

Resolution A.867(20)

*Adopted on 27 November 1997
(Agenda item 9)*

**COMBATING UNSAFE PRACTICES ASSOCIATED WITH THE TRAFFICKING OR
TRANSPORT OF MIGRANTS BY SEA**

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,

RECALLING also the adoption, in 1993, of resolution A.773(18) on enhancement of safety of life at sea by the prevention and suppression of unsafe practices associated with alien smuggling by ships,

NOTING WITH CONCERN incidents involving substandard ships used for the trafficking or transport of migrants, which have reportedly resulted in heavy loss of life,

NOTING FURTHER the recommendation made by the Facilitation Committee at its twenty-fifth session that the Maritime Safety Committee be invited to consider taking appropriate measures in the context of the concern expressed by the Secretary-General in document FAL 25/7/1,

BEING AWARE of the work currently carried out in this field by the United Nations Commission on Crime Prevention and Criminal Justice,

BEARING IN MIND the relevant rights and obligations contained in the International Law of the Sea,

RECOGNIZING the grave danger to life arising from unsafe practices associated with the trafficking or transport of migrants by sea,

BEING OF THE OPINION that Governments should co-operate in taking, as a matter of the highest priority, all necessary action to prevent and suppress any unsafe practices associated with the trafficking or transport of migrants by sea,

1. INVITES Governments to co-operate in the interests of safety of life at sea by increasing their efforts to suppress and prevent unsafe practices associated with the trafficking or transport of migrants by sea and by ensuring that effective and prompt action is taken against such unsafe practices;
2. FURTHER INVITES Governments to develop, as appropriate, agreements and procedures to facilitate co-operation in applying efficient and effective measures to prevent and suppress unsafe practices associated with the trafficking or transport of migrants by sea;
3. ALSO INVITES Governments to co-operate in ensuring that, to the maximum extent possible, information on ships believed to be engaged in unsafe practices associated with the trafficking or transport of migrants by sea is collected and disseminated to the Organization and to all Governments which may be affected by such unsafe practices;
4. ENCOURAGES Governments to apply the provisions of international instruments dealing with the safety of life at sea;

5. REQUESTS Governments to take action as required by international instruments to detain all unsafe ships, including those used for the trafficking or transport of migrants by sea, to report promptly to the Government whose flag such ships are entitled to fly, and to supply to the Organization pertinent information on all incidents concerning unsafe practices associated with the trafficking or transport of migrants by sea which come to their attention;
6. DIRECTS the appropriate IMO bodies to consider, as necessary, the issue of the trafficking or transport of migrants by sea from the safety of life at sea viewpoint, as well as the development of a reporting system for these practices;
7. REQUESTS the Secretary-General to ensure participation by IMO in the preparation of any draft convention or other instrument intended to combat the trafficking or transport of migrants by sea; and to ensure that a report is submitted to the twenty-first session of the Assembly on progress made on this issue;
8. REQUESTS the Secretary-General to bring this resolution, and in due course the outcome of the work of this Organization on the matter, to the attention of the United Nations and other international organizations concerned for information and appropriate action, with the recommendation that an international convention be concluded aiming at combating the trafficking or transport of migrants by sea.