



ASSEMBLY
21st session
Agenda item 9

A 21/Res.892
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**RESOLUTION A.892(21)
adopted on 25 November 1999**

**UNLAWFUL PRACTICES ASSOCIATED WITH CERTIFICATES
OF COMPETENCY AND ENDORSEMENTS**

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety,

BEING AWARE, through reports from Member Governments, of unlawful practices associated with certificates of competency and endorsements issued in accordance with the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended, which had been found during flag and port State control inspections or on application for recognition of certificates,

RECOGNIZING the potential hazards and the consequences for the safety of life at sea and the protection of the marine environment posed by seafarers with counterfeit, forged or fraudulently obtained certificates and endorsements,

BEING INFORMED of a research study commissioned by the Secretary-General to establish the nature and extent of unlawful practices associated with certificates of competency and endorsements;

DESIRING to promote the objectives and goals of the 1995 amendments to the 1978 STCW Convention, in order to reduce loss of life at sea and pollution of the marine environment,

HAVING CONSIDERED the recommendation made by the Maritime Safety Committee at its seventy-first session,

1. EXPRESSES DEEP CONCERN at the reported incidents of unlawful practices associated with certificates of competency and endorsements identified during flag and port State control inspections or on application for recognition of certificates;
2. ENDORSES the action taken to undertake the research study mentioned above, and invites STCW Parties to provide the Organization with information on any unlawful practices which are brought to their attention;

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3. REMINDS all STCW Parties of their obligations under STCW regulations I/9.4.1 and 9.4.2, and stresses the importance of full co-operation in response to requests for information by other STCW Parties and companies concerning the authenticity and validity of certificates and endorsements;
 4. INVITES STCW Parties which recognize certificates issued by another STCW Party for service on board its ships, whenever they issue an endorsement of recognition with respect to certificates issued under the relevant provisions of the STCW Convention which were in force immediately prior to 1 February 1997 and, when in doubt, to consult with the issuing authority in order to confirm the authenticity and validity of the underlying certificate or endorsement and to show, in clear terms and as a minimum, the functions, capacity and limitations which apply in each particular case, regarding the underlying certificate;
 5. FURTHER INVITES STCW Parties, which issue and endorse certificates of competency in accordance with the relevant provisions of the STCW Convention which were in force immediately prior to 1 February 1997, henceforth to consider including in these endorsements in clear terms the functions, capacity and limitations which apply to the certificate and its endorsement;
 6. URGES STCW Parties to intensify their efforts, and to take all possible steps in accordance with STCW regulation I/5, to investigate cases and prosecute, or assist in the investigation and prosecution of, those found to be knowingly involved in the processing or obtaining of certificates or endorsements using unlawful means, including the holders of such certificates or endorsements;
 7. URGES ALSO STCW Parties to intensify their efforts to eliminate the unlawful practices referred to above, and to expedite the exchange of information between the issuing Party and any other Party which has doubts as to the authenticity or validity of any certificate of competency or endorsement.
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