



29 November 2012

Dr John White

Department of the House of Representatives
Standing Committee on Social Policy and Legal Affairs
Parliament House

Re: Inquiry into the arrangements surrounding crimes committed at sea.

Dear John

I am pleased to provide a submission to your inquiry that has been generated from our sister association in North America – Cruise Line International Association (CLIA).

As you will see from the attached material, CLIA are already involved in regulatory and technical issues faced by the cruise industry globally with passenger safety being the #1 priority. CLIA also represent the cruise industry at the International Maritime Organisation (IMO) and as such this submission is designed to assist your committee in understanding what work is currently being undertaken by the IMO.

Attached you will find

- Covering letter from Mr Charles “Bud” Darr, Vice President Technical & Regulatory Affairs, CLIA
- A summary document originally proposed to the IMO Legal Committee from CLIA in February 2011, to consider the matter of crime reporting on cruise ships in international waters.
- A summary document proposing the updated development of guidelines relating to allegations of crime committed at sea that was submitted to the IMO jointly from CLIA, the United Kingdom and the Philippines on the 10th February 2012.
- A detailed document presenting draft guidance to the IMO Legal Committee and the proposed application of guidelines submitted jointly from CLIA, the United Kingdom and the Philippines.

Please don't hesitate to make contact with us if you require further assistance in making contact with appropriate expertise within CLIA.

Kind regards

Brett Jardine
General Manager
International Cruise Council Australasia



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Dear Dr. White:

Thank you for the opportunity to provide our comments along with the International Cruise Council Australasia on this important matter.

The nonprofit Cruise Lines International Association (CLIA) is the world's largest cruise association and is dedicated to the promotion of a safe and secure cruise ship environment. CLIA represents the interests of 26 member lines, 15,000 travel agents, and 120 executive partners before regulatory and legislative policy makers, supporting measures that foster a safe, secure and healthy cruise ship environment. Major lines have sophisticated security departments run by former federal, state or military law enforcement officials and staffed by competent, qualified security personnel.

The cruise industry has long supported the reporting of crimes and stringent safeguards for passengers and crew.

- For over 10 years, CLIA member lines have trained shipboard security officers with an evidence preservation program prepared, and when possible delivered, by the U. S. Federal Bureau of Investigation (FBI). This program has been updated through the years with the last update in 2011.
- In 2007 CLIA's members sought and entered into a formal written Agreement with the FBI and U.S. Coast Guard (USCG) requiring cruise lines to report all serious incidents involving Americans on *all* cruises at *all* times. These serious incidents (homicide, suspicious death, a missing United States national, kidnapping, assault with serious bodily injury, sexual assaults or contact involving minors, firing or tampering with the vessel, or theft of money or property in excess of \$ 10,000) are to be reported as soon as possible to the FBI, followed by a written report to the FBI and USCG via the National Command Center.
- In 2010, the U. S. Congress passed the Cruise Vessel Security and Safety Act (CVSSA), with the support of the cruise industry. In addition to various operational and

structural requirements to enhance shipboard security and safety, the CVSSA codified the industry's 2007 Agreement for reporting of serious incidents on cruises to or from the U.S., and dramatically increased penalties for non-reporting.

- The cruise industry has also worked closely with the United Kingdom's Association of Chief Police Officers (ACPO) on The Crime Manual for Ship's Security Officers which was published and distributed to member lines in 2009.
- When an alleged crime is reported, CLIA member lines' trained security personnel follow established procedures that include care for the victim, detaining suspects and securing a crime scene. Cruise lines' security operations maintain strong working relations and collaboration with law enforcement authorities at the state and national level and internationally in an effort to identify and address all emerging threats or security issues.

Additionally, CLIA represents the industry at the International Maritime Organization (IMO), the United Nations' agency that mandates global standards for the safety and operation of cruise ships. Australia has routinely worked very closely on a range of issues at IMO with CLIA's representatives.

- CLIA first approached that body in 2011 at the Legal Committee with a paper inviting consideration of the matter of crime reporting on passenger ships in international commerce. See attached paper LEG 98/INF.3.
- The industry subsequently co-sponsored with the United Kingdom (UK) and the Philippines (PH) the follow-on papers submitted to the following IMO Legal Committee in 2012. These papers LEG 99/11/1 and LEG 99/INF.2 (attached) proposed a way forward to continue this important work and also proposed additional elements that the cruise industry continues to fully support. These submissions were broadly supported.
- CLIA and its member lines continue to work with the UK, PH and other nations at IMO to see this project come to a successful conclusion. We would very much welcome Australia's continued support in this important international effort.

CLIA and its member lines remain committed to supporting measures that foster a safe, secure and healthy cruise ship environment. For our members, the safety of guests and crew is our highest priority.

Sincerely,

Charles “Bud” Darr
Vice President,
Technical and Regulatory Affairs
Cruise Lines International Association

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