



ANNEX II

Operational Template for Risk Assessment

This document draws upon the findings of the ASCOMARE Legal Opinion (11 March 2025), developed by a team of law of the sea experts coordinated by ASCOMARE. The research and documentation has been prepared at the request of the Palestinian BDS National Committee.

Note (1): For the purposes of this Annex, “high-risk countries” means countries presenting a credible risk of committing genocide, crimes against humanity, grave breaches of the 1949 Geneva Conventions, attacks against civilians or civilian objects, or other war crimes.

Note (2): This document is an updated version of the original published on 11 November 2025, available at <https://bdsmovement.net/resources/how-implement-obligations-under-law-sea-prevent-illegal-maritime-transfers-israel>.

Section 1 – Vessel identification and cargo

The table below provides a non-exhaustive list of indicators for the classification of the risk level of vessels calling at port. These indicators provide the competent authorities of port States with the elements necessary to determine the vessel’s risk category, in accordance with Section 2 of this document.

The indicators are based, in particular, on four sets of information available to the competent authorities: *first*, information transmitted by vessels through a prior notification (PNO) submitted before port entry — the submission of a mandatory PNO, in line with the template set out in Annex III (‘Advance request for port entry’), is strongly recommended; *second*, information obtained through inspections (whether conducted on land or at sea) or through additional requests made by the competent authorities; *third*, information available through information-sharing mechanisms (e.g., from other States or international organizations); and *fourth*, reliable publicly available information.

<p>Vessel name, type, size (LOA), IMO number (or other unique identifier)</p>	<p>If vessel detained in the previous 12 months for conducting business with high risk countries: HIGH RISK</p> <p>If vessel detained for conducting business with high risk countries in the previous 12-24 months: STANDARD RISK</p> <p>If vessel denied entry in port(s) of call in the previous 12 months for related violations: HIGH RISK</p> <p>If vessel denied entry in port(s) of call in the previous 12-24 months: STANDARD RISK</p> <p>If vessel known to have been involved in trade with high risk countries in the previous 12 months: HIGH RISK</p> <p>If vessel known to have been involved in trade with high risk countries in the previous 12-24 months: STANDARD RISK</p> <p>If vessel included in any relevant ‘high risk’ vessels list: HIGH RISK</p> <p>If flag hopping in the previous 12 months: HIGH RISK</p> <p>If flag hopping in the previous 12-24 months: STANDARD RISK</p>
<p>Flag State</p>	<p>If suspect of poor flag State’s performance: STANDARD RISK</p> <p>If confirmation of poor flag State’s performance: HIGH RISK</p>

	<p>If the flag State is a high risk country: HIGH RISK</p> <p>If vessel without nationality or assimilated to a vessel without nationality: HIGH RISK</p>
<p>Flag State's certification (dual-use components)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If no flag State's certification that dual-use components will not be used for genocide, crimes against humanity, grave breaches of the 1949 Geneva Conventions, attacks against civilians or civilian objects, or other war crimes: HIGH RISK</p>
<p>AIS</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No</p>	<p>If no AIS (impossibility to track the vessel's activities): HIGH RISK</p> <p>If evidence that AIS was switched off without any valid reason: STANDARD RISK</p>
<p>Port of registry</p>	<p>If registered in high risk countries: HIGH RISK</p> <p>If registered in countries suspected/confirmed of supporting high risks countries: STANDARD RISK</p>
<p>Port of departure</p>	<p>If departing from high risk countries: HIGH RISK</p> <p>If departing from countries suspected/confirmed of supporting high risks countries: STANDARD RISK</p>
<p>Previous ports of call (after port of departure)</p>	<p>If denied entry in port(s) of call: HIGH RISK</p> <p>If docking in high risk countries: HIGH RISK</p> <p>If docking in countries suspected/confirmed of supporting high risks countries: STANDARD RISK</p>
<p>Transshipments in previous ports of call (after port of departure)</p> <p><input type="checkbox"/> Yes <input type="checkbox"/> No. If yes, transshipment authorization and details.</p>	<p>If transshipment in high risk countries: HIGH RISK</p> <p>If transshipment in countries suspected/confirmed of supporting high risks countries: STANDARD RISK</p> <p>If transshipment at sea: HIGH RISK</p> <p>If no transshipment authorization: HIGH RISK</p>
<p>Port of call (final destination)</p>	<p>If intended final destination in high risk countries: HIGH RISK</p> <p>If intended final destination in countries suspected/confirmed of supporting high risks countries: STANDARD RISK</p>

	<p>If final destination in the previous 12 months: HIGH RISK</p> <p>If final destination in the previous 12-24 months: STANDARD RISK</p>
<p>Owner / Operator / Charterer</p>	<p>If there is evidence that owner (including beneficial owner), operator or charterer conduct a substantial amount of business with high risk countries: HIGH RISK</p> <p>If there is the suspect that owner (including beneficial owner), operator or charterer conduct direct/indirect business with high risk countries: STANDARD RISK</p> <p>If owner (including beneficial owner), operator or charterer committed similar violations in the previous 12 months: HIGH RISK</p> <p>If owner (including beneficial owner), operator or charterer committed similar violations in the previous 12-24 months: STANDARD RISK</p>
<p>Cargo description (type, nature)</p>	<p>If cargo include any of the following conventional arms, including ammunition/munitions, parts, or components that provide the capability to assemble them, destined to high risk countries (HIGH RISK) or to countries suspected/confirmed of supporting high risks countries (STANDARD RISK)</p> <ul style="list-style-type: none"> <input type="checkbox"/> Battle tanks <input type="checkbox"/> Armoured combat vehicles <input type="checkbox"/> Large-calibre artillery systems <input type="checkbox"/> Combat aircraft <input type="checkbox"/> Attack helicopters <input type="checkbox"/> Warships <input type="checkbox"/> Missiles and missile launchers <input type="checkbox"/> Small arms and light weapons <p>If cargo include dual-use component without flag State's certification: HIGH RISK</p>

	<p>If wrong/false/missing information on cargo type and nature: HIGH RISK</p> <p>If incomplete information on cargo type and nature: STANDARD RISK</p>
<p>Cargo documentation provided (origin, destination / shipper, consignee):</p> <p><input type="checkbox"/> Complete <input type="checkbox"/> Incomplete <input type="checkbox"/> Missing</p>	<p>If wrong/false/missing information: HIGH RISK</p> <p>If incomplete information: STANDARD RISK</p>
<p>Shipper /Consignee</p>	<p>If there is evidence that the shipper in the previous 12 months has been conducting business with high risk countries: HIGH RISK</p> <p>If consignee is in a high risk country or there is evidence that, in the previous 12 months, has been conducting business with high risk: HIGH RISK</p>
<p>Intended use of the cargo</p>	<p>If evidence cargo may be used for genocide, crimes against humanity, grave breaches of the 1949 Geneva Conventions, attacks against civilians or civilian objects, or other war crimes: HIGH RISK</p> <p>If suspect cargo may be used for genocide, crimes against humanity, grave breaches of the 1949 Geneva Conventions, attacks against civilians or civilian objects, or other war crimes: STANDARD RISK</p> <p>If intention are not stated/unclear: STANDARD RISK</p>
<p>PNO (24h before entry)</p>	<p>No prior notification 24h before port entry: HIGH RISK</p> <p>Incomplete information: STANDARD RISK</p> <p>Wrong/false/missing information reported: HIGH RISK</p>
<p>Additional information/clarification requested to the vessel</p>	<p>No reply: STANDARD RISK</p> <p>Incomplete information: STANDARD RISK</p> <p>Wrong/false/missing information reported: HIGH RISK</p>
<p>Additional information/clarification requested to the flag State</p>	<p>No reply: STANDARD RISK</p> <p>Incomplete information: STANDARD RISK</p> <p>Wrong/false/missing information reported: HIGH RISK</p>

Other relevant information	<p>Suspected risk of non-compliance, based on evidence provide by other States, UN bodies, civil-society organizations: STANDARD RISK</p> <p>Confirmed risk of non-compliance, based on evidence provided by other States, UN bodies, civil-society organizations: HIGH RISK</p>
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Section 2 – Risk categories

The table below provides an indicative identification of risk categories based on the relevant risk indicators (High / Standard) listed in Section 1, to assist the competent authorities of port States in their risk assessment whenever one or more risk indicators are present.

RISK 1	RISK 2	RISK 3	RISK 4
all or majority of high risk indicators	equal number of high risk and standard risk indicators, or majority of standard risk indicators	all standard risk indicators (3 or more)	all standard risk indicators (less than 3)

Note (1): ideally, risk categories should inform not only the specific action to be taken in respect of each vessel category, but also the order of priority in which such action is to be undertaken.

Note (2): it is recommended that a list of vessels, organized by risk category, be established at the national, regional, or international level and be kept up to date.

Section 3 – Decision on Port Entry

The table below provides an indicative correlation between the expected outcomes of port entry decisions and the risk categories set out in Section 2, to assist the competent authorities of port States in their decision-making process.

Deny of port entry	Allow entry without services, subject to compulsory inspection (possible detention and confiscation of cargo)	Allow entry with services, subject to compulsory inspection (possible detention and confiscation of cargo)	Delay entry until further investigation / request of additional information	Allow entry, subject to other conditions / no condition (where appropriate)
Risk 1, Risk 2	Risk 1, Risk 2	Risk 2, Risk 3	Risk 3, Risk 4	Risk 4

Reasoning: _____

Note (1): decisions regarding port entry and accompanying measures lie with the port State and shall be taken on the basis of available information and resources. The correlation between the expected outcomes and the risk categories set out in the table above does not take into account additional considerations that may be relevant at the time a port entry decision is made. For example, limitations in inspection or enforcement capacity may require a port State, in application of the precautionary approach, to deny port entry even to vessels classified under lower-risk categories.