

International Mobile Satellite Organization
ASSEMBLY
Twentieth Session
Agenda item _____

ASSEMBLY/20/___/_____
Origin: _____
Date: _____

**PROPOSED RESOLUTION
RELATING TO IMSO PERFORMANCE
OF THE FUNCTIONS AND DUTIES OF
LRIT CO-ORDINATOR**

This is a draft resolution relating to IMSO performance of the functions and duties of LRIT Co-ordinator, taking into account the legal framework necessary to authorize IMSO to perform this role.

The following draft Resolution is presented by the United States of America for the consideration of the Assembly.

DRAFT RESOLUTION

1. Recognizing that, at its eighty-first session in May, 2006, the Maritime Safety Committee (MSC) of the International Maritime Organization (IMO) adopted amendments to the International Convention on the Safety of Life at Sea, 1974, as amended (SOLAS Convention), to implement Long-Range Identification and Tracking of Ships (LRIT) (Resolution MSC.202(81)) and also adopted Performance Standards and Functional Requirements for LRIT (Resolution MSC.210(81)), and further that, in December 2006, the MSC designated IMSO as the LRIT Co-ordinator under the SOLAS Amendments;
2. Noting that, if not objected to by the requisite number of States by 1 July, 2007, the IMO LRIT amendments will come into force on 1 January 2008, for all SOLAS Contracting Governments that do not object by that date, and will be implemented not later than 31 December 2008;

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3. Noting further that the Nineteenth (Extraordinary) Session of the IMSO Assembly decided that the LRIT amendment to the IMSO Convention adopted at the Eighteenth Session of the Assembly should enter into force on the basis of provisional application from 7 March 2007, pending formal entry into force in accordance with Article 18 of the IMSO Convention;

4. Acknowledging that it is the sense of the Assembly that certain administrative requirements should be put in place in order to better clarify the authorities and responsibilities of IMSO in its role as the LRIT Co-ordinator, and to ensure that the Organization shall not charge GMDSS Providers costs associated with LRIT Coordination and shall not charge LRIT contracting entities costs associated with the oversight of GMDSS Providers;

5. Acknowledging also the obligation to preserve the sovereign rights of the Parties to the IMSO Convention, and to ensure that the functions and duties of the LRIT Co-ordinator shall be performed at no cost to the Parties to the IMSO Convention;

The Assembly:

1. Agrees the Organization may perform the functions and duties of LRIT Coordinator in accordance with section 14 of the Annex to Resolution MSC.210(81), Performance Standards and Functional Requirements For The Long-Range Identification and Tracking of Ships, as adopted by the MSC on 19 May, 2006, including:

(a) Assisting in the establishment of the International LRIT Data Centre and International LRIT Data Exchange;

(b) Performing certain administrative functions, including investigating disputes under, making recommendations concerning and participating in testing of the LRIT system; and

(c) Undertaking an audit, verification and review of the performance of the LRIT system.

(2) Determines that in order to perform its LRIT Coordinator functions and duties, including recovery of the costs incurred, the Organization may enter into

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contractual relationships, including LRIT Services Agreements with LRIT Data Centres, LRIT Data Exchanges or other relevant entities, on such terms and conditions as may be negotiated by the Director. All such contractual relationships shall include a provision specifying that no liability will accrue to the Parties of IMSO by reason of IMSO's performance of any duties and functions as LRIT Coordinator. All such contractual relationships shall be approved by the Assembly

(3) Directs the Directorate to keep separate and transparent books of account, based on generally accepted accounting principles (GAAP) reflecting all costs expended and time spent by the Director and staff, for (i) the oversight of current and future GMDSS Providers; and, (ii) the performance of LRIT Coordinator functions and duties. All time spent and costs incurred shall be apportioned between GMDSS Providers and entities with which the Organization has entered into contractual relationships, including LRIT Services Agreements for the performance of LRIT Coordinator functions, in accordance with the separate records of time spent and costs incurred on GMDSS Provider oversight or LRIT Coordinator duties, as the case may be. There may be a further apportionment of costs, if necessary, for: (1) oversight of the provision of GMDSS between GMDSS Providers; and (2) the coordination of LRIT between entities with which the Organization has entered into contractual relationships, including LRIT Services Agreements, for the performance of LRIT Coordinator functions. The Organization shall not charge GMDSS Providers costs associated with LRIT Coordination and shall not charge LRIT contracting entities costs associated with the oversight of GMDSS Providers. All accounts shall be subject to external audits on an annual basis.

(5) Agrees that the Assembly shall, from time to time, consider and review the purposes, general policy and objectives of the Organization in the performance of the Organization's role as LRIT Co-ordinator.

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