

COUNCIL  
118th session  
Agenda item 7

C 118/7  
15 May 2017  
Original: ENGLISH

## CONSIDERATION OF THE REPORT OF THE FACILITATION COMMITTEE

### Note by the Secretary-General

#### SUMMARY

<i>Executive summary:</i>	This document reports on the outcome of the forty-first session of the Facilitation Committee
<i>Strategic direction:</i>	1.1, 1.3, 3.4, 3.5, 4.0, 5.1, 5.2, 6.1, 8.0, 14.0
<i>High-level action:</i>	1.1.1, 1.1.2, 1.3.3, 3.4.1, 3.5.1, 4.0.1, 4.0.2, 4.0.3, 4.0.5, 5.1.2, 5.2.1, 6.1.1, 8.0.1, 8.0.2, 8.0.3, 14.0.1
<i>Output:</i>	1.1.1.1, 1.1.2.1, 1.3.3.1, 3.4.1.1, 3.5.1.1, 3.5.1.2, 4.0.1.3, 4.0.2.1, 4.0.3.1, 4.0.5.1, 5.1.2.2, 5.1.2.3, 5.2.1.18, 6.1.1.2, 8.0.1.1, 8.0.2.1, 8.0.3.1, 8.0.3.2, 14.0.1.1
<i>Action to be taken:</i>	Paragraph 15
<i>Related document:</i>	FAL 41/17

#### Introduction

1 The report of the forty-first session of the Facilitation Committee (FAL 41/17) is submitted to the 118th session of the Council in accordance with the provisions of Article 49(b) of the IMO Convention.

2 The session was held from 4 to 7 April 2017 under the chairmanship of Mr. Yury Melenas (Russian Federation); the Vice-Chair, Mrs. Marina Angsell (Sweden), was also present. The session was attended by 76 Member States, one Associate Member, one United Nations specialized agency, five intergovernmental organizations and 20 non-governmental organizations in consultative status.

3 The report of FAL 41 (document FAL 41/17) has been circulated to all IMO Member Governments. Decisions of the Committee of interest to the Council are summarized in the ensuing paragraphs.

### **IMO project for the development of a prototype Maritime Single Window**

4 In respect to the IMO project for the development of a prototype Maritime Single Window (MSW), the Committee took action as follows (paragraphs 5.41 to 5.56):

- .1 the Committee noted that the obligation to create systems for the electronic interchange of information established by Standard 1.3*bis* did not refer to the MSW, and the Contracting Governments could use systems other than MSW to comply with this obligation. Therefore, the Committee was of the opinion that there was no need to complete the project by 9 April 2019;
- .2 the Committee considered instructing the Secretariat to report to the next session about the main deliverables, budget implications, schedule, and how the project will help the recipient nations meet the scope, concepts, and guidance in FAL.5/Circ.36 and other fundamental single window goals by the effective date of 2019, but the Secretariat advised the Committee that after having requested guidance from FAL 40 on how to proceed with the project, no communication had been received intersessionally. The Secretariat would need clear boundaries, guidelines and parameters to proceed with the project. The Secretariat also raised the question on whether the development of the MSW would have long term budgetary implications; and
- .3 based on this response, the Committee agreed not to leave this work to the Secretariat and invited Member States and international organizations to provide this information to the next session of the Committee.

### **Analysis and consideration of recommendations to reduce administrative burdens in IMO instruments including those identified by the SG-RAR**

5 With regard to the Council's request to review administrative requirements and to consider how to proceed with the outcome of the Ad Hoc Steering Group on Reducing Administrative Requirements (SG-RAR)'s work (section 10), the Committee, having considered the Secretariat's analysis (FAL 41/10), took action as follows (paragraph 10.4):

- .1 encouraged Member States to use the GISIS module on "Notifications pursuant to article VIII of the FAL Convention" to fulfil these notification requirements as well as to keep the information they supply up to date;
- .2 encouraged Member States to raise any concerns and/or recommendations with regard to the use of this particular GISIS module;
- .3 agreed that no action is necessary with regard to requirements relating to the work of the IMO depositary;
- .4 agreed that no action is necessary with regard to the requirement relating to the responsibility of the Secretary-General to provide information to the signatory parties with regard to cases of acceptance, accession, denunciation, etc. because the existing GISIS module on "Status of Treaties" can provide this information;
- .5 agreed to develop a circular to recommend to public authorities to provide information to the master of a vessel on their requirements and procedures needed to put sick or injured persons ashore in order to facilitate the process, and approved FAL.6/Circ.17 on *Response to the provision of information by the master of a vessel needing to put sick or injured persons ashore* accordingly (Standard 2.21); and

- .6 agreed that no action should be taken on requirements provided by SG-RAR that had no specified recommendations or comments (Standards 3.3.6 and 4.6.1).

## **Application of the Committee's procedures on organization and method of work**

### ***Rules of Procedure of the Committee***

- 6 The Committee considered the Rules of Procedure of the Committee, and agreed to:
- .1 amend the Rules of Procedure other than rule 3 (sessions), including:
- .1 limit the term of office of the Chair and Vice-Chair to five years, with the possibility of one additional year in exceptional circumstances;
- .2 introduce the new gender-neutral term "Chair" and related gender-neutral language; and
- .3 25% of the Membership (i.e. 43 Member States taking into account the current number of Member States, 172) shall constitute a quorum.
- .2 The decisions on rule 3 would be reconsidered by FAL 42 in the light of the decision of MSC 98; and
- .3 the agreed amendments to the Rules of Procedure would be held in abeyance until the issue of rule 3 was resolved, whereupon the revised Rules of Procedure of the Facilitation Committee would be adopted, as appropriate (paragraph 13.13).

### ***Amendments to the document on the Organization and method of work of the Facilitation Committee***

7 The Committee considered the request of C 116 to use the new gender-neutral term "Chair" in the Rules of Procedure of the Committees, agreed to replace the words "Chairman" and "Vice-Chairman" with the words "Chair" and "Vice-Chair" in the document on the *Organization and method of work of the Facilitation Committee*, and approved FAL.3/Circ.212 accordingly (paragraph 13.18).

## **Work Programme**

### ***New outputs***

8 In accordance with the relevant provisions of the document on *Application of the Strategic Plan and the High-level Action Plan of the Organization* adopted by resolution A.1099(29), the Committee invited the Council to endorse, for inclusion in the High-level Action Plan of the Organization and priorities for the 2018-2019 biennium, the following new outputs agreed by the Committee:

- .1 review and revision of the IMO Compendium on Facilitation and Electronic Business (paragraph 14.1);

- .2 developing guidance for authentication, integrity and confidentiality of content for the purpose of exchange via maritime single window (paragraph 14.3); and
- .3 update the guidelines for setting up a single window system in maritime transport (paragraph 14.4).

9 The Committee also invited C 118 to endorse, for inclusion in the High-level Action Plan of the Organization and priorities for the 2018–2019 biennium, the decision to replace the description of existing output 8.0.1.2, "review and update the Explanatory Manual to the FAL Convention to reflect any amendments to the annex to the FAL Convention", with: "review and update the Explanatory Manual to the FAL Convention" (paragraph 14.2).

#### ***Status of outputs for the 2016-2017 biennium***

10 The Committee invited the Council to note the biennial status report of the Facilitation Committee, as set out in annex 4 of FAL 41/17.

#### ***Post-biennial agenda of the Committee***

11 The Committee invited the Council to note the updated post-biennial agenda of the Facilitation Committee, as set out in annex 5 of FAL 41/17.

#### ***Alignment of the outputs of the Facilitation Committee with the new Strategic Plan for the period 2018-2023, including the proposed outputs of the Facilitation Committee for the 2018-2019 biennium***

12 The Committee approved the proposed outputs of the FAL Committee for the 2018-2019 biennium aligned to the new strategic directions agreed by C 117, for submission to C 118, as set out in annex 6 of FAL 41/17.

#### **Creation of a collaborative web-based workspace**

13 Following the proposal made by a delegation to FAL 40 to create a collaborative web-based workspace as a common area for working groups, correspondence groups and similar collaboration groups to have a virtual meeting area for their work, to share documents amongst their members, the Committee considered document FAL 41/16/2 (Secretariat), and recognized the potential benefits of implementing a collaborative web-based workspace in the Organization. However, some delegations expressed concerns on aspects such as whether the system would be applicable for working groups, the impact of the system on the current practice of work of correspondence groups and working groups, and on the need to receive further information on budgetary implications. Based on these concerns, the Committee agreed that (paragraphs 16.1 to 16.5):

- .1 the discussion should not be considered further by committees but by the Council;
- .2 invited Member States to submit proposals for the creation of a collaborative web-based workspace to C 118; and
- .3 instructed the Secretariat to present further information to the Council, with details on the collaborative web-based workspace, in particular, on accessibility to the system and the budgetary implications for developing and maintenance of the system.

---

## Recommendations and guidelines adopted by the Committee

- 14 The Committee approved the following circulars:
- .1 *Guidelines on maritime cyber risk management* (MSC-FAL.1/Circ.3), subject to concurrent decision of MSC 98;
  - .2 *Unified Interpretation of Appendix 3 to the FAL Convention* (FAL.7/Circ.1);
  - .3 *Reports on stowaway incidents* (FAL.2/Circ.50/Rev.3);
  - .4 *Response to the provision of information by the master of a vessel needing to put sick or injured persons ashore* (FAL.6/Circ.17);
  - .5 *Organization and method of work of the Facilitation Committee* (FAL.3/Circ.212); and
  - .6 *List of certificates and documents required to be carried on board ships* (FAL.2/Circ.130). This joint circular has been already approved by MSC 97, subject to concurrent decision of LEG 104.

## Action requested of the Council

- 15 The Council is invited to<sup>1</sup>:
- .1 consider the report of the forty-first session of the Facilitation Committee and, in accordance with Article 21(b) of the IMO Convention, transmit it, with its comments and recommendations, to the thirtieth session of the Assembly (paragraphs 1.1 to 17.1);
  - .2 note the Committee's decisions on issues related to reporting the place of boarding of stowaways (paragraphs 3.1 to 3.10);
  - .3 note the Committee's decisions on the IMO project on the development of a prototype Maritime Single Window (paragraphs 5.42 to 5.56);
  - .4 note the Committee's decisions on measures to protect the safety of persons rescued at sea (paragraphs 6.1 to 6.4);
  - .5 note the Committee's decisions taken on issues related to unsafe mixed migration at sea (paragraphs 7.1 to 7.15);
  - .6 note the Committee's decisions on the Guidelines on the facilitation aspects of protecting the maritime transport network from cyberthreats (paragraphs 9.1 to 9.8);
  - .7 note the Committee's decisions taken on issues related to the analysis and consideration of recommendations to reduce administrative burdens in IMO instruments including those identified by the SG-RAR (paragraphs 10.1 to 10.6);

---

<sup>1</sup> References hereunder refer to sections and paragraphs of, and annexes to, the report of FAL 41 (document FAL 41/17).

- .8 note the Committee's actions taken on issues related to the Rules of procedure of the Facilitation Committee and the organization and method of work for the FAL Committee (paragraphs 13.1 to 13.18);
- .9 endorse the new outputs agreed at the session for inclusion in the High-level Action Plan and priorities for the 2016-2017 biennium (paragraphs 14.5 and 14.6);
- .10 note the report on the status of outputs for the 2016-2017 biennium (paragraph 14.12 and annex 4);
- .11 note the updated post-biennial agenda of the Facilitation Committee (paragraph 14.13 and annex 5);
- .12 note the outputs approved for the 2018-2019 biennium aligned to the new strategic directions agreed by C 117 (paragraph 14.18 and annex 6);
- .13 note the Committee's decisions taken with regard to the creation of a collaborative web-based workspace (paragraphs 16.1 to 16.5);
- .14 note the Committee's decisions taken with regard to the List of certificates and documents required to be carried on board (paragraphs 16.6 to 16.10);
- .15 note the Committee's decisions taken with regard to the List of Codes, recommendations, guidelines and other non-mandatory instruments related to the work of the Facilitation Committee (paragraphs 16.11 to 16.13); and
- .16 note the circulars approved by the Committee (paragraph 9.7, and MSC-FAL.1/Circ.3 (subject to concurrent decision of MSC 98); paragraph 3.9.1, and FAL.7/Circ.1; paragraph 3.9.2, and FAL.2/Circ.50/Rev.3; paragraph 10.6, and FAL.6/Circ.17; paragraph 13.18, and FAL.3/Circ.212; and paragraph 16.10, and FAL.2/Circ.130 (subject to concurrent decision of LEG 104)).

---