

REPORT ON THE OUTCOME OF THE ONE HUNDRED AND FIRST SESSION OF THE IMO MARITIME SAFETY COMMITTEE COMMUNICATIONS AND SEARCH AND RESCUE (MSC 100)

Action Required: IR Commission members are invited to note the relevant outcomes of MSC 101.

MSC 100 was held at IMO Headquarters, London from 5 to 14 June 2019

The agenda for the meeting was as follows:

- 1 Adoption of the agenda; report on credentials
- 2 Decisions of other IMO bodies
- 3 Consideration and adoption of amendments to mandatory instruments
- 4 Measures to enhance maritime security
- 5 Regulatory scoping exercise for the use of Maritime Autonomous Surface Ships (MASS)
- 6 Goal-based new ship construction standards
- 7 Safety measures for non-SOLAS ships operating in polar waters
- 8 Development of further measures to enhance the safety of ships relating to the use of fuel oil
- 9 Carriage of cargoes and containers
- 10 Implementation of IMO instruments
- 11 Navigation, communications and search and rescue (report of NCSR 6)
- 12 Ship design and construction
- 13 Pollution prevention and response
- 14 Ship systems and equipment
- 15 Implementation of the STCW Convention
- 16 Capacity-building for the implementation of new measures
- 17 Formal safety assessment
- 18 Piracy and armed robbery against ships
- 19 Unsafe mixed migration by sea
- 20 Application of the Committee's method of work
- 21 Work programme
- 22 Election of Chair and Vice-Chair for 2020
- 23 Any other business
- 24 Consideration of the report of the Committee on its 101st session

Working and drafting groups on the following subjects were established during the session:

- 1 maritime autonomous surface ships;
- 2 goal-based standards;
- 3 measures to enhance the safety of ships relating to the use of fuel oil; and
- 4 amendments to mandatory instruments.

Opening address of the Secretary-General

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

The agenda items of interest from the meeting are summarised below.

4 Measures to enhance maritime security - Updates on developments related to maritime security

In discussion number of delegations expressed the need for clarification that effective cyber risk management had to be included in SMS, and consequently in a ship's ISM Code manual, highlighting

that references should be made to the respective parts of the ship security plans, as provided for by the ISPS Code; as well as the need to pay particular attention to the issue of protection of sensitive information related to security plans.

As a result MSC agreed that:

- aspects of cyber risk management, including physical security aspects of cyber security, should be addressed in Ship Security Plans under the ISPS Code; however, this should not be considered as requiring a company to establish a separate cyber security management system operating in parallel with the company SMS;
- confirmed that resolution MSC.428 (98) on Maritime cyber risk management in Safety Management Systems to ensure that cyber risks were appropriately addressed in existing SMS (as defined in the ISM Code), verified by an endorsed Document of Compliance and Safety Management Certificate, and that in the Ship Security Plan, reference should be made to cyber risk management procedures found in SMS.

5 Regulatory scoping exercise for the use of Maritime Autonomous Surface Ships (MASS)

MSC recalled the work that had been done at its 100th session and received a report from the Secretariat the progress made on the regulatory scoping exercise and a paper from China that commented on the possible impact of MASS operations on the framework of certain IMO instruments. MSC also discussed interim arrangements for MASS trials that should be in line with mandatory instruments, but might also include exemptions and equivalent arrangements. A working group was tasked to finalize draft interim guidelines for MASS trials. As a result MSC approved [MSC.1/Circ.1604](#) on Interim guidelines for MASS trials. It was stressed that the guidelines were only for testing equipment, systems and procedures in the context of MASS and were not meant to be used as guidance for future operations and that every trial be considered on a case-by-case basis taking into account the outcome of the corresponding risk assessment.

7 Safety measures for non-SOLAS ships operating in polar waters

MSC 101 instructed NCSR 7 to consider:

- consequences and feasibility of applying chapters 9 and 11 of the Polar Code to non-SOLAS ships; and
- how best to enhance the safety of non-SOLAS ships, including possible development of amendments to SOLAS and/or the Polar Code, and to advise the Committee accordingly; and
- invited interested Member States and international organizations to submit relevant information to NCSR 7.

MSC 101 also considered a draft Assembly resolution urging Member States to take steps, on a voluntary basis, to implement the safety measures of the Polar Code on non-SOLAS ships. Although broadly supported it was felt that some improvement was needed before MSC could approve it. In particular, the reporting requirement in this proposed non-mandatory resolution was not supported. Consequently, having agreed a number of modifications, MSC agreed a Draft Assembly Resolution which is attached in full.

11 Navigation, communications and search and rescue (report of NCSR 6)

The report of NCSR6 was approved and is reported separately.

18 Piracy and armed robbery against ships – Industry Counter Piracy Practice

MSC considered a Secretariat report on developments concerning piracy and armed robbery against ships since MSC 100, including relevant statistics, as well as the risks posed by anti-ship cruise missiles and water-borne improvised explosive devices in the Red Sea.

There was a reminder for companies, masters and seafarers to continue the diligent application of existing IMO guidance and the revised Best Management Practices (BMP) guidance as well as the new Global Counter Piracy Guidance (see report on MSC100) and the updated guidance for protection against piracy and armed robbery in the Gulf of Guinea region contained in [MSC.1/Circ.1601](#) on revised industry counter piracy guidance.

MSC 100 had encouraged the BMP industry authors and appropriate bodies to progress a review of the geographical boundaries of High Risk Area in the Indian Ocean which was expected to be finished during the second quarter of 2019, and to provide the Committee with an update, taking into consideration further consultations with Oman. As a result, the geographic boundaries had been amended to reduce the area to better reflect the threat of piracy in the region whilst retaining the primary objective to ensure the safety and security of seafarers; the changes had been implemented from 1 May 2019.

There were no other issues of note for World Sailing arising from this session.

DRAFT ASSEMBLY RESOLUTION ON INTERIM SAFETY MEASURES FOR SHIPS NOT CERTIFIED UNDER THE SOLAS CONVENTION OPERATING IN POLAR WATERS

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety, the prevention and control of marine pollution from ships and other matters concerning the effect of shipping on the marine environment,

RECALLING ALSO that the Maritime Safety Committee (MSC) at its ninety-fourth session, by resolution MSC.385(94), and the Marine Environment Protection Committee (MEPC), at its sixty-eighth session, by resolution MEPC.264(68), adopted the International Code for Ships Operating in Polar Waters (Polar Code), which entered into force on 1 January 2017,

RECOGNIZING that the Polar Code was developed to supplement existing IMO instruments in order to increase the safety of ships' operation and mitigate the impact on the people and environment in the remote, vulnerable and potentially harsh polar waters,

NOTING that the Polar Code sets out a mandatory framework of safety standards for ships certified under the SOLAS Convention operating in polar waters to mitigate the additional risks to ships, their systems and operation, as well as their personnel,

RECOGNIZING ALSO that resolution MSC.385(94) invites SOLAS Contracting Governments to consider the voluntary application of the Polar Code, as far as practicable, to ships not covered by the Code and operating in polar waters,

RECOGNIZING FURTHER that accident and incident data submitted to the Organization since 2010 continues to demonstrate that ships not certified under the SOLAS Convention, especially fishing vessels and yachts, are operating with increasing frequency in polar waters and are vulnerable to the same risks as ships certified under the SOLAS Convention, including accidents or other incidents potentially causing loss of life and injury, as well as loss or damage to the vessels concerned,

NOTING the progress that has been made in applying the additional safety measures of the Polar Code to ships not certified under the SOLAS Convention,

BEING CONVINCED therefore of the desirability that ships not certified under the SOLAS Convention operating in polar waters, and those on board, achieve the same level of safety as ships certified under the SOLAS Convention,

CONSIDERING IT DESIRABLE that Member States encourage the application of safety measures set out in the Polar Code to ships not certified under the SOLAS Convention operating in polar waters, HAVING CONSIDERED the recommendations made by the Maritime Safety Committee at its 101st session:

1. URGES Member States, on a voluntary basis, to implement the safety measures of the Polar Code, as far as practicable, for ships not certified under the SOLAS Convention operating in polar waters, including fishing vessels of 24 metres in length and above **and pleasure yachts of 300 gross tonnage and above not engaged in trade;**
2. URGES Member States to continue contributing to the work underway to improve the safety of ships not covered by the Polar Code.