

International Maritime Organization Approves Inaugural Guidelines on Ship Registration

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During the 113th Session of the International Maritime Organization (“**IMO**”) Legal Committee (“**Committee**”), the Committee approved a new set of international guidelines aimed at standardising ship registration processes across flag states to improve transparency and due diligence in ship registration and to prevent the use of fraudulent registrations and misuse of flags (the “**Guidelines**”).

The Committee noted that during the past year, 529 ships were identified as flying false flags and close to 40 member states discovered that criminal groups had been fraudulently using their national flags without their knowledge or consent. Accordingly, it is anticipated that the Guidelines will help to close a key regulatory gap, given that there is currently no binding international framework in respect of ship registration and may limit occurrences of fraud. Additionally, whilst the Guidelines are non-binding, it is expected that they will be treated as an authoritative statement of international best practice. However, the Committee has emphasised that the Guidelines should not be interpreted as imposing any additional obligations beyond those already set out in international conventions.

Flag State Legislation, Governance and Control

The Guidelines recommend that flag states establish a domestic legal and administrative framework governing the creation, operation and oversight of the national ship registry. This domestic framework should define the eligibility criteria for ships and shipowners alongside the documentation required to support registration applications, procedures for registration, transfer of ownership and deletion or deregistration of ships from the registry. The framework should also provide the national ship registry with the authority to verify the accuracy and authenticity of submitted information and the authority to refuse or cancel a registration or revoke the nationality of a ship where fraud, non-compliance or other irregularities are identified.

It is also recommended that flag states designate one or more competent governmental institutions to oversee the registry. The powers and responsibilities of such institutions should be clearly defined in legislation or regulations, including the power to review and approve registration applications, issue statutory certificates and enforce national and international requirements. Where private or third-party operators deliver registry services (either wholly or partly), the flag state should ensure that formal contractual arrangements are in place to define the delegated functions, applicable standards and oversight mechanisms. To maintain control over ship registration, flag states should require that registration should be carried out exclusively by officers of the flag state ship registry, designated embassy or agents acting under formal delegation.

Procedures and Quality Assurance in Ship Registration

In respect of procedures and quality assurance, the Guidelines recommend that flag states maintain documented procedures and quality management systems that cover all stages of the

ship registration process. The Guidelines note that this should include adequate methods to assess applications, issue certificates, verify registration status online and monitor post-registration compliance. The Committee recognises that the implementation of a more structured system enhances consistency, transparency and accountability, whilst simultaneously helping registries detect fraudulent registrations and ensure ongoing compliance with the requirements of the ship registry.

Due Diligence on Ownership and Ship Identification

According to the Guidelines, it is suggested that due diligence should be performed to verify ownership of ships and prevent potential flag abuse. To verify ownership, it is recommended that flag states should conduct due diligence on both ship ownership and ship identity.

In respect of due diligence on ship ownership, the Guidelines suggest that flag states should obtain and verify incorporation documents, registers of directors and shareholders, passports, beneficial ownership information and IMO company and registered owner identification numbers. All parties related to the vessel, including owners, operators, managers, financiers, lenders and mortgagees should be subject to comprehensive sanctions screening both before registration and on a routine basis thereafter. To prevent dual registration, the Guidelines suggest that registries should also require proof of deletion from a previous registry (for example, a Deletion Certificate) and in cases of provisional registration, a Certificate of Ownership and Freedom of Encumbrances from the previous registry may be submitted.

To verify ship identity, the Guidelines suggest that flag states should check unique identifiers (particularly the IMO number of the ship) against available registry records and, where possible, cross check against national and international information sources. In addition, the Guidelines recommend that current and former names of the ship, builder, year of build, ship type, tonnage and principal dimensions are verified against submitted documentation. The Guidelines also note that screening of the Continuous Synopsis Record is essential for verifying the ship's identity, prior registration history and ownership details. Checks should also be carried out to ensure that the ship is not subject to United Nations Security Council ("**UNSC**") sanctions or any relevant national sanctions.

The Guidelines further recommend that flag states should require a Certificate of Registry (or other similar document of nationality) be issued in accordance with the United Nations Convention on the Law of the Sea, Article 91(2), taking into account Appendix 12 of the Procedures for Port State Control, 2025 (Resolution A.1206(34)), as may be amended. The Guidelines suggest that such certificate should incorporate unique identifiers in order to prevent forgery or improper use. In its Guidelines, the Committee suggests that verifying the classification status of a ship and the insurance or financial security of the ship or owner is an essential part of the due diligence process carried out by the flag state and where a classification society acts as a recognised organization ("**RO**"), it should be ensured that such RO is formally recognised, duly authorised and subject to appropriate oversight by the flag state.

Information Tools During Ship Registration and Cooperation

The Guidelines emphasise the importance of robust due diligence and information sharing throughout the ship registration process. Flag states are encouraged to verify the accuracy and legitimacy of registration documentation using authoritative sources and tools, including the IMO's Global Integrated Shipping Information System ("**GISIS**"), flag state verification platforms, UNSC databases and reputable commercial maritime intelligence services. These resources can assist in

identifying discrepancies relating to a vessel's registration history, ownership structure, classification status, operational record, sanctions exposure or potential false flag activity. The Guidelines also place significant emphasis on cooperation between flag states, port state control authorities and international organizations, encouraging the prompt exchange of information relating to vessel ownership, registration status, deletion from registries and suspected fraudulent registrations. Flag states are encouraged to provide timely confirmation of vessel deletions and transfers between registries and maintain records of vessels removed for serious regulatory breaches or fraudulent conduct. Enhanced transparency and information sharing are intended to reduce opportunities for fraudulent re-registration practices and strengthen the integrity of the international ship registration system.

Effective Implementation of IMO Instruments

Finally, the Guidelines recognise that the effective implementation of IMO instruments is a key element in maintaining high standards of maritime safety, security and regulatory compliance, whilst reducing the risk of fraudulent registration practices. Flag states are encouraged to ratify and properly implement applicable international conventions and to have in place the legislative, administrative and enforcement mechanisms necessary to discharge their obligations as flag states, taking into account the principles of the IMO Instruments Implementation Code. The Guidelines further emphasise the importance of inspection, survey and monitoring programmes to verify that ships flying a state's flag comply with applicable national and international requirements relating to safety, security, environmental protection and seafarer welfare. In this regard, vessels should be subject to appropriate surveys and ongoing oversight, either directly by the flag state or through recognised organisations acting on its behalf, with investigations undertaken where accidents or compliance concerns arise.

Conclusion

The Guidelines represent the IMO's first comprehensive attempt to consolidate international best practice on ship registration into a single framework. By addressing key aspects of the registration process, including governance, due diligence, sanctions screening, information sharing and regulatory oversight, the Guidelines are intended to promote greater transparency and consistency across ship registries and to assist flag states in preventing fraudulent registration practices. Although they do not create new legal obligations and are not binding on IMO member states, the Guidelines provide a useful benchmark for the administration of ship registries and reflect the Committee's ongoing focus on strengthening the integrity of the international shipping system.

How We Can Assist

Haynes Boone's [Shipping Practice Group](#) regularly advises on all aspects of ship registration and deregistration, across a wide range of international registries; due diligence in respect of ownership and ship identity; and transfers of ownership on a wide variety of transactions. Should you wish to discuss the implications of the Guidelines for your fleet or operations, or require assistance with any registration-related matter, please do not hesitate to contact a member of the team listed below.