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IMO conventions: effective implementation

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The world relies on safe and secure shipping, which in turn needs effective implementation of IMO measures. Turn to P18 to see how this is being achieved.

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Over the years, IMO has built up an enviable track record for developing and adopting new international conventions. There are more than 50 altogether. Collectively, they are aimed at either the prevention of accidents or environmental damage; at mitigating the negative effects of accidents when they do occur, or at ensuring that adequate compensation is available for the victims of such accidents.

While most of these are in force and have done so much to make shipping safer, more efficient and more environment-friendly, there are still several conventions for which a slow pace of ratification and a lack of implementation are serious causes for concern.

This is why I believe that the theme selected for World Maritime Day 2014 – namely “IMO conventions: effective implementation” – is so important. Through it, we have taken the opportunity to shine a spotlight on those IMO treaty instruments which have not yet entered into force, as well as those for which ratification by more States would lead to more effective implementation.

For an IMO convention to be properly effective, it needs early entry into force, widespread ratification, effective implementation, stringent oversight of compliance and vigorous enforcement. Even those conventions that command almost universal coverage of the global fleet, such as SOLAS and MARPOL, only have teeth if they are backed up by an effective implementation infrastructure at the national level.

Our efforts with regard to conventions yet to enter into force have been particularly focused on the Ballast Water Management Convention, the Hong Kong Convention on ship recycling, the Cape Town Agreement of 2012 to implement the Torremolinos Protocol on fishing vessel safety, the 2010 Protocol to the HNS Convention and the Nairobi Convention on wreck removal. Although there has been welcome success this year in terms of new ratifications – indeed the Nairobi Convention will enter into force next year – much remains to be done and we will continue our efforts to the end of the year and beyond.

The wider and more complete implementation of measures already in place has also been a major element of this year’s theme. Energy efficiency measures for ships, the availability of fuel oil to meet increasingly stringent sulphur content requirements, and the verification of goal-based ship construction standards, have all featured strongly in the Organization’s work this year and all contribute towards wider and more effective implementation of measures already agreed or in place.

Implementation of IMO measures is, ultimately, the responsibility of the Member States and the industry – and the forthcoming mandatory audit scheme for Member States will be an important tool for assessing Member States’ performance in meeting their obligations and responsibilities as flag, port and coastal States under the relevant IMO treaties.

But the Organization itself, including the Secretariat, also has a role to play. The extensive technical cooperation programme, in which we identify particular needs among Member States that may lack resources, expertise or both, and match them to offers of help and assistance from others, is a key element in this respect, helping states to meet their obligations fully and effectively.

A slow pace of ratification, a prolonged state of non-fulfilment of entry-into-force conditions, a lack of compliance oversight and of enforcement mechanisms all add up to ineffective implementation, which in turn prevents the benefits enshrined in IMO measures from being fully felt.

During the course of this year, our theme has enabled us to make genuine progress towards ratification, entry into force and implementation of all IMO conventions – but especially those which have yet to be widely accepted.

And this is what IMO is really all about. Debates, discussions and resolutions in committees and sub-committees are all very well: but it is how we apply what emerges from that process to the ships, ports and seafarers who operate daily at the “sharp end” of shipping that really matters.

Thank you.

A message from Secretary-General Mr Koji Sekimizu

“...our theme has enabled us to make genuine progress towards ratification, entry into force and implementation of all IMO conventions”
New regional structure for Djibouti Code implementation

Ministers from States participating in the Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden (the Djibouti Code of Conduct) have recognized the need to develop a mechanism for the region to run its own counter-piracy agenda.

This follows the successful implementation by IMO of numerous projects aimed at improving regional capacity to counter piracy by developing enhanced regional cooperation and coordination.

A high-level meeting, held at IMO Headquarters in London on 30 May, agreed a resolution on future work under the Djibouti Code of Conduct. The resolution envisages the immediate launch of work to establish a new structure for regional implementation of the Code with IMO playing a supportive role during a transitional period. There was also widespread appreciation of the work of IMO in implementing the Code, as well as the support provided by the ReCAAP-ISC.

The meeting was attended by 80 delegates, including ministers and other officials from the Djibouti Code of Conduct participating and signatory States, as well as by representatives from a number of donor States and international organizations including the European Union (EU), ReCAAP, the North Atlantic Treaty Organization (NATO) and the Contact Group on Piracy off the Coast of Somalia.

IMO Secretary-General Koji Sekimizu congratulated the meeting on its outcome and pledged IMO’s full support for ongoing capacity-building work. He said that the region’s need to develop its own capacity to deal with piracy was stronger now than ever, as the international navies deployed voluntarily must, inevitably, look to reduce their forces over the next few years if the attacks continue to diminish and pressures on naval resources are focussed elsewhere.

“The work you have done already means that the region is better placed than when we started along this road, but the need remains to develop capacity and address some of the articles of the Code of Conduct that have not been addressed thus far,” he said. “The Code of Conduct has a real role to play in this and the time is right for the region to not only review the relevance of the Code against today’s threats, but also to take greater responsibility for the coordination of its own efforts. I am pleased with the work that has been done to develop a mechanism for the region to run its own counter-piracy agenda.”

Djibouti Code of Conduct

The Djibouti Code of Conduct was signed in January 2009 by representatives of nine countries, and was thereafter signed by a further 11, bringing the total to 20 countries from the 21 eligible.

A multi-national Project Implementation Unit (PIU) was formed in April 2010 at IMO Headquarters to assist signatory States to implement the Code. With a team of specialists in operations and training, technical and computing systems, and maritime law, the PIU has been successful in working with the signatory States to improve regional capacity to counter piracy by developing enhanced regional cooperation and coordination under the four pillars of training, capacity building, legislation, and information sharing.
Background – IMO achievements under the Code

Training – To date, IMO, in partnership with other international and regional organizations, has delivered numerous training courses under the Djibouti Code of Conduct programme, with the participation of more than 700 trainees from the region. IMO’s training programme has covered all aspects of the Djibouti Code of Conduct including information sharing, coast guard duties and operations and legal training. There is an increased emphasis on training Somali officials in maritime governance and legislation to address the pressing need to create a Somali maritime sector to provide jobs as an alternative to piracy. Training partners include NATO, other UN agencies, the EU, and regional States.

The Regional Training Centre in Djibouti (DRTC) building, to which IMO has contributed US$2.5 million from the Djibouti Code Trust Fund, is due to be operational in September 2014. The DRTC, with the assistance of IMO and EU, has been functioning since 2011 in its main role as coordinator of the region’s training needs, despite not having a dedicated building. Legal – IMO has worked with a number of international organizations to assess and assist with national legislation, focusing on empowering States’ law-enforcement forces to conduct arrests and criminal investigations under their piracy legislation and ensuring that the piracy legislation is sufficient to meet the needs of their law-enforcement and justice agencies. Workshops to address the process of enforcing national piracy law at sea and what the justice process requires to achieve prosecution have been held since 2011, with an emphasis on bringing together all the agencies involved in the legal process to ensure pirates are prosecuted. Many regional countries have created maritime coordination committees as a result of this work.

Information sharing – Three Information Sharing Centres (ISCs) have been established, in Sana’a, Mombasa and Dar es Salaam, and these drive a network of National Focal Points in all participating States. The network is currently being used to exchange piracy incident reports through a web portal, and feeds information into the international navies through their military shipping links in Abu Dhabi and Northwood, UK. In addition, the ISCs are working with the international navies to assist with developing awareness about regional dhow operations. Dhows have previously been used by pirates as mother ships to extend the range at which they can attack shipping and, while the number of attacks on large merchant shipping has reduced significantly, attacks on local dhows and fishing vessels continue at pre-2008 levels.

Maritime Situational Awareness – IMO has been working to develop signatory States’ maritime situational awareness in order to enhance their maritime law-enforcement capabilities. Projects to increase the effective use of automatic identification systems (AIS), long-range identification and tracking of ships (LRIT), coastal radar and other sensors and systems are intended to provide States with a ‘picture’ of maritime activity throughout the region, thus contributing to the delivery of maritime safety and security.

Britannia Seaways crew to receive 2014 IMO Bravery Award

The 2014 IMO Award for Exceptional Bravery at Sea will be awarded to Captain Andreas Kristensen and his crew of the Britannia Seaways, nominated by Denmark for their courage and determination in fighting explosions and fire on board the vessel, at great risk and danger to themselves.

The IMO Council, meeting for its 112th session in London, endorsed the decision of a Panel of Judges that their actions merited the top award, for saving the lives of the 32 people on board, preventing further damage to the ship and cargo and averting a major marine pollution incident.

The Council also decided that, of the other nominees or groups of nominees, from a total of 35 nominations, received from 12 Member States and one non-governmental organization in consultative status with IMO, three should receive Certificates of Commendation and nine should receive Letters of Commendation.

Britannia Seaways fire

The sounding of the fire alarm on board the Danish-flagged vessel Britannia Seaways, shortly after 7 p.m. on 16 November 2013, interrupted a routine voyage through heavy seas from Sørøeya to Bergen (Norway). Twenty crew and 12 passengers were on board the vessel, while the cargo included around 70 tonnes of diesel, aviation fuel and gasoline in jerrycans and tank containers.

The fire broke out on the open deck due to shifting of cargo and evolved aggressively with explosive eruptions, with flames leaping 30m high. Captain Kristensen and his crew fought the fire for hours, battling extreme heat on a rolling ship, 70 nautical miles from shore, as fresh gales fanned the flames.

Captain Kristensen took the decision not to evacuate all non-essential personnel by helicopter, as this would have exposed the fire-fighting crew and ship to more danger, since facilitating the evacuation (slow speed, turning the ship windward) would have exacerbated the fire and risked further damage and possible pollution. Had the fire not been contained, there was a huge risk it would have spread to the main deck below and raged out of control.

An explosion below deck caused the engine control system to break down but the crew succeeded in transferring operations to manual mode and kept the engines, auxiliary engines and fire pumps running, while controlling the huge amounts of water coming into the cargo holds from the firefighting.

Thanks to heroic teamwork, risking their own lives in intense heat to avoid a more disastrous outcome, Captain Andreas Kristensen and his crew managed to manoeuvre the burning ship and head towards the Norwegian coast, taking shelter behind some coastal islands. A firefighting vessel attended the ship from 1.30 a.m. and a firefighter team assisted from 4.30 a.m., with the fire finally extinguished shortly before 8 a.m., some 13 hours after it broke out.

The Awards ceremony will take place at IMO Headquarters, on Monday, 17 November 2014 at the end of the first day of the 94th session of the Maritime Safety Committee (MSC).
SOLAS amendments enter into force

New requirements under the International Convention for the Safety of Life at Sea (SOLAS) to require all ships to have plans and procedures to recover persons from the water are among a set of SOLAS amendments that entered into force on 1 July 2014.

Recovery of persons from the water

The SOLAS amendments, adopted in 2012, were developed as part of IMO’s work on large passenger ship safety and are aimed at ensuring all ships have the capability to effectively serve as a rescue asset and have the right equipment to be able to rescue persons from the water and from survival craft, in the event of an incident.

This new requirement is intended to enhance safety at sea and also to provide support to search and rescue coordinators in all types of rescue operations and, particularly, in those situations where there is insufficient dedicated search and rescue capacity or access to helicopters and specialized rescue craft is limited.

The ship’s plans and procedures should take into account related Guidelines for the development of plans and procedures for recovery of persons from the water.

Ships constructed before 1 July 2014 are required to comply with the requirement by the first periodical or renewal safety equipment survey of the ship to be carried out after 1 July 2014, whichever comes first.

The implementation of the requirements on ships to which SOLAS does not apply is encouraged under a related MSC resolution, also adopted in 2012, which invites SOLAS Contracting Governments to determine to what extent the requirements should apply to: cargo ships of a gross tonnage below 500 engaged on any voyage; cargo ships of a gross tonnage of 500 and above not engaged on international voyages; passenger ships not engaged on international voyages; fishing vessels; high-speed craft; dynamically supported craft; special purpose ships; and mobile offshore drilling units.

For seafarers, IMO has issued A Pocket Guide to Recovery Techniques (IMO I947E).

Reducing on-board noise

Also mandatory from 1 July 2014 is the new SOLAS regulation II-1/3-12, which requires new ships to be constructed to reduce on-board noise and to protect personnel from noise, in accordance with the revised Code on noise levels on board ships, which sets out mandatory maximum noise level limits for machinery spaces, control rooms, workshops, accommodation and other spaces on board ships.

Fire-fighter communication on-board

Amendments to SOLAS regulation II-2/10 on fire fighting entered into force on 1 July 2014, to require a minimum of two two-way portable radiotelephone apparatus for each fire party to be carried. The apparatus shall be of an explosion-proof type or intrinsically safe. Ships constructed before 1 July 2014 shall comply with the above requirements not later than the first survey after 1 July 2018.

Instructions, training and drills

Further amendments to regulation II-2/15 on instructions, on-board training and drills require an on-board means of recharging breathing apparatus cylinders used during drills, or a suitable number of spare cylinders.

Protection of vehicle, special category and ro-ro spaces

Another amendment to regulation II-2/20 on protection of vehicle, special category and ro-ro spaces related to fixed fire-extinguishing systems, updates the requirements. The amendments apply to ships constructed on or after 1 July 2014. Ships constructed before 1 July 2014 shall comply with the previously applicable requirements.

Forms of certificates and records of equipment

Other amendments to the appendix to the annex to the SOLAS Convention replace all forms of certificates and records of equipment, including its 1988 Protocol, and further amendments relate to the forms of the Cargo Ship Safety Construction Certificate and Cargo Ship Safety Equipment Certificate of its 1978 Protocol.

Container convention amendments

Also entering into force on 1 July 2014 were amendments to the International Convention for Safe Containers (CSC), 1972, which were adopted in 2013 by resolution MSC.355(92), to incorporate and facilitate the entry into force of amendments to the CSC Convention adopted in 1993 by resolution A.737(18), including amendments relating to the form of the safety approval plate and to the approval of existing and new containers. The amendments also introduce a transitional period for marking containers with restricted stacking capacity and include a list of deficiencies which do not require an immediate out-of-service decision by control officers, but require additional safety measures to enable safe ongoing transport.

A new SOLAS regulation requires reduced on-board noise levels.
‘Maritime education and training’ to be World Maritime Day theme for 2015

The IMO Council has endorsed a proposal by IMO Secretary-General Koji Sekimizu to adopt ‘Maritime education and training’ as the World Maritime Day theme for 2015.

Addressing the IMO Council, meeting for its 112th session at IMO Headquarters in London, Mr. Sekimizu said that effective standards of training remained the bedrock of a safe and secure shipping industry, which needs to preserve the quality, practical skills and competence of qualified human resources, in order to ensure its sustainability.

“The 1978 STCW Convention and Code, as amended, has set the international benchmark for the training and education of seafarers. While compliance with its standards is essential for serving on board ships, the skills and competence of seafarers, and indeed, the human element ashore, can only be adequately underpinned, updated and maintained through effective maritime education and training,” Mr. Sekimizu said.

He added that it was pertinent and timely for IMO to focus its attention on the wider spectrum of maritime education and training, in particular its adequacy and quality.

IMO as an organization supports skills-based training and the sharing of technical knowledge, through national and regional Integrated Technical Cooperation Programme (ITCP) training events and workshops, which provide short upgrading courses, based typically on the IMO Model Courses. On another level, the World Maritime University (WMU) and the IMO International Maritime Law Institute (IMLI) are at the forefront of IMO’s capacity-building strategy, supporting post-graduate training in order to maintain a cadre of high level managers, policy makers and other key personnel.

“The ITCP training events, together with the education imparted through WMU and IMLI are there to ensure that more and more maritime personnel thoroughly understand, and can therefore implement effectively, the IMO standards and norms,” Mr. Sekimizu said.

The World Maritime Day theme provides a focus for year-round activities while the day itself is celebrated at IMO Headquarters and around the world in the last week of September. Since 2005, a formal parallel event has also been held, hosted by an IMO Member State. In 2015 the Parallel Event will be held in Japan.

Maritime law expert to be awarded maritime prize

The IMO Council has decided to award the International Maritime Prize for 2013 to Dr. José Eusebio Salgado y Salgado, a Mexican academic and author of the Manual de Derecho Internacional Marítimo (Manual of International Maritime Law), for his significant contribution to the work and objectives of IMO.

In nominating his candidature, the Government of Mexico drew attention to Dr. Salgado y Salgado’s distinguished career as an academic in international maritime law, during his 40-year tenure as a professor at the National Autonomous University of Mexico (UNAM).

Dr. Eusebio Salgado y Salgado holds a degree in Law and Diplomatic Sciences and a doctorate in International Relations and Law from the UNAM.

He is the author of the Manual de Derecho Internacional Marítimo (International Maritime Law Manual), which has been the basis of various studies and specialized research into maritime transport in the Spanish-speaking world.

For more than 40 years, he has been a full-time professor at UNAM, where he teaches maritime law; international public law; international private law; history of Mexican diplomacy and foreign policy.

He has supervised nearly 300 theses during his career and, among others, was awarded the National Prize for Legislation and Maritime Law in 1988.

Dr. Salgado y Salgado is a member of the standing committee of the International Maritime Arbitration Organization (IMAO), based in Paris, and of the International Bar Association, the London Maritime Arbitrators Association and the International Law Association, all based in London.

He has written over 98 articles on subjects within his area of specialization in national and foreign journals and has published six books on international maritime law, including one specializing on the work of IMO, its tasks and achievements (1991).

The International Maritime Prize is awarded annually by IMO to the individual or organization judged to have made the most significant contribution to the work and objectives of the Organization. It consists of a sculpture in the form of a dolphin and includes a financial award, upon submission of a paper written on a subject relevant to IMO. The prize will be presented at a special ceremony later this year.
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Guidance on ‘Blue Cards’ approved by Legal Committee

Guidance for accepting Blue Cards or similar documentation from insurance companies to States Parties to a number of IMO treaties was approved by IMO’s Legal Committee, when it met for its 101st session.


The guidance states that a State Party to those conventions should accept Blue Cards issued by a member of the International Group of P&I Associations (P&I Clubs) when it is possible to verify the Blue Card from the P&I Clubs website.

When receiving a Blue Card or similar documentation from insurance companies, financial security providers and P&I Clubs outside the International Group, the State Party should verify the financial standing and hence the solvency of such company in order to make sure that prompt and adequate compensation for the victims is available. Criteria for acceptance is set out in the guidance.

HNS 2010 correspondence group established to facilitate ratification of the treaty

The Committee discussed the current status of the International Convention on Liability and compensation for Damage in Connection with the Carriage of Hazardous and Noxious substances by Sea, 2010 (2010 HNS Convention) which, to date, has received no ratification, and re-established the HNS Correspondence Group, with a view to facilitating a concerted effort to implement and coordinate the ratification, and entry into force, of the treaty.

The Committee encouraged Member States to ratify and bring into force the 2010 HNS Convention as soon as possible.

Focus on ‘IMO conventions: effective implementation’ highlighted

The Committee highlighted the World Maritime Day theme for 2014, ‘IMO conventions: effective implementation’, and encouraged delegations to work with their respective Governments towards achieving effective and uniform implementation of relevant IMO conventions and to report any barriers to implementation to the Legal Committee for advice and guidance.
The Legal Committee observed a minute’s silence to demonstrate its compassion for victims of the Sewol tragedy which had occurred days before the meeting started.

The Committee noted that the Integrated Technical Cooperation Programme (ITCP) for 2014-2015 included an increased number of activities aimed at assisting Member States in drafting, updating and bringing into force primary and secondary maritime legislation in matters related to the implementation of all IMO instruments. Moreover, reflecting this year’s World Maritime Day theme, several technical cooperation activities were planned in the ITCP for the benefit of developing countries, advising them on the legal (national and international) implications of acceptance of IMO conventions and the enactment of IMO codes and guidelines. The expected output is increased number of acceptances of IMO instruments and systematic and consistent implementation of their provisions.

The Committee noted the entry into force, on 23 April 2014, of the Protocol of 2002 to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974; and noted that the Nairobi International Convention on the Removal of Wrecks, 2007, had met its entry-into-force requirement on 14 April 2014 and will enter into force on 14 April 2015.

Places of refuge for ships in need of assistance discussed

The issue of places of refuge for ships in distress was raised at the Committee, in the light of the recent incident involving the Maritime Maisie, and the MS Flamia in 2012. The Committee noted that a ship will request a place of refuge only if it is in distress or in need of assistance and that early and decisive intervention will minimize the risk of structural deterioration and mitigate the threat of pollution from the ship’s cargo and bunkers.

The Committee agreed that there was a need to focus on the ratification and effective implementation of a number of existing international treaties, as the existing framework already included relevant provisions concerning liability and compensation for pollution prevention measures, clean-up operations, wreck removal and damage caused by fire and explosion, including where damage or losses occur following a State’s decision to grant a ship a place of refuge.

The relevant treaties include the Civil Liability Convention 1992 (in force), the Bunkers Convention 2001 (in force), the HNS Convention 2010 (yet to enter into force), and the Nairobi Wrecks Removal Convention 2007 (which will enter into force in 2015). The Fund Convention 1992 and the Supplementary Fund Convention 2003 in respect of oil pollution damage, are also relevant to places of refuge.

Draft Counter-Terrorism Legal Training curriculum noted

The Committee noted the draft of the ‘Counter-Terrorism Legal Training Curriculum – Module 5 – Transport related (civil aviation and maritime) Terrorism Offences’, which has been prepared by the United Nations Office on Drugs and Crime (UNODC), in cooperation with the International Civil Aviation Organization (ICAO) and IMO.

The main purpose of the module is to assist governments and policy makers as well as practitioners in identifying, understanding, and effectively implementing international legal instruments into national legislation. These instruments include the 2005 Protocols to the SLUA Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation, and the related Protocol for the Suppression of Unlawful Acts Against the Safety of Fixed Platforms Located on the Continental Shelf.

A final version of the Curriculum will be available on the UNODC website (www.unodc.org) in English and French.

Counter-piracy legal work noted

The Committee noted the outcome of the November 2013 meeting of Working Group 2 (WG2) of the Contact Group on Piracy off the coast of Somalia (CGPCS) and noted that piracy continued to be a significant international problem.

The Committee welcomed the development of a draft law for establishing a Coastguard/Maritime Police by the Somali Contact Group on Counter Piracy (the Kampala Process), which includes delegates from the Federal Government of Somalia, Puntland, Galmudug and Somaliland.

Adoption of MLC 2006 amendments

The Committee noted with satisfaction the entry into force, on 20 August 2013, of the International Labour Organization (ILO) Maritime Labour Convention, 2006, and the adoption of amendments relating to provision of financial security for abandonment, personal injury to and death of seafarers. The amendments to the Code of the Convention, adopted in April 2014 by the ILO Special Tripartite Committee, were based on the recommendations of the joint ILO/IMO Ad Hoc Expert Working Group on Liability and Compensation regarding Claims for Death, Personal Injury and Abandonment of Seafarers.

The Legal Committee urged those Member States that have not already done so, to consider ratification of the Maritime Labour Convention, 2006, at their earliest convenience.

Offshore exploration and exploitation activities

The Committee expressed its appreciation to Indonesia and Denmark for their offer to stand ready to co-chair an intersessional consultative group, to develop guidance on bilateral and regional agreements or arrangements related to the liability and compensation issues connected with transboundary pollution damage resulting from offshore oil and exploration activities.

The Committee reminded Member States to send examples of existing bilateral and regional agreements to the Secretariat and encouraged Member States and observer delegations to cooperate intersessionally and to lend their expertise.
Draft Polar Code approved at busy Maritime Safety Committee session

IMO’s Maritime Safety Committee (MSC) approved, in principle, the draft Polar Code and related amendments to make the Code mandatory under SOLAS, with a view to formal adoption at its next session, in November 2014.

The MSC also adopted important SOLAS amendments related to inert gas systems as well as amendments to a number of treaties to bring into force the mandatory IMO audit scheme. Work on passenger ship safety also continued.

The MSC met at the Organization’s London headquarters for its 93rd session, from 14 to 23 May 2014.

Polar Code and SOLAS amendments approved

The MSC approved, for consideration with a view to adoption at its November 2014 session (MSC 94), the draft new SOLAS chapter XIV ‘Safety measures for ships operating in polar waters’, which would make mandatory the Introduction and part I-A of the International Code for Ships Operating in Polar Waters (the Polar Code).

The MSC also approved, in principle, the draft Polar Code, with a view to adoption in conjunction with the adoption of the associated draft new SOLAS chapter XIV.

Matters related to the safety of navigation and communication were referred to the Sub-Committee on Navigation, Communications and Search and Rescue (NCSR), for finalization of the relevant chapters.

The draft Polar Code covers the full range of design, construction, equipment, operational, training, search and rescue and environmental protection matters relevant to ships operating in the inhospitable waters surrounding the two poles.

The Marine Environment Protection Committee (MEPC) is expected to further consider the environmental chapter at its next session in October (MEPC 67).

Mandatory audit scheme amendments adopted

The MSC completed the legal framework for the implementation of the mandatory IMO audit scheme, with the adoption of amendments to the following treaties to make mandatory the use of the IMO Instruments Implementation Code (III Code) and auditing of Parties to those treaties:

Following further work by the MSC, the Polar Code is nearing adoption.
SOLAS, 1974, as amended (adding a new chapter XIII)


This follows the adoption, by the IMO Assembly at its twenty-eighth session, of similar amendments to:


The Marine Environment Protection Committee (MEPC), at its 66th session, in April 2014, adopted similar amendments to MARPOL Annexes I through to VI. The amendments will make the auditing of Member States mandatory, once they enter into force in 2016.

Adoption of other amendments

The MSC also adopted the following amendments to SOLAS:

 amendments to SOLAS regulation II-1/29 on steering gear, to update the requirements relating to sea trials

 amendments to SOLAS regulations II-2/4, II-2/3, II-2/9.7 and II-2/16.3.3, to introduce mandatory requirements for inert gas systems on board new oil and chemical tankers of 8,000 dwt and above, and for ventilation systems on board new ships; related amendments to the International Code for Fire Safety Systems (FSS Code) on inert gas systems were also adopted

 amendments to SOLAS regulation II-2/10, concerning fire protection requirements for new ships designed to carry containers on or above the weather deck

 amendments to SOLAS regulation II-2/13.4, mandating additional means of escape from machinery spaces

 new SOLAS regulation II-2/20-1 Requirement for vehicle carriers carrying motor vehicles with compressed hydrogen or natural gas for their own propulsion, which sets additional requirements for ships with vehicle and ro-ro spaces intended for the carriage of motor vehicles with compressed hydrogen or compressed natural gas in their tanks as fuel

The above SOLAS amendments are expected to enter into force on 1 January 2016.

The MSC also adopted:

 amendment 37-14 to the International Maritime Dangerous Goods (IMDG)

PORT STATE CONTROL

SOUTHAMPTON, 19 – 24 April 2015

This widely recognised, practical intensive course is now in its 27th successive year. The course is fully residential and designed for officials in national marine departments, port and terminal operators, ship owners, ship managers, ship operators and senior sea going officers.

The course includes port and vessel visits and covers in detail the major IMO conventions and codes along with other relevant international regulations and conventions, inspection systems and documentation. Special sections concentrate on the ISPS code. The course is taught by an experienced team of academics and practitioners from the UK and Europe.

Venue: Holiday Inn, Southampton

Fees: Sterling £2,950 to cover all tuition, course documentation, meals, accommodation and ship and port visits.

The course is conducted by the International Maritime Bureau of the International Chamber of Commerce. Further details can be obtained from:

The Course Coordinator, ICC International Maritime Bureau
Cinnabar Wharf, 26 Wapping High Street, London, E1W 1NG United Kingdom
Tel: + 44 20 7423 6960 Fax: + 44 20 7423 6961 Email: imb@icc-ccs.org Website: www@icc-ccs.org
Passengership safety: revised action plan agreed

The MSC agreed a revised long-term action plan on passengership safety, following extensive discussion in a working group on the topic.

A number of matters relating to damage stability and survivability of passenger ships were referred to the Sub-Committee on Ship Design and Construction (SDC) for further work, including those related to the operation of watertight doors and consideration of double-hull requirements in way of engine rooms. The SDC was also instructed to consider the need to develop new SOLAS amendments to require damage-control drills for passenger ships.

The Sub-Committee on Human Element and Training (HTW) was instructed to include enhanced damage stability training in its planned outputs.

Meanwhile, the Committee instructed the Sub-Committee on Implementation of IMO Instruments (III) to complete its consideration of the report on the grounding, in 2012, of the Costa Concordia, as a matter of priority, to upload the ‘lessons learnt’ on IMO’s Global Integrated Shipping Information System (GISIS) and to bring to the attention of MSC 94 the contributing factors, issues raised/lessons learnt and observations on the human element factors involved.

Revised IGC Code adopted

The revised International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (the IGC Code) was adopted by the MSC. The completely revised and updated Code has been developed following a comprehensive five-year review and is intended to take into account the latest advances in science and technology. It will enter into force on 1 January 2016, with an implementation/application date of 1 July 2016.

The IGC Code was first adopted in 1983, to provide an international standard for the safe carriage by sea of liquefied gases (and other substances listed in the Code) in bulk, by prescribing the design and construction standards of ships carrying such cargoes, and the equipment they should carry. The IGC Code was made mandatory under the SOLAS convention for new ships built after 1986. Various amendments have been adopted since then, but the new draft represents the first major revision of the IGC Code.

Container weight verification

The MSC approved, for adoption at MSC 94 in November, draft amendments to SOLAS chapter VI to require mandatory verification of the gross mass of containers, either by weighing the packed container or by weighing all packages and cargo items and adding the tare mass. The Committee also approved related draft guidelines regarding the verified gross mass of a container carrying cargo, to be issued as an MSC circular.

Piracy and armed robbery

The MSC reviewed the latest statistics on piracy and armed robbery against ships and discussed current initiatives to suppress piracy and armed robbery, noting that the number of worldwide piracy attacks had decreased and that no SOLAS ship had been hijacked in the western Indian Ocean area since May 2012, as a welcome result of the robust actions taken by the international naval forces in the region, the shipboard measures implemented by shipping companies, masters and their crews as well as the deployment of professional security teams.

However, the Committee noted with concern the situation in the Gulf of Guinea which had not substantially improved. Nine ships were reported hijacked in 2012 and another nine ships were reported hijacked...
in 2013. The MSC expressed appreciation for the contributions received for the IMO West and Central Africa Maritime Security Trust Fund from China, Japan and the United Kingdom as well as the financial support of Norway, noting that a revised and comprehensive IMO strategy for implementing sustainable maritime security measures in west and central Africa had been developed and was being implemented.

The MSC expressed its support, in principle, for draft interim guidelines on measures to support seafarers and their families affected by piracy incidents off the coast of Somalia, developed by Working Group 3 (WG3) of the Contact Group on Piracy off the Coast of Somalia (CGPCS), and agreed to forward them to the International Labour Organization (ILO), as many of the aspects fall under ILO’s purview, being complementary to the 2006 Maritime Labour Convention (MLC).

**Lifeboat safety**

The MSC, noting a number of inconsistencies between the requirements of the draft amendments to SOLAS regulations III/3 and 20 and the draft MSC resolution on Requirements for periodic servicing and maintenance of lifeboats and rescue boats, launching appliances and release gear, agreed to refer these draft amendments to the Sub-Committee on Ship Systems and Equipment (SSE) for further consideration.

**Other issues**

In connection with other issues arising from the reports of IMO Sub-Committees and other bodies, the MSC:

- approved, for future adoption, a new draft SOLAS regulation XI-1/7 on Atmosphere testing instrument for enclosed spaces, to require ships to carry an appropriate portable atmosphere testing instrument or instruments, capable of measuring concentrations of oxygen, flammable gases or vapours, hydrogen sulphide and carbon monoxide, prior to entry into enclosed spaces; also approved, in principle, a draft MSC circular on early implementation of the new regulation;
- approved unified interpretations to the International Convention on Tonnage Measurement of Ships, 1969, intended to clarify the application of the Convention;
- approved unified interpretations relating to the application of the Performance standard for alternative means of corrosion protection for cargo oil tanks of crude oil tankers (resolution MSC.289(87)); and the application of the Performance standard for protective coatings for cargo oil tanks of crude oil tankers (PSPC-COT) (resolution MSC.288(87));
- approved the IMO/IL0/UNECE Code of Practice for Packing of Cargo Transport Units (CTU Code);
- adopted a number of new traffic routing systems, including traffic separation schemes, as well as amendments to existing systems;
- adopted performance standards for the shipborne ‘Beidou’ satellite navigation system (BDS) receiver equipment;
- agreed to instruct the NCSR Sub-Committee to consider the recognition of the global navigation satellite system (GNSS) established under the EU’s Galileo programme as a component of the World Wide Radio Navigation System (WWRNS);
- approved guidance on the bridge navigational watch alarm system (BNWAS) auto function;
- approved guidelines for the reactivation of the Safety Management Certificate following an operational interruption of the SMS due to lay-up over a certain period;
- approved guidance on safety when transferring persons at sea;
- considered the Secretary-General’s report on three countries whose independent evaluations have been completed since the previous MSC meeting and confirmed that those Parties continued to give full and complete effect to the provisions of the STCW Convention;
- established a correspondence group tasked with reviewing and finalizing draft Guidance on Development of National Maritime Security Legislation; and
- agreed to instruct the Sub-Committee on Ship Design and Construction (SDC) to develop amendments to SOLAS and the Fire Safety Systems Code to make evacuation analysis mandatory for new passenger ships and to review the recommendation on evacuation analysis for new and existing passenger ships.
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Over the years, IMO has built up an enviable track record for developing and adopting new international conventions. There are some 53 in all. Collectively, they are aimed either at the prevention of accidents, casualties and environmental damage from ships; at mitigating the negative effects of accidents when they do occur, or at establishing a mechanism for ensuring that those who suffer the consequences of an accident can be adequately compensated.

While most of these are in force and have done so much to make shipping safer, more efficient and more environment friendly, there are still several conventions for which a slow pace of ratification and a lack of implementation are serious causes for concern. There is no doubt that more can, indeed must, be done in this respect.

The adoption of an IMO convention can feel like the end of a process. A conference is held, the text is agreed, there are handshakes all round. But this should not be where the process ends. Indeed, adoption of a convention should be just the end of the beginning, because an IMO convention is only worth anything if it is effectively and universally implemented. All those hundreds, even thousands of man-hours spent refining the text, all that technical expertise that has been brought to bear, all those studies and all that research count for nothing unless the end result has a tangible impact. And, for that to happen, ratification, widespread entry into force and effective implementation are all needed.

In launching this theme at the beginning of 2014, IMO Secretary-General Koji Sekimizu began by posing a series of rhetorical questions: what is the point of working for months, even for years, to develop and adopt an international convention if that convention doesn’t enter into force? What is the point of all the technical work, the debates and discussion, the negotiations and compromises required to create an instrument that can be universally adopted if that instrument does not then become part of the international legal framework?

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It was with this in mind that the theme for World Maritime Day 2014 – namely “IMO conventions: effective implementation” – was selected. It is a theme that provides an opportunity to shine a spotlight on those IMO treaty instruments which have not yet entered into force, as well as those for which ratification by more States and more effective implementation would yield significant benefits.
The answer, of course, is that there is very little point at all. It is, he remarked, like writing a book that nobody reads, or making a film that nobody sees. It’s only half the job – less than half, in fact, when it comes to IMO conventions. For an IMO convention to be properly effective, it needs early entry into force, widespread ratification, effective implementation, stringent oversight of compliance and vigorous enforcement.

**Indecision and delay**

The sometimes lengthy periods of time that elapse between the adoption of an IMO instrument and its entry into force are beneficial to nobody. They expose the shipping industry to indecision and delay, as not knowing when a convention or other instrument will enter into force makes it very difficult for the industry to plan, to buy and install any new equipment specified, or to decide to send a ship for recycling for economic reasons due to the cost of implementation. This is especially problematical if the uncertainty over implementation dates continues over several years, as has been the case.

Such delays also expose IMO to unfair criticism from those who have a limited knowledge of the process but who invariably blame the Organization when delays occur. It is, of course, the Member States alone who have the ability to bring instruments into effect. The industry may put pressure on domestic legislators, but matters outside its influence can, and do, present considerable barriers to implementation. Legislative priorities, domestic policy considerations or a lack of the skills, resources and capacity needed to fulfill the obligations inherent in IMO conventions may all have to be addressed in this context.

As well as conventions yet to enter into force, the wider and more complete implementation of measures already in place is also a major element of this year’s theme. Even those conventions that command almost universal coverage of the global fleet, such as SOLAS and MARPOL, only have teeth if they are backed up by an effective implementation infrastructure at the national level.

Where a convention sets standards or imposes obligations with regard to ships, the flag state must see to it that a mechanism is in place to ensure its ships are properly inspected for compliance and certificated accordingly. The same principle applies where a convention relates to seagoing personnel or shore-side management. The responsible flag state must have the resources to oversee effective compliance, and have the commitment and drive to ensure that it does so. Similarly, where a convention requires the provision of shore-side facilities – such as waste reception facilities, spill response equipment or search and rescue capability – these must also be established and properly maintained.

**Port State control**

To support flag State oversight, the most important IMO conventions also contain provisions for Governments to inspect foreign ships that visit their ports, to ensure that they meet IMO standards. Ships not meeting the appropriate standards can be detained until any deficiencies are corrected. This is the process known as port State control.
Experience has shown that this works best if countries join together to form regional port State control organizations. Port State control finds its origins in the sovereign rights of port States, and also the provisions of UNCLOS; but IMO measures and agreements also aim at a global system where ships meeting IMO measures can trade freely without the need to comply with specific, individual port State regulations. IMO has encouraged this process and agreements have been signed to establish port State control regimes covering much of the world’s coastline and most major ports.

There is clear statistical evidence, based on analysis of the casualty rates or the port State control detentions of the ships in relation with their respective flags, that a significant difference exists between the performances of States with a substantial and organized maritime safety administration, manned with experienced ship surveyors, and others that are not in a position to properly fulfil the different tasks and responsibilities of the flag State in relation with safety certification of ships.

**Technical cooperation**

IMO’s extensive technical cooperation programme, in which it identifies particular needs among Member States that may lack resources, expertise or both, and match them to offers of help and assistance from others, is a key element in this respect, helping states to meet their obligations fully and effectively.

Typically this might involve arranging training, workshops and seminars on particular subjects at national or regional level – all of which make a vital contribution towards widespread and effective implementation of IMO measures. Additionally, the Organization and its technical committees may be able to assist States in their ratification processes, as well as playing an important role in promoting uniform application of existing conventions.

As the 53 instruments mentioned earlier confirm, IMO has, since its inception, made a significant contribution to the development of international law. The instruments developed under its auspices do much to shape everyday working life in the shipping world. In view of this comprehensive coverage, the IMO Assembly has adopted resolutions emphasizing that new conventions and amendments to existing conventions should be considered only if there is a clear and well-documented compelling need. As a result, the Organization will, inevitably, focus less on this aspect. Instead, as the theme for this year highlights, the emphasis will be increasingly on implementation.

Implementation of IMO measures is, ultimately, the responsibility of the Member States, supported by the industry – and the forthcoming mandatory audit scheme for Member States will be an important tool for assessing Member States’ performance in meeting their obligations and responsibilities as flag, port and coastal States under the relevant IMO treaties. It might also apply its own pressure to accelerate ratification, as states desirous of being seen as “high quality” will be encouraged to ratify and implement the key IMO measures. The mandatory audit scheme will be implemented from the beginning of 2016. The audit schedule has already been established and 19 States will have their audit carried out in 2016.

**New sub-committee**

One particularly significant development, of great relevance to this year’s theme, has been the formation and inaugural meeting of a new IMO sub-committee to deal specifically with this subject – the Sub-Committee on Implementation of IMO Instruments, or III Sub-Committee. Its scope will include not only flag State implementation but also port State and coastal State activities relating to the implementation of IMO instruments.

The III Sub-Committee is the IMO forum for states to cooperate with regard to their shared responsibilities concerning the implementation of IMO instruments. In this new setting, flag State implementation will remain the central issue. Promulgation of IMO rules is the responsibility of flag States; survey and certification with recognized organizations and casualty investigation are important functions of flag States, under IMO conventions and the United Nations Law of the Sea.

But port State control will also be an important aspect of implementation.
important field of work for the III Sub-Committee, with harmonization being a major objective. The Sub-Committee will be a platform to monitor, exchange views and improve the system of port State control.

The third major field of work for the III Sub-Committee will be coastal State responsibilities, for example, aids to navigation, lighthouse services, vessel traffic systems, electronic navigational charts and maritime safety information, including weather forecasts, navigational warnings and maritime security information. These are all under the responsibility of the coastal State and this Sub-Committee will provide a platform to discuss anything relating to their implementation in the coming years.

For example, among the items on the agenda for the Sub-Committee’s inaugural meeting were how to strengthen safety standards aboard domestic ferries; casualty analysis and the collection of statistics, and guidelines for the port State control inspection for compliance with the Ballast Water Management Convention.

Shared responsibility

In his opening remarks to the first meeting of the III Sub-Committee, IMO Secretary-General Sekimizu said that flag States, port States and coastal States should support and strengthen IMO’s system of global implementation, and identified “shared responsibility” as the key words to define the ethos of this Sub-Committee. He said it would provide a forum to share experience, to share responsibilities and to strengthen and improve IMO’s mechanism for implementation.

Turning now to some of the individual conventions that have been adopted but yet to enter into force: the Ballast Water Management Convention, for example, was adopted a decade ago and, at the time of writing, (in mid-2014) has been ratified by 38 States with an aggregate capacity beyond 30 per cent of the world’s merchant fleet tonnage. But this is still not quite enough to bring it into force – that requires 35 per cent of world tonnage. However, it is widely anticipated that the entry-into-force criteria will be met very soon, and that the pace of ratifications will accelerate following entry into force enabling the convention to quickly become a powerful, truly global, legal instrument.

Although the convention itself is not yet in force, nevertheless a great deal of progress has been made. There is an ever-growing number of type-approved ballast water management systems now available, including for ships with high capacity and high flow rate, and these are being fitted in increasing numbers. A multi-million dollar project, GloBallast, has been funded by the Global Environment Facility and executed by IMO with constant support from UNDP, which served as implementing agency. The wider UN family, the shipping industry, equipment manufacturers, researchers and developers have all demonstrated goodwill and collaboration.

Whatever technical or economic problems may be delaying the entry into force of this convention, the need to prevent the global spread of harmful invasive species via transfers of unmanaged ballast water and sediments is undisputed and the issue simply must be addressed. And, because these harmful transfers are inherently linked to the expansion of shipping, which in turn is a direct result of global trade growth, action must be taken now. Such action will be most effective if taken under the auspices of the Ballast Water Management Convention, in force; and all IMO Member Governments that have not yet ratified the BWM Convention are urged to do so as soon as possible.

Another IMO Convention with a need for speedy ratification and implementation is the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships. Since its unanimous adoption five years ago, the Convention has only (at the time of writing) attracted three ratifications. This is despite the fact that the whole package is complete, including all guidelines identified by the Hong Kong Conference and required under the Convention.

The Hong Kong Convention seeks to improve safety and environmental standards throughout the entire ship-recycling industry. It may not be perfect; but it is the best and only workable instrument on ship recycling currently available for international shipping. It would both improve the safety of workers...
in this industry and enhance protection of the environment. As an aside, it is interesting to note an example of the shipping industry exercising its own willingness to implement the terms of a convention before its entry into force; a growing number of ships are now being provided, voluntarily, with an Inventory of Hazardous Materials, which is a core element of the Convention.

**Improving fishing safety**

The 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels is another important Convention that has yet to meet its entry-into-force criteria. The barriers to ratification of this Convention were addressed in the form of the Cape Town Agreement of 2012. This Agreement updates and amends a number of provisions of the 1993 Torremolinos Protocol. Once this has entered into force, it will greatly enhance safety standards for fishermen and fishing vessels and, thereby, significantly reduce the number of fatalities.

The International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances (HNS) by Sea (the HNS Convention), was adopted by IMO in May 1996. The HNS Convention establishes a comprehensive regime covering pollution damage from hazardous and noxious substances carried by ships, as well as the risks of fire and explosion, including loss of life, personal injury, and loss of or damage to property. However, by 2009, it had still not entered into force, due to an insufficient number of ratifications. A second International Conference, held in April 2010, adopted a Protocol to the HNS Convention (2010 HNS Protocol), that was designed to address practical problems that had prevented many States from ratifying the original convention. Eight countries, to date, have signed this convention subject to ratification but, as yet, there is still not a single ratification.

The sooner these conventions enter into force, the sooner they can be effectively implemented and the benefits they enshrine can be felt and the hard work of those who developed them can be justified. During the course of this year, under the banner of the World Maritime Day theme, IMO is doing all it can to encourage their ratification and implementation.

One area in which improved implementation of existing instruments is urgently called for is accident prevention. Secretary-General Sekimizu has said that, as a top priority, the Organization should aim to work for a reduction of marine casualties by half, with the primary aim of saving the lives of passengers, as well as protecting those of seafarers.

**Benefits not felt**

Other important activities in which he has expressed a specific hope to see significant progress in implementation to be made this year include the verification of the mandatory goal-based ship construction standards for tankers and bulk carriers; the accelerated implementation of the Energy Efficiency Design Index; and the timely conduct of the required study on the likely availability of low sulphur fuels in 2020, the year provisionally targeted in MARPOL Annex VI for mandatory use of such fuels.

A slow pace of ratification, a prolonged state of non-fulfilment of entry-into-force conditions, a lack of compliance oversight and of enforcement mechanisms all add up to ineffective implementation, which in turn prevents the benefits enshrined in IMO measures from being fully felt.

Not only that, they risk creating a situation in which some authorities feel motivated to take action to try to enforce measures that would go beyond IMO regulations or impose additional requirements, even before such IMO regulations enter into force. This is against the spirit of cooperation at IMO and damages the credibility of the Organization.

During the course of this year, our theme is enabling IMO to make genuine progress towards ratification, entry into force and effective implementation of all IMO conventions – but especially those which have yet to be widely accepted; because this is what IMO is really all about. Debates, discussions and resolutions in Committees and Sub-Committees are all very well: but it is how what emerges from that process is applied to the ships, ports and seafarers who operate daily at the “sharp end” of shipping that really matters.
Technical Cooperation Committee supports move to improve domestic ferry safety

IMO’s Technical Cooperation Committee, meeting for its 64th session, expressed its support for increased attention to the issue of domestic ferry safety and the establishment of a new project to strengthen existing Integrated Technical Cooperation Programme (ITCP) projects on domestic ferry safety.

The move followed a call from IMO Secretary-General Koji Sekimizu to explore every avenue so that the loss of life in domestic ferry accidents, wherever they may occur around the world, can be minimized.

Sub-regional forums on domestic ferry safety have previously been held for the Asia and Pacific regions in 2011 (Indonesia) and 2013 (China), and it was suggested to hold similar events in all regions in the future.

Several regional meetings of heads of maritime administrations were held in 2013, and similar meetings for all regions have been included in the ITCP for 2014-2015.

Successful ITCP delivery in 2013

The Committee reviewed the ITCP annual report for 2013, noting that, during the year, 292 activities were planned, delivered and/or were ongoing, including the implementation of 24 advisory and needs-assessment missions, and 119 training courses, seminars and workshops held at national, regional and global levels.

These training events covered an extensive range of maritime topics, involving the training of some 3,480 persons worldwide. Another 79 people completed fellowships in the maritime field, and 1,636 officials attended events aimed at developing and

The committee supported the view that safety standards on domestic ferries should be high, regardless of the region in which they operate.
harmonizing regional strategies on maritime technical matters.

Total expenditure on technical cooperation activities in 2013 reached $15.3 million, representing a delivery rate of 87% of the resources programmed for the year.

The Committee noted that 75 partnerships were currently in operation for the delivery of technical cooperation activities; 43 of these had been concluded with developing and developed countries as well as territories; and 32 with international organizations, regional institutions and industry.

The most recent agreements included two cooperation agreements between, respectively, IMO and the International Hydrographic Organization (IHO) and IMO and the United Nations Environment Programme (UNEP), both aimed at providing a framework for the identification of common technical cooperation activities on capacity-building matters; and an agreement between IMO and UNEP, related to the Global Partnership on Marine Litter.

**Mandatory Audit Scheme expected to boost technical assistance requests**

The Committee noted that the introduction of the mandatory IMO Member State Audit Scheme, from 2016, was expected to lead to an increase in requests for technical assistance and, consequently, an increase in the overall size of the ITCP and of the funds necessary to deliver it. The Committee urged Member States, organizations and industry to make further contributions to the ITCP to support the effective implementation of the scheme, as well as other emerging needs.

The Committee was informed that, since IMO started delivering training courses for auditors under the ITCP to support the voluntary IMO Member State Audit Scheme, which saw the first audits conducted in 2006, a total of 600 people from 150 countries had been trained through 38 regional and national activities. A lead-auditors’ training course, based on the mandatory audit scheme, would be developed during 2014.

**ITCP financing discussed**

The Committee expressed its appreciation to all donors who had made contributions to IMO’s technical cooperation activities through various arrangements.

It noted that, from 1 May 2013 to date, some $6.5 million had been contributed to the seven multi-donor trust funds and financial arrangements held by IMO, and that one-off cash donations to specific ITCP activities amounted to $480,355.

There were 14 financial arrangements in operation, nine of which had been established with government agencies of Canada (x3), Egypt, Italy, Norway (x2), the Republic of Korea and the United Kingdom, and the remainder with international and regional organizations and industry.

The major donors to the newly established West and Central Africa Maritime Security Trust Fund, including China, Japan and the United Kingdom, were commended for their significant financial support to the fund, which at the time of the session stood at US$1.37 million. The fund will support Gulf of Guinea coastal States in capacity-building for the suppression of piracy and armed robbery against ships and the enhancement of maritime security in west and central Africa through an integrated approach.

The Committee noted the Organization was redesigning its funding strategy in order to respond effectively to the envisaged increase in technical cooperation requests arising from the IMO Member State Audit Scheme and from the utilization of the Country Maritime Profiles (CMPs) as a benchmark for short and medium term gap analysis. Placing national priorities would be at the centre of the new technical cooperation approach, in which the CMPs represent the first vital step in ensuring that the real needs of developing countries are captured fully and incorporated into the planning of the ITCP.

**States encouraged to fill Country Maritime Profiles (CMPs)**

The Committee encouraged States to complete their Country Maritime Profiles (CMPs), as these are key tools which the Secretariat may use in developing proposals to be included in the ITCP.
Draft Polar Code chapters on Safety of Navigation and Communication finalized

The Sub-Committee on Navigation, Communications and Search and Rescue (NCSR) met for its first session from 30 June to 4 July. It finalized the chapters related to Safety of Navigation and Communication of the draft Polar Code, for submission to the Maritime Safety Committee (MSC).

MSC 94, meeting in November 2014, is expected to consider the draft Polar Code with a view to adoption, alongside the associated draft new SOLAS chapter XI, which will make the Introduction and part I-A of the Polar Code mandatory under SOLAS.

The draft Polar Code covers the full range of design, construction, equipment, operational, training, search and rescue and environmental protection matters relevant to ships operating in the inhospitable waters surrounding the two poles.

Revised guide to recovery techniques

The Sub-Committee endorsed the draft revised Guide to recovery techniques, with a view to approval by the MSC. The update follows the entry into force, on 1 July 2014, of new SOLAS regulation III/17-1, on recovery of persons from the water, which requires all ships to have plans and procedures to recover persons from the water.

Ship routeing and reporting

The Sub-Committee approved the following new and amended ships’ routeing measures and amended ship reporting system, for submission to the Maritime Safety Committee (MSC) for adoption:

Amendments to existing Traffic Separation Schemes (TSSs) and associated measures

- Amendment to the existing Traffic Separation Scheme “In the Strait of Gibraltar” and amendment of the precautionary area off Tanger Med and of the south-western inshore traffic zone including anchorage areas;
- Amendments to the Traffic Separation Scheme off the Chengshan Jiao Promontory;
- Amendments to the routeing system “Off Friesland” and associated measures;

Routeing measures other than Traffic Separation Schemes (TSSs)

- Amendments to the existing Recommended directions of traffic flow within the Precautionary area off Tanger-Med in the Strait of Gibraltar;
- New areas to be avoided Off Friesland;
- Deep-water routes forming parts of routeing system “Off Friesland”;
- Amendments to the mandatory route for tankers from North Hinder to the German Bight;
- Amendment to the existing two-way route in the Great North-East Channel, Torres Strait;
Establishment of two-way routes and a precautionary area at Jomard Entrance, Papua New Guinea;

Revocation of the Area To Be Avoided in the region of the Great Barrier Reef;

Mandatory ship reporting systems

Amendments to the existing mandatory ship reporting system Off Chengshan Jiao Promontory.

E-navigation Strategy Implementation Plan (SIP) agreed

The Sub-Committee finalized the draft e-navigation Strategy Implementation Plan (SIP), which includes recommended tasks to progress the implementation of e-navigation, for submission to the MSC for approval.

The e-navigation concept aims to integrate existing and new navigational tools, in particular electronic tools, in an all-embracing system that will contribute to enhanced navigational safety while simultaneously reducing the burden on the navigator. The objective is to facilitate a holistic approach to the interaction between shipboard and shore-based users, under an overarching e-navigation architecture.

Five prioritized e-navigation solutions are set out in the Strategy Implementation Plan:

1. Improved, harmonized and user-friendly bridge design;
2. Means for standardized and automated reporting;
3. Improved reliability, resilience and integrity of bridge equipment and navigation information;
4. Integration and presentation of available information in graphical displays received via communication equipment; and
5. Improved communication with VTS.

The SIP sets out a proposed regulatory framework and technical requirements for implementation (tasks) for each solution, with a timeline for completion by 2019.

BeiDou System (BDS) endorsed as component of WWRNS

The Sub-Committee agreed to advise the MSC to recognize the BeiDou Navigation Satellite System (BDS), operated by China, as a component of the World-Wide Radionavigation System (WWRNS). The recommendation will be put forward to the MSC for consideration and recognition.

A Global Navigation Satellite System (GNSS) is a satellite system that provides worldwide position, velocity and time determination for multimodal use. It includes user receivers, one or more satellite constellations, ground segments and a control organization with facilities to monitor and control the worldwide conformity of the signals. Currently, two satellite navigation systems are recognized by IMO for use under the WWRNS: the Global Positioning System (GPS), operated for the Government of the United States by the United States Air Force; and the GLONASS (Global Navigation Satellite System), managed for the Government of the Russian Federation by the Russian Space Agency.

Iridium as GMDSS service provider

Following consideration of information presented by the United States for the recognition of the satellite communications company Iridium as a Global Maritime Distress and Safety System (GMDSS) mobile satellite service provider, the Sub-Committee agreed to invite the MSC to consider and decide on which independent body should produce a technical and operational assessment of the information and provide a report to the NCSR Sub-Committee for evaluation.

The Sub-Committee moved forward with its review of the GMDSS, approving the high-level review which was prepared by a correspondence group and further developed by the IMO/International Telecommunications Union (ITU) Experts Group.

The high-level review proposes some revisions to the functional requirements in the current SOLAS chapter IV, Radiocommunications, which was adopted in 1988 with a full phase-in of its requirements by 1999. The current chapter IV sets out the undertakings by contracting governments to provide radiocommunications services as well as ship requirements for carriage of radiocommunications equipment, in order to improve the chances of rescue following an accident. The modernization plan, which aims to take into account new technologies available, is expected to be completed in 2016 and approved in 2017.

The Sub-Committee further progressed the work under the detailed GMDSS review. Issues under consideration for the detailed review include: revised

New and existing navigational tools will be integrated under e-navigation and could transform ships’ bridges.
definitions for sea areas A3 and A4; usage of voice communications; the expected evolution of satellite EPIRB systems, such as the Medium Earth Orbit Search And Rescue system (MEOSAR); and the review of existing systems considered for replacement, and existing and new systems for inclusion in the modernized GMDSS.

The Correspondence Group on the Review of the GMDSS was re-established to develop proposals on issues identified in the draft outcome of the detailed review of the GMDSS and submit an interim report to the Joint IMO/ITU Experts Group, followed by a report to the Sub-Committee’s next session (NCSR 2).

Manual on Maritime Safety Information
The Sub-Committee agreed the revised and updated Joint IMO/International Hydrographic Organization (IHO)/World Meteorological Organization (WMO) Manual on Maritime Safety Information for approval by the MSC.

The Manual provides a practical guide on the drafting of navigational warnings and the issuance of meteorological forecasts and warnings under the GMDSS Maritime Safety Information service. Navigational warnings are issued under the auspices of the IMO/IHO World-Wide Navigational Warning Service (WWNWS). Meteorological forecasts and warnings are issued under the auspices of the IMO/WMO World-Wide Met-ocean Information and Warnings Service (WWMIWS).

Amendments to IAMSAR Manual
The Sub-Committee agreed draft revisions to Volumes I, II and III of the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual, to be included in the 2016 edition, for approval by the MSC.

The amendments include addition of information relating to self-locating datum marker buoy (SLDMB); amending and addition of information relating to survival times in cold water; and amendments to the Maritime Search and Rescue Recognition Code (MAREC Code) to warn that when sending email, fax, SMS or some other electronic messages, there is no guarantee that the recipient receives the message or that the message is being processed.

ECDIS good practice guidance agreed
The Sub-Committee endorsed the draft MSC circular on ECDIS – Guidance for good practice for forwarding to the Sub-Committee on Human Element, Training and Watchkeeping (HTW) for review of provisions related to ECDIS training and the use of simulators and then to the MSC for approval. The good practice guidance incorporates and updates previously issued circulars relating to ECDIS, including advice on addressing operating anomalies, maintenance and training.

Revised AIS guidelines agreed
The Sub-Committee endorsed the draft Assembly resolution on Revised guidelines for the onboard operational use of shipborne automatic identification systems (AIS), for submission to the MSC and then to the next IMO Assembly for adoption, to update earlier guidelines (first adopted in 2001 and revised in 2003).

Guidance on Cospas-Sarsat
The Sub-Committee endorsed the revised circular on Guidance on Cospas-Sarsat International 406 MHz Beacon Registration Database (IBRD) for approval by the MSC.

Draft IMO position for WRC-15
The Sub-Committee agreed the draft IMO position for the ITU World Radiocommunication Conferences (WRC-15), concerning matters relating to maritime services, for approval by MSC 94 and submission to ITU’s Conference Preparatory Meeting, scheduled to take place in March 2015.
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About Guangdong Province

As one of the business centres of China located at the Pearl River Delta, Guangdong province has long been the top choice for multinationals for investment deployment in China. It has so far drawn about US$50 billion of FDI and over 20,000 FDI projects on a cumulative basis.

The plan for the development of the Pearl River Delta (2008-2020) gave Guangdong new roles, as a comprehensive business centre, particularly for the shipbuilding industry.

Ship owners have moved to South China as to leverage on lower cost, thus bring ship building and repairs opportunities to South China. Key shipyards like CSSC Guangzhou Huangpu Shipbuilding, CSSC Guangzhou Longxue Shipbuilding and 22 other shipyards are located in the vicinity of Guangdong province. The port of Guangdong province is currently the largest comprehensive hub port in South China, and located in a strategic location within close proximity to the South China Sea, flourishing with the impetus from the fast growing economy.

Guangdong province is growing with a population of 120 million and thriving with rapidly expanding shipbuilding activities. Do not miss this opportunity to connect, establish contacts and penetrate the growing market in Guangdong province.

Key Supporting Associations

- People's Government of Guangdong Province
- China State Shipbuilding Corporation
- Guangdong Shipowner's Association
- China Association of the National Shipbuilding Industry
- Chinese Society of Naval Architects and Marine Engineers
- The Guangdong Society of Naval Architects and Marine Engineers
- Guangdong Association of Shipbuilding Industry
- Guangzhou Port Authority and many more

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Supporting Associations & Organisations:
Guidelines for port State control under the BWM Convention agreed

Draft Guidelines for port State control under the International Convention for the Control and Management of Ship’s Ballast Water and Sediments, 2004 (BWM Convention) were agreed by the Sub-Committee on Implementation of IMO Instruments (III), when it met for its first session in July.

The draft guidelines will be submitted to the Marine Environment Protection Committee, in October 2014, for adoption. The MEPC was invited to decide on how to address matters related to sampling and whether indicative analysis could be used for verifying compliance or non-compliance with the convention standards.

PSCO guidelines on ISM code, rest hours and manning agreed

The Sub-Committee agreed draft Guidelines for port State control officers related to the ISM Code, for consideration by the Maritime Safety Committee (MSC) and the MEPC and, as they deem necessary, the Sub-Committee on Human Element, Training and Watchkeeping (HTW), prior to approval.

Also agreed were draft Guidelines for port State control officers on certification of seafarers’ rest hours based on the relevant provisions to the 1978 STCW Convention, as amended, and manning requirements from the flag State, for referral to the HTW Sub-Committee for review and the MSC for approval.

Costa Concordia recommendations considered

The Sub-Committee reviewed the analysis of the marine safety investigation report into the grounding and loss of the passenger ship Costa Concordia, carried out by the correspondence group on casualty analysis and reviewed by a working group during the session, and agreed that there was a need for comprehensive risk assessment, passage planning and position monitoring; effective bridge resource management; and the removal of distractions from the bridge.

The analysis also showed there was a need to consider protection of propulsion and electrical production compartments; the functional integrity of essential systems; improvement and redundancy of emergency power generation; detection and monitoring system interfacing with onboard stability computer; inclusion of inclinometer measurements within the voyage data recorder (VDR) data; more detailed assessment criteria for recognizing manning agencies; and to assign appropriately trained crew to emergency duties.

The findings will be brought to the attention of MSC 94, for input into the Committee’s long-term action plan on passenger ship safety.

Casualty analysis ‘lessons learned’ approved

The Sub-Committee approved the Lessons Learned for Presentation to Seafarers, prepared by the correspondence group on casualty analysis.

Meanwhile, the correspondence group on casualty analysis was re-established to continue its regular work, including reviewing casualty reports referred to the group, as well as to prepare a draft in-the-field guidelines for port State control under the BWM Convention.
job aid for investigators, taking into account relevant IMO instruments and the Marine Accident Investigators’ International Forum (MAIIF) investigation manual.

**Third IMO/FAO IUU meeting to be held in 2015**

The third Joint IMO/Food and Agriculture Organization (FAO) Ad Hoc Working Group on Illegal, Unreported and Unregulated (IUU) Fishing and Related Matters will be held at IMO Headquarters in 2015, subject to agreement by the MSC and the MEPC.

The Working Group would be expected to discuss all matters relating to IUU fishing, including port State control and implementation of IMO standards for fishing vessel safety. The last such meeting was held in 2007.


**Analysis of consolidated audit summary reports completed**

The Sub-Committee reviewed the analysis of consolidated audit summary reports (CASRs), based on the outcome of 59 audits under the IMO voluntary Member State Audit Scheme. The Audit Scheme will become mandatory from 1 January 2016, following the adoption of amendments to the relevant IMO treaties.

The audits to date resulted in 550 ‘findings’ (201 non-conformities and 349 observations) with references to conventions’ requirements, where applicable, and 356 ‘root causes’ reported by the audited Member States. The information presented covers audits of 52 Member States, (about 31% of the membership of the Organization), two Associate Members and five dependent territories, which represent 92.8% of the gross tonnage of the world fleet.

The analysis of 33 audits containing root causes revealed that the main underlying causes, as reported by the audited Member States, were related to absence/lack of procedure/process/mechanism, absence/lack of national provisions, insufficient resources, lack of coordination among various entities, and absence/lack of training programmes. The outcome from this review will be brought to the attention of the Committees.

**Unmanned non-self-propelled barges**

The Sub-Committee agreed draft Guidelines for exemption of the survey and certification requirements under MARPOL Convention for unmanned non-self-propelled barges for submission to the MEPC.

**Interpretation on keel-laying date for FRP craft agreed**

The Sub-Committee agreed a draft MSC-MEPC.5 circular on Unified interpretation on keel-laying date for fibre-reinforced plastic (FRP) craft, for submission to MEPC 67 and MSC 94 for approval, to clarify that the term ‘the keels of which are laid or which are at a similar stage of construction’ should be interpreted as the date that the first structural reinforcement of the complete thickness of the approved hull laminate schedule is laid either in or on the mould.
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WE’LL GET YOU THERE
25 years of IMLI celebrated at IMO

On Monday 28 April 2014 IMO celebrated the 25th anniversary of the Malta-based International Maritime Law Institute (IMLI) with a special event that included speeches from the current IMLI Director and the chairman of IMO’s Legal Committee.

“An array of legal measures, in particular the United Nations Convention on the Law of the Sea and the comprehensive portfolio of IMO treaty instruments, do an excellent job in defining the rights and privileges and, at the same time, the duties, obligations and responsibilities of nations in their use of the world’s seas and oceans. And, for these international legal measures to be effective, States, in their turn, need to enact appropriate domestic legislation to reflect their provisions and provide, thereby, a mechanism for implementation and enforcement. By providing a steady influx of highly trained legal professionals, IMLI has been instrumental in enabling this to happen,” said Mr. Koji Sekimizu, IMO Secretary-General and Chairman of the IMLI Governing Board.

“IMLI graduates now occupy positions of great responsibility throughout the maritime world and their knowledge, expertise and influence has been of immense and tangible benefit, particularly for the developing world, and indeed for all the economies and communities that rely on the safe secure passage of their goods across the seas and oceans,” Mr. Sekimizu added.

IMLI was established by IMO in 1988 to help ensure that sufficient maritime law experts, with appropriate knowledge and skills, would be available, especially within developing countries, to assist in the implementation and enforcement of international maritime law and, more particularly, the vast body of rules and regulations developed under the aegis of the Organization. The first students enrolled at the Institution in 1989.

The IMLI programme consists of post-graduate education in all areas of international maritime law, including law of the sea, marine environmental law and shipping law. This course is mainly addressed to lawyers, legal advisers, judges and legal draftsmen and women whose duties encompass maritime issues and who are seeking specialisation. The institute also contributes to the development and dissemination of knowledge and expertise in international maritime law, with special reference to the international regulations and procedures for safety and efficiency of shipping and the prevention of marine pollution.

By the end of the 2012/2013 academic year, a total of 602 students from 126 States and territories worldwide had successfully graduated with the Institute’s degree of Master of Laws (LL.M.) in International Maritime Law.

IMLI students were among those in attendance at the institute’s 25th anniversary celebration held at IMO’s headquarters in London.

IMO energy-efficiency workshop held in Ghana

Representatives from eleven west and central Africa countries attended the first IMO regional workshop on ‘MARPOL Annex VI – Ship energy efficiency and technology transfer’, in Accra, Ghana, from 2 to 4 July.

The workshop, which is being hosted by the Ghana Maritime Authority, was aimed at building capacity with regards to knowledge about energy-efficiency measures, while also assessing the regional needs and barriers related to technology transfer.

The information gathered during group and plenary discussions on the third day of the regional workshop will be forwarded onto the Ad Hoc Expert Working Group on the Facilitation of Transfer of Technology for Ships, which will meet for its second meeting from 9 to 10 October, at IMO Headquarters in London, United Kingdom.

The Ad Hoc Expert Working Group held its first meeting during the 66th session of IMO’s Marine Environment Protection Committee (MEPC) in March-April this year. A work plan, endorsed by the Committee, envisages: assessing the potential implications and impacts of the implementation of the energy-efficiency regulations in chapter 4 of MARPOL Annex VI, in particular, on developing States, as a means to identify their technology transfer and financial needs; identifying and creating an inventory of energy-efficiency technologies for ships; identifying barriers to transfer of technology, in particular to developing States, including associated costs, and possible sources of funding; and making recommendations, including the development of a model agreement enabling the transfer of financial and technological resources and capacity building between Parties, for the implementation of the energy efficiency regulations.

The Ghana regional workshop is the first in a series which will assist in the implementation of the work plan. Three more regional workshops are planned to be held during 2014, in south Asia, Latin America and the Mediterranean, with additional regional workshops in other regions planned for 2015, in order to gather regional perspectives to further support the work of the Ad Hoc Expert Working Group.

The regional workshop was opened by the Deputy Minister for Transport for Ghana, Mrs. Joyce Bawah-Mogtari.