

4 ALBERT EMBANKMENT
LONDON SE1 7SR
Telephone: +44 (0)20 7735 7611 Fax: +44 (0)20 7587 3210

LEG.1/Circ.10
8 May 2019

RECOMMENDED BEST PRACTICES TO ASSIST IN COMBATING FRAUDULENT REGISTRATION AND FRAUDULENT REGISTRIES OF SHIPS

1 The Legal Committee, at its 106th session (27 to 29 March 2019), received proposals for measures to prevent unlawful practices associated with the fraudulent registration and fraudulent registries of ships. Fraudulent registration practices and related unlawful practices include the registration of vessels without the knowledge or approval of the relevant national maritime administration. Such fraudulent registrations are accomplished through a combination of tactics that may include falsified documentation, seemingly-legitimate registry websites, and shell companies purporting to conduct lawful functions of the cognizant flag State. Other fraudulent registration practices include vessels, formerly entitled to fly the flag of a given State, continuing to fly that flag after its registration has expired or has otherwise been terminated, fraudulent representations made to the International Maritime Organization (IMO) without knowledge of the flag State, and physically or constructively altering vessel identification. Fraudulent registration is often used to conceal illicit activity on board a vessel and undermine United Nations sanctions.

2 The Committee, therefore, recommended the following best practices:

- .1 Flag State Administrations should verify IMO numbers of vessels when receiving an application for registration. The IMO numbers can be verified through the GISIS Ship and Company Particulars module. If the IMO number and ship name do not clearly match, additional investigation should be conducted prior to proceeding to register the vessel. In particular, the receiving flag State should contact the previous flag State to confirm the application information and its intended release from its registry.
- .2 Flag State Administrations should ensure their Continuous Synopsis Record Contact Information in the Contact Points module in GISIS is entered and up to date.
- .3 For vessels required to comply with SOLAS, regulation 5 of SOLAS chapter XI-1 outlines requirements for the Continuous Synopsis Record, which is intended to provide an onboard record of the history of the ship. It is required to be issued by the flag Administration and includes the name of the ship, the ship's IMO number, registered owner and operators, date of registration, date registration ended and other important information. Regulation 5 also outlines the responsibilities of Contracting Administrations in regard to sharing, reviewing and updating the Continuous Synopsis

Record. As a best practice it is recommended that the receiving flag State review and confirm the Continuous Synopsis Record with the current flag State before completing the registration. Relatedly, current flag States are reminded of their duty, under regulation 5.8 of SOLAS chapter XI-1, to transmit to the receiving flag State Administration a copy of the Continuous Synopsis Record covering the period during which the ship was under their jurisdiction, together with any Continuous Synopsis Records previously issued to the ship by other States.

- .4 Prospective flag States should also review the United Nations Security Council Sanctions List Search webpage at: <https://scsanctions.un.org/search/>
- .5 Interested parties should verify the relevant information pertaining to Registries of ships in the Contact Points module in GISIS.
