

ANNEX 1

DRAFT GUIDELINES ON THE REGISTRATION OF SHIPS

1 Purpose and scope

1.1 The Guidelines on the registration of ships have been developed by the Legal Committee in response to the Committee's decision at its 112th session to add a new output on the Development of guidelines or best practices on the registration of ships in order to support flag States in managing their registration procedures, identifying falsified documentation and reducing and ultimately eliminating fraudulent registrations through consistent due diligence.

1.2 While not legally binding, these Guidelines intend to provide flag States and registries with helpful guidance on the registration of merchant ships engaged in international voyages to draw upon at their discretion. In particular, the Guidelines intend to assist newly established flag State ship registries, those wishing to establish new ship registries or those seeking to improve their current procedures, by offering practical measures to improve verification and due diligence processes, ensure accurate ownership records and enhance oversight of registration procedures.

1.3 The Guidelines serve as a voluntary tool to help prevent the misuse of flags and deter fraudulent registration and fraudulent registries of ships while fully respecting the sovereign right of States to manage their ship registries in accordance with national law as provided in article 91, and with reference to article 92.1, of the United Nations Convention on the Law of the Sea. Nothing in these Guidelines should be interpreted as imposing additional obligations beyond those set out in international conventions.

2 Flag State legislation, governance and control on who can perform registration of ships

2.1 Flag States should ensure that a comprehensive domestic legal and administrative framework is established to govern the creation, operation and oversight of the national ship registry. Such a framework may include primary legislation, regulations and administrative procedures defining the legal basis for ship registration, the authority responsible for administering the registry, as referenced in paragraph 2.6, and the rights and obligations associated with the registration of ships.

2.2 The domestic legal framework should clearly establish the eligibility criteria for ships and shipowners seeking registration, the documentation required to support registration applications, and the procedures for the registration, transfer of ownership and deletion of ships from the national registry. The framework should also provide the legal authority necessary for the flag State to verify the accuracy and authenticity of submitted information and to refuse or cancel the registration or revoke the nationality of a ship where fraudulent activity, non-compliance or other irregularities are identified.

2.3 Flag States should ensure that their domestic legal framework provides clear authority and procedures for the deletion/de-registration of ships as the case may be, including issuance of documentation reflecting the deletion/de-registration from the registry (such as a Deletion Certificate) where ships fail to comply with ship registration national legislation or requirements, the applicable safety, security, environmental or operational requirements or where fraudulent documentation or other irregularities are identified.

2.4 Flag States should designate one or more competent governmental institutions responsible for the administration, supervision and oversight of the ship registry. The functions, powers and responsibilities of such institutions should be clearly defined in legislation or regulations and may include the review and approval of registration applications, maintaining of registry records, issuance of statutory certificates, supervision of delegated entities and the enforcement of applicable national and international requirements.

2.5 To ensure governance and maintain control over the registration of ships, flag States should require that registration of ships be conducted exclusively by officers of the flag State ship registry, designated personnel at flag State embassies or consulates, or by duly authorized agents acting under formal delegation.

2.6 Where ship registry services are delivered wholly or partly through private or third-party operators, the flag State should ensure that such arrangements are established through formal contractual arrangements that clearly define the functions delegated, applicable standards, reporting requirements and mechanisms for governmental oversight/supervision.

2.7 This approach helps safeguard the integrity of the ship registration system, prevents relevant unauthorized or fraudulent activity and ensures that registration of ships is carried out in accordance with national laws and applicable international standards.

2.8 Contact points of ship registries should be entered by the Secretariat in the relevant module in IMO's Global Integrated Shipping Information System (GISIS), as invited by Assembly resolution A.1142(31) *Measures to prevent the fraudulent registration and fraudulent registries of ships*, and as further provided in Circular Letter No.4190.

3 Procedures and quality assurance in ship registration

3.1 Flag States should establish and maintain documented procedures and quality management systems (such as ISO procedures) that cover all stages of the ship registration procedures. This includes the receipt and assessment of applications, decision-making, issuance of certificates, mechanisms for online verification of registration status and post-registration monitoring.

3.2 Such procedures should clearly define the processes and requirements for both provisional registration (if applicable) and permanent registration of ships, including documentation requirements, eligibility criteria and the conditions and maximum period (if applicable) under which provisional registration and/or permanent registration may be granted.

3.3 Implementing such structured systems enhances consistency, transparency and accountability, while also helping to detect and prevent fraudulent registrations and ensuring ongoing compliance with ship registration requirements.

4 Due diligence on ownership and ship identification

Due diligence should be performed in order to verify ownership of ships and ship identification and ensure that fraudulent registration or flag abuse does not take place.

4.1 Due diligence on ship ownership

Verify ownership of ships

4.1.1 In order to verify ownership of ships, flag States should obtain and verify, as applicable, company incorporation documents, registers of directors and shareholders, passports or official identification of natural persons, or beneficial ownership information, IMO company and registered owner identification numbers.

Deletion or non-encumbrance certificates

4.1.2 To prevent a ship from being registered simultaneously under the flag of two or more States, flag States should require proof that the ship has been deleted/de-registered from the previous registry in accordance with national law or domestic procedures.

4.1.3 Flag States should require the submission, in electronic or hard copy format, of documentation reflecting the deletion/deregistration from the previous registry (such as a Deletion Certificate) confirming the ship's de-registration/deletion. In cases of provisional registration, a Certificate of Ownership and Freedom of Encumbrances from the previous registry, may be submitted, verifying that the ship is free from any encumbrances. In any event, the documentation reflecting the deletion/de-registration from the previous registry (such as a Deletion Certificate) should be submitted prior to the permanent registration of the ship.

Verify source of authority

4.1.4 Flag States should ensure that powers of attorney, board resolutions, signatory authorities, status of regulated intermediaries (e.g. law firms), if used, are reviewed and confirmed.

Cross-check against United Nations and relevant national sanctions

4.1.5 Relevant parties, including owners, operators, managers, mortgagees and financiers, should be screened, prior to registration and on a routine basis thereafter, against the consolidated sanctions list of the United Nations Security Council and relevant national sanctions lists.

4.2 Due diligence on ship identity and eligibility checks

Unique identification

4.2.1 Flag States should verify a ship's unique identifiers, particularly the IMO number, which is a permanent identifier assigned under the IMO Ship Identification Number Scheme and remains with the ship for its lifetime. Some ships may not be assigned with an IMO number due to their size and type; therefore, other unique identifiers such as a Call Sign or official unique registration number should be used. Such identifiers should be verified against available registry records and, where appropriate, cross checked against reliable national and international information sources including GISIS.

4.2.2 Current and former names, builder, year of build, ship type, tonnage, and principal dimensions should be checked. Information should be reviewed and cross-checked against all the documentation submitted.

4.2.3 Continuous Synopsis Record (CSR) screening is essential to verify the ship's identity, the date on which the ship ceased to be registered with the previous flag State, ownership and management details, in accordance with regulation 5 of SOLAS chapter XI-1.

4.2.4 Reputable and independent databases, as referred to in section 5 of these guidelines, can also be used to detect discrepancies, inconsistencies or potential cases of misidentification.

Fraud and abuse prevention

4.2.5 Any indications of fraudulent or phantom registration should be investigated, taking into account:

- Assembly resolution A.923(22) on *Measures to prevent the registration of "phantom" ships*;
- Assembly resolution A.1142(31) on *Measures to prevent the fraudulent registration and fraudulent registries of ships*;
- Assembly resolution A.1162(32) on *Encouragement of Member States and all relevant stakeholders to promote actions for the prevention and suppression of fraudulent registration and fraudulent registries and other fraudulent acts in the maritime sector*; and
- LEG.1/Circ.10 on *Recommended best practices to assist in combating fraudulent registration and fraudulent registries of ships*.

4.2.6 Checks should be conducted to ensure the ship is not subject to United Nations Security Council sanctions and relevant national sanctions.

Certificate issuance, security and verification tools

4.2.7 Flag States should require that a Certificate of Registry or other document of nationality issued in accordance with UNCLOS article 91, paragraph 2, and taking into account appendix 12 of the *Procedures for Port State Control, 2025* (resolution A.1206(34)), as may be amended, be kept on board at all times in electronic or hard copy format.

4.2.8 Flag State certificates should incorporate unique identifiers and security features to prevent forgery and unauthorized use. For digital certificates, this may include QR codes or other forms of electronic validation, while hard copy certificates should include official stamps, watermarks, or holograms.

4.2.9 In addition, flag States are encouraged to maintain publicly accessible online verification tools on their official websites, enabling real-time confirmation of certificate authenticity. Such measures significantly help third parties and authorities validate documents and deter fraud.

4.2.10 To improve efficiency and data integrity, flag States are encouraged to implement electronic ship registry and certification systems.

Classification and insurance

4.2.11 Verifying classification status and compulsory insurance/financial security are essential components of the due diligence process carried out by the flag State and a critical safeguard against fraudulent registration. Fraudulent registrations often involve ships with falsified or missing documentation, and cross-checking classification and insurance records with reputable third parties, as well as liaising with other flag States, helps identify inconsistencies and prevent the registration of "phantom ships".

4.2.12 It should be ensured that ships maintain a valid certificate of class issued by a classification society in accordance with its rules. When a classification society acts as a recognized organization and issues statutory certificates on behalf of the flag State, such certificates should be issued under the authority of the flag State, and it should be ensured that the classification society is formally recognized, duly authorized and subject to appropriate oversight by the flag State in accordance with applicable IMO instruments, consistently with the provisions of section 7 of these Guidelines.

4.2.13 Flag States should establish clear procedures for the selection, authorization and oversight of recognized organizations (Ros) acting on their behalf in accordance with applicable IMO instruments, national legislation and taking into account:

- (a) the Code for Recognized Organizations (RO Code) adopted by resolutions MEPC.237(65) and MSC.349(92);
- (b) Assembly resolution A.1070(28) inter alia requiring flag States to establish or participate in an oversight programme with adequate resources for the monitoring of its ROs in order to ensure that international obligations are fully met; and
- (c) MSC-MEPC.2/Circ.19 on *Guidance in relation to the IMO Member State Audit Scheme (IMSAS) to assist in the implementation of the III Code by Member States*.

4.2.14 Flag States should communicate information regarding ROs to IMO. In this regard, reporting under MSC/Circ.1010-MEPC/Circ.382 on Communication of information on the authorizations of recognized organization, should be arranged using the GISIS module on Recognized Organizations which can be accessed by Members as per Assembly resolution A.1074(28) on Notification and circulation through GISIS. The information is used in undertaking the IMSAS audits (question 8 of State audit questionnaire, IMO Assembly resolution A.1211(34)).

4.2.15 For the implementation of IMO liability and compensation conventions, only compulsory insurance or financial security originating from insurers or financial security providers accepted by the flag State in accordance with the *Guidelines for accepting insurance certificates and insurance companies, financial security providers, and protection and indemnity clubs (P&I Clubs)* should be accepted (LEG.1/Circ.16).

5 Information sources and tools during ship registration

5.1 During ship registration, flag States should utilize official and reputable information sources and tools to verify the accuracy and legitimacy of submitted data. Key resources include GISIS, which provides comprehensive and authoritative information on ship registry contact points, ship and company particulars, false flag and UN sanctions status and online flag State verification tools as referenced in paragraph 4.2.9.

5.2 Additionally, various open source and subscription-based commercial databases offer information on ship history, ownership, classification, and operational records. The United Nations Security Council website should also be consulted to screen for any sanctions or restrictions applicable to ships, owners, or operators.

6 Cooperation and information-sharing

6.1 Effective communication and transparency among flag States is essential for preventing fraudulent registration and ensuring confidence in the global ship registration system.

6.2 Flag States are encouraged to cooperate with other States, port State control authorities and relevant international organizations in the exchange of information related to ship registration status, ownership records, insurance, deletion of ships from registries and suspected cases of fraudulent registration. Flag States are also encouraged to utilize available information-sharing platforms and databases, including GISIS, to support transparency, facilitate verification of registry information and strengthen cooperation between flag States.

6.3 A flag State should, when requested by another State, promptly provide confirmation that a ship has been deleted from its registry (such as the issued Deletion Certificate) or promptly provide confirmation that consent has been given for the transfer of the ship to another registry. Such confirmation should then be considered an official communication that can thereafter be used as such by the requesting State.

6.4 Where ships are deleted from a registry due to non-compliance with applicable national or international requirements, or due to fraudulent documentation, flag States should maintain appropriate records and notify the designated service provider of the IMO Ship Identification Number Scheme (details set out in Circular Letter No.5096).

6.5 Such cooperation may assist in preventing the re-registration of ships that have been deleted for serious deficiencies, fraudulent activities or other violations, and may contribute to discouraging the practice whereby ships repeatedly change flag in order to avoid regulatory oversight or enforcement actions (so-called flag hopping).

7 Effective implementation of IMO instruments

7.1 Ratification and effective implementation of IMO instruments, combined with a structured inspection and monitoring programme, contributes to improving the overall quality and safety performance of ships, the elimination of substandard shipping and the prevention and suppression of fraudulent practices in ship registration.

7.2 Flag States are encouraged to give due consideration to Assembly resolution A.1070(28) on the IMO Instruments Implementation Code (III Code). In accordance with the principles set out in the III Code, flag States should establish and maintain the legislative, administrative, and enforcement capacities necessary to fulfil their obligations under the international conventions to which they are party. This includes ensuring that ships flying their flag comply with applicable international rules and standards relating to maritime safety, security, environmental protection, and the training and certification of seafarers as well as the protection of seafarers.

7.3 Flag States should establish procedures to ensure that ships flying their flag are subject to appropriate inspections and monitoring to verify compliance with applicable national legislation, IMO instruments and international conventions (in particular UNCLOS, which provides for the duty of flag States to survey ships before registration (article 94.4(a))). Flag States should promptly undertake an investigation after an accident, including maintenance of condition after survey, in accordance with SOLAS chapter I, regulation 11.

7.4 Surveys may be conducted directly by the flag State or by recognized organizations acting on its behalf, in accordance with applicable IMO instruments, national legislation, and taking into account the Code for Recognized Organizations (RO Code).

7.5 Flag States should establish or participate in an oversight programme with adequate resources for the monitoring of their ROs in accordance with Assembly resolution A.1070(28).

7.6 Flag States should use information obtained from other flag States, port State control inspections, casualty investigations in accordance with national law and the IMO Casualty Investigation Code, classification society records, and other relevant sources to identify ships that may require enhanced oversight or targeted inspections. When repeated deficiencies, detentions, or other indicators of substandard performance are identified, the flag State should consider applying enhanced monitoring measures or take administrative actions, which may include deletion/de-registration from the national registry in accordance with national law.

ANNEX 2

**DRAFT CIRCULAR OF THE LEGAL COMMITTEE ON THE
GUIDELINES ON THE REGISTRATION OF SHIPS**

1 The Legal Committee, at its 113th session (13 to 17 April 2026), approved the *Guidelines on the registration of ships*, as set out in the annex.

2 Member Governments are invited to bring the annexed Guidelines to the attention of all parties concerned.
