

COUNCIL
114th session
Agenda item 9

C 114/9
19 June 2015
Original: ENGLISH

CONSIDERATION OF THE REPORT OF THE MARITIME SAFETY COMMITTEE

Note by the Secretary-General

SUMMARY

<i>Executive summary:</i>	This document reports on the outcome of the ninety-fifth session of the Maritime Safety Committee
<i>Strategic directions:</i>	1.1, 1.3, 2.0, 3.5, 4.0, 5.1 to 5.3, 6.1, 6.2, 7.1, 8.0, 10.0 and 12.1 to 12.3
<i>High-level actions:</i>	1.1.1, 1.1.2, 1.3.4, 2.0.1 to 2.0.3, 3.5.1, 4.0.1, 4.0.2, 4.0.5, 5.1.1 to 5.3.1, 6.1.1, 6.2.1, 7.1.2, 8.0.2, 8.0.3, 10.0.1 and 12.1.1 to 12.3.1
<i>Planned outputs:</i>	1.1.1.1, 1.1.2.1 to 1.1.2.3, 1.3.4.1, 2.0.1.1, 2.0.1.6, 2.0.1.7, 2.0.2.1 to 2.0.2.3, 2.0.3.1 to 2.0.3.4, 3.5.1.1, 3.5.1.2, 4.0.1.3, 4.0.2.1, 4.0.5.1, 5.1.1.1 to 5.2.1.30, 5.2.2.1 to 5.2.3.5, 5.2.3.7 to 6.1.1.1, 6.2.1.1, 6.2.1.2, 7.1.2.13, 8.0.2.1, 8.0.3.1, 10.0.1.1, 10.0.1.2 and 12.1.1.1 to 12.3.1.1
<i>Action to be taken:</i>	Paragraph 28
<i>Related documents:</i>	MSC 95/22 and addenda

Introduction

1 The report of the ninety-fifth session of the Maritime Safety Committee (MSC 95/22 and addenda) is submitted to the 114th session of the Council in accordance with the provisions of Article 29 of the IMO Convention.

2 The ninety-fifth session of the Maritime Safety Committee was held from 3 to 12 June 2015 under the chairmanship of Mr. Christian Breinholt (Denmark), and the Vice-Chairman, Capt. Abdullah Muhammad Segar (Singapore), was also present. It was attended by 115 Member States; two Associate Members; four United Nations system organizations; six intergovernmental and 51 non-governmental organizations.

3 Decisions of the Committee of interest to the Council are summarized in the ensuing paragraphs.

Adoption of amendments to mandatory instruments

- 4 The Committee considered and adopted (MSC 95/22, paragraphs 3.97 to 3.116):*
- .1 by resolution MSC.391(95), *Adoption of the International Code of Safety for Ships using Gases or other Low-flashpoint Fuels (IGF Code)*;
 - .2 by resolution MSC.392(95), *Amendments to the International Convention for the Safety of Life at Sea, 1974, as amended* (chapters II-1, II-2 and appendix);
 - .3 by resolution MSC.393(95), *Amendments to the International Maritime Solid Bulk Cargoes (IMSBC) Code*;
 - .4 by resolution MSC.394(95), *Amendments to the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974* (1978 SOLAS Protocol);
 - .5 by resolution MSC.395(95), *Amendments to the Protocol of 1988 relating to the International Convention for the Safety of Life at Sea, 1974* (1988 SOLAS Protocol);
 - .6 by resolution MSC.396(95), *Amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978*; and
 - .7 by resolution MSC.397(95), *Amendments to part A of the Seafarers' Training, Certification and Watchkeeping (STCW) Code*.

5 The above amendments are expected to enter into force on 1 January 2017 upon their deemed acceptance on 1 July 2016. The adoption of the IGF Code is expected to be effective on 1 January 2017 upon the entry into force of the associated amendments to the 1974 SOLAS Convention.

Adoption of amendments to relevant non-mandatory instruments

6 The Committee adopted amendments to part B of the STCW Code, for circulation by means of STCW.6/Circ.11, and decided that the amendments to part B of the STCW Code should become effective on the date of entry into force of amendments to the STCW Convention and part A of the STCW Code, namely 1 January 2017.

Measures to enhance maritime security

7 The Committee considered measures to enhance maritime security (section 4) and, in particular, progressed the ongoing work related to the development of national maritime security legislation and the discussions on measures to enhance maritime cybersecurity.

* References hereunder refer to sections and paragraphs of, and annexes to, the report of MSC 95 (document MSC 95/22 and addenda).

Goal-based new ship construction standards

8 The Committee considered matters related to goal-based standards (section 5) and noted the progress made on the implementation of GBS verification audits, in particular that the audit teams are on schedule to deliver their final reports to the Secretary-General by the end of June 2015 and that the Secretariat will submit these reports, in due course, to MSC 96 for consideration and action, as appropriate. The Committee also noted the progress on the draft *Interim guidelines for development and application of IMO goal-based standards safety-level approach (GBS-SLA)*.

Passenger ship safety

9 The Committee made progress on passenger ship safety issues (section 6), in particular related to the updated action plan for long-term work on passenger ship safety; and noted the outcome of the IMO conference on the enhancement of safety of ships carrying passengers on non-international voyages, which was held in Manila, the Philippines, on 24 April 2015 (TC 65/INF.12).

Performance review and audit of LRIT data centres

10 The Committee considered matters related to the performance review and audit of LRIT Data Centres (section 7). The Committee was of the opinion that the audit functions should remain with IMSO and decided not to pursue further alternatives for the conduct of the audits.

Reports of the sub-committees

11 The Committee approved, in general, the reports of CCC 1, HTW 2, SDC 2, NCSR 2 and SSE 2 (sections 8 to 12). Decisions on important issues emanating from these reports and related matters are provided in paragraphs 12 to 15 below.

Draft amendments to mandatory instruments

12 The Committee approved the draft amendments to the STCW Convention, part A and part B of the STCW Code (annexes 8 to 10); and instructed the Secretary-General to circulate them in accordance with article XII of the STCW Convention with a view to adoption at MSC 96.

13 The Committee approved the draft amendments to the SOLAS regulations II-2/13, the ESP Code and the FSS Code (annexes 14, 15 and 18) and requested the Secretary-General to circulate them in accordance with SOLAS article VIII, with a view to adoption at MSC 96.

14 The Committee approved the draft amendments to the 2008 IS Code (introduction) (annex 12) and requested the Secretary-General to circulate them in accordance with SOLAS article VIII and article VI of the 1988 Load Lines Protocol, with a view to adoption at MSC 96.

Adoption of non-mandatory instruments

15 The Committee adopted:

- .1 amendments to part B of the 2008 IS Code, by resolution MSC.398(95);

- .2 amendments to the *Guidelines for the application of plastic pipes on ships* (resolution A.753(18)), as amended by resolution MSC.313(88)), by resolution MSC.399(95);
- .3 amendments to the *Revised performance standards and functional requirements for the long-range identification and tracking (LRIT) of ships* (resolution MSC.263(84), as amended), by resolution MSC.400(95); and
- .4 *Performance standards for multi-system shipborne radionavigation receivers*, by resolution MSC.401(95).

Piracy and armed robbery against ships

16 The Committee considered matters related to piracy and armed robbery against ships (section 15), and, in particular, approved the Revised Interim recommendations for flag States regarding the use of PCASP on board ships in the High Risk Area (MSC.1/Circ.1406/Rev.3) to recommend that private maritime security companies employing PCASP on board ships should hold valid, accredited, certification to ISO 28007-1:2015 or meet applicable national requirements. The Committee also approved MSC.1/Circ.1339 on Best Management Practices (BMP) for Protection against Somalia Based Piracy, calling on the BMP authors to amend the coordinates of the High Risk Area (HRA) in BMP 4, following a proposal by Egypt to remove the Gulf of Suez and the Red Sea from the HRA definition. (Related issues are considered under agenda item 12 on Protection of vital shipping lanes.)

Relations with other organizations

17 The Committee considered matters related to the third meeting of the Joint IMO/FAO Working Group on IUU Fishing and Related Matters and agreed to hold the meeting at the IMO Headquarters from 16 to 18 November 2015 (paragraphs 17.2 to 17.7).

Work programme

New planned outputs

18 In accordance with the relevant provisions of the *Guidelines on the application of the Strategic Plan and the High-level Action Plan of the Organization* (resolution A.1062(28)), the Committee invited the Council to note the 16 new outputs agreed by the Committee at this session, which have been included in the Proposals for the High-level Action Plan and Priorities for the 2016-2017 biennium (paragraph 19.35 and annex 22).

Status of planned outputs for the 2014-2015 biennium

19 The Committee invited the Council to note the report of the Maritime Safety Committee on the status of planned outputs for the 2014-2015 biennium (paragraph 19.36 and annex 21).

Proposals for the High-level Action Plan and priorities for the 2016-2017 biennium

20 The Committee agreed to the proposals for the High-level Action Plan of the Organization and priorities for the 2016-2017 biennium, for submission to C 114 for endorsement; and requested the Secretariat to submit any changes to the annexed proposals emanating from III 2 and CCC 2 to CWGSP 14 or C/ES.28, as appropriate (paragraph 19.40 and annex 22).

Post-biennial agenda of the Committee

21 The Committee invited the Council to note the updated post-biennial agenda of the Maritime Safety Committee (paragraph 19.41 and annex 23).

Intersessional meetings

22 The Committee approved or confirmed, as appropriate, the following intersessional meetings and invited the Council to endorse these decisions (paragraph 19.42):

- .1 the twenty-fourth meeting of the CCC Editorial and Technical Group, for the IMDG Code, to be held directly after CCC 2;
- .2 the twenty-fifth meeting of the CCC Editorial and Technical Group, for the IMBSC Code, to take place in the first half of 2016;
- .3 a meeting of the FSA Experts Group, to take place from 10 to 12 November 2015 and report directly to SDC 3;
- .4 a meeting of the PPR Working Group on the Evaluation of Safety and Pollution (ESPH), to be held in 2016, as approved by MEPC 67;
- .5 the twenty-second session of the ICAO/IMO Joint Working Group on Search and Rescue, to be held in Trenton, Ontario, Canada, from 14 to 18 September 2015;
- .6 a meeting of the ICAO/IMO Joint Working Group on Search and Rescue, to take place in 2016;
- .7 the eleventh meeting of the Joint IMO/ITU Experts Group on Maritime Radiocommunication Matters, to be held at IMO Headquarters from 5 to 9 October 2015;
- .8 a meeting of the Joint IMO/ITU Experts Group on Maritime Radiocommunication Matters, to take place in 2016; and
- .9 the third meeting of the Joint FAO/IMO Ad Hoc Working Group on IUU Fishing and Related Matters (JWG), to take place from 16 to 18 November 2015.

Unsafe mixed migration by sea

23 The Committee held a special session on unsafe mixed migration by sea, taking into account the video message by the United Nations Secretary-General, and in particular (paragraphs 21.1 to 21.17):

- .1 agreed to place on the agenda of MSC 96 an item on "Unsafe Mixed Migration by Sea";
- .2 invited Member States to make submissions to MSC 96 further elaborating on the issues and suggestions that they raised during MSC 95;
- .3 placed planned output 5.1.2.2 on the agenda of NCSR 3 from the 2016-2017 biennium agenda; and

- .4 forwarded the *Guidance on ensuring the safety and security of seafarers and rescued persons* to the NCSR Sub-Committee for consideration and instructed NCSR 3 to report back to MSC 96.

Review of administrative requirements in mandatory instruments

24 The Committee noted the 167 requirements under the Committee's purview, compiled by the Secretariat; concurred with the Secretariat's conclusion that further work was required to take an informed decision on that matter; and, in particular (paragraphs 21.19 and 21.20):

- .1 instructed the Secretariat to analyse the information in the annex to document MSC 95/21, taking into account the recent decisions by A 28 concerning reporting through GISIS (A.1074(28)) and any output on the issue from MEPC 68 (which has concurred), and report the outcome of this analysis to MSC 96;
- .2 instructed the Secretariat to prepare information for seafarers and interested stakeholders on the key aims of the ISPS Code; and
- .3 included a new planned output in the 2016-2017 HLAP on "Analysis and consideration of recommendations to reduce administrative burdens in IMO instruments including those identified by the SG-RAR", with a target completion year of 2017.

Entry into force and the implementation of the 2012 Cape Town Agreement

25 The Committee agreed to a draft Assembly resolution on Entry into force and implementation of the 2012 Cape Town Agreement (Early implementation of the Agreement) of the International Conference on the Safety of Fishing Vessels, for submission to the Assembly, at its twenty-ninth session, for adoption (paragraph 21.21 and annex 25).

Pilot ladders and access to the ship's deck

26 The Committee agreed to a draft Assembly resolution on Amendments to the Recommendations on pilot transfer arrangements (resolution A.1045(27)), for submission to the twenty-ninth session of the Assembly for adoption (paragraph 21.26 and annex 26).

Approval of circulars

27 The list of circulars approved by MSC 95 is attached to document MSC 95/WP.1/Add.1.

Action requested of the Council

28 The Council is invited to:

- .1 consider the report of the ninety-fifth session of the Maritime Safety Committee and, in accordance with Article 21(b) of the IMO Convention, transmit it, with its comments and recommendations, to the twenty-ninth session of the Assembly (paragraphs 1.1 and 22.2)*;

* References refer to the paragraphs of, and annexes to, the report of MSC 95 (MSC 95/22 and addenda).

- .2 note the adoption by the Committee of the new mandatory International Code of Safety for Ships using Gases or other Low-flashpoint Fuels (IGF Code) (paragraph 3.97 and annex 1);
- .3 note the adoption by the Committee of amendments to the 1974 SOLAS Convention and a mandatory code, the 1978 and 1988 SOLAS Protocols, and the STCW Convention and Code, which are expected to enter into force on 1 January 2017; and the approval/adoption of non-mandatory instruments (paragraphs 3.99 to 3.116 and annexes 2 to 7);
- .4 note the actions taken by the Committee on issues related to maritime security and, in particular, the ongoing work related to the development of national maritime security legislation and the discussions on measures to enhance maritime cybersecurity (paragraphs 4.1 to 4.14);
- .5 note the progress made on the implementation of GBS verification audits, in particular that the audit teams are on schedule to deliver their final reports to the Secretary-General by the end of June 2015 and that the Secretariat will submit these reports, in due course, to MSC 96 for consideration and action, as appropriate (paragraph 5.4);
- .6 note the progress made by the Committee on issues related to passenger ship safety (paragraphs 6.1 to 6.11);
- .7 note the actions taken by the Committee on issues related to the performance review and audit of LRIT Data Centres (paragraphs 7.1 to 7.8);
- .8 note the decision taken in regard to piracy and armed robbery against ships, in particular (paragraphs 15.1 to 15.41);
- .9 note the actions taken by the Committee on issues related to relations with other organizations and, in particular, on matters related to the third meeting of the Joint IMO/FAO Working Group on IUU Fishing and Related Matters (paragraphs 17.2 to 17.7 and 19.42.9);
- .10 note the new planned outputs agreed at the session for inclusion in the proposed High-level Action Plan and priorities for the 2016-2017 biennium (paragraph 19.35 and annex 22);
- .11 note the biennial status report of the Maritime Safety Committee (paragraph 19.36 and annex 21);
- .12 endorse the proposed High-level Action Plan and priorities for the 2016-2017 biennium (paragraph 19.40 and annex 22);
- .13 note the updated post-biennial agenda of the Maritime Safety Committee (paragraph 19.41 and annex 23);
- .14 endorse the intersessional meetings approved for 2015 and 2016 (paragraph 19.42);
- .15 note the outcome of the special session on unsafe mixed migration by sea and, in particular the message by the United Nations Secretary-General and decision by the Committee to add a new item on "Unsafe Mixed Migration by Sea" on the agenda of MSC 96 (paragraphs 21.1 to 21.17);

- .16 note the decisions taken in regard to the review of administrative requirements in mandatory instruments (paragraphs 21.19 and 21.20);
 - .17 note the approval of the draft Assembly resolution on Entry into force and implementation of the 2012 Cape Town Agreement (Early implementation of the Agreement) of the International Conference on the Safety of Fishing Vessels (paragraph 21.21 and annex 25); and
 - .18 note the approval of the draft Assembly resolution on Amendments to the Recommendations on pilot transfer arrangements (resolution A.1045(27)) (paragraph 21.26 and annex 26).
-