

AN UNDERTAKING
CONCERNING MUTUAL RECOGNITION OF TRAINING AND CERTIFICATION
OF SEAFARERS
FOR SERVICE ONBOARD VESSELS

Between

THE LIBERIA MARITIME AUTHORITY

On behalf of

THE GOVERNMENT OF THE REPUBLIC OF LIBERIA

And

THE ECUADOR MARITIME AUTHORITY

On behalf of

THE GOVERNMENT OF THE REPUBLIC OF ECUADOR

A MUTUAL UNDERTAKING

This document relates to the International Convention on Standards of Training, Certification and Watch keeping for Seafarers, 1978, as amended ("STCW Convention"). Wherever the phrase "Liberian Administration" is used in this document, it shall mean the Liberia Maritime Authority (LMA), acting on behalf of the Government of the Republic of Liberia, and wherever the phrase "Ecuador Administration" is used in this document, it shall mean the Ecuador Maritime Authority, acting on behalf of the Government of the Republic of Ecuador.

WHEREAS, being guided by the instructions for establishing arrangements between the Parties to the STCW Convention contained in MSC.1/Circ.1450 of 24 January 2013, adopted by the Maritime Safety Committee (MSC) of the International Maritime Organization (IMO) at its 91st Session; the Parties have reviewed their respective obligations under the aforementioned Convention and, without prejudice to the national laws of either Party, hereby enter into this Undertaking, as required by Regulation I/10, 1.2, (*Recognition of Foreign Certificates*) for the purpose of ensuring that requirements of the STCW Convention, including the related provisions of the STCW Code, are complied with as follows:

1. Both the Liberian Administration and the Ecuador Administration are the Parties whose national certificates of competency are to be mutually recognized for endorsement.
2. In order for their certificates of competency to be mutually recognized by endorsement pursuant to Regulation I/10, the Parties have considered that according to written submitted evidence, they have both been regarded by the MSC of the IMO, as Parties that are giving full and complete effect to the relevant provisions of the STCW Convention, particularly to Regulation I/7 of the STCW Convention and Section A-I/7 of the STCW Code.
3. The Parties shall, within the framework of their respective laws and regulations, ensure that the education, training and assessment of seafarers, as required under the STCW Convention, are administered and monitored in accordance with the provisions of Section A-I/6 of the STCW Code; and, ensure that those who are responsible for such training are appropriately qualified in accordance with the provisions of Section A-I/6 of the STCW Code for the type and level of training or assessment involved.
4. The Parties shall, with respect to mutual recognition of certificates under I/10 of the STCW Convention, ensure that an endorsement in accordance with Regulation I/2, paragraph 5, is only issued if the applicable requirements of the STCW Convention have been complied with by both, and may request to verify the validity and contents of certificates by the quickest possible means of authentication supported by evidentiary documentation, as necessary. A response to the request must be made within five (5) working days.
5. Both Parties shall give assurance and confirmation, through all necessary measures, which may include allowing the periodic inspection of its approved facilities and procedures, that they are in full compliance with the Requirements concerning the standards of competence, the issuance of certificates and record keeping; that they have taken necessary action to comply with the training requirements of the STCW Convention, including the STCW Code, as they may be applicable;

and that they will make materials and training facilities available for inspection and review when requested. The Parties shall include in their written request for visitation the purpose, scope, timing schedule and composition of their visiting team, and the Parties shall mutually agree to the visitation including the facilities and procedures to be visited.

6. In accordance with Regulation I/10 of the Convention:

A. Each Administration will notify the other, within a time period not exceeding (90) days, of any important change on the whole system of Maritime Education Training, Assessment and Certification.

B. As a minimum, important changes are considered to be:

- i. Changes of the persons in the Administrations, who are responsible for the implementation of the Undertaking or of the way or means to communicate with them.
- ii. Any changes that may result in alterations of the procedures recited in this Undertaking.
- iii. Modifications on the whole system of Maritime Education and Training, assessment and certification of seafarers that entail substantial differences or variations compared to the initial report that the Parties submitted to the Secretary General of IMO, in accordance with Section A-I/7 of the STCW Code.

7. The Parties understand that in accordance with Regulation I/10, paragraph 6, endorsements issued under the provisions of this Regulation, or attesting the recognition of, a certificate issued by another member state, which has ratified the STCW Convention, may neither be used nor will they be accorded further recognition by the either Administration.

8. The Parties shall establish measures to ensure that seafarers, at the management level, who are issued endorsement certificates, acquire an appropriate knowledge of the maritime legislation of each Administration relevant to the function they are permitted to perform.

9. Should it become necessary for the Parties to suspend, revoke or otherwise withdraw its endorsement of recognition of a certificate of competency for disciplinary or other reasons, they will, within thirty (30) days of taking such action, inform the other of the circumstances.

10. All notification required to be made under this Undertaking shall be in writing and forwarded to the official responsible for the implementation, as follows:

For: The Ecuador Administration

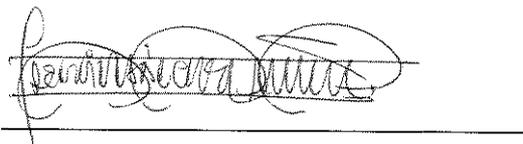
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This Undertaking shall enter into force on the date of the signature of the second party to sign this document, and shall remain into force for a period of five (5) years. Each Party shall have the right to denounce this Undertaking at any time by a written notification. The denunciation of the Undertaking will be effective three (3) months after the receipt of such a notification by the other Party.

The Undertaking shall be automatically extended for consecutive periods of five (5) years unless it is denounced by either of the Parties, according to the procedure of the above paragraph, or either of the Parties, upon three (3) months prior notification, expresses its wishes to revise this Agreement in part or in whole and the proposed revision is accepted by the other Party, or both Parties agree its termination.



Maritime Administrator
DIRNEA
Republic of Ecuador



Margaret C. Ansumana
Deputy Commissioner of Maritime Affairs
Republic of Liberia

FOR THE ECUADORIAN ADMINISTRATION

FOR THE LIBERIAN ADMINISTRATION

Dated this 2nd day DECEMBER 2020

Dated this 1st day December, 2020