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Agenda item 7

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CONSIDERATION OF THE REPORT OF THE MARITIME SAFETY COMMITTEE

Note by the Secretary-General

SUMMARY

Executive summary: This document reports on the outcome of the eighty-first session of the Maritime Safety Committee

Action to be taken: Paragraph 68

Related documents: C 96/7, MSC 81/25 and Adds. 1 and 2

EIGHTY-FIRST SESSION OF THE MARITIME SAFETY COMMITTEE

INTRODUCTION

1 The report of the eighty-first session of the Maritime Safety Committee (MSC 81/25 and Addenda 1 and 2) is submitted to the ninety-sixth session of the Council in accordance with the provisions of Article 29 of the IMO Convention.

2 The eighty-first session of the Committee was held from 10 to 19 May 2006. It was chaired by Mr. I. Ponomarev (Russian Federation) and was attended by 96 Member States, one Associate Member, two United Nations specialized agencies and 42 international organizations.

3 Decisions taken by the Committee during the session under review are summarized in the ensuing paragraphs, with reference, as appropriate, to the approved guidelines and recommendations being made in paragraphs 61 and 62.

ADOPTION OF AMENDMENTS TO MANDATORY INSTRUMENTS

4 In separate expanded sessions, the Committee considered and adopted:

- .1 by resolution MSC.201(81), amendments to SOLAS chapters II-2, III, IV and V;
- .2 by resolution MSC.202(81), amendments to chapter V of the 1974 SOLAS Convention, relating to the long-range identification and tracking of ships (LRIT);
- .3 by resolution MSC.203(81), amendments to the 1978 STCW Convention;
- .4 by resolution MSC.204(81), amendments to the 1988 SOLAS Protocol;

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- .5 by resolution MSC.205(81), amendments to the IMDG Code;
- .6 by resolution MSC.206(81), amendments to the FSS Code;
- .7 by resolution MSC.207(81), amendments to the LSA Code;
- .8 by resolution MSC.208(81), amendments to the Guidelines for the authorization of organizations acting on behalf of the Administration; and
- .9 by resolution MSC.209(81), amendments to part A of the STCW Code.

5 The Committee determined that the amendments to:

- .1 SOLAS chapters II-2, III, IV and V, the FSS Code, LSA Code and the Guidelines should enter into force on 1 July 2010 provided they are deemed to have been accepted on 1 January 2010; and
- .2 SOLAS chapter V (relating to LRIT), the 1978 STCW Convention, the IMDG Code and the STCW Code should enter into force on 1 January 2008, provided they are deemed to have been accepted on 1 July 2007,

and noted that the amendments to the 1988 SOLAS Protocol should be deemed to have been accepted on the date on which they are accepted by two thirds of the Parties to the Protocol and invited the Parties to the Protocol to take positive steps in accepting the adopted amendments to enable them to enter into force as soon as possible.

PASSENGER SHIP SAFETY

6 The Committee, having considered the outcome of sub-committees tasked to carry out work on passenger ship safety, and the report of its *ad hoc* working group:

- .1 approved draft amendments to SOLAS chapters II-1 and II-2 (subject to further consideration by SLF 49) and III, and the FSS Code, for consideration at MSC 82 with a view to adoption.

With regard to the draft new SOLAS regulation III/17-1 (Recovery arrangements for rescuing persons), the Committee, while not approving the draft regulation at this session, instructed the DE Sub-Committee to develop performance standards for recovery systems for all types of ships, with a view to preparing mandatory requirements for implementation by 1 July 2012 for all types of new and existing ships;

- .2 approved, for circulation by means of MSC circulars, the Guide to recovery techniques; the Guidelines on the provision of external support as an aid to incident containment for SAR authorities and others concerned; the Enhanced contingency planning guidance for passenger ships operating in areas remote from SAR facilities; the Guide for cold water survival; and the Guidelines on training of SAR service personnel working in major incidents.

With regard to the Guide to recovery techniques, the Committee invited the Council to endorse the Committee's recommendation to publish the Guide; and

- .3 having finalized the above tasks and noting that the work on this important initiative had been completed by the Committee, agreed, nevertheless, taking into account the need for consequential work to be carried out by sub-committees, to assign new tasks to the DE, FP, NAV, SLF and STW Sub-Committees.

Fire safety of external areas on passenger ships

7 The Committee, having considered a submission by the United Kingdom relating to the cabin balcony fire on board the cruise ship **Star Princess** and having agreed to take prompt action to address the safety of cabin balconies on existing passenger ships and, in general, the safety of external areas on passenger ships:

- .1 approved an MSC circular on Operational recommendations for passenger ships with cabin balconies, for immediate implementation;
- .2 draft amendments to SOLAS chapter II-2 and the FSS Code to provide restrictions on the use of combustible materials on cabin balconies; and
- .3 included, in the FP Sub-Committee's work programme and provisional agenda for FP 51, a high priority item to address fire safety of external deck areas.

MEASURES TO ENHANCE MARITIME SECURITY

8 The Committee, following consideration of issues relating to the implementation of the special measures to enhance maritime security, including the input of several sub-committees and the relevant recommendations of the *ad hoc* working group, approved guidance on issues of training and certification of port facility security officers; compliance of special purpose ships; identification of ships transmitting security alerts; obligation for notification of control and compliance measures; voluntary self-assessment by SOLAS Contracting Governments and port facilities as well as Administrations and ship security; and national oversight programmes.

Security-related training for shipboard personnel

9 The Committee agreed that all shipboard personnel should receive appropriate security-related training relevant to their shipboard duties and adequate shipboard security familiarization and instructed the STW Sub-Committee to develop corresponding provisions for eventual inclusion in the STCW Convention and the STCW Code and prepare consequential amendments to the ISPS Code; and adopted amendments to part B of the STCW Code on exemptions relating to the certificate of proficiency for ship security officer.

WCO Framework of Standards

10 With regard to the group's proposal to instigate a joint MSC/FAL Working Group on the carriage of close cargo transport units and freight containers transported by ships, the Committee agreed to invite FAL 33 to consider referring the matter to the SPI Working Group with terms of reference, set out in annex 1 to document MSC 81/WP.5, as modified.

Long-range identification and tracking of ships (LRIT)

11 The Committee adopted resolution MSC.202(81) regarding amendments to SOLAS chapter V in respect of LRIT; resolution MSC.210(81) on Performance standards and functional requirement for the long-range identification and tracking of ships; and resolution MSC.211(81) on Arrangements for the timely establishment of the long-range identification and tracking system.

12 Having approved the establishment of an *ad hoc* Working Group on Engineering Aspects of LRIT, the Committee agreed that, if the LRIT system was to become operational by 31 December 2008, the group needed to complete all its work in time and submit it for consideration by MSC 82 with a view to approval. As a result, and bearing in mind the volume of work required, the Committee agreed that the group would need at least three meetings (June, July and September 2006) and should also endeavour, between meetings, to advance the work by correspondence.

13 The Committee acknowledged that the new SOLAS regulation on LRIT established a multilateral agreement for sharing LRIT information amongst SOLAS Contracting Governments. Such an agreement would meet the maritime security needs and other concerns of the SOLAS Contracting Governments. It maintained the right of flag States to protect information about the ships entitled to fly their flag where appropriate, while allowing coastal States access to information about ships navigating off their coasts. The proposed SOLAS regulation on LRIT was not creating or affirming any new rights of States over ships beyond what was existing in international law, particularly UNCLOS, nor was it altering or affecting the rights, jurisdiction, duties and obligations of States in connection with the law of the sea.

14 The Committee invited IMSO, as a possible candidate, to advise, not later than at MSC 82, whether IMSO would be willing and able, bearing in mind the envisaged entry into force of the SOLAS regulation on LRIT, to undertake the performance review and audit of certain aspects of the LRIT system on behalf of the Organization.

GOAL-BASED NEW SHIP CONSTRUCTION STANDARDS

General

15 Following general discussion on how to proceed with the work on GBS, the Committee agreed to work, in parallel, on both the prescriptive approach and the safety level approach and to continue with development of GBS for bulk carriers and oil tankers, based on work done so far with a view to finalizing at MSC 83, and to work on GBS based on the safety level approach.

GBS for bulk carriers and oil tankers

16 The Committee made progress on GBS for bulk carriers and oil tankers and, in particular:

- .1 approved the Tier I goals and Tier II functional requirements; and
- .2 in the context of its work on Tier III verification compliance, noted the outcome of the *ad hoc* working group on the scope of Tier III and Tier IV; use of recognized organizations; liability by IMO with regard to decisions by the group of experts relating to verification; verification standards (verification authority and group of experts criteria); Tier III verification criteria; initial verification, maintenance of verification; ship construction file (SCF); incorporation of GBS in IMO instruments; remaining tasks for completion of GBS; and established the correspondence group to progress intersessionally the work on GBS for bulk carriers and oil tankers.

Safety level approach for GBS

17 The Committee, noting the outcome of the group on the issue, agreed on the list of items that need to be considered in order to develop GBS using the safety level approach and

established a correspondence group to progress, intersessionally, the work on the safety level approach. In this context, the Committee noted the proposal for the development of guidelines for GBS in the IMO rule-making process.

SUB-COMMITTEE REPORTS

GENERAL

18 The Committee approved, in general, the reports of DE 48, FSI 13, BLG 9, NAV 51, SLF 48, DSC 10, FP 50, STW 37 and also dealt with urgent matters emanating from BLG 10, DE 49 and COMSAR 10, and took the appropriate action as indicated below, in addition to those referred to in paragraphs 61 and 62.

SHIP DESIGN AND EQUIPMENT

General

19 The Committee noted and endorsed, as appropriate, the Sub-Committee's outcome and decisions on development of amendments to the OSV Guidelines; mandatory requirements for gas-fuelled ships; life-saving appliances test procedures and training manuals; amendments to the ESP Guidelines (resolution A.744(18)); mandatory emergency towing systems in ships other than tankers of not less than 20,000 dwt; and inspection and survey requirements for accommodation and pilot ladders.

Amendments to mandatory instruments

20 The Committee approved, for adoption at MSC 82, draft amendments to:

- .1 SOLAS regulation III/21, to clarify the existing time requirement for the boarding and launching of survival craft;
- .2 the 1994 and 2000 HSC Codes and the DSC Code; and
- .3 SOLAS regulations XII/12 and XII/13 and the form of Safety Certificate for Nuclear Passenger Ships.

Performance standard for protective coatings and related matters

21 In dealing with this matter, the Committee approved, for adoption at MSC 82:

- .1 draft amendments to SOLAS regulations II-1/3-2 and XII/6 concerning mandatory Performance standard for protective coatings; and to the form of the SOLAS safety certificate, introducing the date of contract to be entered in the certificate; and
- .2 draft Performance standard for protective coatings for dedicated seawater ballast tanks in all types of ships and double-side skin spaces of bulk carriers.

22 In this context, the Committee approved an MSC circular on Application of SOLAS regulation XII/6.3 on corrosion prevention of double-side skin spaces and dedicated seawater ballast tanks of bulk carriers and application of the Performance standard for protective coatings for dedicated seawater ballast tanks in all new ships and double-side skin spaces of bulk carriers.

FLAG STATE IMPLEMENTATION**General**

23 The Committee endorsed and concurred with, as appropriate, decisions of the Sub-Committee regarding casualty-related data; casualty analysis procedure; harmonization of port State control activities; methodology to be followed for adoption of amendments to the Revised Survey Guidelines under the HSSC; and PSC Guidelines on seafarers' working hours.

IMO/FAO Working Group on IUU Fishing and Related Matters

24 The Committee noted the preparatory work of the IMO and FAO Secretariats for the second meeting of the Joint IMO/FAO Working Group on IUU Fishing and Related Matters, including the list of items for discussion and participation.

Study of incidents of explosions on chemical and product tankers

25 The Committee considered the report of the Inter-Industry Working Group (IIWG) established to study the reported incidents of explosions on chemical and product carriers. Based on the recommendations in the report, the Committee assigned specific tasks to the Joint MSC/MEPC Working Group on Human Element and the BLG, DE, FP, FSI and STW Sub-Committees, with the view to reporting the outcome to MSC 83.

BULK LIQUIDS AND GASES**General**

26 The Committee noted and endorsed, as appropriate, the Sub-Committee's outcome and decisions on protection of personnel involved in the transport of cargoes containing toxic substances in all types of tankers; interpretation of the IGC Code for ships carrying liquefied carbon dioxide in bulk; and review of the OSV Guidelines and LHNS Guidelines.

Amendments to mandatory and non-mandatory instruments

27 Noting concurrent decision by the MEPC, the Committee approved, for adoption at MSC 82, draft amendments to:

- .1 the IGC and GC Codes;
- .2 the fire protection requirements of the IBC Code; and, in this context, approved the appropriate circular on early application of the draft amendments; and
- .3 chapters 17, 18 and 19 of the IBC Code,

and adopted, by resolution MSC.212(81), amendments to the BCH Code.

SAFETY OF NAVIGATION**General**

28 The Committee noted and endorsed, as appropriate, the Sub-Committee's outcome and decisions on associated protective measures for the Galapagos Archipelago and Baltic Sea Area PSSAs; review of the HSC, DSC and SPS Codes, and the OSV Guidelines; in the context of its

work on passenger ship safety, guidelines on voyage planning for passenger ships operating in remote areas and performance standards for essential systems and equipment on passenger ships; recognition process for the Galileo system; recommended means for extracting stored data from VDRs or S-VDRs for investigating authorities; ships' routing systems; close collision alarm AIS binary message; and Malacca and Singapore Straits – official electronic navigational charts.

New mandatory ship reporting system

29 In accordance with resolution A.858(20), the Committee adopted, by resolution MSC.213(81), a new mandatory reporting system for the Canary Islands and decided that the system should be implemented on 1 December 2006.

Performance standards

30 In accordance with resolution A.886(21), the Committee adopted, by resolution MSC.214(81), Amendments to the Revised performance standards for shipborne voyage data recorders (VDRs) and simplified voyage data recorders (S-VDRs).

STABILITY, LOAD LINES AND FISHING VESSEL SAFETY

General

31 The Committee noted and endorsed, as appropriate, the Sub-Committee's outcome on the development of the explanatory notes for the harmonized SOLAS chapter II-1; revision of the Intact Stability Code; review of the OSV Guidelines and LHNS Guidelines; harmonization of damage stability provisions in IMO instruments; and review and amendments to the HSC and DSC Codes.

Revision of technical regulations of the 1966 LL Convention

32 The Committee approved the proposed amendments to Annex B to the 1988 LL Protocol concerning regulation 22(4) (Scuppers, inlets and discharges) and 39(1) (Minimum bow height and reserve buoyancy), for adoption at MSC 82.

Safety of small fishing vessels

33 The Committee noted the progress made on safety of small fishing vessels, in particular, the timeframe for the development of the Safety standards for small fishing vessels and the Sub-Committee's decision to progress this item as a matter of urgency, and concurred with the recommendation that ILO should be invited to participate in the development of the Safety standards.

DANGEROUS GOODS, SOLID CARGOES AND CONTAINERS

General

34 The Committee noted and endorsed, as appropriate, the Sub-Committee's outcome and decisions on amendments to SOLAS regulation II-2/19 as a result of the change to flashpoint in the IMDG Code; mandatory application of chapter 1.3 (Training) of the IMDG Code; review of recommendations on the safe use of pesticides in ships; carriage of direct reduced iron fines; consequential amendments as a result of the extension of the BLU Code to include grain; and guidance on protective clothing.

Facilitation of the carriage of IMDG Code class 7 radioactive materials

35 The Committee, having recalled resolution A.984(24) entitled “Facilitation of the carriage of IMDG Code class 7 radioactive materials including those in package form used in medical or public health applications”, noted that operative paragraph 7 of the resolution requested the Secretary-General to explore the possibility of establishing an *ad hoc* mechanism within the Organization to co-ordinate efforts to speedily resolve difficulties in the carriage of class 7 radioactive materials, in close co-operation with the IAEA.

36 In the context of this issue, the Committee noted that a way forward might be the establishment of a contact point at the Secretariat whereby sectors of the industry experiencing difficulties in the shipment of class 7 radioactive materials would provide information as to the causes of such delays and denials and make proposals on how to progress the issue. In that context, IMO, in its capacity as a facilitator, would monitor the situation in accordance with the reports provided and take appropriate action which might include the relevant national authorities with a view to facilitating the carriage of such materials. In this regard, the Committee noted the intention of the Secretariat to submit appropriate documents to FAL 33 and DSC 11.

FIRE PROTECTION

General

37 The Committee noted and endorsed, as appropriate, the Sub-Committee’s outcome and decisions on passenger ship safety; evacuation analyses for new and existing passenger ships; and measures to prevent accidents with lifeboats.

Amendments to mandatory and non-mandatory instruments

38 The Committee approved, for adoption at MSC 82, draft amendments to:

- .1 SOLAS chapters II-2 and III and, in this context, approved appropriate MSC circulars on early application of the draft amendments to SOLAS regulation III-2/4.5.2.3 and on early implementation of the draft amendments to SOLAS regulation III/19.3.3.4;
- .2 the FSS Code and LSA Code; and
- .3 the Revised recommendation on testing of life-saving appliances.

TRAINING AND WATCHKEEPING

General

39 The Committee noted and endorsed, as appropriate, the Sub-Committee’s outcome and decisions on passenger ship safety; measures to enhance maritime security; development of competences for ratings; revalidation of GMDSS operator’s certificate; and review of operational and training requirements for the revision of the Intact Stability Code.

Unlawful practices associated with certificates of competency

40 While considering the Sub-Committee’s recommendation to seek the concurrence of the Council on the need to include the nationality of the individual holding a fraudulent certificate in the proposed reporting format, the Committee, having been advised by the Legal Division of the

Secretariat, agreed that there was no need to include the nationality of the individual identified as the holder of a fraudulent certificate in the report issued by the Secretariat, nor was there a need to refer the matter to the Council.

41 Furthermore, having considered the information on the investigation conducted into the types of fraud associated with certificates of competency and how they might effectively be identified and prevented, including a proposed revised IMO reporting format, the Committee referred, to STW 38, the information for detailed consideration to update the reporting format with a view to enable Administrations with a more practicable approach to target fraud prevention.

Implementation of the 1978 STCW Convention

42 The Committee, while noting that no reports pursuant to STCW regulation I/7, paragraph 2 had been submitted to this session, with regard to the reports pursuant to STCW regulation I/8, confirmed that the procedures for assessment of information provided had been correctly followed in respect of 24 STCW Parties and four overseas territories of another STCW Party. In the context of this item, the Committee approved additional competent persons nominated by Governments.

RADIOCOMMUNICATIONS AND SEARCH AND RESCUE

General

43 In considering urgent matters emanating from COMSAR 10, the Committee noted and endorsed, as appropriate, the Sub-Committee's outcome and decisions on radiocommunication matters, in particular broadcast of tsunami and other natural disaster warnings; ITU matters, in particular IMO liaison statements to ITU and IEC; amendments to the IAMSAR Manual; passenger ship safety; and long-range identification and tracking of ships.

Amendments to the Criteria for the provision of mobile-satellite communication systems in the GMDSS (resolution A.888(21))

44 The Committee, following a lengthy debate of various aspects of the revision of the aforementioned resolution, recognized that any revised resolution could not be adopted until the twenty-fifth session of the Assembly and agreed to reconsider the proposed revised text of resolution A.888(21), at MSC 82, on the basis of further comments and proposals from Member Governments and legal advice.

TECHNICAL ASSISTANCE SUB-PROGRAMME IN MARITIME SAFETY AND SECURITY

General

45 The Committee noted the information on the safety-, security-, and facilitation-related activities executed in 2005 and those planned for 2006 under the Integrated Technical Co-operation Programme (ITCP) for the biennium 2006-2007, including the information on missions carried out through the ITCP activities, courses, seminars and workshops which were held at the national, regional and global level.

Marine Electronic Highway project

46 The Committee noted that the IMO Secretariat was directly involved and assisting the Governments involved in the Marine Electronic Highway (MEH) project in the identification of proper equipment and the appropriate areas on the Sumatra coast of the Straits of Malacca and

Singapore to be located. It also noted that the MEH project would be launched once the World Bank Board meeting in May 2006 approves the MEH Demonstration Project and the Grant Agreements have been signed by the parties concerned.

Domestic ferry safety pilot project

47 The Committee was informed by the Secretariat that, although IMO's technical co-operation programme had gone some way to improving the safety of domestic ferry operations, the continual loss of life resulting from casualties involving these ferries had prompted a change in approach. In pursuance of this new approach, IMO and INTERFERRY signed a Memorandum of Understanding (MoU) on 20 January 2006, formalizing the two Organizations' intent to work together towards enhancing the safety of non-convention domestic ferries by collaborating, through IMO's ITCF, on related capacity-building activities within developing countries. Following the signing of the MoU, the two Organizations have already conducted a detailed, research-based analysis of the problems prior to the establishment of a working group in the pilot country in September 2006, in which a variety of stakeholders, as well as experts, will be invited to participate. At this stage, three pilot projects were anticipated in different parts of Bangladesh and the lessons learnt from this project will serve as a model for projects in other countries needing to address ferry safety.

ROLE OF THE HUMAN ELEMENT

Report of the Joint MSC/MEPC Working Group on Human Element

48 The Committee, following consideration of the report of the Joint MSC/MEPC Working Group on Human Element, approved circulars as indicated in paragraphs 62.45 to 62.48 and, with regard to the continuation of the joint working group, agreed that this would ensure that the actions identified in the Organization's strategy to address the human element could be effectively conducted.

Assessment of the impact and effectiveness of implementation of the ISM Code

49 The Committee considered the report of a Group of Independent Experts selected from Administrations, established by the Secretary-General to undertake an assessment review of the impact and effectiveness of the implementation of the ISM Code, in particular the group's detailed conclusions and recommendations and, having expressed appreciation to the Secretary-General and the members of the group for the comprehensive work completed in the short time available, referred the report to the Joint MSC/MEPC Working Group on Human Element for consideration at its next session.

FORMAL SAFETY ASSESSMENT

50 The Committee, following consideration of the report of the Correspondence Group on FSA, took appropriate action with regard to the group's recommendations on amendments to the FSA Guidelines; amendments to the Use of HEAP and FSA Guidance, in particular regarding guidance for carrying out an FSA review, structure of the FSA Group of Experts (agreeing that participation will be open to all Member Governments and international organizations, but approval of the final report will be limited to selected candidates), selection of the experts and procedure for establishing the FSA group of experts; project management for large FSA studies and, having considered the report of the Drafting Group on FSA, established at MSC 81, approved, subject to MEPC concurrent decision, draft amendments to:

- .1 the Guidelines for formal safety assessment (FSA) for use in the IMO rule-making process (MSC/Circ.1023 – MEPC/Circ.392); and
- .2 the Guidance on the use of human element analysing process (HEAP) and formal safety assessment (FSA) in the IMO rule-making process (MSC/Circ.1022 – MEPC/Circ.391),

and, with regard to the structure of the aforementioned FSA Group of Experts agreed that the group, when established, should be treated as a working group in accordance with the Guidelines on the organization and method of work.

PIRACY AND ARMED ROBBERY AGAINST SHIPS

Statistical information

51 Based on the reports disseminated by means of MSC circulars and additional information provided, the Committee noted that the number of acts of piracy and armed robbery against ships, which were reported to the Organization to have occurred or to have been attempted in 2005, was 266, a decrease of 64 (19%) over the figure for 2004. The total number of incidents of piracy and armed robbery against ships, reported to have occurred or to have been attempted from 1984 to the end of April 2006, was 4,081. The Committee observed that although this 19% annual decrease in the reported acts of piracy and armed robbery against ships, and the fact that the number of attacks had decreased for the third year in succession was encouraging, the fact that the annual report indicated an increase in the violence of the attacks, and an increase in the incidence of kidnapping and ransom, was not. The incidence of such acts remained a cause for concern and the Committee, therefore emphasized, as at previous sessions, that much more still needed to be done to reduce this menace.

52 In further considering the statistical information for the period between 1 January and 31 December 2005, the Committee expressed deep concern on the information received on incidents allegedly committed against ships during the period under review, which had resulted in 16 ships being hijacked and a tug and barge being still unaccounted for. From the reports received, it had emerged that the most affected areas in 2005 (i.e. five incidents reported or more) were the Far East and, in particular, the South China Sea and the Malacca Strait, West Africa, South America and the Caribbean, the Indian Ocean, and East Africa. Most of the attacks worldwide had occurred or been attempted in territorial waters while the ships were at anchor or berthed. In many of the reports received, the crews had been violently attacked by groups of five to ten people carrying knives or guns. It was noted that during 2005, 152 crew members were reportedly injured/assaulted. About 652 crew members were reportedly taken hostage/kidnapped out of which 11 crew members were reportedly still unaccounted for.

53 The Committee observed that, although since the 11 September 2001 attacks emphasis had been placed on the enhancement of maritime security, piracy and armed robbery against ships continued to trouble seafarers and the shipping industry. However, the implementation in July 2004, of SOLAS chapter XI-2 and the ISPS Code did appear to have had a positive impact on the reduction of piracy and armed robbery incidents, particularly in port areas. Whereas the effect of the application of SOLAS regulation XI-2/7 (Threats to ships) was difficult to quantify, the number of acts and attempted acts of armed robbery against ships allegedly committed against ships in port areas had decreased from 232 in 2003, to 173 in 2004 (a decrease of 25%), and to 135 in 2005 (a further decrease of 22%). Despite this improvement, Contracting Governments should be aware that any incidents of armed robbery taking place in their port areas would raise serious concerns as to the compliance of the ports and port facilities of the country concerned with the maritime security regime.

54 The Committee further noted the activities of the Secretariat in conducting workshops and seminars on combating piracy; the actions taken pursuant to the Secretary-General's initiative on the protection of vital shipping lanes and, in particular the report of the meeting on maritime safety, security and environmental protection of the Malacca and Singapore Straits held in Jakarta in September 2005 and proposed follow-up activities; the actions taken pursuant to resolution A.979(24) on Piracy and armed robbery against ships in waters off the coast of Somalia, which are reported in document C 96/14(a)/1/Add.3; and the plan to hold a regional meeting pursuant to co-operation with the Maritime Organisation of West and Central Africa (MOWCA) on an integrated coastguard network for States from the region, later in the year.

IMPLEMENTATION OF INSTRUMENTS AND RELATED MATTERS

55 The Committee noted information on the status of acceptance of safety-related conventions, protocols and amendments thereto and with regard to the status of implementation of codes, recommendations, guidelines and other safety-related non-mandatory instruments, having noted the absence of updated information thereon, considered whether the Secretariat should continue preparing information on the status of implementation of the non-mandatory instruments and instructed the Secretariat to prepare a new comprehensive list of codes, recommendations, guidelines and other safety- and security-related non-mandatory instruments for submission to MSC 82, for consideration with a view to referring the list to the relevant sub-committees for them to suggest instruments on which information on the status of implementation should be submitted to the Committee.

RELATIONS WITH OTHER ORGANIZATIONS

56 The Committee's recommendations on this issue are reported under agenda item 14.

APPLICATION OF THE COMMITTEE'S GUIDELINES

General

57 Under this item the Committee considered various issues, taking into account the recommendations of the 2006 Chairmen's meeting held on 12 May 2006 and, having agreed, *inter alia*:

- .1 that the deadline for submission of documents containing proposals for new work programme items should be reduced from 20 weeks to 13 weeks and that this new deadline should take effect from MSC 82;
- .2 on the availability of documents on the IMO document website;
- .3 on amendments to the Guidelines on the organization and methods of work in the context of the specific requests in resolution A.971(24) on High-level action plan of the Organization and priorities for the 2006-2007 biennium;
- .4 on the issue of a working group commencing its work on Monday mornings; and
- .5 on method of a working group with splinter group(s),

decided that, in the light of the above developments, the Guidelines on the organization and method of work should be amended accordingly and requested the Secretariat to prepare draft amendments to the Guidelines, for submission to MSC 82 and MEPC 55 for consideration.

WORK PROGRAMME

Work programme of the sub-committees and provisional agendas for their forthcoming sessions

58 Taking into account the recommendations made by the sub-committees; various proposals for new work programme items submitted by Members and international organizations to the session under review; a preliminary assessment of such proposals undertaken by the Chairman with the assistance of the Secretariat, in accordance with the Guidelines on the organization and method of work and in the light of the Strategic plan for the Organization and the High-level action plan of the Organization and priorities for the 2006-2007 biennium; and decisions taken during the session, the Committee reviewed the work programmes of the sub-committees and the provisional agendas for their forthcoming sessions and took appropriate action, as specified in the relevant section of its report.

59 The Committee took action with regard to specific requests of the Assembly in the context of the relevant resolutions adopted by the twenty-fourth session of the Assembly. In particular, in the context of resolution A.970(24) on Strategic plan for the Organization (for the six-year period 2006 to 2011) and resolution A.971(24) on High-level action plan of the Organization and priorities for the 2006-2007 biennium, the Committee agreed that:

- .1 the Secretariat should, in consultation with the Committees' Chairmen, prepare, for consideration by MSC 82 and MEPC 55, the information on progress made on items indicated in the High-level action plan for 2006-2007 biennium and proposals for the High-level action plan and priorities, including planned output, for the 2008-2009 biennium;
- .2 the outcome of discussions of the above-mentioned information and proposals at MSC 82 and MEPC 55 should be submitted to the Council, at its ninety-eighth session, for referral to the Council Working Group on the Strategic Plan to be held in September 2007; and
- .3 any further information on the progress and proposals for High-level action plan and priorities for the 2008-2009 biennium agreed at MSC 83 and MEPC 56 should be reported to the twenty-fourth extraordinary session of the Council.

INTERSESSIONAL MEETINGS

60 Bearing in mind the view of the Council that the number of intersessional working groups should be restricted to the minimum necessary; paragraph 3.40 of the Guidelines on the organization and method of work; as well as the Committee's decision at MSC 66 that all sub-committees should scrutinize the need for intersessional meetings and, only when they consider it essential that such meetings should be held, to submit to the Committee, in good time, a fully justified request for consideration, the Committee, taking into account decisions made under various agenda items, approved the convening of intersessional meetings of the:

- .1 Working Group on Evaluation of Safety and Pollution Hazards of Chemicals (ESPH), to take place in September 2006;
- .2 Joint ICAO/IMO Working Group on Harmonization of Aeronautical and Maritime SAR, to take place in Singapore, from 28 August to 1 September 2006;

- .3 Joint IMO/ITU Experts Group, to take place at the IMO Headquarters, from 5 to 7 July 2006;
- .4 Working Group on Engineering Aspects of LRIT (three meetings, June, July and September 2006, first meeting hosted by Canada, and for the second and third sessions, dates and venues to be decided in due course); and
- .5 Editorial and Technical Group (E and T Group), to take place in May and September 2007, at venues to be announced in due course.

GUIDELINES AND OTHER RECOMMENDATIONS RELATED TO MARITIME SAFETY AND SECURITY

61 The Committee approved, for submission to the twenty-fifth session of the Assembly for adoption, a draft resolution on Guidelines on voyage planning for passenger ships operating in remote areas.

62 The Committee also approved, for dissemination, guidelines and other recommendations on the following topics:

- .1 amendments to part B of the STCW Code relating to the certificate of proficiency for ship security officer;
- .2 amendments to the IAMSAR Manual;
- .3 guide to recovery techniques;
- .4 guidelines on the provision of external support as an aid to incident containment for SAR authorities and others concerned;
- .5 enhanced contingency planning guidance for passenger ships operating in areas remote from SAR facilities;
- .6 guide for cold water survival;
- .7 guidelines on training of SAR service personnel working in major incidents;
- .8 operational recommendations for passenger ships with cabin balconies;
- .9 guidelines on the training and certification of port facility security officers;
- .10 interim scheme for the compliance of special purpose ships with the special measures to enhance maritime security;
- .11 guidance on the provision of information for identifying ships when transmitting ship security alerts;
- .12 reminder of the obligation to notify flag States when exercising control and compliance measures;
- .13 guidance on voluntary self-assessment by SOLAS Contracting Governments and by port facilities;

- .14 guidance on voluntary self-assessment by Administrations and for ship security;
- .15 effective implementation of SOLAS chapter XI-2 and the ISPS Code;
- .16 guidelines for the conduct of high-speed craft model tests;
- .17 means of embarkation on, and disembarkation from, ships;
- .18 amendments to unified interpretations to SOLAS chapters II-1 and XII approved by MSC/Circ.1176;
- .19 application of SOLAS regulation XII/6.3 on corrosion prevention of double-side skin spaces and dedicated seawater ballast tanks of bulk carriers and application of the Performance standard for protective coatings for dedicated seawater ballast tanks in all new ships and double-side skin spaces of bulk carriers;
- .20 interim Guidance on compliance of ships, carrying dry cargoes in bulk, with requirements of SOLAS chapters II-1, III, IX, XI-1 and XII;
- .21 amendments to the Guidance note on the preparation of proposals on ships' routeing systems and ship reporting systems for submission to the Sub-Committee on Safety of Navigation (MSC/Circ.1060);
- .22 new and amended traffic separation schemes, and associated routeing measures;
- .23 routeing measures other than traffic separation schemes;
- .24 new mandatory ship reporting system for the Canary Islands (as associated protective measures for the Canary Islands PSSA);
- .25 interim Guidelines for alternative assessment of the weather criterion;
- .26 contact information for the designated competent authority;
- .27 inspection programmes for cargo transport units carrying dangerous goods;
- .28 amendments to the revised EmS Guide;
- .29 unified interpretations to SOLAS chapter II-2 and the fire test procedures referred to in the FTP Code;
- .30 early application of amendment to SOLAS regulation II-2/4.5.2.3;
- .31 guidelines for developing operation and maintenance manuals for lifeboat systems;
- .32 measures to prevent accidents with lifeboats;
- .33 early implementation of draft SOLAS regulation III/19.3.3.4;

- .34 amendments to part B of the Seafarers' Training, Certification and Watchkeeping Code related to guidance on familiarization and training for seafarers serving on board ships fitted with free-fall lifeboats;
- .35 promoting and verifying continued familiarization of GMDSS operators on board ships;
- .36 information on simulators available for use in maritime training;
- .37 promulgation of information related to reports of independent evaluation submitted by Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, confirmed by the Maritime Safety Committee to have communicated information which demonstrates that Parties are giving full and complete effect to the relevant provisions of the Convention;
- .38 competent persons nominated by Governments;
- .39 COSPAS-SARSAT International 406 MHz Beacon Registration Database;
- .40 Unified interpretations to SOLAS regulation II-1/10 and regulation 12 of the revised SOLAS chapter II-1 regarding bow doors and the extension of the collision bulkhead;
- .41 IMO requirements on carriage of publications on board ships;
- .42 guidelines on the basic elements of a shipboard occupational health and safety programme;
- .43 early application of the amendments to the fire protection requirements of the IBC Code;
- .44 disposal of fumigants;
- .45 checklist for considering human element issues by IMO bodies;
- .46 strengthening of human element input to the work of IMO;
- .47 framework for consideration of ergonomics and work environment;
- .48 Organization's strategy to address the human element;
- .49 amendments to the Guidelines for formal safety assessment (FSA) for use in the IMO rule-making process*; and
- .50 amendments to the Guidance on the use of human element analysing process (HEAP) and formal safety assessment (FSA) in the IMO rule-making process*.

* Subject to MEPC 55's concurrent decision.

ANY OTHER BUSINESS

Online access to certificates and documents to be carried on board ships

63 Having noted the relevant outcome of FAL 32 and MEPC 54, the Committee, being conscious of the potential of an online access to certificates and documents carried on board ships and noting the technical feasibility of a system, recommended that a step-by-step approach should be applied and the emphasis be given to facilitation aspects of such a system; and, with regard to the potential use of the system in the port State control activities, noted a view that an electronic access would not be considered as an alternative to the physical inspection of the certificates.

Voluntary IMO Member State Audit Scheme

64 The Committee recalled that the Assembly, in adopting resolution A.973(24) on Code for the Implementation of Mandatory IMO Instruments, had requested the MSC and the MEPC to keep the Code under review and, in co-ordination with the Council, to propose amendments thereto to the Assembly; and, in adopting resolution A.975(24) on Future development of the Voluntary IMO Member State Audit Scheme, had requested the MSC and the MEPC to review the future feasibility of including, within the scope of the Audit Scheme, security-related and other functions not presently covered, to identify any implications of broadening the scope of the Audit Scheme in this way and to report to the Council as appropriate, for it to consider, at an appropriate time, whether and how to incorporate such matters in the Scheme. In this regard the Committee recalled further that matters pertaining to the Framework and Procedures for the Audit Scheme are matters for the Council to decide on and not for the Committees to develop, approve and issue any guidance related to the Scheme by means of a circular, resolution or other instruments.

65 In the context of this issue, the Committee considered proposals by IALA regarding additional guidance for coastal States in the context of paragraph 7.4.2 of part I (Framework for audit scheme) and IHO regarding guidance for the conduct of the audits in its field of competence, and, while acknowledging that the areas covered by the aforementioned proposals were not currently auditable, instructed FSI 14 to consider these proposals in the context of a potential review of annex 3 to the Code for the Implementation of Mandatory IMO Instruments, seeking any necessary complementary input from NAV 52, if deemed appropriate, for reporting to MSC 82.

Global Integrated Shipping Information System (GISIS)

66 The Committee noted information provided by the Secretariat on GISIS and noted that the following modules were available to IMO Member States and the public at large: the ISPS Code, casualties, recognized organizations, port reception facilities, CAS in respect of valid Statements of Compliance only and piracy and armed robbery against ships and that further modules were under development such as the ones on port State control, contact points, stowaway cases, illegal migrant cases and chemical products. It was further noted that, with a view to continuous and sound developments of GISIS with necessary hardware and maintenance, the appropriate provision of resources should be ensured. It was suggested that the presentation provided on GISIS should also be made during the Council.

Bulk carrier casualty report

67 The Committee noted with appreciation the information provided by INTERCARGO (MSC 81/INF.11) on their annual bulk carrier casualty report covering 2005 and the previous ten years (1996-2005). The information showed that during 2005, six bulk carriers over 10,000 dwt

were recorded as total losses accompanied by the tragic loss of eight lives. An analysis of the data to identify period trends of the last ten-year period (1996-2005) indicated that the annual average lives, deadweight and tonnage lost continued to fall, and the average age increased from 20.4 to 21.11, while the annual average of ships lost slightly increased.

ACTION REQUESTED OF THE COUNCIL

68 The Council is invited to:

- .1 consider the report of the eighty-first session of the Maritime Safety Committee and, in accordance with Article 21(b) of the IMO Convention, to transmit it, with its comments and recommendations, to the Assembly (paragraph 1);
- .2 note the adoption, by the Committee, of amendments to the 1974 SOLAS Convention, the 1978 STCW Convention and the 1988 SOLAS Protocol; and to various codes and guidelines mandatory under the 1974 SOLAS Convention and the 1978 STCW Convention (paragraphs 4 and 5);
- .3 note that the Committee, having noted that its work on passenger ship safety had been completed, agreed that certain consequential work needed to be carried out and, to that effect, assigned new tasks to sub-committees concerned (paragraphs 6 and 7);
- .4 note the action taken by the Committee on issues relating to maritime security (paragraphs 8 to 14);
- .5 note the progress made on the issue of goal-based new ship construction standards (paragraphs 15 to 17);
- .6 note the Committee's decisions on issues brought to its attention by DE 48 and DE 49, FSI 13, BLG 9 and BLG 10, NAV 51, SLF 48, DSC 10, FP 50, STW 37 and COMSAR 10 (paragraphs 18 to 44);
- .7 note the action taken by the Committee on issues relating to formal safety assessment (FSA) (paragraph 50);
- .8 note the Committee's report on activities pertaining to the issue of piracy and armed robbery against ships (paragraphs 51 to 54);
- .9 note the Committee's decisions relating to reporting on progress made on items in the High-level action plan of the Organization for the 2006-2007 biennium; and on proposals for the High-level action plan and priorities, including planned output, for the 2008-2009 biennium (paragraph 59);
- .10 endorse the action taken by the Committee in approving the intersessional meetings referred to in paragraph 60; and
- .11 note the draft resolution approved by the Committee for submission to the twenty-fifth session of the Assembly for adoption; and the 50 guidelines and other recommendations approved by the Committee for dissemination (paragraphs 61 and 62).