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FAL.2/Circ.132
1 July 2021

**GUIDELINES ON CREATING A TOOL TO MEASURE
DOMESTIC IMPLEMENTATION OF THE FAL CONVENTION**

1 The Facilitation Committee, at its forty-fifth session (1 to 7 June 2021), recognizing the importance of measuring the level of domestic implementation of the Convention on Facilitation of International Maritime Traffic (FAL Convention), adopted guidelines on creating a tool for measuring domestic implementation of the FAL Convention, the text of which appears in the annex.

2 Contracting Governments are invited to bring the contents of this circular to the attention of all stakeholders concerned and to undertake their practical application in order to gather information on the situation of the FAL Convention at the domestic level.

3 Contracting Governments are also invited to inform the Committee as soon as possible of the results, experience gained and difficulties encountered in the use of the guidelines, to enable the Committee to decide what action should be taken.

ANNEX

CREATING A TOOL FOR MEASURING DOMESTIC IMPLEMENTATION OF THE FAL CONVENTION

These guidelines on creating a tool for measuring domestic implementation of the Convention on Facilitation of International Maritime Traffic, 1965, as amended (FAL Convention), proposes two types of measurement tools. One measurement should be done through anonymous surveys aimed at public authorities, ports/terminals, ship owners and ship agents involved in the reception and clearance of ships to verify if the administrative procedures are met. The other measurement should be made through an evaluation matrix to analyse each of the Standards and Recommended Practices in the FAL Convention. Both measurement tools should be used in a voluntary way and may be used by Contracting Governments either individually or as a combination in accordance with their needs.

MEASUREMENT TOOL No.1 – PREPARING ANONYMOUS SURVEYS

1 With the aim of finding out the opinion of maritime users about the FAL Convention, checking compliance with the administrative processes established by each public authority and observing how well the maritime single window system, where it exists, is working, Contracting Governments are recommended to conduct an anonymous survey at the national level. This process should be carried out in two phases: first is the preparation, and second is the analysis of results and identification of detected opportunities for improvement.

First phase

Preparing the survey

2 Before conducting the survey, the Contracting Government should conduct a general analysis of the situation among the various sectors involved in the process of reception and clearance of ships, with a view to identifying the type of questions that should be asked to achieve the objectives of the survey:

- .1 General objectives: finding out the extent to which the FAL Convention is being applied in ports and how the concept of establishing a maritime single window is perceived.
- .2 Specific objectives:
 - .1 determining how consistent the monitoring bodies are in requesting documentation, in relation to the FAL Convention;
 - .2 initiating analysis with a view to creating a maritime single window where not available or, failing that, to verify how said system operates; and
 - .3 gathering information on the knowledge about the FAL Convention among public and private stakeholders in the reception and clearance of ships.

- .3 Informative meetings should be held for the heads of the public and private stakeholders in order to explain the objective of the survey and to obtain identification (postal and email address) of those involved in the reception and clearance of ships. To this end, it should be emphasized that the success of the measurement relies on the individuals responding in relation to the procedure that they are using at the time of the survey, taking into account that it is anonymous in nature.
- .4 To achieve the desired objectives, two questionnaires should be drawn up to target the groups being surveyed in order to be able to contrast the information gathered in both. These groups cover the authorities that are involved in the reception and clearance of ships in different ways (those that are responsible for monitoring), ports/terminals, ship owners and ship agents (those that are monitored).
- .5 Measuring instrument:

To facilitate the task, the questionnaire should be located in a computer application on a website (for example, using GNU software called LimeWire). This instrument allows completed questionnaires to be followed up by email with specific individuals. With a view to improving internal systems relating to implementation of the FAL Convention, Contracting Governments are invited to use electronic tools to create the surveys.
- .6 Questionnaires:

The two types of questionnaires (appendices 1 and 2) should be sent to the public authorities and to the private sector (ports/terminals, ship owners and ship agents) that are involved in the process of reception and clearance of ships. The questionnaires may contain a different number of questions, depending on the group of stakeholders to which it is sent, the questions can be grouped into the following five areas:
- .1 identification (type of authority, geographical location of where it operates);
 - .2 technology (reception channel for information on the ship's voyage, electronic exchange of information with other bodies, level of integration of data within the organization);
 - .3 ship reception (knowledge of regulations, quantity and type of documentation requested);
 - .4 ship clearance (knowledge of regulations, quantity and type of documentation requested); and
 - .5 FAL Convention (level of knowledge about the Convention, involvement in the process of reception and clearance of ships, involvement with other bodies through a maritime single window system).

Most questions should be closed in nature, although open questions may be posted to get specific information.

.7 Duration and coverage of the survey:

The survey's coverage should be national, and it should be available for a period of time as determined by the competent authority appointed to lead the questionnaire (for example, 30 days).

Second phase

Analysing the results

3 Once the period available to participate in the survey has ended, the results obtained should be checked and sent to the representatives of the various public authorities for their own analysis.

Presentation of the results

4 The Contracting Government, at a national FAL seminar specifically on this subject, should present the results of the survey as well as the main gaps detected in terms of documentation requirements and processes of reception and clearance of ships.

5 At this seminar, each public authority should present on their areas of competence and the survey results corresponding to each body, the successes achieved and opportunities for improvement identified.

6 From the analysis, it is possible to compare the number of forms required by each administration responsible for the reception and clearance of ships, as well as the level of homogeneity in the requirements of various ports. Aspects can also be identified such as the need to establish a maritime single window, suitability of domestic legislation for the facilitation of maritime transport, and the need to improve and harmonize standard operating procedures or training on the part of those involved in the processes.

Conclusions

7 The survey provides a current snapshot of the implementation of FAL Convention by the various public authorities, ship agencies and ports involved in the reception and clearance of ships, thereby creating opportunities for improving the facilitation of maritime transport.

MEASUREMENT TOOL No.2 – EVALUATION MATRIX FOR THE FAL CONVENTION

1 With the purpose of providing a diagnosis of the implementation of the FAL Convention, the development of an evaluation matrix is proposed which will allow an analysis of each of the Standards and Recommended Practices in the FAL Convention, as well as the national legislation of the Contracting Government.

2 Initially, the Standards in the FAL Convention should be evaluated using the following measurement criteria (appendix 3):

.1 Complied with: full compliance.

.2 Partially complied with:

.1 no national legislation exists;

- .2 inconsistency of procedures and/or regional/local legislation in different ports; and
 - .3 no considerations with regard to the formats and procedures of the Convention.
- .3 Not complied with: lack of legislation and procedures:

3 The same exercise may be done consecutively for Recommended Practices with the same measurement parameters.

4 Subsequently, and in order to provide a snapshot of the implementation of the FAL Convention, the maritime administration should complete a matrix to analyse its strengths and weaknesses on the implementation of the FAL Convention (appendix 4). It is suggested that this matrix could be developed within the framework of the National Maritime Facilitation Committee of each State. This exercise would identify the aspects necessary to start actions with the following classification and priority:

- .1 Strengths:
 - .1 Common strengths (CS) – (no need to prioritize): when all entities (public authorities) have an adequate level of application of the Standards or have the capacity to implement them.
 - .2 Sectoral strengths (SS) – low priority: when one or few entities (public authorities) have an adequate level of application of the Standards or have the capacity to implement them.
 - .3 Opportunity (O) – medium priority: when entities (public authorities) have the capacity to adopt the strength of another entity or State.
- .2 Weaknesses: Here, reference is made to the level of development and limited capacities of the public authorities:
 - .1 Common weaknesses (CW) – high priority: when the nature or type of difference is present in all or most of the entities (public authorities), and they can be overcome or corrected through a common strategy.
 - .2 Particular weaknesses (PW) – critical priority: when the nature or type of difference is present in one or a few entities (public authorities) and can be overcome or corrected individually.

5 On the basis of identifying and analysing strengths and weaknesses including prioritizing, strategic knowledge may be gained from focusing to resolve or correct the weaknesses through individual and joint objectives and tasks.

6 The principal aim of this methodology is to go beyond identifying the level of domestic adoption of FAL Convention provisions by providing the bases for designing and developing a road map for working strategically on aspects that present a greater challenge jointly or for one of the entities, so that the policies, projects and other initiatives in this regard have a greater impact and potential efficacy and are adapted to real needs of the State.

APPENDIX 1

SURVEY ON THE IMPLEMENTATION OF THE FAL CONVENTION AIMED AT PUBLIC
AUTHORITIES INVOLVED IN THE RECEPTION AND CLEARANCE OF SHIPS

The aim of this survey is to determine the extent to which the FAL Convention is being implemented in (insert name of State).

This survey is divided into five areas, which should be completed consecutively:

- I Identification
- II Technology
- III Ship Reception
- IV Ship Clearance
- V FAL Convention

I IDENTIFICATION:

1 Which authority do you represent?*

Please select **only one** of the following options:

- Maritime administration
- National customs service
- Police/law enforcement
- Immigration authority
- Public health
- Plant health
- Animal health
- Private port administration
- Public port administration
- Others

2 If applicable, which port do you work in?

II TECHNOLOGY:

3 How does your organization receive information from a ship agency prior to the reception of a ship (you may indicate more than one system):

Please indicate the options that apply:

- IT electronic system
- Maritime single window
- Email
- Paper (letter – document)
- Telephone – mobile
- Fax

* The name of the authority selected will depend on how your State operates, is organized and on your area of competence.

- 4 Does your organization provide other public bodies with information electronically and automatically?**

Please select **only one** of the following options:

- Yes
 No

- 5 Does your organization have centralized IT electronic systems/maritime single window incorporating all offices, branches, etc. where data associated with reception and clearance processes is registered?**

Please select **only one** of the following options:

- Yes. If so, please specify which one _____
 No

- 6 Does your organization have IT systems that allow information to be exchanged electronically without human intervention? (excluding email)**

Please select **only one** of the following options:

- Yes. If so, please specify which one _____
 No

- 7 Is your organization involved in or does it collaborate with the ports via port logistic platform or port community system?**

Please select **only one** of the following options:

- Yes
 No

- 8 Are you involved in sending and/or receiving information through a system referred in question 7?**

Please select **only one** of the following options:

- Yes (if so, please indicate what information you receive or send)
 No

III SHIP RECEPTION:

- 9 Do you know which documentation (laws, regulations, internal directives, etc.) regulates your work as regards the reception of ships?**

Please select **only one** of the following options:

- Yes
 No

- 10 Can you list and indicate where you find them?**

11 If paper copies are required, how many copies does your organization request during the ship reception process? Please indicate the number.

- General Declaration :
- Cargo Declaration :
- Ship's Stores Declaration :
- Crew's Effects Declaration :
- Crew List :
- Passenger List :
- Dangerous Goods Manifest :
- Others :

12 How many years have you been in this role of providing ship reception services?

13 What role in ship reception services do you have?

14 Do you think your organization has the resources that can perform this role?

IV SHIP CLEARANCE

15 Do you know which documentation (laws, regulations, internal directives, etc.) regulates your work as regards the clearance of ships?

Please select **only one** of the following options:

- Yes
- No

16 Can you list and indicate where you find them?

17 If paper copies are required, how many copies does your organization request during the ship's clearance process? Please indicate the number.

- General Declaration :
- Cargo Declaration :
- Ship's Stores Declaration :
- Crew's Effects Declaration :
- Crew List :
- Passenger List :
- Dangerous Goods Manifest :
- Others :

18 How many years have you been in this role of providing ship clearance services?

19 What role in ship clearance services do you have?

20 Do you think your organization has the resources that can perform this role?

V FAL CONVENTION:

- 21 Are you familiar with the Convention on Facilitation of International Maritime Traffic, as amended (FAL Convention)?**

Please select **only one** of the following options:

- Yes
 No

- 22 Are you involved directly in providing services to ships during their stay in port?**

Please select **only one** of the following options:

- Yes
 No

- 23 Please indicate the processes you are involved in.**

Please select at least one of the following options:

- Pre-arrival
 Arrival
 Berthing
 Loading/Unloading
 Embarkation/Disembarkation
 Clearance
 Departure/Unberthing
 Others _____

- 24 Please indicate the role you play with regard to FAL matters in your organization?**

- 25 Do you participate in a single window system development/operation with another public authority?**

Please select **only one** of the following options:

- Yes
 No

- 26 Do you participate in a National Maritime Facilitation Committee?**

Please select **only one** of the following options:

- Yes
 No

27 Indicate which of the following public authorities you work with:

Please indicate the options that apply:

- Maritime administration
- National customs service
- Police /law enforcement
- Immigration authority
- Public health
- Plant health
- Animal health
- Private port administration
- Public port administration
- Others

APPENDIX 2

SURVEY ON THE IMPLEMENTATION OF THE FAL CONVENTION
AIMED AT PORTS/TERMINALS, SHIP OWNERS AND SHIP AGENTS INVOLVED
IN THE RECEPTION AND CLEARANCE OF SHIPS

The aim of this survey is to determine the extent to which the FAL Convention is being implemented in (insert name of State).

This survey is divided into three areas, which should be completed consecutively:

- I Identification
- II FAL Convention
- III Technology

I IDENTIFICATION:

- 1 Which port(s) do you work in?**
- 2 In the grid below, indicate with an "x" which authorities or organizations interact with the ships. (You can put an "x" in more than one box per authority).**

Please select your response.

	Pre-arrival	Arrival	Berthing	Loading/Unloading	Embarkation/Disembarkation	Clearance	Departure/Unberthing	Others
Maritime administration								
National customs service								
Police /law enforcement								
Immigration authority								
Public health								
Plant health								
Animal health								
Private port administration								
Public port administration								
Others								

- 3 For how many years have you been providing ship reception services?**
- 4 What role in ship reception services do you have?**
- 5 Do you think your organization has the resources that can perform this role?**

II FAL CONVENTION

6 Are you familiar with the Convention on Facilitation of International Maritime Traffic?

Please select **only one** of the following options:

- Yes
- No

7 Do you participate in a National Maritime Facilitation Committee?

Please select **only one** of the following options:

- Yes
- No

III TECHNOLOGY

8 How do you send and/or deliver documentation to the public authorities and organizations involved in the pre-arrival, arrival and clearance of ships calling as the first port?

.a Pre-arrival:

Please select your responses by marking an "x" in the boxes.
If the information is sent or delivered by paper copies, indicate the number of copies required by each authority/organization.

	Maritime administration	National customs service	Police /law enforcement	Immigration authority	Public health	Plant and Animal health	Private port administration	Public port administration	Others
IT electronic system									
Maritime single window									
Email									
Paper (letter – document)									
Telephone – Mobile									
Fax									

.b Arrival:

Please select your responses by marking an "x" in the boxes.
If the information is sent or delivered by paper copies, indicate the number of copies required by each authority/organization.

	Maritime administration	National customs service	Police /law enforcement	Immigration authority	Public health	Plant and Animal health	Private port administration	Public port administration	Others
IT electronic system									
Maritime single window									
Email									
Paper (letter – document)									
Telephone – Mobile									
Fax									

.c Clearance:

Please select your responses by marking an "x" in the boxes.
If the information is sent or delivered by paper copies, indicate the number of copies required by each authority/organization.

	Maritime administration	National customs service	Police /law enforcement	Immigration authority	Public health	Plant and Animal health	Private port administration	Public port administration	Others
IT electronic system									
Maritime single window									
Email									
Paper (letter - document)									
Telephone - Mobile									
Fax									

9 Do you use a single window system with a public authority?

Please select **only one** of the following options:

- Yes
 No

10 Do you have to enter the same information about the reception and/or clearance process for ships calling at first port in the systems of the authorities and organizations repeatedly each time you conduct a process?

Please select **only one** of the following options:

- Yes
 No

11 If you replied yes, indicate which authorities or organizations:

Please indicate the applicable options:

- Maritime administration
 National customs service
 Police /law enforcement
 Immigration authority
 Public health
 Plant health
 Animal health
 Private port administration
 Public port administration
 Others

12 Do you know what documents are required by other authorities for ship reception and ship clearance?

Please select **only one** of the following options:

- Yes
 No

13 If yes, please specify for each authority which regulation it uses.

Please write your response here:

- Maritime administration :
- National customs service :
- Police /law enforcement :
- Immigration authority :
- Public health :
- Plant health :
- Animal health :
- Private port administration :
- Public port administration :
- Others :

14 When a ship arrives in a port of this State, which authority requests most information?

Place the authorities in order according to how many documents they request
(1 for the most down to 10 for the least)

- Maritime administration :
- National customs service :
- Police /law enforcement :
- Immigration authority :
- Public health :
- Plant health :
- Animal health :
- Private port administration :
- Public port administration :
- Others :

15 Does your organization have IT electronic systems that allow information to be exchanged electronically without human intervention? (excluding email)

Please select **only one** of the following options:

- Yes
- No

16 How many ships on average do you deal with a month?

Please write your replies here:

- Regular liners : _____
- Trump vessels (no regular liners) : _____
- Cruise/passenger ships : _____
- Other : _____

17 Mention any observations and/or suggestions regarding facilitation which in your view would improve maritime management.

- Procedural :
- IT electronic system :
- Other :

APPENDIX 3

MATRIX FOR EVALUATING THE INCORPORATION OF FAL CONVENTION PROVISIONS
AT NATIONAL LEVEL

Standards and Recommended Practices	National legislation or practice	Stage of compliance
Section 1 – Definitions and general provisions	<p>NB. Indicate the mechanism (law, instrument or similar) by which the Convention provision is incorporated at national level.</p>	<ul style="list-style-type: none"> - Complied with: full compliance - Partially complied with: <ul style="list-style-type: none"> .1 no national legislation exists; .2 inconsistency of procedures and/or regional/local legislation in different ports; .3 no considerations with regard to the formats and procedures of the Convention. - Not complied with: lack of legislation and procedures:
Section 2 – Arrival, stay and departure of the ship		
Section 3 – Arrival and departure of persons		
Section 4 – Stowaways		
Section 5 – Arrival, stay and departure of cargo and other articles		
Section 6 – Public health and quarantine, including sanitary measures for animals and plants		
Section 7 – Miscellaneous provisions		

APPENDIX 4

MATRIX APPLIED TO THE FAL CONVENTION FOR ANALYSING STRENGTHS AND WEAKNESSES AND FOR PRIORITIZATION

FAL Standard	Recommended Practice	STRENGTHS			WEAKNESSES	
		CS	SS Low Priority	O Medium Priority	CW High Priority	PW Critical Priority
Section 1 – Definitions and general provisions						
1.1	1.2					
	1.3					
	1.3bis					
Section 2 – Arrival, stay and departure of the ship						
Section 3 – Arrival and departure of persons						
Section 4 – Stowaways						
Section 5 – Arrival, stay and departure of cargo and other articles						
Section 6 – Public health and quarantine, including sanitary measures for animals and plants						
Section 7 – Miscellaneous provisions						

ORGANIZATION AND CLASSIFICATION OF PRIORITIES REGARDING LEVEL OF
IMPLEMENTATION OF THE FAL CONVENTION

FAL Standard	Recommended Practice	Overall Objective	Common Tasks	Individual Tasks	Priority
					Classified according to the results of the matrix: C: critical H: high M: medium L: low
