

## WORLD SAILING

### INTERNATIONAL REGULATIONS REPORT OF THE MARITIME SAFETY COMMITTEE 97

#### HELD AT IMO HEADQUARTERS FROM 21 TO 25 NOVEMBER 2016

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

The ninety-seventh session of the Maritime Safety Committee was held at the IMO Headquarters from 21 to 25 November 2016, chaired by Mr. Brad Groves (Australia). The Vice-Chair of the Committee, Mr. Juan Carlos Cubisino (Argentina), was also present.

The Committee adopted the agenda (MSC 97/1).

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

The Committee noted the decisions of Council, Assembly, Technical Committee, Facilitation Committee and MEPC 70 and took appropriate action under the relevant agenda items.

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

This was the traditional large agenda item that considered a range of amendments to IMO conventions and codes affecting international shipping. There was nothing that affects World Sailing from this session.

#### **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.

It was noted that that MSC 96 had approved MSC.1/Circ.1526 on Interim guidelines on maritime cyber risk management (the Interim Guidelines). As stated already in the Interim Guidelines, maritime cyber risk management should be addressed through the existing management practices set out in the International Ship and Port Facility Security (ISPS) Code and the International Safety Management (ISM) Code).

Again, safety and security of navigation in the North-Eastern part of the Black Sea However MSC concluded that IMO was not the appropriate forum to discuss the matter.

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

This item mainly dealt with Goal Based Standard verification audits within class and is of no interest to World Sailing

#### **6 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

## **7 NAVIGATION, COMMUNICATIONS, SEARCH AND RESCUE 3 (report of the third session of the Sub-Committee)**

**International Regulations Commission –November 2016 Item 4(a) (i) refers.**

The Committee approved, in general, the report of the third session of the Sub-Committee on Navigation, Communications and Search and Rescue and took action as indicated in paragraphs 7.2 to 7.10, recalling that MSC 96 had already taken action on urgent matters emanating from NCSR 3.

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

This item covered items such as fire safety, ship escape routes, fire integrity of bulkheads. It contained no items of interest to World Sailing.

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

This item contained items such as Guidelines for port State control officers on certification of seafarers, hours of rest and manning; list of certificates and documents required to be carried on board ships and unified Interpretation on the expiration date of statutory certificates. As such it 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 IMPLEMENTATION OF THE STCW CONVENTION**

This item contained no items of interest to World Sailing

## **12 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 98, 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 MSC97.

## **13 FORMAL SAFETY ASSESSMENT, INCLUDING GENERAL CARGO SHIP SAFETY**

This item contained no items of interest to World Sailing

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

According to data received by the Organization up until 5 September 2016, a reduction of about 35% of piracy and armed robbery related incidents, at the global level compared to 2015 had been observed. However, an increase in incidents of 96% had been seen in West Africa.

Notwithstanding the positive overall trend, credible reports indicated that commercial ships remained a target of Somali pirates. Merchant shipping should continue to take protective measures against possible piracy attacks in the Gulf of Aden and the western Indian Ocean through diligent application of IMO guidance and Best Management Practices (BMPs).

In addition, naval forces were still very much required in the West Indian Ocean to help prevent a possible resurgence of piracy. The EU Naval Force Operation Atlanta, which operates off the coast of Somalia, had recently had its counter-piracy mandate extended to the end of 2018, a move which had been welcomed by the Secretary-General.

On 22 October 2016, the remaining 26 crew members of the fishing vessel Naham 3 were released after 1672 days in captivity; however, ten seafarers taken from the fishing dhow Siraj were still held in captivity in Somalia since March 2015.

MSC noted the good news related to the release of the 26 crew members of the fishing vessel Naham 3 and called for the immediate release of the remaining ten seafarers taken from the fishing dhow Siraj, urging all stakeholders to engage initiatives to secure their expeditious and safe return.

### **15 UNSAFE MIXED MIGRATION BY SEA**

The Committee noted that since MSC 96, the Secretariat had participated in the Conference on Maritime Security and Migrant Protection in the Bay of Bengal and Andaman Sea, held in Jakarta on 26 and 27 July 2016; and the United Nations General Assembly high-level UN Summit for Refugees and Migrants held at the UN Headquarters in New York, on 19 September 2016. The Committee was further informed that the Secretary-General had used the International Seapower Symposium, a gathering of over a hundred Chiefs of Navies and Coast Guards, held at the United States Naval War College in October 2016, to recognize the significant contributions of ships from many of the world's navies and coastguards, to the rescue of mixed migrants by sea.

Taking into account that the humanitarian crisis in the Mediterranean region was far from being resolved, the Committee invited Member States and international organizations to submit documents to the next session, and encouraged Member States to report the incidents with the information included in the appendix of MSC.1/Circ.896/Rev.2 via the facilitation module in GISIS3.

The Secretary-General reiterated his sincere appreciation to Member States that had been contributing to the rescue of migrants at sea using naval, military and intelligence services.

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

This agenda item included matters relating to the issue of Certificates of Fitness (CoF) under the IBC, BCH, GC, IGC and EGC Codes. Nothing in this agenda item is of concern to World Sailing.

### **17 RELATIONS WITH OTHER ORGANIZATIONS**

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

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

Following the discussion, the Committee approved MSC-MEPC.1/Circ.5 on Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies.

### **19 WORK PROGRAMME**

MSC considered document MSC 97/19/11 (India), proposing a new output to develop guidelines to regulate floating armouries. The majority of delegations were of the opinion that the compelling need for a compulsory regulatory instrument had not been demonstrated. Therefore, the Committee agreed not to include the proposed output in the biennial agenda of the Committee. However, a number of delegations supported the development of non-mandatory guidance, and the Committee invited Member States and international organizations to submit documents to MSC 98, under the current agenda item on "Piracy and armed robbery against ships," for further consideration.

MSC considered document MSC 97/19/6 (China), proposing a new output with a view to developing recommendation on performance standards for shipborne combined GPS/GLONASS/BDS receiver equipment. After discussion, MSC did not include this proposed output in the 2016-2017 biennial agenda of the NCSR Sub-Committee and the provisional agenda for NCSR 4.

The Committee considered documents MSC 97/19/12 and MSC 97/INF.6 (Liberia, the Marshall Islands and Singapore), proposing a new output on the display of a three all-round green lights night signal for vessels crossing IMO adopted traffic separation schemes and associated amendments to the Convention on the International Regulations for Preventing Collisions at Sea, 1972 (COLREGS). The compelling need of the proposal had not been established and MSC agreed not to include the proposed output in the post-biennial agenda of the NCSR Committee.

The Committee, taking into account the decisions made under various agenda items, anticipated that the working and drafting groups on the following subjects may be established at the Committee's ninety-eighth session:

- goal-based standards;
- maritime security;
- early implementation/application of IMO instruments; and
- consideration and adoption of amendments to mandatory instruments.

## **20 ELECTION OF CHAIR AND VICE-CHAIR FOR 2017**

The Committee unanimously re-elected Mr. Brad Groves (Australia) as Chair, and Mr. Juan Carlos Cubisino (Argentina) as Vice-Chair, both for 2017.

## **21 ANY OTHER BUSINESS**

The Committee considered the following documents relating to non-SOLAS ships operating in polar waters:

- MSC 97/21/8/Rev.1 (Chile), providing data requested by MSC 95 concerning non-SOLAS ships operating in polar waters and SAR incidents involving non-SOLAS ships in those waters, in particular, the non-SOLAS ships which operated in Antarctic polar waters over a period of seven years (2010-2016), SAR incidents involving non-SOLAS ships in the Chilean Antarctic SAR area and information on the parties responsible for coordinating all activities in the Chilean Antarctic SAR area, as set out in annexes 1 to 3, respectively; and

- MSC 97/21/10 (FOEI, WWF and the Pacific Environment), expressing concern about the threat to human life and the marine environment from non-SOLAS ships operating in polar waters and inviting the Committee to take steps in this regard.

In this context, the Committee noted the information provided and agreed that this information would support the next phase of the work on the Polar Code, once it commences. In this connection, the Committee recalled that, when the Polar Code was adopted, it had been agreed that the work related to the second phase for non-SOLAS ships should not begin until experience is gained with the new Code for SOLAS ships.

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

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