



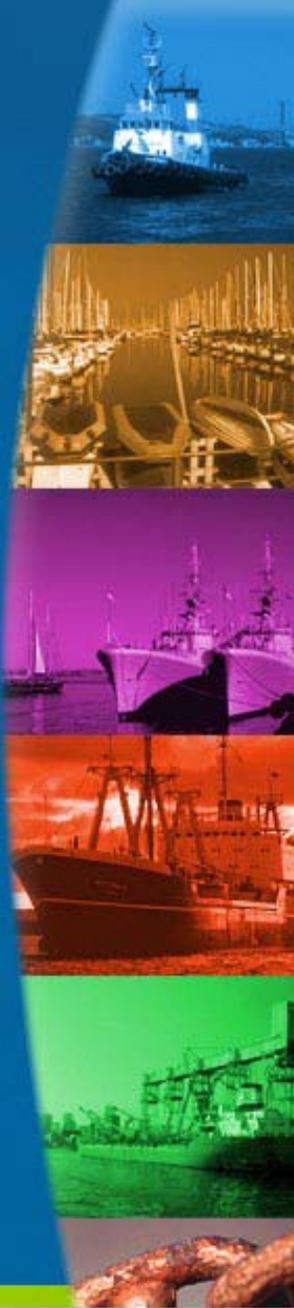
Workshop 1

Policy Issues

SecurePort

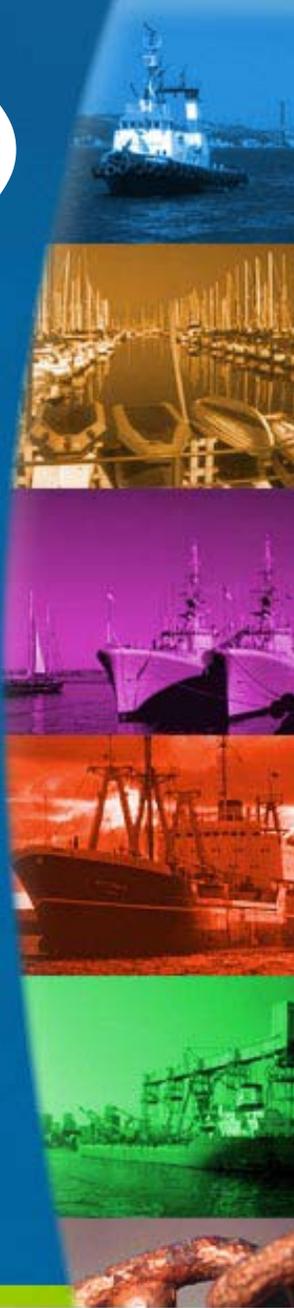
Policy Issues Relating to the ISPS

- Understanding the background and provisions of the ISPS and the role and responsibilities of the various governmental and related authorities in implementing it on a National and local level.



The International Ship and Port Facilities Security (ISPS) Code

- What is the ISPS and how was it developed?
 - The code represents the collaborative work of the International Maritime Organization (IMO) Maritime Safety Committee (MSC) to develop new security criteria for ships and port facilities on a global scale



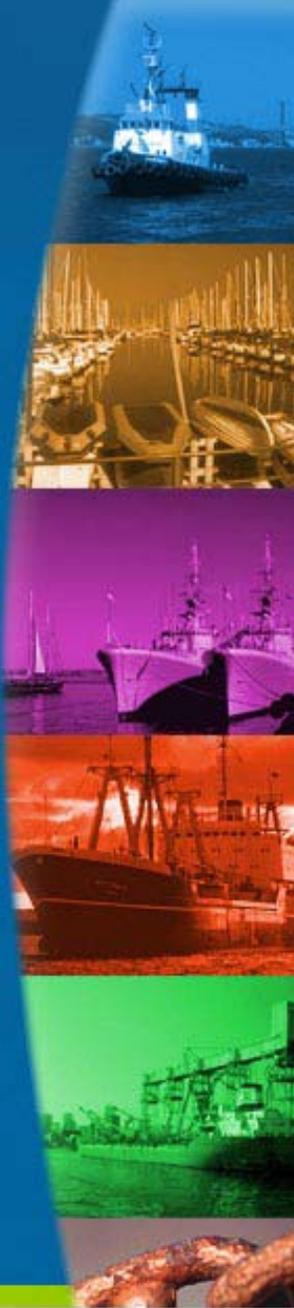
The ISPS Code (cont.)

- Who participated in the development of the code?
 - Between November 2001 and December 2002 various IMO member states cooperated with intergovernmental organizations (IGO) and non governmental organizations (NGO) to produce the code



The ISPS Code (cont.)

- What is the foundation for the code in terms of international cooperation?
 - The 1974 International Convention for the Safety of Life at Sea (SOLAS) section XI-2/1 provides the basis for promulgation and adoption of the ISPS



National Level(s) Authority & Responsibility

- **“Contracting Governments”**—those National governments who are members of the IMO and signatories to the code and related conventions. (ISPS Code, Annex 1, Part A)
- Initiating and sustaining the processes and procedures needed to implement the applicable elements of the code begins and ends squarely with the “contracting” National Governments.
WHY?



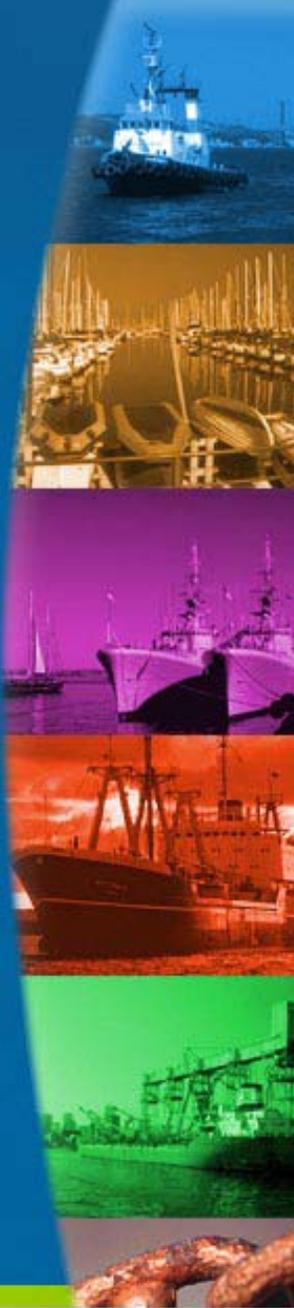
National Level(s) Authority & Responsibility (cont.)

- At what level should these responsibilities rest within the National government?
- What is a “Designated Authority” and what is their role and desirable qualifications as the National Command Authority for the ISPS?



Characteristics of Designated National Command Authority

- Serves as the proxy for the “Contracting Government”—provided for in the Code. (Annex 1, Part B, section 1.7)
- Should be placed—at minimum—in the hands of **a national official whose position, duties and authority will reflect the importance** of this program and the national commitment to comply with the provisions of the Code.



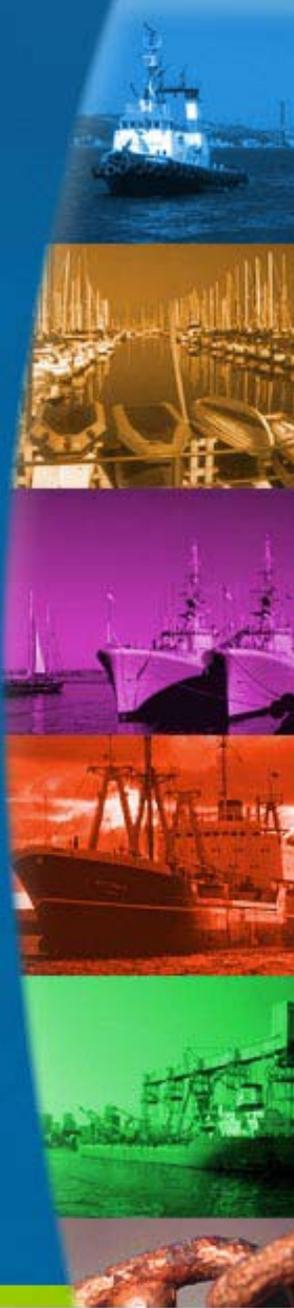
Characteristics of Designated National Command Authority (cont.)

- In considering candidates for the role of Designated Authority it is essential that consideration be given to the **candidate's reputation and experience in security matters with an emphasis on any background, knowledge and understanding of the aspects related to maritime and port facility security operations they possess.**



Characteristics of Designated National Command Authority (cont.)

- **Ministerial level officials from Transportation, Maritime Affairs, Justice or Interior or national maritime security authorities are possible candidates for this position.**
(Annex 1 Part A, sections 1.16, 4 et. seq.)



Evaluation and Approval Responsibilities

- The Contracting Government via its Designated Authority has the responsibility for taking all the necessary steps to comply with the provisions of the Code.



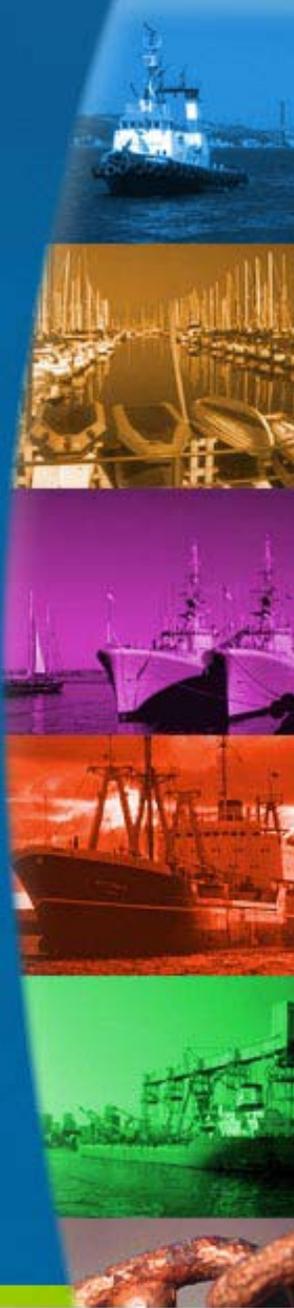
Evaluation and Approval Responsibilities (cont.)

- The Designated Authority must evaluate what actions need to be taken to comply on a national level and to build a framework to do so that involves the cooperation of, “...*Government agencies, local administrations and the shipping and port industries...*”. and to establish roles and responsibilities for those entities to assure maritime security at the national and international level. (Annex 1, Part A, section 1.2)



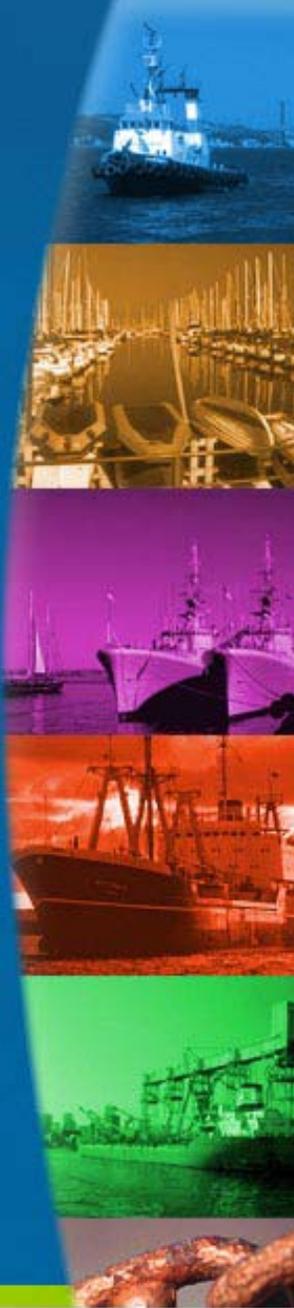
Evaluation and Approval Responsibilities (cont.)

- Evaluating what needs to be done may require the Designated Authority to obtain the assistance and expertise of non governmental groups as well as the private sector. Using “Recognized Security Organizations” to assist with **certain functions.**



Evaluation and Approval Responsibilities (cont.)

- Final decision on accepting and approval of all work with regard to the Code rests with the Contracting Government or its Designated Authority.



Approaching the ISPS Evaluation & Requirements Using the Team Concept

- The unique and dynamic nature of most national port facilities and maritime operations requires that a broad based, multi disciplined and sustained cooperative approach be used to identify the threats, vulnerabilities and corrective steps that need to be taken.



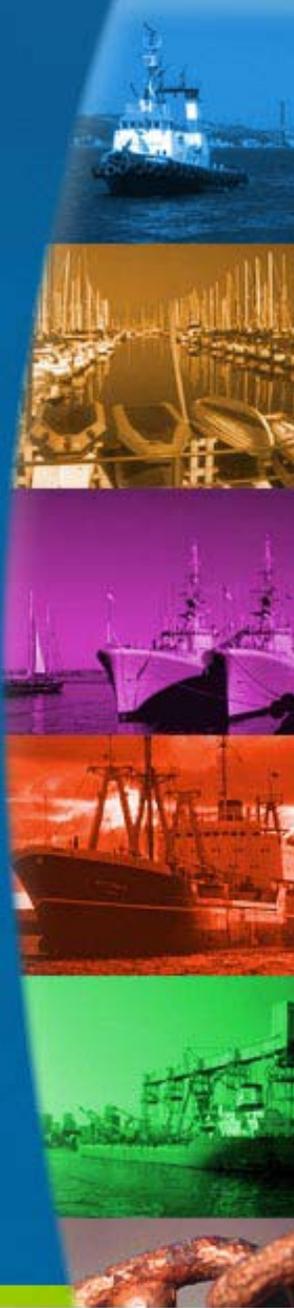
Approaching the ISPS Evaluation & Requirements Using the Team Concept (cont.)

- Groups formed from ship and port facilities operators along with personnel representing cargo interests, passenger operations, port management and other related areas should be considered as participants.



Approaching the ISPS Evaluation & Requirements Using the Team Concept (cont.)

- National and local authorities having port facilities security and regulatory responsibilities must be included in this process along with the groups mentioned above.



Approaching the ISPS Evaluation & Requirements Using the Team Concept (cont.)

- The unique and dynamic nature of most This “team” should undertake a full scope review of existing practices and procedures and be prepared to assess and modify or change them to provide an adequate level of security.



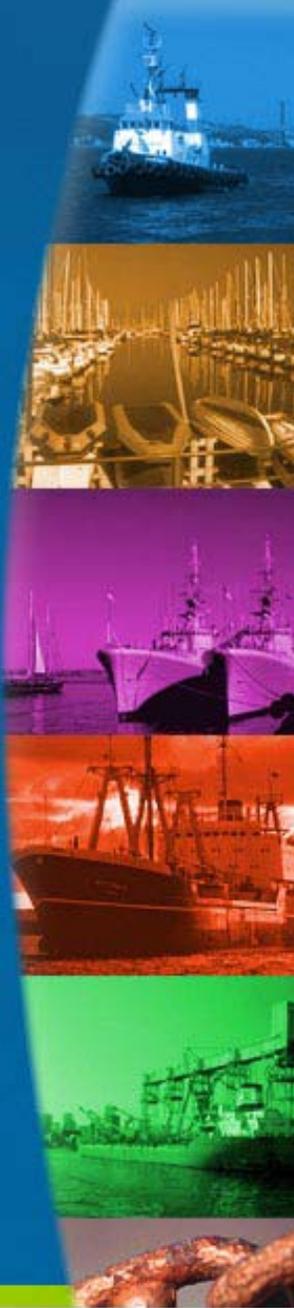
Identifying “Port Facilities” Within the Meaning of the ISPS Code

- **General Definition of a “Port Facility”**—A port within a nation’s territory that serves ships engaged in international voyages. (Annex 1, Part 3, Sections 3.1 et. seq.)
- **Determining and identifying national port facilities is the key first step** in moving forward with complying with the Code and will serve as the basis for the rest of the process.



Identifying “Port Facilities” Within the Meaning of the ISPS Code (cont.)

- The ultimate responsibility for determining and designating national port Facilities rests with the Contracting Government or its Designated Authority.
- In making those determinations the unique and varied maritime commerce profile of the seaports in a nation’s territory must be considered.



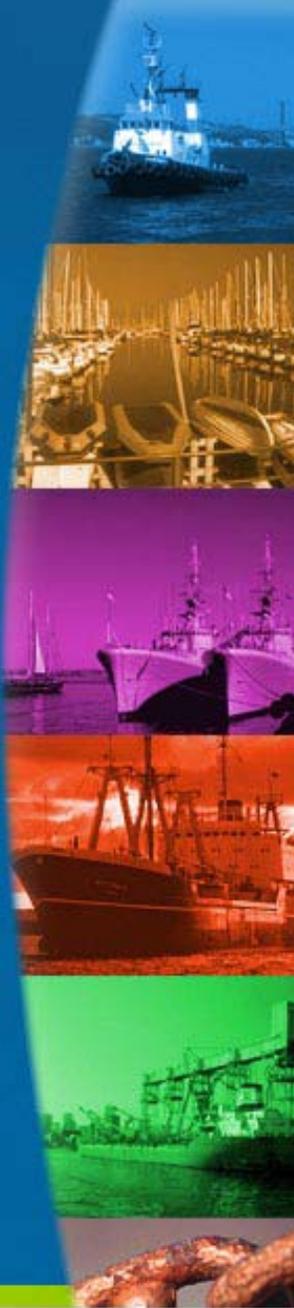
Identifying/Selecting a Port Facility Security Officer

- Next to the national Designated Authority, the role of the Port Facility Security Officers (PFSO) is one of the most critical in complying with the ISPS Code.
- Each Port Facility identified by a nation must have a PFSO and the criteria standards and background for these officers and their duties are clearly in the Code. (Annex 1, Part B, Sections 17.2 through 18)



Identifying/Selecting a Port Facility Security Officer (cont.)

- This official will be the primary security official for each designated port facility in a national territory.
- The overall security assessment of a port facility, the development of the port security plan, its implementation, revision and maintenance are the responsibility of the PFSO.



Identifying/Selecting a Port Facility Security Officer (cont.)

- The PFSO is the day-to-day oversight person and point of contact for issues involving the security at any port facility.

