Suppression of Unlawful Acts - 2005 Protocols

IMO Briefing 06/2007, 13 February 2007

18 States sign 2005 SUA Protocols


The 2005 Protocols were adopted at a Diplomatic Conference held in London in October 2005 at the headquarters of the International Maritime Organization (IMO), the United Nations specialized agency with responsibility for the regulation of International shipping from the points of view of safety, security and prevention of marine pollution by ships.

The Protocols revise the original SUA treaties of 1988 to ensure that the legal framework developed by IMO is kept up to date and continues to provide an adequate basis for the arrest, detention and extradition of terrorists acting against shipping or ports or when using ships to perpetrate acts of terrorism.

They substantially extend the list of criminal offences actionable under the treaties and include new rules on consensual boarding, which are of prime importance as they provide States with the necessary legal basis to intercept terrorist activities at sea that are planned or already in progress.

IMO Secretary-General Mr. Efthimios E. Mitropoulos noted that the SUA treaties are complementary to the International Ship and Port Facility Security (ISPS) Code (which aims at putting in place practical measures to make international shipping and port facilities safe from terrorist activity and is mandatory under the International Convention for the Safety of Life at Sea (SOLAS)), in that they regulate the legal situation in the unfortunate event that a terrorist attack does occur.

"In the fight against terrorism, which, in these uncertain times, has tragically succeeded in shaping the political agenda worldwide, it is vital that the international community has in place a framework for legal action capable of ensuring that terrorists are apprehended and brought to trial wherever in the world they may seek to hide," Mr. Mitropoulos said.

"I would like to take this opportunity, given the importance of these instruments, to invite Member States to ratify or accede to the 2005 Protocols as soon as possible," he added.

The 2005 Protocols were adopted on 14 October 2005. The Convention, as amended by its 2005 Protocol, will enter into force ninety days after the date on which twelve States have either signed it without reservation as to ratification, acceptance or approval, or have deposited an instrument of ratification, acceptance, approval or accession with the Secretary-General.

The 1988 Protocol, as amended by its 2005 Protocol, requires ratification from three States that are also party to the SUA Convention, but it cannot come into force unless the 2005 SUA Convention is itself already in force.

The 2005 SUA Protocols were open for signature from 13 February 2006 to 13 February 2007.

For further information on the SUA Treaties and Protocols visit the IMO website at www.imo.org or List of Conventions page.