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| **InterManager IMO Report** |
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The IMO’s Committee on Maritime Safety (MSC) held its 95th Session (MSC 95) from Wednesday 3 through Friday 12 June 2015 under the Chairmanship of Mr Christian Breinholt (DENMARK) and his Vice-Chair, Captain M Segar (SINGAPORE). Over 900 representatives attended the meeting from 113 Member and 2 Associate States also 4 United Nations and Specialised Agencies, plus 6 Inter-Governmental organisations; in addition to InterManager, a further 48 Non-Governmental organisations were represented. 153 documents were considered.Mr Breinholt and Captain Segar decided not to seek re-election for 2016 and in their stead Mr Brad Groves (AUSTRALIA) was elected as Chairman with Mr Juan Carlos Cubisino (ARGENTINA) his Vice-Chair.Three working groups (WG) and one drafting group (DG) were formed and chaired as follows:

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| WG1 | IGF Code, Mrs J Stemre (NORWAY) |
| WG2 | Maritime Security / Piracy, Mrs F Mohd Fadil (SINGAPORE) |
| WG3 | Goal Based New Ship Construction Standards, Mr J Sirkar (USA) |
| DG1 | Amendments to IMO Mandatory Instruments, Mr H Tunfors (SWEDEN) |

Points of greatest interest to InterManager members follow:* **MARITIME SECURITY / PIRACY**. Five documents were introduced, and one Information Paper acknowledged, in Plenary discussion prior to agreeing terms of reference in respect of WG2. Subsequent to WG2’s deliberations, the Committee approved their report in general, and in particular:
1. Noted the WG’s discussion on the difficulties encountered in their attempt to finalise ‘draft Guidance for the Development of National Maritime Security Legislation’ and also the commensurate advice provided by IMO’s Legal Division;
2. Agreed to re-establish the CG intersessionally in order to finalise such draft Guidance;
3. Noted WG2’s discussions on development of maritime cybersecurity and endorsed advice to await the outcome of the relevant industry guidance on board ships planned for submission to FAL 40. This will not entail a CG but Member States were nevertheless urged to submit proposals to MSC 96;
4. Approved a draft MSC Circular on Best Management Practices for Protection against Somalia Based Piracy;
5. Approved revised draft MSC.1/Circ.1333 establishing the provision of a National point of contact for communication of information on piracy and armed robbery to the IMO; and
6. Approved revised draft MSC.1/Circ.1406/Rev2 including amendments related to valid accredited certification of Private Maritime Security Companies (PMSC) following publication of International Standard ISO 28007.
* **GOAL-BASED NEW SHIP CONSTRUCTION STANDARDS**.       This somewhat specialist topic will be of interest to few, if any, InterManager Members but the deliberations and recommendations of WG3 are available from your Accredited Representative should anyone require them.
* **PASSENGER SHIP SAFETY**. Following the capsizing of COSTA CONCORDIA and work carried out by a Working Group on Passenger Ship Safety at successive MSCs (90 – 93), resolution MSC.336(90) on Measures aimed at enhancing passenger ship safety was adopted, also MSC.1/Circ.1446/Rev.2 approved, together with an action plan for long-term work on passenger ship safety. A subsequent accident involving the ro-ro passenger ship NORMAN ATLANTIC and recent fire on the SORRENTO, also focussed attention on the safety of ro-ro passenger ships and the rescue of passengers.       Although the revised action plan for long-term work on passenger ship safety was finalised at MSC 94, Member Governments were encouraged to submit justifications for any unplanned outputs to be taken forward as per Table 1 of the plan. Having considered the report of a (third) study by the European Maritime Safety Agency (EMSA) regarding the risk level of passenger ships related to damage stability, the Committee authorised a meeting of the Formal Safety Assessment (FSA) Expert Group from 10 – 12 November 2015, subject to Council (114) endorsement, in order to validate the final result of the study.

The Committee noted the outcome of an IMO conference on the enhancement of safety of ships carrying passengers on non-international voyages, held in Manila on 24 April 2015. Guidelines developed by IMO were considered, the aim of which was to determine the fitness for intended service of domestic ferries. States needing technical assistance on matters related to the operation of domestic ferries were encouraged to seek assistance from the IMO (or other States) and IMO’s Technical Cooperation Committee was alerted accordingly.* **LRIT DATA CENTRES**. In examining the alternatives for conducting LRIT audits in an effort to reduce costs, document MSC 95/7, spear-headed by CANADA, proposed that all governance and management functions of the LRIT coordinator should be assumed by the IMO Secretariat. However, following a lengthy discussion in Plenary, the Committee concluded that the audit function should remain with IMSO.

 * **HUMAN ELEMENT, TRAINING AND WATCHKEEPING**.       The Committee approved, in general, the report of the Sub-Committee on Human Element Training and Watchkeeping and in particular:
1. Approved MSC-MEPC.2/Circ.15 on Guidelines for the development, review and validation of model courses;
2. Forwarded the draft Guidelines for port State control officers on the ISM Code to the III Sub-Committee for review and finalisation with a view to approval by the Committees;
3. Approved draft amendments to the STCW Convention, part A and B of the STCW Code, associated MSC resolutions and Circular related to revised training requirements for masters and deck officers on board ships operating in polar waters;
4. Extended the target completion year for the output ‘Review of the STCW passenger-ship specific safety training’ to 2016;
5. Forwarded the draft MSC circular on Guidelines on consolidated IMO provisions for the safe carriage of dangerous goods in packaged form by sea to the CCC Sub-Committee for review, finalisation and subsequent approval by MSC;
6. Approved a draft MSC circular on ECDIS – Guidance for good practice; and
7. Requested the III Sub-Committee, for future revisions / development of port State control guidelines, to invite early input from relevant technical Sub-Committees in the development of related guidelines.

In considering guidance for the implementation of the 2010 Manila Amendments, the Committee considered document MSC 95/9/2 (submitted by IFSMA, InterManager, ITF and the Nautical Institute) proposing to issue an MSC Circular recommending that seafarers who meet the colour vision and eyesight acuity requirement applicable to them prior to the effective date of the 2010 Manila Amendments to the STCW Code, should be issued a ‘fit for duty’ medical certificate until such time as the STCW Code is reviewed and standards of colour vision and eyesight acuity is more fully considered. After a thorough discussion, the Committee decided that the 2010 Manila Amendments recognise that medical and eyesight requirements for initial entry seafarers and existing ones may be different as provided for in paragraph 1 of section A-1/9 of the STCW Code, thus there is no urgent need to issue a circular in this regard.Guidance on fatigue mitigation and management was discussed in the context of a UK document providing comments related to the scope of the review and update of MSC/Circ.1014, as agreed by HTW 2. After some discussion, the Committee concurred with the clarification of the scope in relation to manning in UK’s paper MSC 95/9/3 para 11 and instructed HTW to take this into account when revising the Guidance. The Committee also agreed that SOLAR regulation V/14 and resolution A.1047(27) on Principles of Minimum Safe Manning need not be amended.* **SHIP DESIGN AND CONSTRUCTION**.       The Committee approved the report of SDC 2 in general and in particular:
1. Given the many divergent views on Watertight doors (regulation 11-1/13) the Committee endorsed the justification for a new output related to watertight doors closure control on new ships for inclusion in the 2016 – 2017 biennial agenda of SSE, in association with the SDC Sub-Committee;
2. Noted the progress made on matters related to the draft Guidelines on safe return to port for passenger ships;
3. Adopted draft amendments to Chapter 6 of part B of the 2008 IS Code regarding ice accretion on cargo ships carrying timber deck cargoes;
4. Approved draft amendments to the introduction of the 2008 IS Code regarding vessels engaged in anchor-handling operations for adoption at MSC 96;
5. Having discussed the arguments advanced by SDC regarding the carriage of more than 12 industrial personnel engaged in international voyages and approved a draft definition of same, the Committee decided to prepare a justification for a new planned output, noting that CESA supports the definition of industrial personnel advanced by SDC2;
6. Approved draft Interim Guidelines for use of Fibre Reinforced Plastic (FRP) elements within ship structures;
7. Approved a draft Unified Interpretation (UI) for safe access to tanker bows;
8. Adopted draft amendments to the Guidelines for the application of plastic pipes on ships;
9. Approved draft amendments to SOLAS regulation 11-2/13 on evacuation analysis for adoption at MSC 96;
10. Approved draft guidance for watertight doors on passenger ships which may be opened during navigation;
11. Approved draft amendments to the ESP Code for adoption at MSC 96;
12. Approved a draft UI of the Code on Noise Levels on board ships; and
13. Considered the Justification for a new unplanned output on clarification of the requirements in SOLAS chapter 11-2 for fire integrity of windows in passenger ships carrying not more than 36 passengers and special purpose ships with more than 60 (but not more than 240) persons on board.
* **NAVIGATION, COMMUNICATIONS AND SEARCH AND RESCUE**.   The Committee approved the report of NCSR 2 in general, and in particular:
1. Agreed the adoption of two-way routes in the SW Coral Sea, plus a Coral Sea area to be avoided, together with 5 other areas in the region of the Aleutian Islands;
2. Instructed the Secretariat to amend the COMSAR module of GISIS to allow submission of geographical limits of SAR Regions using the standard format defined for the LRIT system;
3. Adopted a draft MSC resolution amending the Revised performance standards and functional requirements for LRIT tracking of ships;
4. Authorised the LRIT Operational governance body to make all necessary preparations for the second modification testing phase of the LRIT system and to coordinate the testing of all DCs, the IDE and the DDP server;
5. Approved a draft MSC Circular on Guidelines for Software Quality Assurance and Human Centred Design for e-navigation
6. Adopted a draft MSC resolution on Performance standards for multi-system shipborne radio-navigation receivers; and
7. Approved a draft MSC circular on amendments to the IAMSAR Manual, subject to ICAO’s concurrence.
* **SHIP SYSTEMS AND EQUIPMENT**.       The Committee approved the report of SSE 2 in general and in particular:
1. Approved a draft MSC Circular on Performance Standards, Functional Requirements and System Requirements for the assessment of smoke management systems;
2. Approved a draft MSC circular on Revised Design Guidelines and operational recommendations for ventilation systems in ro-ro cargo spaces;
3. Approved a draft MSC circular on Amendments to the Revised Guidelines for the Maintenance and Inspection of fire protection systems and appliances;
4. Approved draft amendments to chapter 8 of the FSS Code;
5. In consideration of SSE2’s views on measures for on-board lifting appliances and winches, the Committee endorsed the decision to re-establish the CG for On-board Lifting Appliances and Winches, instructing it to:
* develop draft guidelines to cover design, fabrication and construction, on-board procedures for routine inspection, maintenance familiarisation of crew and shore-based staff etc;
* prepare draft goal and function-based SOLAS regulations requiring that on-board lifting appliances and winches be designed, constructed and installed to a standard acceptable to IMO or ‘to the satisfaction of the Administration’; and maintained in accordance with guidelines to be developed by IMO; and
* submit a report to SSE3.
1. Having considered SSE2’s views on the periodic servicing and maintenance of lifeboats and rescue boats, launching appliances and release gear, and following a lengthy discussion in Plenary, the Committee instructed SSE3 to:
* review the draft MSC resolution at MSC 93/3/4 Annex 1, taking into account MSC.1/Circ.1206/Rev.1 and MSC.1/Circ.1277 and recommend whether the annual thorough examination should be carried out by the manufacturer or a service provider authorised by the Administration, including the understanding that a service provider may be an entity other than the manufacturer (e.g. ship operator complying with the relevant criteria);
* review the whole of regulation 23 of SOLAS chapter III and MSC.1/Circ.1205, for the purpose of consistency with the draft MSC resolution (‘how it is to be done’ and ‘who does it’); and
* report to MSC 96 as a matter of urgency.
1. Approved the draft new chapter 17 of the FSS Code and the consequential modification of the draft amendments to SOLAS regulation 11-2/18;
2. Approved, in general, the draft MSC resolution on Amendment to chapter 9 of the 2009 MODU Code with a view to adoption in concert with chapter 17 of the FSS Code; and
3. Noted that the text of chapters 5 and 8 of the draft OSV Chemical Code has been reviewed and forwarded to PPR3 for the coordination process.
* **PIRACY AND ARMED ROBBERY AGAINST SHIPS**.       The Committee welcomed the continued success in the repression of piracy and armed robbery in the Gulf of Aden and the western Indian Ocean as well as the decrease of reported attacks off West Africa. The fact that very few flag States have provided reports to the Secretariat for inclusion in the piracy and armed robbery module of GISIS was noted prompting encouragement from the Committee ‘to do better’ also that such reports are not intended for operational use by ships or shipowners, rather they are for statistical analysis to establish trends and modus operandi of perpetrators in different regions of the world. The proposal of a validation regime for reported incidents of piracy and armed robbery in GISIS was not supported but it was agreed that the establishment of a [named] national focal point to interface with IMO for piracy and armed robbery matters would improve the quality of GISIS reports.

The Committee noted information provided by ReCAAP-ISC updating the piracy and armed robbery situation against ships in Asia for 2014 whilst the EC provided details of a study to collate information on piracy and armed robbery worldwide for inclusion in a database. A proposal by the Secretariat to expand the use of LRIT Distribution Facility to the Gulf of Guinea was given short shrift by GHANA, subsequently supported by ANGOLA, CAMEROON, NIGERIA and SOUTH AFRICA on the grounds that consultation at regional level was crucial to establishing a consensus of Member States in the region in respect of where to site the Maritime Trade Information Sharing Centre (MTISC) of GUINEA (GoG). Given this response, the Secretary-General proposed initiation of a consultation process prior to taking the matter further.Another sub-item on this subject was that of submissions by EGYPT and the SULTANATE OF OMAN expressing views that neither the Red Sea nor the Sea of Oman qualify as piracy high risk areas (HRA) and that both should be excluded from the HRA definition contained in BMP 4. ICS, speaking on behalf of BIMCO, ICS, Intercargo, Intertanko and OCIMF, acknowledged these concerns explaining that a review process in relation to the extent of the HRA had been agreed by industry representatives to the Contact Group on Piracy of the Coast of Somalia (CGPCS), taking into account regular threat assessments from military forces at the Shared Awareness and Deconfliction Meetings (SHADE). The HRA will again be discussed at an upcoming plenary meeting in July and the Industry view is that it would be counterproductive for the Committee to intervene in the interim, especially as most States attending MSC also participate in the CGPCS and its work. Following further discussion in which a large number of delegations expressed sympathy for the Egyptian request to amend the coordinates of the HRA in order to exclude the area of the Suez and the Red Sea to Bab el Mandeb, action to be taken by the IMO was supported. Accordingly, WG2 was tasked to develop a draft MSC circular, addressing the salient issues raised in plenary, using the annex to document MSC 95/15/1 (EGYPT) as the base. Having considered a similar document (MSC 95/15/5) by the SULTANATE OF OMAN, the Committee did not support forwarding it to WG2 for further consideration.* **ADOPTION OF THE INTERNATIONAL CODE OF SAFETY FOR SHIPS USING GASES OR OTHER LOW-FLASHPOINT FUELS (IGF CODE)**.       Following extensive discussion and decisions made in Plenary, as well as 9 related submissions, WG1 was established to finalise the IGF Code. The Committee approved WG1’s subsequent report in general, and in particular:
1. Noted the groups’ discussions in considering how best to reflect, in the draft amendments to SOLAS chapter II-1, specifically II-1/56.4, the Committee’s decision that the IGF Code should not apply to gas carriers in addition to the IGC Code;
2. Adopted amendments to SOLAS chapter II-1, in conjunction with amendments to SOLAS chapter II-2 and the relevant appendix to the annex of the Convention prepared by the DG;
3. Adopted the IGF Code and associated MSC resolution; and
4. Authorised the Secretariat to effect any minor editorial corrections that may be necessary.
* **AMENDMENTS TO MANDATORY INSTRUMENTS**.       In considering the report of the drafting group on amendments to mandatory instruments, the Committee approved it in general, and in particular:
1. Requested the Secretariat to consolidate the amendments to the 1974 SOLAS Convention;
2. Endorsed retaining ‘as amended’ in the title of the adopting resolution to the 1974 SOLAS Convention;
3. Adopted proposed amendments to the 1974, 1978 and 1988 SOLAS Protocols and associated draft MSC resolutions;
4. Adopted proposed amendments to the IMSBC Code and associated draft MSC resolution;
5. Approved amendments to the 2011 ESP Code;
6. Endorsed modification to the text of para 11 of the draft new regulation V/3 of the STCW Convention;
7. Endorsed the retaining of the words ‘as amended’ in the title of the 1978 STCW Convention resolution;
8. Agreed new wording to paras 1 and 2 of the new section A-V/3;
9. Adopted amendment to part A of the STCW Code and resolution;
10. Approved draft STCW.6 circular on Amendments to part B of the Code;
11. Agreed modifications to the draft text of regulation V/3, specifically para 9.3;
12. Approved circular STCW.7/Circ.23 on Amendments to the interim guidance on training of seafarers on ships using gases or other low-flashpoint fuels;
13. Approved the Guidance on pressure testing of boundaries of cargo oil tanks under direction of the master and associated MSC Circular;
14. Approved the Lists of solid bulk cargoes for which a fixed gas fire-extinguishing system may be exempted or for which such a system is ineffective;
15. Approved Guidelines for submission of information regarding cargoes not listed in the IMSBC Code and their conditions of carriage;
16. Approved Guidelines for developing and approving procedures for sampling, testing and controlling the moisture content for solid bulk cargoes which may liquefy;
17. Approved a draft UI of SOLAS regulation II-2/16.3.3 for products requiring oxygen-dependent inhibitors; and
18. Approved a draft UI of IBC Code para 15.13.5 for products requiring oxygen-dependent inhibitors.
* **DEVELOPMENT AND IMPLEMENTATION OF E-NAVIGATION**.       6 Member States and 5 NGOs, including InterManager, submitted paper MSC 95/19/8 which proposed six outputs on e-navigation as well as an amended High-level Action 5.2.6 ‘Development and Implementation of e-navigation’. Five of the six outputs were approved by the Committee for consideration by NCSR, viz:
1. Guidelines on Standardised modes of operation (S-mode);
2. Amendments to the Revised performance standards for Integrated Navigation Systems (INS) relating to harmonisation of bridge design and display of information;
3. Revision of the Guidelines and criteria for ship reporting systems;
4. Revision of the general requirements for shipborne radio equipment forming part of the GMDSS and for electronic navigational aids relating to Built-in Integrity Testing (BIIT) for navigation equipment; and
5. Guidelines for the harmonised display of navigation information received via communications equipment.

The sixth proposal, Consideration of reports on development and implementation of Maritime Service Portfolios (MSPs) (and other e-navigation reports) by Member States and other international organisations, was rejected on the grounds that it did not comply with the Committees Guidelines on the organisation and method of work. Notwithstanding, Member Governments were invited to prepare a full justification for this output, submitting it to MSC 96 for consideration; the delegation of NORWAY offered to coordinate such work with interested parties.* **UNSAFE MIXED MIGRATION BY SEA**.       The Committee devoted a whole morning session to discuss this topic, following on from a UN inter-agency High-level meeting held at IMO to address the subject on 4 and 5 March 2015. The Secretary General of IMO stated that the current situation is a humanitarian crisis and not sustainable. Following a video message from the United Nations Secretary-General, Ban Ki-moon, in which he emphasised that any approach to deal with the migration challenge must be comprehensive so that it protects human rights, upholds international law and recognises the benefits of migration, statements were made by representatives of UNODC, UNHCR, IOM, EC, ITALY, GREECE, INDONESIA and MALTA.

Sadly, these somewhat lengthy statements ate into the time available for meaningful discussion of the subject but in the short time available, the Committee:1. Expressed concern at the current, unprecedented wave of unsafe mixed migration by sea in the Mediterranean, Bay of Bengal, Gulf of Aden and other parts of the world, particularly over the high number of deaths at sea resulting from the smuggling of migrants in unsafe, grossly overloaded vessels unfit for the carriage of persons;
2. Condemned the activities of criminals who embark persons on unsafe craft with no regard for the safety of life at sea;
3. Recalled the provisions under UNCLOS, the SOLAS and SAR Conventions concerning obligations of the master of a ship and his duty to provide assistance to any person in distress at sea, regardless of nationality of status of such a person;
4. Also recalled the duties of Parties to coordinate and cooperate to ensure that masters of ships providing assistance by embarking persons in distress are released from their obligations promptly and that rescued persons are delivered to a place of safety as soon as is reasonably practicable;
5. Noted the forecast increase in numbers of mixed migrants taking to sea and that consequently many more lives will be lost unless something is done;
6. Commended the brave and selfless actions of all rescuers both ashore and afloat;
7. Drew attention to the need for greater effort to address unsafe migration through more safe and regular pathways;
8. Noted with concern the risks to those involved in rescue operations and the need for port and coastal States to take fully into account the special circumstances on board ships involved in the rescue of large numbers of persons;
9. Recognised that merchant shipping and maritime rescue services are close to being overwhelmed prompting a compelling need to find sustainable solutions;
10. Requested the IMO Secretary-General to remain engaged with the UN and its specialised agencies together with Inter-Governmental and Non-Governmental organisations in order to solve the problem; and
11. Agreed to place an agenda item on the work programme of the Committee to deal with matters pertaining to ‘Unsafe mixed migration by sea’, and invited the Facilitation Committee and the Legal Committee to do likewise.

Finally, the Committee noted the intention of ICS to forward the industry-developed advice on ‘Large-scale rescue operations at sea: Guidance on ensuring the safety and security of seafarers and rescued persons’ to the NCSR Sub-Committee for consideration.   Captain Paddy McKnight                                                                                                        END |

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