION OF BEST MANAGEMENT PRACTICE GUIDANCE

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING ALSO the provisions of resolution A.1026(26) on Piracy and armed robbery against ships in waters off the coast of Somalia,

RECALLING FURTHER that the Committee, in response to resolution A.1002(25) on Piracy and armed robbery against ships in waters off the coast of Somalia, and the discussions of the issue within the UN Security Council, approved revised recommendations to Governments and guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships<sup>\*</sup>,

NOTING WITH APPRECIATION the development by industry organizations of specific advice in relation to the situation in waters off the coast of Somalia and, in particular, the development and publication of Best Management Practices to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area<sup>\*\*</sup>,

NOTING ALSO that the UN Security Council, through resolution 1950(2010) on the situation in Somalia, welcomed the revision by IMO of its recommendations and guidance on preventing and suppressing piracy and armed robbery against ships; underlined the importance of implementing such recommendations and guidance by all stakeholders, including the shipping industry; and urged States, in collaboration with the shipping and insurance industries, and the IMO, to continue to develop and implement avoidance, evasion and defensive best practices and advisories to take when under attack or when sailing in the waters off the coast of Somalia,

FURTHER NOTING that the UN General Assembly through paragraph 95 of resolution 65/37 on Oceans and the law of the sea, has invited the Assembly to "consider adopting a resolution on commitments to Best Management Practices to avoid, deter or delay acts of piracy",

DESIRING to ensure that shipowners, shipping companies, ship operators, masters and crews take all appropriate and recommended measures to protect their ships and those on board from pirates and armed robbers,

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\* MSC.1/Circ.1333 on Recommendations to Governments for preventing and suppressing piracy and armed robbery against ships, and MSC.1/Circ.1334 on Guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships.

\*\* MSC.1/Circ.1337 on Piracy and armed robbery against ships in waters off the coast of Somalia – Best Management Practices to Deter Piracy off the Coast of Somalia and in the Arabian Sea Area developed by the industry.

RECOGNIZING that it is the responsibility of flag States to ensure that ships entitled to fly their flag implement measures to protect themselves against attacks by pirates,

RECOGNIZING ALSO that measures of avoidance, evasion, deterrence and delay remain the best practices of self-protection against piracy,

RECOGNIZING FURTHER that, *inter alia*, effectively implementing the Best Management Practices significantly decreases the risk of successful pirate attacks,

1. STRONGLY URGES all those concerned to take action to ensure that as a minimum and as recommended in the Best Management Practices:

- (a) ships' masters receive updated information before and during sailing through the defined High Risk Area;
- (b) ships register with the Maritime Security Centre Horn of Africa (MSCHOA) and report to United Kingdom Maritime Trade Operations (UKMTO) Dubai; and
- (c) ships effectively implement all recommended preventive, evasive and defensive measures;

2. INVITES Member States to encourage ships flying their flag to implement the Best Management Practices while sailing in the defined High Risk Area;

3. URGES Member States and non-governmental organizations in consultative status to bring this resolution to the attention of all parties concerned.

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