

MODERNISING PAKISTAN'S SHIPPING REGULATIONS AND TRADE FACILITATION AUTHORITIES UNDER CONVENTION ON THE FACILITATION OF INTERNATIONAL MARITIME TRAFFIC 1965

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Abstract

A developing maritime economy like Pakistan can greatly benefit from the comprehensive framework of standards, guidelines, and recommended practices provided by the modern and comprehensive provisions of the Convention on the Facilitation of International Maritime Traffic 1965 (FALC). This study's objective is to analyse the FALC's legal provisions and Pakistan's domestic maritime law in relation to ship and port juncture activities in order to make recommendations for updating the country's current statutory rules and regulations in line with international standards, conventions and practices. According to the study, the FALC has significantly facilitated international maritime traffic through the harmonisation and standardisation of its port and shipping procedures. Following the FALC's and the facilitation committee's approved guidelines will improve Pakistan's overall competitive standing as an emerging regional shipping hub, especially under the long term plan for China Pakistan Economic Corridor. Furthermore, it will also allow Pakistan to sustainably transform into a significant maritime transit trade centre in the Western Indian Ocean Region.

Key Words: Facilitation Committee, Harmonisation, Standardisation, Port, Shipping, Practices

Introduction

In the 20th century, the world collectively underwent rapid changes in shipping and trade practices along with the paperwork accompanying these processes. The municipal laws of many maritime nations made it obviously apparent as the legal systems still contained cumbersome provisions regarding the procedures and formalities of ships entering, staying and departing from harbours which usually included ship masters, crew and passengers being required to submit to inspections and clearance regulations. This relatively archaic and inefficient model caused various delays on ports and imposed a further financial strain on the resources of ship-owners worldwide. According to a 1959 report by the US Pacific Coast Shipping titled "Merchant Shipping on a Sea of Red Tape" on average, ports required documents numbering from twenty-two to forty-six, adequately displaying the bureaucratic hurdles faced by the maritime trade industry at that time.¹ This report was then subsequently lodged in the then Inter-Governmental

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Maritime Consultative Organisation (IMCO) later renamed as International Maritime Organisation (IMO) in 1982.

In response, the IMCO secretary general convened a group of experts in 1962 whose task was to scrutinise a draft convention prepared by the secretariat itself and to investigate further into facilitation under three separate headings including customs, immigration and health.² In order to combat the predicament posed by the excessive and unnecessary nature of documents and forms required by port authorities across the world, sometimes even requiring the document to be translated into a local language, a Convention on the Facilitation of International Maritime Traffic (FALC) was ultimately adopted on the 9th day of April 1965,³ coming into force on the 5th day of March 1967. Around 125 countries have ratified the convention as of the 22nd day of April 2022.⁴ It must be noted that Pakistan is neither a signatory to the FALC nor has ratified the convention.

Structure of the FALC 1965

The FALC comprises sixteen Articles in total along with one Annex,⁵ with its basic objectives encompassing the interrelationship between International and domestic member state laws according to what is laid down in the convention (Articles I-III), the procedures relating to set standards (Article VIII), a flexible amendment procedure (Article VII) and the role of IMCO (IMO) in the implementation of the convention. As the world witnesses seaports evolving into modern dynamic logistics platforms, they have also brought forth the need to improve cargo and vessel clearance. The globalisation of production and distribution chains has transformed the production capacity and overall efficiency of a specific port into a detrimental factor in the eyes of investors while locating a manufacturing plant or distribution centre within a country. A port's functionality also influences whether a local exporter can compete in the constantly shifting regional and worldwide markets.

These measures, under the FALC 1965, extend to a wide range of issues including but not limited to electronic exchange of information, Maritime Corruption,⁶ standards to be followed in the arrival, stay and departure of a ship/passengers/cargo, Stowaways, Public health/quarantine measures, maritime cyber security, maritime single window concept, IMO's Global Integrated Shipping Information System (GISIS), national trade facilitation committees and even maritime autonomous surface ships (MASS).⁷

The Facilitation Committee (FALCom) was established as a subsidiary body of the council (Executive organ of IMO that is elected for a two-year term) in May 1972 to

eliminate all unnecessary formalities in the International maritime shipping sector, via the implementation of all aspects of the FALC.⁸

The second IMO Assembly's resolution A.29 (II), which urged that IMO address the issue of the requirements and procedures to support effective maritime commerce, was adopted on April 13th, 1961. With the purpose of assisting in the facilitation and coordination of global maritime trade, an expert group was formed, and it made the recommendation that a global convention be implemented. The third IMO Assembly passed resolution A.63 (III) on October 25, 1963, endorsing the Expert Group's report on the draught convention.⁹

From the time when the FALC came into force on the 5th Day of March 1967, 125 countries have in total ratified the convention.¹⁰ Subsequently, its Annex has been in turn updated more than ten times to update and modernise its contents according to the ever changing social needs and technological advancements in the global shipping industry. As recently as 12th January 2022, in its 46th Session (FAL 46),¹¹ the FALCom considered the adoption of proposed amendments to the annex of the convention that was approved previously after being circulated to IMO members and contracting governments (CGs) to the FALC, at its 45th session (FAL 45). If the ambit of applicability of the treaty was characterised as a percentage of the current world tonnage of operational merchant fleet, this would amount to approximately 95.7% out of the world total.¹²

Core Objectives of the Provisions of FALC 1965

The underlying motivation for the creation of the FALC was rooted in the idea of providing a global solution to the historic hurdles ships were subjected to during the course of a voyage.¹³ This included a diverse set of guidelines and regulations enforced by local and central authorities of each state on immigration, health, quarantine, environmental protection, security and customs, which were mostly a product of the post-industrial revolution phase of maritime trade and transport. The challenges that the FALC aimed to rectify included bureaucratic hurdles that could be routinely witnessed, where the ships were required to present various documents/forms regarding passengers and cargo upon arrival at a specific port along their voyage with varying degrees of minute details being required by each port authority. These requirements by port authorities would inter alia also extend to ships being burdened with translating documents in the local language of port states, following guidelines regarding document size/paper used and requisite authentication by the ship master.¹⁴ Naturally, this resulted in undue delays, costing thousands of expensive man hours to the global maritime economy, sometimes

also resulting in costs on ship owners and operators, in addition to negatively impacting the productivity of the master and crew to deliver goods/passengers/cargo on time.¹⁵

Hence, the FALC's primary objective was to reduce needless delays in international maritime trade and transportation. It also sought to achieve the greatest practical level of standardisation in formalities along with other processes across the maritime shipping and port spectrum. And finally, it also aimed to aid cooperation between state governments in resolving these issues together at a shared forum. The convention applies to all ships, except warships and pleasure yachts, in addition to the measures of the convention and its annex applying to vessels of both coastal and non-coastal states whose governments are party to the convention.¹⁶

In total the FALC consists of sixteen (16) Articles and an Annex with seven (7) Sections as laid down.¹⁷ Section 1- Definitions and General Provisions; 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 and Section 7- Miscellaneous Provisions.

Furthermore, the FALC contains both required/compulsory and advisable/recommended provisions. This therefore allows the government's party to the convention, to able to comply with the aforementioned to the best of their abilities. One of its most significant regulations limits the number of forms that port authorities may request to 12 documents. The IMO has created standardised forms for the first seven of these, commonly referred to as FAL forms. Authorities may, however, also want additional paperwork, such as that related to the ship's registration, measurement, safety, pollution prevention, or safe manning. The FALC also includes guidelines on how to treat stowaways while they are on board ships, as well as procedures for preventing, documenting, and resolving stowaway events.¹⁸

Guidelines and Procedures Provided Through the Facilitation Committee Sessions

The FALCom was established as a subsidiary body of the council (Executive organ of IMO that is elected for a two-year term) in May 1972¹⁹ to eliminate all unnecessary formalities in the International maritime shipping sector, via the implementation of all aspects of the FALC. The FALCom achieves its goals through the elimination of unnecessary elements and duplication in procedures and formalities while perusing

measures of standardisation and harmonisation in developing common documents and procedures for all ports among maritime nations globally.

The FALCom discusses topics such as the arrival, stay, and departure of ships, people, and cargo from ports, as well as how to strengthen international maritime trade. The FALCom also concentrates on e-commerce, especially the idea of a single window, and works to reconcile regulatory control and the practicality of international maritime trade. The FALCom is responsible for updating the FALC. The FAL Committee holds annual meetings. For the FALCom to operate efficiently, it is essential that all relevant stakeholders in the facilitation of maritime trade and transport, including government agencies and the private sector, be represented in governmental and observer delegations and actively engage in its meetings, exchanging views and best practises on more efficient measures to promote harmonisation and standardisation.

The Trade Facilitation Agreements Article 10.4 and the FALC's single window concept, which allows ship reporting parties to satisfy the needs of numerous authorities by sending information just once to a single entry point, are both recommendations for reducing duplication and redundancy. The FALCom accepted amendments to the Convention in 2021 that further encourage modern standards of digitalisation. When these are officially adopted, the FALC will instead refer to a list of data needs rather than paper forms.²⁰ Additionally, the FALCom seeks to enhance the standard of information sharing between ships and ports. The IMO Compendium on Facilitation and Electronic Business, which offers a consistent nomenclature so that shipping and ports utilise the same definitions and forms, significantly contributes to this. Other IMO Committees may use the IMO Compendium to develop their specifications for electronic reporting and information exchange. Through these meetings the FALCom has also provided a series of guidelines for CGs to follow regarding issues of maritime corruption, setting up national trade facilitation committees and implementing single window.²¹

Guidance to Implement and Adopt Procedures against Maritime Corruption

There is still a pressing need for the maritime sector to codify steps to battle corruption and to conform with UNCAC (United Nations Convention Against Corruption).²² However, many countries already have laws that forbid corruption, even when it occurs outside of their national borders. Therefore, the FALCom, at its forty-sixth session approved the following guidance to implement and adopt procedures against maritime corruption, as per the annex discussed previously.

As per the current guiding principles,²³ CGs are urged to set punishments and make sure they are carried out to stop acts of corruption. The sanctions, which may be administrative or under criminal law in character, ought to be sufficient, reasonable, and deterrent. CGs and concerned parties (CPs) are encouraged to familiarise, instruct, and teach necessary staff members who are actively involved in ship/shore interface operations on issues related to the prevention of corruption. They are additionally urged to collaborate among themselves, whether bilaterally or multilaterally, in order to make it easier to prevent and detect corruption incidents and additionally to share and learn from successful strategies, such as adopting and putting anti-corruption rules and regulations into place.

Guidelines for National Maritime Transport²⁴

National Maritime Transport/Trade Facilitation Committees (NMTFCs) and National Maritime Transport/Trade Facilitation Programs (NMTFPs) have been created in many member states in accordance with recommended procedures in Section 7 of the Annex provided in the FALC and have shown to be an efficient and successful means of implementing facilitation initiatives. NTFs are authorities/bodies/task forces that work towards the overarching goal of facilitation and include members from all key public and private sector stakeholders, in order to effectively eliminate trade flow barriers.

As per the following guidelines approved by the FALCom, it is important for CGs to be aware of any potential overlaps between the various public agencies dealing with ship/port clearance procedures. Such awareness is necessary to prevent duplications between NMTFCs and other national facilitation bodies/authorities. These authorities/committees and the government need to communicate and exchange information. CGs may choose to authorise a government agency to set up a system for information exchange and introduce a facilitation criterion for execution. Consistent communication between the parties involved should be established to avoid any overlap in the implementation of facilitation obligations, especially at ship/ports juncture.

In accordance with these guidelines, representatives having their primary interests associated with maritime facilitation should be included on the NMTFC and be given the opportunity to actively participate at the appropriate level. In addition to this, immigration, consular, customs, agricultural, public health, narcotics control and security related offices/bodies must be involved for the successful implementation of facilitation provisions. However, this participation is not limited to these administrations; any other relevant public authority may also be invited to join the committee. The

guidelines also emphasise here that the committee should be led by a single government authority/body.

After providing the composition of an effective NMFTFC, the guidelines also laydown the functions and workings of an established NMFTFC. They provide that an NMFTFC must contribute in a sustainable manner to the implementation of a NMTFP. It states that they should review policy issue regarding the clearance formalities that effect the departure, stay and arrival of a vessel, at the ship/port juncture. Under these guidelines, an NMFTFC plays an advisory role to the relevant governmental authorities and bodies linked to maritime traffic and transport facilitation. Another major responsibility of an established NMFTFC's under the guidelines is to examine and develop contingency plans and backup procedures that apply across all ports in the member state to ensure the continuation of maritime trade and traffic in the event of significant crises, such as but not limited to, natural catastrophes, events caused by changed weather patterns, pandemics, power outages, cyber-attacks, civil unrest, other security concerns, etc.

In order for this information to be shared with other Governments via GISIS (Global Integrated Shipping Information System),²⁵ CGs should inform the IMO on the activity of their facilitation committees. Finally, in order to achieve uniformity and simplicity in the facilitation of maritime traffic, it is necessary to establish a standardised and harmonised documentation system due to the variety of forms/paperwork handled by public and commercial organisations for processing.

Guidelines for Setting up a Maritime Single Window ²⁶

There is general agreement that administrative costs on shipping must be reduced. Under recent amendments and modifications to the FALC Annex, new standard was adopted, that calls for public authorities to set up systems for the electronic transfer of data to facilitate ship/port clearance procedures. A "one window" environment that includes maritime transport is thought to be an effective solution to implement Stnd 1.3 bis and reduce administrative costs for shipping as a whole.²⁷

In this regard, the following guidelines must be employed to implement a single window ecosystem. The main attributes of a single window ecosystem (SWE) are harmonisation, standardisation, and interoperability, the avoidance of data models, and support for the long-term objective of global interconnectivity between single window environments. At least between individual ports within a CGs territory.

Although there is a lot of literature just on the single window concept, it largely focuses on commercial and cargo-related issues. Less is said about the issue of clearance of ships/vessels as a mode of transportation. However, in order to ensure the efficient functioning of the port and the ship, however, the clearance of ships/vessels and cargo must occur simultaneously.

Although these guidelines make an effort to offer assistance on maritime shipping and transport clearance, this does not imply that alternative single window settings for trade and transport must be defined. The major section of these guidelines discusses the essential elements of creating a single window ecosystem for the CGs. Although the WCO,²⁸ the UNCEFACT,²⁹ and other organisations have developed recommendations and guidelines, they only offer rudimentary definitions, models, data harmonisation, or implementation roadmaps for a single window concept.

Conceptual Architecture of a Single Window Environment

The aim of this document is the development of SWE guidelines and a structure that spans the whole life cycle. The resulting environment is anticipated to: (1) simplify electronic ship clearance in maritime trade and transport; (2) standardise logistics activities, interface, and data in overall maritime shipping and transport; and (3) increase the efficiency of maritime logistics and boost the economic viability of IMO Member States in maritime logistics. These Guidelines are based single window principles and features that have been enhanced to incorporate maritime shipping and transportation requirements.

The term MSW can be characterised as a single service environment that encompasses port and maritime administrative operations, such as port entry/departure declaration, issuance of security reports, along with any other related information transmitted amongst participants of the port call business/process nationally in order to improve the port operation.

As a best practise for port call automation, MSW should be viewed as a reliable platform for public-private data collaboration. This would allow it to go beyond regulatory regime and include nautical and operational data and information. On the other hand, the terms "Trade single window (TSW)" and "Customs single window (CSW)" refer to a framework that includes protocols for exports and imports of goods/products, such as customs clearance.

Several geographical areas can be covered by a SWE. Examples of areas ranging in size from bigger regions to smaller ones includes clearance for access into a region of more than one State, clearance for entry into a specific State only and clearance for entry into a particular port.

Guidelines on Authentication, Integrity and Confidentiality of Information Exchanges via Maritime Single Window and Related Services³⁰

As per the current guidelines, certain requirements must be followed concerning every electronic message exchange to ensure its integrity, authenticity and confidentiality. Hence to guarantee the existence and characteristics of a specific data message at a specific moment, every message should contain a timestamp. The message may indeed contain a 'valid-to time' to indicate the longest period during which the message's contents can still be regarded as valid.

Any important messages should be encrypted. Every significant piece of data in the message, including the sending timestamp and any reference codes, should be protected by encryption. When information, on the receiving end can be altered or the sender may dispute sending some of the data, relying solely on a secure connection for integrity checks is insufficient. Therefore, each message must contain a digital/electronic signature to be fully protected. Before processing the message's content, the recipient of an encrypted communication must confirm both the sender's and the signed information's integrity. The sender must be notified, and the communication should be deleted if an issue is found.

Any message with such a timestamp that can be categorised as "too old" or older than previously received communication from the same sender should be deleted, and the sender should be warned. The service demanded or delivered, as well as the communication mechanisms in use, will determine the real value of "too old". As evidence of transmission and reception, the sender and receiver should both save copies of all outgoing and receiving messages. Unless the subsequent message exchange demonstrates that the messages in question were indeed obtained and processed by the other party, these copies shouldn't be erased. To detect timestamp issues as demonstrated above, all the senders and recipients of electronic messages must have their time adequately synchronised.

Domestic Statutes, Policies, Authorities and Committees that Deal with Facilitation of Maritime Trade and Traffic

Statutory laws and regulations in the maritime sector of Pakistan, especially regarding port management and maritime shipping, are often remnants of colonial era legislation. This has resulted in out dated procedures, antiquated legal definitions and outmoded practices hampering the countries progress as an emerging player in the international maritime economy and industry. In recent years however, there has been renewed interest in the global maritime sector which resulted into a willingness to relatively update and reform the aforementioned laws with examples including Pakistan Merchant Shipping Ordinance 2001 which upon its enactment repealed many archaic colonial era legislation, the Pakistan Merchant Marine Policy being implemented in 2001, and subsequent amendments being made in Merchant Marine Policy of 2019³¹ and the recently promulgated Maritime Doctrine of Pakistan 2018³². Furthermore, these endeavours have also resulted in the government creating national trade facilitation committees and authorities to implement NMTFPs, in the shape of the National Trade and Transport Facilitation Committee (NTTFC) being established in 2001 and the China Pakistan Economic Corridor Authority 2021.

Long Term Plan for China Pakistan Economic Corridor (2017-2030)

The Long Term plan for China Pakistan Economic Corridor (LTPCPEC),³³ is a prime example of the two countries' rising mutual interest in one another and their shared outlook on the political and economic future. It establishes a new framework for engagement grounded in economic interconnectivity and regional collaboration, which will have mutually beneficial impacts on both states and the collective maritime economy of the nearby regional markets.

In fostering a more organised, sophisticated, and need-based cooperation for socioeconomic, industrial, energy, and maritime trade growth, the CPEC project acknowledges the new realities of international and regional affairs.³⁴ Additionally, this gives Peoples Republic of China and the Islamic Republic of Pakistan the chance to enhance their relations with nations in Central Asia, Middle East/ Gulf, Europe and Africa. The intended interconnectedness via roads, railways, sea lanes, energy pipelines, and electrical transmission lines is anticipated to benefit both China and Pakistan.

China benefits equally from the initiative. It offers the Xinjiang region a road and maritime link, connecting it to the Middle East, the Arabian Sea, as well as the rest of the globe. The Xinjiang region's economy will significantly improve if these highways,

pipelines, and seaports start operating at optimum potential. China gains a new sea route that is free from the turmoil that exists along the South China Sea's exit, which lessens its reliance on the Malacca Strait.

The Belt and Road Initiative's modern Silk Road is a territorial or maritime transportation grid that is frequently utilised to transport goods, persons, products, and services from one state to another. It provides a link between economic nodes or hubs... in which a substantial variety of financial resources and various actors are concentrated and binding economic activity along a precisely articulated geography. The "supply and demand side of markets" are connected. A commercial maritime route is not just simple transportation routes across which people and products flow, as the term suggests. Rather, it is a component of a larger integrated economic network since it is now integral to the global maritime economic fabric engaging with the littoral state actors surrounding it.

As Pakistan seeks to build its position on the regional and global maritime trade network, specifically via the CPEC,³⁵ the significance and value of the FALC, with regard to achieving this goal, becomes increasingly evident. If acceded to, the convention would immensely benefit Pakistan as the potential core and hub for the maritime trade and traffic enroute from the Arabian Sea and Persian Gulf. This would be exhibited, among other things, by the massive reduction of administrative burden imposed on port authorities via non-essential formalities, information, and documents. Formalised documents would be easily understood by Masters while the use of electronic submission systems would greatly improve ship turn-around time thus efficiently utilizing port infrastructure. Additionally, this widespread simplification, standardisation and decrease in volume of documents and paperwork would immensely reduce the possibility of errors, thereby reducing the range of penalties and detentions imposed as a result by public authorities due to the incorrect data received. The implementation of the FALC standards and recommendations would also save time and expense in cargo clearance procedures, increasing the capability of Pakistan's port infrastructure to compete in the global and regional maritime trade market.

Lessons to be learnt from the CPEC Authority Act 2021

The basic aim of the CPEC Authority Act 2021 (CPECAA),³⁶ which comprises of twenty eight sections in total, was to provide for the establishment of CPEC Authority (CPECA) to explore new avenues for economic growth, take advantage of the potential of interconnected production networks and global supply chains through regional and global connectivity, create a workable public policy by incorporating stakeholder input

into the decision-making process, make the best use of all the resources at our disposal while respecting individual rights in the line with the MOU signed between the PRC and IRP on LTPEC. It must be noted that Section 4 of the Act which covers the powers and functions of the authority, derives its own authority based on the LTPEC.

Under section 4, CEPECA shall be mainly responsible for facilitating, planning, coordinating, monitoring, and evaluation/inspection to ensure effective implementation of the rules, in addition to any other authority or responsibility that may be granted under this Act and the regulations.

Under this section, CEPECA is required to exercise its powers and duties in conformity to the Memorandum of Understanding between the IRP and the PRC, along with the decisions made at meetings of the JCC must be followed by the Authority in exercising its authority and carrying out its duties. Given that the FG may occasionally give the Authority additional responsibilities and issue directives, the fundamental functions of CEPECA under the Act include coordination with the PRC to identify development ventures and new projects for cooperation, conducting sectoral research for informed decision making, organizing meetings of the JCC, guaranteeing inter-ministerial and provincial coordination for activities related to the CPEC; and finally ensuring the narrative development and communication of CPEC related issues.

The CEPECA is therefore a modern example of an authority that has been empowered by Pakistan that is already, to some extent, in line with the functions and methodologies of NMTFCs, provided in the aforementioned FALCom guidelines.

Current Export Procedures in Pakistan

In order to compare it with the actual items packaged for export, Pakistan Customs primarily looks at the GD (Goods Declaration) and PL (Packing List). As per the current situation in Pakistan, custom channels are available in three distinct assortments. Yellow, Red, and Green. Products passing via the red channel must be carefully inspected, and their GD and PL must be carefully scrutinised. Items passing via the yellow channel are therefore not physically inspected, however, their paperwork is typically checked for compliance. The documentation for goods passing via the green channel is deemed to be error-free and is not subject to inspection. After the digitalisation of the existing system through Web Based One Customs (WeBOC),³⁷ selecting the appropriate channel for a given shipment is entirely automated. The system makes its determination after looking at the exporter's past. The WeBOC, now integrates the majority of the parties engaged in the exporting process and has relatively made the procedures quicker.

As per the guide of the Trade and Development Authority of Pakistan (TDAP),³⁸ the current export procedures require the following documentation:

- Insurance certificate;
- Sanitary/phytosanitary certificates issued by department of plant protection;
- Inspection certificates by third party inspectors if necessary;
- Preparation of invoice, PL and other documents as per contract;
- E-form through authorised commercial bank;
- Filing of GD and customs clearance by exporter themselves or by clearing agent;
- Agreement with freight forwarders for shipment;
- Loading on cargo ship;
- Issuance of bill of lading by the shipping company/freight forwarder; and
- Certificate of country of origin.

The current examples of the NTTFC and TDAP have been listed to demonstrate the models of NTFCs and NMTFCs currently operating in Pakistan as per what resembles the FALCom guidelines regarding a National Maritime Trade Facilitation Program.

Recommendations

In light of the aforementioned facts, the Islamic Republic of Pakistan must modernise and simplify all such documentary procedures and other administrative formalities while also bringing them into compliance with global standards and best recommended practices to ensure the timely and economical arrival and circulation of global maritime traffic and, as a result, maximise the advantages it reaps from global maritime trade. The Accession and successful implementation of the FALC would be a crucial step in achieving this goal because it would make operations more efficient for ships/vessels and their crews by reducing administrative requirements and reporting requirements, as well as by ensuring the highest level of simplification and homogeneity with other CGs. Furthermore, reducing administrative restrictions on international shipping would result in cheaper costs for transportation and trade transactions, which would be advantageous to ship owners as well as exporters, importers, government agencies, and eventually consumers or the general public.

In light of the afore mentioned findings of the study and benefits towards CGs and shippers under the FALC provisions, the following recommendations are presented:

- As per Article X of the FALC,³⁹ Pakistan must first deposit an instrument of accession with the Secretary General to become a party to the convention. Finally, the application must be approved by two-thirds of the Members of the Organisation other than Associate Members.
- Pakistan must then subsequently commence the process of bringing domestic legislation/procedures/regulations/standards and practices in line with the provisions of the FALC and the FALCom approved guidelines to become a competitive maritime hub. The only road map towards economic prosperity as a regional player in maritime trade and transportation is through modernisation and standardisation under the FALC, especially in accordance with Pakistan's ambitions under the CPEC.
- The Government of Pakistan must provide a single portal or forum for all NMTFC's to review policy and regulatory issues regarding the clearance formalities that affect the departure, stay and arrival of a vessel, at the ship/port juncture.
- The Government of Pakistan, through collaboration with the various governmental and private sector stakeholders of the maritime industry, must formulate a single National Maritime Trade and Transport Facilitation Program/Policy to contribute sustainably, to the implementation of the FALC provisions and FALCom guidelines.

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