

## Outcomes of MSC 100 and MSC 101

Submitted by IHO Secretariat

### SUMMARY

Executive Summary: This document provides details of the outcomes of MSC 100 and MSC 101, which are relevant to WWNWS-SC

Action to be taken: 3

Related documents: MSC 100/20 dated 10 January 2019; MSC 101/24 dated 12 July 2019

1. The 100<sup>th</sup> session of the International Maritime Organization (IMO) Maritime Safety Committee (MSC 100) was held at the IMO Headquarters in London, United Kingdom, from 3 to 7 December. The following items are of relevance to WWNWS-SC:

**a. Unsafe Mixed Migration by Sea**

During the discussions, the MSC was visited by Her Royal Highness, the Princess Royal, who addressed the Committee as well as listening to the plenary considerations. The MSC received reports on progress made with the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Responsibility-sharing for Refugees. The MSC received a number of reports from member States directly involved in operations, particularly those involved in the central Mediterranean Sea, and the efforts being undertaken to better facilitate multilateral cooperation and seek solutions to common problems by sharing expertise and best practices. The Committee invited the IMO Secretariat and the United Nations Agencies concerned to inform MSC 101 of the progress made with the global compacts.

**b. Polar Code for non-SOLAS Ships**

The MSC considered safety measures for non-SOLAS ships operating in Polar waters. The Committee considered the proposal to widen the scope of application of the Polar Code to certain non-SOLAS ships. In general there was no support for mandatory application of chapters 9, 10 and 11 of the Polar Code; however it was agreed that further discussion for the revision of SOLAS chapter XIV could be progressed at the next meeting of the Committee. Noting the lengthy process for revisions to SOLAS, the MSC agreed a resolution urging administrations to take action to apply relevant provisions could be developed at the next session of the Committee. The MSC invited submissions to MSC101 to assist the determination and feasibility of applying chapter 9, 10 and 11 of the Polar Code.

**c. Hydrography and Charting**

The Committee considered the proposed new output to revise the MSC.1/Circ.1503/Rev.1 – ECDIS - Guidance for good practice – to take into account the experiences gained from the change from the IHO ECDIS Presentation Library Edition 3.4 to Edition 4.0. The IHO made an intervention to support the comments made by the Comité International Radio Maritime

(CIRM) and to inform the MSC of the IHO Secretariat's intention to review the technical information and guidance provided on the IHO website, to which the MSC.1/Circ.1503/Rev.1 refers. The Committee agreed to include the work in the post biennial agenda of sub-committee for Navigation, Communications, and Search and Rescue (NCSR) and allowed two sessions for the work, seeking input from the sub-committee on Implementation of IMO Instruments (III) as necessary.

**d. Maritime Security**

In considering measures to enhance maritime security, the Committee noted that the information of 25% of all port facilities registered in the maritime security module of Global Integrated Shipping Information System (GISIS) submitted by IMO member States required updating. It was highlighted that the new functionalities in the web services to enable the secure electronic transfer of information between member States and the maritime security module of GISIS had been developed. The MSC urged SOLAS Contracting Governments to review and update the information contained in the maritime security module of GISIS, in particular that relating to port facility security plans.

**e. Maritime Autonomous Surface Ships (MASS)**

The Committee approved the framework for the regulatory scoping exercise. The MSC agreed on the definitions on four identified degrees of autonomy. The Committee agreed to identify the regulations in IMO instruments that apply or not to MASS and then to determine the most appropriate way to address MASS operations. The MSC approved an intersessional Working Group meeting, 2-6 September 2019, to progress the review of relevant IMO instruments and the development of Guidelines on MASS trials and their scope. The IMO Secretariat agreed to activate a dedicated email account for MASS-related communications and create a web platform to support the work. The Committee agreed to progress the work at the next session of the MSC.

**f. Piracy and Armed Robbery**

The Committee reminded member States to update the information related to their National Point(s) of Contact for communication of information on piracy and armed robbery. The MSC also requested member States to continue to provide information on piracy and armed robbery incidents to the IMO Secretariat, using the reporting form in appendix 5 of MSC.1/Circ.1333/Rev.1. Whilst approving new Global Counter Piracy Guidance, updated Gulf of Guinea Guidance, and version 5 of the Best Management Practices (BMP 5), and issuing the suite of guidance as a new MSC circular on Revised Industry Counter Piracy Guidance, the Committee requested member States as well as owners, operators and managers of ships and shipboard personnel to continue the diligent application of the Best Management Practice and IMO guidance; and invited member States to continue to provide naval assets, and flag States to continue to monitor the threat to ships flying their flags and set appropriate security levels in accordance with the International Ship and Port Facility Security (ISPS) Code

2. The 101<sup>st</sup> session of the International Maritime Organization (IMO) Maritime Safety Committee (MSC 101) was held at the IMO Headquarters in London, United Kingdom, from 5 to 14 June. The following items are of relevance to WNWNS-SC:

**a. Unsafe Mixed Migration by Sea**

The MSC received reports on progress made with the Global Compact for Safe, Orderly and Regular Migration and the Global Compact on Responsibility-sharing for

Refugees. The MSC received a number of reports from member States directly involved in operations, particularly those involved in the central Mediterranean Sea, and the efforts being undertaken to better facilitate multilateral cooperation and seek solutions to common problems by sharing experience and best practices. The Committee noted that since the launch of the Inter-agency platform for information-sharing on migrant smuggling by the Global Integrated Shipping Information System (GISIS), only seven incidents had been reported. Member States were encouraged to provide and update the information included in the appendix to MSC.1/Circ.896/Rev.2 on *Interim measures for combating unsafe practices associated with the trafficking, smuggling or transport of migrants by sea*.

The Committee invited the IMO Secretariat and participating UN Agencies to inform the MSC 102 on the progress made with the global compact for migration and the global compact on refugees.

**b. Global Maritime Distress and Safety System (GMDSS)**

The Committee approved and adopted the following resolutions and circulars:

- MSC.1/Circ.1364/Rev.1/Corr.1 on *Amendments to the Revised International SafetyNET Manual*;
- MSC.1/Circ.1611 on *Interim guidance on technical requirements for Fleet Safety*;
- MSC.468(101) on *Amendments to Promulgation of Maritime Safety Information* (resolution A.705(17), as amended);
- MSC.469(101) on *Amendments to World-Wide Navigational Warning Service* (resolution A.706(17), as amended); and
- MSC.470(101) on *Amendments to IMO/WMO Worldwide Met-Ocean Information and Warning Service – Guidance Document* (resolution 1051(27))

During the extended discussions on resolution MSC.468(101) on the role of the International Mobile Satellite Organization (IMSO) and despite significant opposition from a number of Member States, including a number of NAVAREA Coordinator hosts, IMSO were able to include their proposed amendments, which purported to acknowledge the role of IMSO with respect to the discharge of their oversight responsibilities in accordance with resolution A.1001(25).

Despite the need to highlight the draft status of the interim Iridium SafetyCast service manual and that it was being made available to facilitate the initial operational testing phase of the Iridium mobile satellite services, as articulated by the IHO and WMO in their joint submission MSC 101/11/1, the MSC agreed to circulate the interim Iridium SafetyCast service manual by means of a MSC circular, until such time as the full and mature document is finalized, consequently the Committee approved MSC.1/Circ.1613 on *Interim Iridium SafetyCast service manual*. A number of Member States expressed concern at the perceived authority of the manual with the removal of the term “draft” from the title.

The Committee noted the information provided by IMSO related to developments concerning the proposed acquisition of Inmarsat plc by the Connect Bidco Limited

Consortium, particularly with respect to the Consortium's commitment to continuing support for the recognized satellite communication services in the GMDSS.

The Committee agreed to include in its post-biennial agenda an output on *Revision of the Criteria for the provision of mobile satellite communication services in the Global Maritime Distress and Safety System (GMDSS)* (resolution A.1001(25)). It was further agreed that NCSR would consider this matter after the revision of SOLAS chapter IV had been completed. In addition, the Committee agreed that the assessment of the BeiDou Message Service System (BDMSS) should be conducted in accordance with existing requirements of resolution A.1001(25), taking into account the interpretation and/or exception following the assessment of Iridium, and that a transitional period should be arranged for the implementation of the revised provisions.

### **c. Hydrography and Charting**

The MSC addressed various matters related to hydrography and nautical charting resulting from the 6th Session of the NCSR (NCSR 6) held in January this year. The main items included the establishment of new traffic separation schemes and associated measures “In the Sunda Strait” and “In the Lombok Strait” for dissemination by means of COLREG.2/Circ.74; the adoption of new and amendments to existing routing measures other than traffic separation schemes as new precautionary areas “In Sunda Strait” and “In the Lombok Strait” with recommended directions of traffic flow, and amendments to the “Recommendations on navigation through the English Channel and the Dover Strait” to be published as SN.1/Circ.337. The Committee decided that the measures for “In the Sunda Strait” and “In the Lombok Strait” would come into force on 1 July 2020 and the amendments to the “Recommendations on navigation through the English Channel and the Dover Strait” would come into force 1 January 2020. The MSC also endorsed the publication of SN.1/Circ.232/Add.2, which advised the revocations of SN/Circ.232 and SN.1/Circ.232/Add.1 on “Traffic separation scheme off Ushant, associated inshore traffic zone, and Passage de Fromveur, Chenal du Four, Chenal de la Helle and Raz de Sein”, which were obsolete.

The MSC approved the MSC Circular (MSC.1/Circ.1609) on *Guidelines for the standardization of user interface design for navigation equipment, S-Mode*, was has effective date of 14 June 2019. The Committee also adopted the resolution MSC.466(101) on *Amendments to the Performance standards for the presentation of navigation-related information on shipborne navigational displays* and approved SN.1/Circ.243/Rev.2 on *Guidelines for the presentation of navigation related symbols, terms and abbreviations*, which will be applied to:

- radar equipment, electronic chart display and information systems (ECDIS) and integrated navigation systems (INS) installed after 1 January 2024; and
- all other navigational displays on the bridge of a ship installed after 1 July 2025.

Directions given by all three documents will affect the design of the ECDIS user interface from 2024 onwards.

The Committee adopted resolution MSC.467(101) on *Guidance on the definition and harmonization of the format and structure of Maritime Services in the context of e-navigation* and approved MSC.1/Circ.1610 on *Initial descriptions of Maritime Services in the context of e-navigation*.

The Committee endorsed the action taken by NCSR 6 in inviting the Facilitation Committee (FAL) to consider the descriptions of Maritime Services 4 (Port Support Service) and 8 (Vessel shore reporting) and provide comments and advice on the best way forward. Having noted the decisions of FAL 43 in this connection (FAL 43/20, paragraphs 7.21 to 7.23), in particular its decision to include the FAL Committee as an associated organ for output 2.11, the Committee instructed NCSR 7 to report to FAL 44 on the outcome of its work on output 2.11 (Consideration of descriptions of Maritime Services in the context of e-navigation).

**d. Safety Measures for non-SOLAS Ships Operating in Polar Water**

In considering safety measures for non-SOLAS ships operating in Polar waters, the Committee approved the draft Assembly resolution urging the implementation of recommendatory measures for non-SOLAS ships operating in polar waters as well supporting measures aimed at reducing operational risks. The MSC agreed to task NCSR 7 to consider further making the application of chapter 9 and 11 of the Polar Code mandatory for non-SOLAS ships, whilst considering the consequences and feasibility of applying these chapters before commencing the development of amendments to mandatory instruments.

**e. Maritime Autonomous Surface Ships (MASS)**

The Committee noted the progress of the regulatory scoping exercise. The MSC encouraged IMO Member States to contribute to the first step of the regulatory scoping exercise and invited Member States to submit the results of the first step to the intersessional Working Group. The Committee approved the terms of reference for the intersessional Working Group and approved the draft interim guidelines for MASS trials and the associated MSC circular (MSC.1/Circ.1604).

A number of overarching principles and objectives were identified and agreed:

- Risk management, which included risk analysis and control together with appropriate emergency plans and measures;
- Compliance with mandatory instruments;
- Manning and qualifications of personnel involved in MASS trials to include onboard and remote operators and any other personnel involved in the trial being conducted;
- Human element including monitoring infrastructure and system-human interface;
- Infrastructure for safe conduct of trials to be established to provide for safe, secure and environmentally sound conduct of MASS trials, which should be undertaken as part of the risk management;

- Communications and data exchange, including redundancy, should be addressed by appropriate means;
- Reporting requirements and information sharing to relevant authorities to enable dissemination to relevant third parties, including highlighting the reporting requirements of IMO instruments and the encouragement of publishing results and lessons learnt from individual trials; and
- Additionally trial awareness, including impacts on third parties, cyber risk management and the scope and objectives for each individual trial should considered and published.

The Committee confirmed the definition of MASS as a ship which, to a varying degree, can operate independent of human interaction. The MSC also confirmed the agreed degrees of autonomy were considered as:

- Level 1 - Ship with automated processes and decision support;
- Level 2 - Remotely controlled ship with seafarers on board;
- Level 3 - Remotely controlled ship without seafarers on board; and
- Level 4 - Fully autonomous ship.

A number of IMO Member States highlighted the need to have prior permission from the coastal state for vessels in level 3 and 4 of autonomy to operate in their waters.

#### **f. Maritime Security**

The Committee agreed that aspects of cyber risk management, including physical security aspects of cyber security, should be addressed in Ship Security Plans under the International Ship and Port Facility Security (ISPS) Code. The MSC also confirmed that resolution MSC.428(98) on *Maritime cyber risk management in Safety Management Systems (SMS)* sets out the Organization's requirements for Administrations to ensure cyber risks were appropriately addressed in existing SMS, verified by an endorsed Document of Compliance and Safety Management Certificate, and that in the Ship Security Plan, reference should be made to cyber risk management procedures found in the SMS.

#### **g. Piracy and Armed Robbery**

The Committee requested Member States to continue to report incidents of piracy and armed robbery to the Secretariat using the reporting form in MSC.1/Circ.1333/Rev.1 on *Recommendations to Governments for preventing and suppressing piracy and armed robbery against ships*. Member States were also reminded to provide and keep updated the information related to their National Point(s) of Contact for communication of information on piracy and armed robbery in the Contact Points module of the Global Integrated Shipping Information System (GISIS). The MSC noted the decision by the industry group related to the review and revision of the High Risk Area (HRA) to amend the geographic boundaries and to reduce the area for piracy in the Indian Ocean, so as to better reflect the threat of piracy in the region whilst retaining the primary objective to ensure the safety and security of seafarers.

**h. Conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ) under UNCLOS**

The Committee noted information provided by the Secretariat (MSC 101/23/2) on the status of the development of an international legally binding instrument under UNCLOS on the conservation and sustainable use of marine biological diversity of areas beyond national jurisdiction (BBNJ), including the outcome of the second session of the Intergovernmental Conference (IGC-2) that took place from 25 March to 5 April 2019, which has a direct impact on the work of the Committee concerning navigational issues; and requested the Secretariat to continue to update the Committee on the ongoing United Nations work on BBNJ.

3. The Sub-Committee is invited to:

- a. **encourage**, in general, the maintenance of liaison with their national Maritime Administrations to ensure that their views and interests are acknowledged in their country's views on, and contribution to, the progress of outputs affecting the provision of hydrographic services and maritime safety information;
- b. **urged** to actively engage and participate in the work of the MASS CG and the GMDSS Modernization CG, both of which impact on the activities of NAVAREA and National Coordinators; and
- c. **note** the information provided and take action as appropriate.