

ANNEX 1

**PROPOSED PRELIMINARY DRAFT AMENDMENTS TO THE
INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA, 1974**

CHAPTER XI-2

SPECIAL MEASURES TO ENHANCE MARITIME SECURITY

1 The following new regulation [XX] is added after existing regulation [XY]:

“Regulation [XX]

Long-range identification and tracking (LRIT) of ships

1 All ships, except those specified in paragraph 2, shall be fitted with ~~{means}~~ a **system** to automatically transmit information to enable, subject to the provisions of paragraph 5, the identification and tracking of the ship by Contracting Governments, as follows:

- .1 ships constructed on or after [DD MM YY];
- .2 ships constructed before [DD MM YY] and certified for operations in Sea Areas A1 and A2, as defined in regulation IV/2.1.12 and IV/2.1.13, not later than the first survey of the radio installation after [DD MM YY];
- .3 ships constructed before [DD MM YY], certified for operations in Sea Areas A1, A2 and A3, as defined in regulation IV/2.1.12, IV/2.1.13 and IV/2.1.14, and fitted with an Inmarsat ship earth station, as a part of compliance with the provisions of regulation IV/10, which is capable of automatically transmitting **LRIT** ~~identification and tracking~~ information, not later than [DD MM YY];
- .4 ships constructed before [DD MM YY] and certified for operations in Sea Areas A1, A2 and A3, as defined in regulation IV/2.1.12, IV/2.1.13 and IV/2.1.14, which are not fitted with an Inmarsat ship earth station, as a part of compliance with the provisions of regulation IV/10, not later than the first survey of the radio installation after [DD MM YY]; and
- .5 ships constructed before [DD MM YY] and certified for operations in Sea Areas A1, A2, A3 and A4, as defined in regulation IV/2.1.12, IV/2.1.13, IV/2.1.14 and IV/2.1.15, not later than the first survey of the radio installation after [DD MM YY]. However, these ships shall comply with the provisions of subparagraphs .3 and .4 whilst they operate within Sea Areas A1, A2 and A3 and they do not proceed to Sea Area A4.

2 Ships, irrespective of the date of construction, certified for operations exclusively in Sea Area A1, as defined in regulation IV/2.1.12, shall not be required to comply with the provisions of this regulation.

3 The ~~means~~[system] of transmitting information to enable the identification and tracking of a ship:

- .1 shall be capable of automatically transmitting the identity of the ship, its position (latitude and longitude) and the date and time position (hereafter referred to as LRIT information);
- .2 shall be capable of providing information that is, at a minimum, current within:
 - .1 [4] hours when the ship is [300] nautical miles or more from the ~~coast~~ of a Contracting Government; and
 - .2 [1] hour when the ship is less than [300] miles from the ~~coast~~ of a Contracting Government;
- .3 shall be so designed and constructed to prevent:
 - .1 ~~any form of [unauthorised] intervention leading to~~ the transmission of false or inaccurate information; and
 - .2 the transmission of any information to ~~recipients~~ a receiver other than those ~~[approved]~~ recognized by the Organization;
- ~~.4 shall not transmit the information to any other ships;~~
- ~~.54~~ shall be capable of being switched off on board ~~or otherwise be capable of preventing access:~~
 - .1 where international agreements, rules or standards provide for the protection of navigational information;
 - .2 in cases where operation is considered by the master to compromise the safety or security of the ship. ~~The [means][system] shall have the capability of providing a secure communication to indicate this action.~~ The master shall send a communication to the Administration which shall inform the central data authority and LRIT tracking service; [and]
 - .3 in cases where the Administration considers that the receipt of information by another Contracting Government may compromise the safety or security of the ship or of the Administration. The system should have the capability of providing a secure communication to indicate this action;]
- ~~[.65 shall be capable of indicating on-board the ship that when it malfunctions[-] [The [means][system] shall have the capability of providing a secure communication to indicate that it malfunctions];-~~
- .76 shall ensure that the information transmitted by the ship is protected, during transmission from the ship, from unauthorized access or disclosure;

- .87 shall ensure that the ship does not incur any cost when it is either requested to transmit or is transmitting information for LRIT identification and tracking purposes; ~~and~~
- .98 shall conform to performance standards not inferior to those adopted by the Organization; ~~and~~
- .109 shall be provided with energy from sources that comply with the provisions of regulation IV/13;
- ~~.11 shall be of a type approved by the Administration in accordance with the performance standards adopted by the Organization.~~

4 The communication system and infrastructure used for receiving from ships, storing and disseminating LRIT information, subject to the provisions of paragraph 5, ~~identification and tracking information~~ shall conform to performance standards not inferior to those adopted by the Organization and shall be ~~recognized~~ ~~approved~~ by the Organization.

5 Contracting Governments, subject to the provisions of paragraphs ~~5bis~~, 6 and 7, shall be able to receive LRIT ~~identification and tracking~~ information transmitted by ships as follows:

- .1 the Administration shall be able to receive LRIT ~~identification and tracking~~ information for all ships entitled to fly its flag irrespective where such ships may be located; ~~and~~
- .2 a Contracting Government shall be able to receive LRIT ~~identification and tracking~~ information from all ships, irrespective of the flag such ships are entitled to fly, which have indicated to that Contracting Government an intention to enter a port facility under the jurisdiction of the Contracting Government. Contracting Governments shall specify, and shall communicate to the Organization, either the distance from their coast or the period of time prior to the expected time of arrival of the ship in a port facility under their jurisdiction, during which they require the provision of LRIT ~~identification and tracking~~ information. The Organization shall circulate the communications received for the information of all Contracting Governments; ~~and~~
- .3 in addition to subparagraph .2, a Contracting Government shall be able to receive LRIT ~~identification and tracking~~ information from all ships, irrespective of the flag such ships are entitled to fly, navigating within a distance of [100][200][2,000] nautical miles of its coast.

5bis Administrations shall be able to prevent a named Contracting Government from receiving LRIT information on ships flying their flag even if the Contracting Government is otherwise entitled to receive that information.

- 6 Contracting Governments shall, at all times:
- .1 recognize and respect the commercial confidentiality and sensitivity of any ~~LRIT identification and tracking~~ information they may receive;
 - .2 protect the ~~LRIT identification and tracking~~ information they may receive from unauthorized access or disclosure;
 - .3 use the ~~LRIT identification and tracking~~ information they may receive [solely and exclusively] for the purpose of enhancing their security [or for other purposes recognized by the Organization];
 - .4 use the ~~LRIT identification and tracking~~ information they may receive solely and exclusively for peaceful purposes; and
 - .5 cover all communication cost associated with the provision to them of any ~~LRIT identification and tracking~~ information they have requested to receive and shall ensure that these information ~~are~~ provided to them at no cost, whatsoever, to the ship concerned.

7 ~~The Search and Rescue services of~~ Contracting Governments may seek to receive or may make use of ~~LRIT identification and tracking~~ information they may have received in relation to the rescue of persons in distress at sea.

8 ~~While~~ All reasonable steps shall be taken to ensure ~~to maintain~~ that the [means][system] of transmitting ~~LRIT identification and tracking~~ information is maintained in an efficient working order. However, malfunctions of the ~~LRIT [means][system] of transmitting identification and tracking~~ transmitting equipment shall not be considered as making the ship un-seaworthy or as a reason for delaying the ship in ports where appropriate repair facilities are not readily available, providing that suitable arrangements are made by the master to take into account the inoperative equipment [means][system] in the planning and executing a safe voyage to a port where repairs can take place.”
