**VIRTUAL TRAINING ON “IMPLEMENTATION AND ENFORCEMENT OF SOLAS CONVENTION”**

**8-10 SEPTEMBER 2021**

**CONCEPT NOTE**

**Background**

Around 90% of traded goods are carried by sea, and this makes maritime transportation the backbone of international trade and the global economy. To carry the goods from one state to another, ships constantly move around seas therefore most of the time they are outside of their territorial waters and are subject to various jurisdictions. Due to its international nature, shipping could only be operated effectively if the shipping regulations and standards are universally harmonised and implemented properly. For this purpose, the International Maritime Organization (IMO) was established as a specialised agency for the United Nations.

Under Article 1(a) of Convention on the IMO, main purposes of IMO are indicated as encouraging and facilitating the general adoption of the highest practicable standards in matters concerning the maritime safety, efficiency of navigation, and preventing and controlling of marine pollution from ships. To this end, as its first task IMO adopted the International Convention for the Safety of Life at Sea (SOLAS), 1974 which sets minimum standards for the construction, equipment and operation of ships to ensure their safety.

SOLAS Convention consists of technical provisions along with general provisions, and because of its living convention nature it has been amended numerous times on the basis of new technical developments and needs. Furthermore, the SOLAS Convention contains “tacit acceptance” procedure which basically means that a new amendment shall enter into force on a certain date unless any objection is presented from an agreed number of Parties. Tacit acceptance procedure and living nature of the Convention would cause some implementation problems therefore it would not be an easy task to determine whether or not a SOLAS regulation is applicable under the national law of a state party. In order to prevent such legal uncertainties, scope and nature of SOLAS Convention as well as implementation of international agreements procedure need to be well understood.

**Objectives**

Turkey, Lebanon and Tunisia are all Parties of SOLAS Convention and riparian states of the Mediterranean Sea.  In order to exchange experiences on implementation and enforcement of international maritime agreements, ensure effective coordination and cooperation, enhance legal certainty and harmonisation thus improve relationships and trade among Project partners, Republic of Turkey Ministry of Transport and Infrastructure, Directorate General of Maritime Affair proposed a Project to COMCEC in 2019 titled as “Implementation and Fulfillment of International Maritime Agreements”. The Project was planned to be conducted in 2020 but due to the COVID-19 pandemic it had to be shifted to 2021.

Against this background, the Republic of Turkey Ministry of Transport and Infrastructure, Directorate General of Maritime Affair with the financial support of COMCEC will organize a Virtual Training on “Implementation and Enforcement of SOLAS Convention” to discuss and examine abovementioned legal issues.

The Virtual Training is designed to start by explaining general background information first and then tackling specific implementation and enforcement issues. It covers the following topics:

* Introduction to IMO, its structure, functions and roles
* Goal-Based Standards concepts and its effects on SOLAS Convention
* Treaty making process and Vienna Convention on the Law of Treaties
* IMO’s tacit acceptance procedure
* Framework, scope and application of SOLAS Convention and its compulsory Codes
* Concepts of Flag/Port States, and Classification Societies and their roles

**Format**

* Presentations will be made by legal experts for around 2.5 hours of daily sessions via Teams from 8th September to 10th September 2021.
* Training will be conducted in English, there will not be any interpretation.
* Q&A sessions at the end of each presentation.

**Virtual Training Programme, 8-10 September 2021**

*All times are indicated in Ankara (GMT +3) time.*

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| **8 September 2021, Wednesday** | |
| **14:00-14:20** | **Opening Speeches**  Mr. Ünal BAYLAN  Director General of Maritime Affairs, Ministry of Transport and Infrastructure  Mr. Fatih ÜNLÜ  Director General of the COMCEC Coordination Office |
| **14:20-15:00** | **IMO’s Structure and Its Roles**  Dr Belma BULUT ŞAHIN  Asst. Prof of Maritime Law, Kocaeli University |
| **15:00-15:10** | **Break** |
| **15:10-15:50** | **Effects of IMO’s Goal-Based Standards on the Enforcement of SOLAS Convention**  Dr Belma BULUT ŞAHIN  Asst. Prof of Maritime Law, Kocaeli University |
| **15:50-16:00** | **Break** |
| **16:00-16:40** | **Treaty Making Process and Incorporation into National Law**  Dr Dolunay ÖZBEK  Asst. Prof of Public International Law, İstanbul Bilgi University |

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| **9 September 2021, Thursday** | |
| **14:00-14:40** | **Implementation of IMO Treaties within National Law, and in Maritime Areas and Among Parties and Non-parties**  Dr Dolunay ÖZBEK  Asst. Prof of Public International Law, İstanbul Bilgi University |
| **14:40-14:50** | **Break** |
| **14:50-15:30** | **IMO’s Tacit Acceptance Procedure**  Dr Dolunay ÖZBEK  Asst. Prof of Public International Law, İstanbul Bilgi University |
| **15:30-15:40** | **Break** |
| **15:40-16:20** | **Introduction to SOLAS Convention**  Dr Tamer YALÇIN  Asst. Prof of Maritime Transportation, Piri Reis University |

**Virtual Training Programme, 8-10 September 2021**

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| **10 September 2021, Friday** | |
| **14:00-14:40** | **Structure of SOLAS Convention**  Dr Tamer YALÇIN  Asst. Prof of Maritime Transportation, Piri Reis University |
| **14:40-14:50** | **Break** |
| **14:50-15:30** | **Compulsory Codes under SOLAS Convention**  Dr Tamer YALÇIN  Asst. Prof of Maritime Transportation, Piri Reis University |
| **15:30-15:40** | **Break** |
| **15:40-16:20** | **The Roles of Flag States, Port States and Classification Societies on the Enforcement of SOLAS Convention**  Dr Belma BULUT ŞAHIN  Asst. Prof of Maritime Law, Kocaeli University |
| **16:20-16:40** | **Closing Remarks**  Mr. Ünal BAYLAN  Director General of Maritime Affairs, Ministry of Transport and Infrastructure |