

NEWSLETTER NO. 8 / 19

Automated Identification System (AIS) tracking and sanctions compliance

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Enforcement of sanctions has recently intensified and, in particular, the US Department of Treasury has strengthened their controls and surveillance to identify ships trading in the sanctioned countries / areas (see our Newsletters from 2/19 to 6/19).

An indicator of potential evasion activity of ships arises when a ship ceases to transmit an AIS signal. Such action, except where necessary to preserve the safety and security of the ship, represents a serious breach of Safety of Life at Sea Convention, and is also likely to place the ship in breach of Flag State requirements. Where a ship is not in compliance with Flag State requirements, there may also be grounds to withdraw P&I cover on the basis of imprudent or unlawful trading (given the potential breach of sanctions), and / or disguising the ship's location by manipulating or withholding the transmission of AIS data.

We know there are legitimate reasons to switch off or switch to low power AIS signal, however, it is of extreme importance that the Master, for whatever the reason, keeps a clear record in the records / log books noting the context and reason for doing so as evidence to the various interested authorities.

We hope the above considerations are of assistance and we remain at your disposal for any other information you may need.

This Newsletter, and our information archive, can also be accessed at www.plferrari.com

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