

## WORLD SAILING

### INTERNATIONAL REGULATIONS REPORT OF THE MARITIME SAFETY COMMITTEE 96

#### HELD AT IMO HEADQUARTERS FROM 11 TO 20 MAY 2016,

#### **1 INTRODUCTION – ADOPTION OF THE AGENDA**

The Secretary-General welcomed participants and delivered his opening address, the full text of which can be downloaded from the IMO website at the following address:

<http://www.imo.org/MediaCentre/SecretaryGeneral/Secretary-GeneralsSpeechesToMeetings>

The Committee adopted the agenda. The agenda, as adopted, with a list of documents considered under each agenda item, is set out in document MSC 96/INF.13.

#### **2 DECISIONS OF OTHER IMO BODIES**

The Committee noted the decisions of Council, Assembly, Technical Committee, Facilitation Committee and MEPC 69 and took appropriate action under the relevant agenda items.

#### **3 CONSIDERATION AND ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS**

This was a huge agenda item that considered a range of amendments to IMO conventions and codes affecting international shipping. There was nothing that affects World Sailing.

#### **4 MEASURES TO ENHANCE MARITIME SECURITY**

This item considered development of guidance for the development of national maritime security legislation, measures towards enhancing maritime cyber security. In addition, issues related to the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine were discussed.

The majority of the delegations that spoke condemned the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation and shared the concerns expressed by Ukraine. Furthermore, a number of delegations urged UN Member States to consider non-recognition measures in line with the United Nations General Assembly resolution 68/262 and expressed the view that some aspects of the matter were within the remit of the Organization. However, after some discussion, the Committee agreed that IMO was not the appropriate forum to discuss the matter and that the issue was outside the remit of the Organization.

#### **5 GOAL-BASED NEW SHIP CONSTRUCTION STANDARDS**

This item mainly dealt with Goal Based Standard verification audits within class and is of little interest to World Sailing

#### **6 PASSENGER SHIP SAFETY**

This item followed on from the capsizing of the passenger ship Costa Concordia and measure taken to update the long-term action plan on passenger ship safety. However, as no further work under this agenda item had been identified, the Committee agreed to delete this output from the High-

level Action Plan, with the understanding that new outputs could be proposed by Member States in the future.

**7 MANDATORY INSTRUMENT AND/OR PROVISIONS ADDRESSING SAFETY STANDARDS FOR THE CARRIAGE OF MORE THAN 12 INDUSTRIAL PERSONNEL ON BOARD VESSELS ENGAGED ON INTERNATIONAL VOYAGES**

This item contained no items of interest to World Sailing

**8 SHIP SYSTEMS AND EQUIPMENT (report of the second session and urgent matters emanating from the third session of the Sub-Committee)**

This item contained no items of interest to World Sailing

**9 IMPLEMENTATION OF IMO INSTRUMENTS (report of the second session of the Sub-Committee)**

This item contained no items of interest to World Sailing

**10 CARRIAGE OF CARGOES AND CONTAINERS (report of the second session of the Sub-Committee)**

This item contained no items of interest to World Sailing

**11 SHIP DESIGN AND CONSTRUCTION (report of the third session of the Sub-Committee)**

This item contained no items of interest to World Sailing

**12 HUMAN ELEMENT, TRAINING AND WATCHKEEPING (report of the third session of the Sub-Committee)**

This item contained no items of interest to World Sailing; however, the Committee approved the list of principles and the provisional scope for a comprehensive review of the 1995 STCW-F Convention.

**13 POLLUTION PREVENTION AND RESPONSE (report of the third session of the Sub-Committee)**

This item contained no items of interest to World Sailing

**14 NAVIGATION, COMMUNICATIONS, SEARCH AND RESCUE (urgent matters emanating from the third session of the Sub-Committee)**

See Separate report from Stuart Carruthers on NCSR3.

**15 CAPACITY BUILDING FOR THE IMPLEMENTATION OF NEW MEASURES**

The Committee requested the Vice-Chairman, in consultation with the Chairman and with the assistance of the Secretariat, to submit, to MSC 97, a preliminary assessment of the capacity-building implications and technical assistance needs related to approved amendments to mandatory instruments and the new outputs related to mandatory instruments approved during MSC96.

**16 FORMAL SAFETY ASSESSMENT, INCLUDING GENERAL CARGO SHIP SAFETY**

This item contained no items of interest to World Sailing

## **17 PIRACY AND ARMED ROBBERY AGAINST SHIPS**

The threat posed by piracy and armed robbery against ships has been on the IMO's agenda since the early 1980s. Since 2005, IMO has focused on piracy off the coast of Somalia, in the Gulf of Aden and the wider Indian Ocean, and is currently implementing a strategy for enhancing maritime security in West and Central Africa, in line with the region's maritime security agreements. The Organization, with support and cooperation from the shipping industry, has through the years developed and adopted a number of antipiracy measures, which have contributed towards the mitigation of the negative impact posed by piracy worldwide.

IMO has adopted appropriate guidance aimed at addressing maritime security, as well as piracy and armed robbery against ships. For piracy and armed robbery, this includes Guidance to Governments, ship owners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships; investigation of offences and the use of armed personnel on board ships. Best Management Practices (BMP), which were developed by the shipping industry, outline the appropriate procedures to be employed when responding to acts or attempted acts of piracy and armed robbery against ships in specific regions. The IMO supports the Best Management Practices, which have been disseminated publicly by the Organization.

A list of guidance documents adopted by IMO which are relevant to maritime security can be found at: <http://www.imo.org/en/OurWork/Security/PiracyArmedRobbery/Guidance/Pages/default.aspx>

Regrettably none of this makes it any safer for recreational craft and the advice is still to avoid the Gulf of Aden and Somali Basin.

## **18 UNSAFE MIXED MIGRATION BY SEA**

The Committee was informed on the outcome of Symposium on Migration by Sea, held at the World Maritime University in Malmo on 26 and 27 April 2016, that brought together a range of organizations, subject-matter experts and academics to address a range of issues related to mixed migration by sea. Five panels discussed an assessment of migration by sea, human rights in relation to migration, migrants and human trafficking by sea, safety and security aspects of migration by sea, and international law related to liability and insurance.

The Symposium identified ten critical needs to:

- .1 maintain pressure on the UN to look again at safe refuges for migrants before they embark, to convey asylum seekers and the most vulnerable to safety in proper craft (i.e. ferries), thus removing them from the hands of traffickers and people smugglers;
- .2 recognize the welfare of seafarers who may be traumatized by horrific rescue missions;
- .3 better resource reception facilities, not leaving coastal States to cope with the burdens on their own;

- .4 have more practical and pragmatic asylum policies;
- .5 look more closely at push factors to stop being so squeamish and politically correct about often appallingly bad governance and corruption in countries driving their people away;
- .6 learn from each other and to see the value of bilateral and interagency cooperation at an operational level;
- .7 have more capacity building, technology transfer and help those less capable around the world with what is being learned at sea and ashore in the current crisis;
- .8 have regular briefings and more transparency to dispel rumours, which can travel fast in an era of instant communications and can affect migrant reactions;
- .9 better liaison between Government agencies and shipping companies (as is done by the Information Fusion Centre (IFC) in Singapore), which is clearly useful and might be transferred elsewhere with advantage; and
- .10 provide masters of ships with the maximum amount of support in their rescue missions, from all interests, so that they need have no fears or doubts about their need to intervene.

Further details of the Symposium can be found on the WMU website at:

<http://www.wmu.se/news/symposium> , and presentations can be downloaded from the WMU "Maritime Commons" platform at: [http://commons.wmu.se/migration\\_by\\_sea](http://commons.wmu.se/migration_by_sea)

Nevertheless, the advice to recreational craft is to keep away and report what you see to the authorities.

#### **19 ANALYSIS AND CONSIDERATION OF RECOMMENDATIONS TO REDUCE ADMINISTRATIVE BURDENS IN IMO INSTRUMENTS INCLUDING THOSE IDENTIFIED BY THE STEERING GROUP ON REDUCING ADMINISTRATIVE REQUIREMENTS (SG-RAR)**

Nothing in this agenda item is of concern to World Sailing.

#### **20 IMPLEMENTATION OF INSTRUMENTS AND RELATED MATTERS**

Nothing in this agenda item is of concern to World Sailing.

#### **21 RELATIONS WITH OTHER ORGANIZATIONS**

Nothing in this agenda item is of concern to World Sailing.

#### **22 APPLICATION OF THE COMMITTEE'S GUIDELINES**

The Committee approved the draft MSC-MEPC circular on Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies, as set out in annex 24, subject to concurrent approval by MEPC 70, and noted that the provisions of the document would be applicable with immediate effect.

#### **23 WORK PROGRAMME**

MSC approved biannual status reports and provisional agendas of its sub-committees and invited the Council to endorse, for inclusion in the current High-level Action Plan, five new outputs agreed by the Committee including a review SOLAS chapters IV and appendix (Certificates: Forms P, R and C) to accommodate additional mobile satellite systems.

#### **24 ANY OTHER BUSINESS**

Under this item, MSC considered documents relating to the International Code for Ships Operating in Polar Waters (Polar Code). In discussions MSC noted that the Polar Code should not be applied to pleasure yachts when it considers the application of the Polar Code to non-SOLAS ships.

#### **25 ACTION REQUESTED OF OTHER IMO ORGANS**

Nothing in this agenda item is of concern to World Sailing.