

No. 8564. CONVENTION ON FACILITATION OF INTERNATIONAL MARITIME TRAFFIC. SIGNED AT LONDON, ON 9 APRIL 1965¹

AMENDMENTS to the annex to the above-mentioned Convention

Adopted at the twenty-second session of the Facilitation Committee of the Organization on 29 April 1993, in conformity with article VII thereof, and set out in the annex to resolution FAL.4 (22) of the Committee to amend the annex to the above-mentioned Convention, as amended. The amendments came into force on 1 September 1994, in accordance with article VII (2) (b) of the Convention.

Authentic texts of the amendments: English and French.

Certified statement was registered by the International Maritime Organization on 21 September 1994.

1 Section 2 - ARRIVAL, STAY AND DEPARTURE OF THE SHIP:

- .1 Recommended Practice 2.3.5 is upgraded to Standard 2.3.5 and amended to read:

"2.3.5 Standard. Public authorities shall allow unmanifested parcels in possession of the master to be omitted from the Cargo Declaration provided that particulars of these parcels are furnished separately.

Note: Particulars of unmanifested parcels should be furnished on a separate form and should include relevant parts of the information normally shown in the Cargo Declaration. The IMO Cargo Declaration form could be used, with the title amended, e.g. to read: "Unmanifested Parcels List"."

- .2 Recommended Practice 2.7.6.1 is amended to read:

"2.7.6.1 Recommended Practice. When a stowaway has inadequate documents, public authorities should, whenever practicable and to an extent compatible with national legislation and security requirements, issue a covering letter with a photograph of the stowaway and any other important information. The letter, authorizing the return of the stowaway either to his country of origin or to the point where the stowaway commenced his journey, as appropriate, by any means of transportation and specifying any other conditions imposed by the authorities, should be handed over to the operator effecting the removal of the stowaway. This letter will include information required by the authorities at transit points and/or the point of disembarkation.

¹United Nations, *Treaty Series*, vol. 591, p. 265; for subsequent actions, see references in Cumulative Indexes Nos. 8 to 10, 12 to 14, and 16 to 21, as well as annex A in volumes 1323, 1355, 1391, 1394, 1441, 1456, 1492, 1515, 1527, 1555, 1598, 1672, 1678, 1720, 1761 and 1777.

Note: This recommendation is not intended to prevent public authorities from further examination of a stowaway for possible prosecution and/or deportation. Further, nothing in this recommendation is to be construed as contradicting the provisions of the United Nations Convention relating to the Status of Refugees of 28 July 1951¹ and the United Nations Protocol relating to the Status of Refugees of 31 January 1967² which concern the prohibition of the expulsion or return of a refugee."

2 Section 4 - ARRIVAL, STAY AND DEPARTURE OF CARGO AND OTHER ARTICLES:

.1 Recommended Practice 4.9 is amended to read:

"4.9 Recommended Practice. Public authorities should provide in their regulations, referred to in Standard 4.8, for the acceptance of a simple declaration to the effect that containers and pallets temporarily imported will be re-exported within the time-limit set by the State concerned."

.2 Standard 4.10 is amended to read:

"4.10 Standard. Public authorities shall permit containers and pallets entering the territory of a State under the provisions of Standard 4.8 to depart the limits of the port of arrival for clearance of imported cargo and/or loading of export cargo under simplified control procedures and with a minimum of documentation."

¹United Nations, *Treaty Series*, vol. 189, p. 137.

²*Ibid.*, vol. 606, p. 267.