



United States Coast Guard

INTERNATIONAL MARITIME ORGANIZATION



International Maritime Organization *e-newsletter*

Covering issues under consideration at the International Maritime Organization of interest to the United States

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From the Director's Desk

It has certainly been eventful and memorable since the last newsletter. The M/V Costa Concordia disaster last January, juxtaposed with the world's remembrance of the RMS Titanic's sinking, was a stark and sober reminder of the peril to life and the environment inherent to maritime commerce. It also sends a clear signal that the hard work being done at IMO is highly relevant and necessary.

Consequently, passenger vessel safety garnered particular attention from MSC 90. In the absence of a final report of the accident, the Committee focused on identifying operational measures that should be implemented right away, and supported existing IMO mechanisms for passenger ship safety. MSC 90 also put the development of a long term action plan for passenger ship safety as a work priority.

The Coast Guard Commandant, Admiral Papp, also visited IMO for the first time during the 27th Assembly. As the US head of delegation, ADM Papp held several high-level meetings with counterparts from Arctic nations and with key industry leaders. When he addressed the Assembly, he highlighted the accomplishments and priorities of the US, focused on preventing piracy, and recognized the IMO as the right forum to further maritime and safety and protection of the environment. ADM Papp also held a reception for the delegations while honoring some key, deserving, individuals. ADM Papp and VADM Salerno had the distinct honor to accept several certificates of commendation on behalf of Coast Guard and industry personnel for their heroic rescue efforts. ADM Papp's final act at the Assembly was to vote on behalf of the US for the IMO Council, where the US was re-elected to the IMO Council for the 2012-2014 biennium.

Unfortunately, that was VADM Salerno's final trip to IMO as a Coast Guard officer, as he retired with 37 years of service. Throughout these years he occupied various roles at IMO, as an advisor, subject matter expert, and more recently, heading the US delegation. His expertise, and calm and friendly demeanor will

be most assuredly be missed by all of the delegates and IMO staff who worked with him.

We also saw a significant change in IMO leadership and management as Mr. Koji Sekimizu took over the duties as Secretary-General from Mr. Efthimios Mitropoulos and consequently several division directors and staff positions changed in the process.

From a different angle on maritime safety, the IMO also facilitated several meetings to curb piracy and armed robbery at sea. Immediately before MSC 90, SG Sekimizu convened a high-level discussion on this topic. Vice Admiral Neffenger, on his first trip to IMO, addressed the audience, providing the US perspective. The efforts against piracy continued into MSC 90 where the committee issued important guidance in the form of MSC circulars.

As the 2012 Olympics approaches and the IMO meetings pause to accommodate the many visitors to London, please take advantage of this extra time and enjoy your summer.

Jeff Lantz
Director of Commercial Regulations & Standards

Visit our webpage for information on the upcoming IMO sessions, public meetings in preparation for upcoming session, agendas for each upcoming session, and final reports of past sessions.

www.uscg.mil/imo



IMO's Exceptional Bravery At Sea Award ceremony. From left, Mr. Jeff Lantz, Mr. Samuel Kotis, VADM Brian Salerno, ADM Robert Papp, Secretary-General Mitropoulos

55th Session of the Fire Protection Sub-Committee (FP 55)

The 55th session of the IMO FP Sub-Committee (S/C) met at IMO Headquarters in London 25-29 July 2011, chaired by Mr. Juan Carlos Cubisino (Argentina). The session was attended by delegations from 53 member governments, 1 associate member, 2 intergovernmental organizations, and observers from 17 non-governmental organizations in consultative status.

Recalling the discussion at FP 54, that inert gas systems (IGS) should be required on new tankers of less than 20,000 DWT, with alternative proposed lower tonnage limits of 5,000 and 8,000 DWT remaining in square brackets, the S/C agreed after considerable discussion, to a lower limit of 8,000 DWT. A Working Group (WG) chaired by the US, drafted SOLAS amendments to reflect this decision. At the suggestion of the WG, the S/C established a correspondence group coordinated by the US to review the existing IMO documents relevant to IGS, identify any concerns relative to the expanded application of IGS requirements to chemical tankers and smaller oil tankers, and draft proposed amendments as appropriate. Given the need for additional work on the matter, the S/C invited the Committee to extend the target

completion date to 2012.

DE 55 finalized a draft MSC circular on Guidelines for a visible element to general emergency alarm systems on passenger ships for submission to MSC 90 for approval, and invited FP 55 to consider the parts under their purview, and submit any fire related comments directly to MSC 90. The S/C considered the draft guidelines, which stem from a US initiative pursuant to the ADA, and having agreed that fire safety related matters were adequately addressed, requested the Secretariat to inform MSC 90 accordingly, and to invite the Committee to note that work on this output was complete.

This new initiative proposed by the UK, currently under coordination of the DE S/C, would implement criteria to allow the use of combustible materials of construction (specifically FRP) on SOLAS ships. A vigorous debate in plenary centered both on the acceptability of the concept in general; and on whether its application would more appropriately be handled as an alternative design and arrangement under regulation II-2/17 or by regulating FRP as a material type within the framework of SOLAS and the FTP Code.

These considerations were made in light of apparent conflict with the SOLAS chapter II-2 functional requirement for restricted use of combustible materials. Given the widely diverging views, the S/C considered it premature to establish a CG to progress the matter intersessionally, since there was no sound basis for establishment of suitable terms of reference. Instead it invited submission of views and proposals to FP 56. Given the prevalence of fire safety issues in the scope of the proposal, the S/C further decided to invite the Committee to transfer coordination of the work from the DE to the FP S/C, and requested the Secretariat to refer the outcome of its consideration thus far to DE 56.

The S/C unanimously re-elected Mr. J. C. Cubisino as Chairman, and Mr. C. Abbate (Italy) as Vice-Chairman for 2012. The 56th session of the S/C, which was tentatively scheduled for 16-20 July 2012 in London, one week before the start of the 2012 Summer Olympics in London, was postponed to 14-18 January 2013 to alleviate the logistical difficulties associated delegates would experience trying to attend in July of 2012.

37th Session of the Facilitation Committee (FAL 37)

The Facilitation Committee (FAL) held its 37th session (FAL 37) September 5-9, 2011, at the IMO Headquarters in London, England. The FAL 37 agenda covered a wide range of topics, including—General review and implementation of the Convention, E-business possibilities for the facilitation of international traffic, Formalities connected with the arrival, stay and departure of persons, Certificates and documents required to be carried on board ships and FAL Forms, and Ensuring securing in and facilitating international trade. Below are some highlights.

Stowaways are a continuing problem that disrupt the smooth operation of ships and may pose a security threat. To aid Masters, ship owners, public authorities and port authorities and other stakeholders, the FAL Committee adopted resolution FAL.11(37) on Revised guidelines on the prevention of access by stowaways and the allocation of responsibilities to seek the successful resolution of stowaway cases. The resolution provides guidance

on the prevention of stowaway incidents and information on practices to resolve stowaway incidents expeditiously. Resolution FAL.11(37) was adopted jointly with Resolution MSC.312(88); both will become effective on 1 October 2011.

With e-business as a focus, the Committee approved several circulars to facilitate international traffic. First, they approved a FAL circular on the Revised IMO Compendium on Facilitation and Electronic Business (FAL.5/Circ.35). The IMO Compendium was revised to be more user-friendly and to include information on reporting security-related information. The revision updates the original IMO Compendium (FAL.5/Circ.15 of 19 Feb 2001). Additionally, the Committee approved a FAL circular on Guidelines for setting up the Single Window system in maritime transport (FAL.5/Circ.36). For this circular, a Single Window is defined as a facility that allows parties involved in trade and transport to provide standardized information and documents in a single entry point to fulfill

all import, export, and transit-related regulatory requirements. If information is electronic, then individual data elements should only be submitted once, eliminating redundancies.

For ongoing initiatives, the Committee approved intersessional work addressing—

- Comprehensive review to the Annex of the FAL Convention [coordinated by France];
- Electronic access to certificates and documents [coordinated by the United States]; and
- Ensuring security in and facilitating international trade by means of guidance on measures toward enhancing maritime trade recovery related to the global supply chain system and maritime conveyances [coordinated by the United States and Canada].

The 38th session of FAL is scheduled for 8-12 April 2013, at the IMO Headquarters in London, England.

16th Session of the Dangerous Goods, Solid Cargoes, and Containers Subcommittee (DSC 16)

The sixteenth session of the IMO DSC S/C met in London from 19 – 23 September 2011, under the chairmanship of Mrs. Olga Pestel-Lefevre (France). The session was attended by delegations from sixty-five member states, one associate member, one representative from a United Nations specialized agency and twenty-five non-governmental organizations in consultative status. Working groups (WGs) and drafting groups (DGs) were formed to address several of the agenda items.

The S/C began work on the draft Amendment 02-13 to the International Maritime Solid Bulk Cargoes (IMSBC) Code, to be finalized at DSC 17 with a view of adoption at the May 2013 session of MSC. If adopted at that time, Amendment 02-13 will attain voluntary status on 1 January 2014 and mandatory status on 1 January 2015.

The S/C completed revisions to the Code of Safe Practice for Ships Carrying Timber Deck Cargoes for submis-

sion to, and subsequent adoption by A 27, as approved by MSC 89.

The S/C considered 25 separate proposals under this agenda item. Several were agreed to in principle, for inclusion in Amendment 36-12 to the IMDG Code, and were referred to the S/C's E&T WG for refinement and consolidation in the draft amendment. Other proposals were either rejected or deferred for further consideration at DSC 17 contingent on submission of revised proposals. The E&T WG met from 26 to 30 September 2011 to finalize the draft text of amendment 36-12.

The S/C completed its work on Amendment 36-12 to the International Maritime Dangerous Goods (IMDG) Code. The amendment was subsequently submitted to MSC 90 for consideration and subsequent adoption. Amendment 36-12 was approved at MSC 90; will be published in the Fall of 2012; attain voluntary status on 1 January 2013; and mandatory status on 1 January 2014.

The S/C recalled, following the approval of resolution A.864(20), it was determined that the only practical approach was to mandate drills in SOLAS to ensure that all seafarers properly understand the risks and how to safely manage them through "Enclosed space and entry drills". The WG was instructed to finalize the draft amendments to SOLAS in chapter III or XI and consider the mandatory carriage requirement and continuous use of oxygen meters. The WG finalized draft amendments to SOLAS regulation III/19 and recommended forwarding the draft amendments to BLG 16 for their consideration. The WG considered the mandatory carriage requirement of oxygen meters, but could not identify any appropriate place to mandate the carriage and use in SOLAS.

The 17th Session of the S/C is scheduled for 17-21 September 2012 at IMO Headquarters in London, England.

26th Council Extraordinary Session (C/ES 26) and Council 107

The 26th extraordinary session of the Council convened November 16, 2011. Palau was welcomed as the IMO's 170th Member State. During this session, the Council considered the reports of its working groups and the IMO Committees; considered budgetary matters; and prepared its report to the Assembly regarding the work of the IMO since the Assembly convened last in 2009.

In addition, it drafted several Assembly resolutions, including one against piracy and armed robbery against ships and approved agreements of cooperation between the IMO and the Indian Ocean Commission.

Council 107 convened 2 weeks later, on December 1, 2011, following the 27th session of the IMO Assembly.

The Council's first order of business was to re-elect its chair. By acclamation, the Council enthusiastically re-elected Mr. Jeff Lantz.

In addition, the Council welcomed Liberia and Morocco as new Council members and formalized the contract of Mr. Koji Sekimizu as the new Secretary General whose term would begin on January 1, 2012.

The Council discussed the IMO's budget extensively, and noted that the IMO remained in budget for 2011. As personnel costs make up the largest portion of the budget, and since pay scales are ultimately set by the UN and likely to increase further, the IMO would need to find ways to identify program and budget cost savings in order to avoid future budget growth.

Consequently, the US and several other States proposed that the SG develop a long term plan for future financial sustainability and that the Council review the 2013 budget to prioritize work and identify additional costs savings. There was widespread support for this proposal.

Finally, Council 107 agreed to review the Guidelines on the Grant of Consultative Status and establish terms of reference for an ad hoc steering group for reducing administrative burdens. Both endeavors would be addressed by working groups at Council session 108.

27th Session of Assembly (A 27)

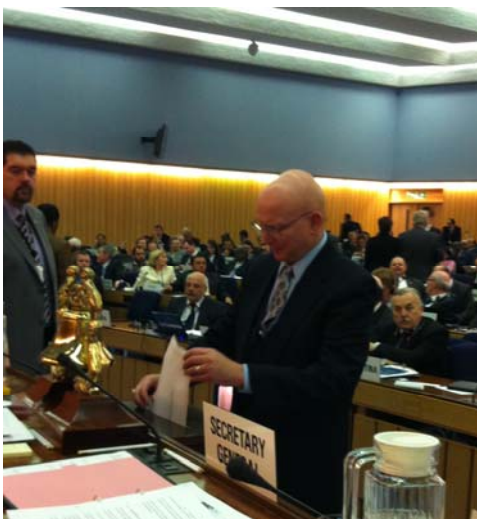
The 27th session of the IMO Assembly met in London, at IMO headquarters, November 21-30, 2012. As the Organization's highest governing body, this session was widely attended and included 161 member states, three associate members, 1 United Nations (UN) specialized agency, 9 inter-governmental organizations and 26 non-governmental organizations.

Admiral Robert Papp, Commandant of the US Coast Guard, led the US delegation. He highlighted the excellent work of the IMO over its history and its notable improvements in marine safety following the Titanic tragedy. Admiral Papp also pointed to the more recent development of the International Ship and Port Facility Security Code as a response to the new challenges resulting from terrorism and piracy. He reiterated the US commitment against piracy, and praised the progress made by the IMO on the Polar Code and abatement of greenhouse gas emissions.

During the 8 day Assembly, its Membership approved 25 resolutions and noted numerous amendments to mandatory instruments approved by the Committees. One of the most significant amendments noted and discussed by the Assembly, were those of MARPOL, which established the first internationally binding regulations to reduce greenhouse gas emissions.

A new biennial IMO Council was also established. Of the 170 IMO Members, 40

Members are elected by the entire membership to represent the Membership's interests in international shipping (Category A), international seaborne trade (Category B), and special interests in maritime transport or navigation, whose election to the Council will ensure the representation of all major geographic areas of the world (Category C).



As the Head of the US Delegation, ADM Papp votes in the 2012-2013 Council election.

The United States, a Category A Council Member since 1959, was re-elected to the IMO Council, ensuring the US is able to participate and contribute in this very im-

portant decision-making venue. No changes occurred within Categories A or B, however Liberia and Morocco were elected to replace Saudi Arabia and Nigeria in Category C.

The IMO also presented the Exceptional Bravery At Sea Award. This award, presented annually, recognizes those who perform extraordinary acts of bravery in attempting to save lives at sea. Captain Seog Hae-gyun of the Republic of Korea was given the award for his decisive, brave and courageous actions to protect his ship and crew during a vicious pirate attack in the Indian Ocean, which left him with serious and long-lasting injuries. Two USCG aircrews were also recognized during the award ceremony for the successful at-sea rescues of several mariners. Two US merchant mariners were also recognized for their heroic actions to rescue victims of the *Deepwater Horizon* explosion. Admiral Papp was joined by Vice Admiral Salerno, Deputy Commandant for Operations, and Mr. Jeffrey Lantz, Director of Commercial Regulations and Standards, to represent the US awardees.

The Assembly also welcomed Mr. Koji Sekimizu to the position of IMO Secretary-General. He took office the first of the year in 2012.

US Reception



Distinguished Public Service Award: From left, Vice Admiral Brian Salerno, Mr. Andreas Chrysostomou, Admiral Robert Papp

The US hosted a reception to honor Mr. Andreas Chrysostomou, the MEPC chairman, and Secretary General Mitropoulos. Admiral Papp's guests included US Ambassador to the United Kingdom, His Excellency Louis Susman, and the distinguished delegates to Assembly 27.

This reception was held aboard the *HMS Wellington*, a historic WWII naval vessel,

and maritime museum. The International Marine Pilots Association also maintains its headquarters onboard.

This maritime monument, moored along the Thames River, was a fitting venue for the US to recognize Mr. Chrysostomou, of the Republic of Cyprus with a Distinguished Public Service Award, for his substantial contributions toward the protection of the Marine Environment as the MEPC chairman since 2002.

The US also bid farewell to outgoing IMO Secretary-General, Efthimios Mitropoulos. His dedicated service and leadership to the IMO was invaluable in furthering maritime safety and protection of the marine environment throughout the globe.

54th Session of the Sub-Committee on Stability and Load Lines and on Fishing Vessel Safety (SLF 54)

The IMO's S/C on Stability and Load Lines and on Fishing Vessels Safety (SLF) held its 54th session at IMO headquarters in London from 16-20 January 2012, under the chair of Mr. Zbigniew Szozda (Poland) on 16 January, and under the acting chair of Mr. Kevin Hunter (United Kingdom) from 17 to 20 January. 62 member governments, 1 associate member, 1 United Nations specialized agency, 1 intergovernmental organization and 18 nongovernmental organizations (NGO) participated.

The S/C agreed on an updated plan of action for matters related to development of second generation intact stability criteria as well as noted the updated version of draft vulnerability criteria, levels 1 and 2, for each of the five stability failure modes included in this agenda item.

The S/C agreed to the draft MSC Circular, Guidelines for Verification of Damage Stability Requirements for Tankers, incorporating the draft guidelines for the preparation and approval of damage stability calculations, to assist tank vessel crews, and for the demonstration of damage stability compliance. In conjunction with this MSC Circular, the S/C agreed to submit to the Maritime Safety Committee (MSC), a justification for developing requirements for

the mandatory carriage of stability verification instruments onboard tankers.

The US proposal to upgrade the damage stability standard for large offshore supply vessels was agreed by the S/C. On this basis, the S/C agreed to the amendments to the Guidelines for the design and construction of offshore supply vessels, 2006 (resolution MSC.235(82)) for new OSVs between 80-100 meters in length.

The S/C approved the draft Load Line Circular (LL.3/Circular) on Unified interpretations of the 1966 Load Line Convention and the 1988 Load Line Protocol pertaining to the installation of guard rails on ships and invited MSC 90 to endorse the S/C approval of LL.3/Circular.

The S/C agreed to establish three correspondence groups – intact stability, subdivision and damage stability, and tonnage measurement. The tonnage measurement correspondence group will be coordinated by the United States.

The Royal Institution of Naval Architects (RINA) submitted the sole position paper on this item, which included draft proposed amendments. The proposal was based on several views on the current criterion: (a) it takes no account of a ves-

sel's turning ability; (b) it is not valid for some hull types; (c) it conflicts with 2000 High Speed Craft (HSC) Code requirements; and (d) it contains no stability margin. The S/C has the view that further study was necessary taking into account views that the criterion was more relevant to small passenger ships; the formula's parameters should be available at an early design stage; and that operational guidance should be taken into account. Bearing these views in mind, the S/C invited submission of comments and proposals to SLF 55.

SLF 55 is tentatively scheduled for 18-22 February 2013. Major issues to be discussed at SLF 55 include development of second generation intact stability criteria, development of amendments to the IS Code for towing and anchor handling operations and criteria for the maximum angle of heel in turns, review of damage stability regulations for ro-ro passenger ships, revision of SOLAS chapter II-1 damage stability regulations, and development of provisions to ensure the integrity and uniform implementation of the 1969 Tonnage Measurement (TM) Convention.

16th Session of the Sub-Committee on Bulk Liquids and Gases (BLG 16)

The Sub-Committee (S/C) on Bulk Liquids and Gases (BLG) of the International Maritime Organization (IMO) held its 16th session at IMO Headquarters in London, from 30 January to 3 February, 2012, under the chairmanship of Mr. S. Oftedal (Norway). Sixty-two member states, one associate member, two intergovernmental organizations, and thirty-two nongovernmental organizations participated.

As instructed by MEPC, the S/C considered an effective evaluation system for products that may harm the marine environment and concluded that a producer-self classification was in line with similar principles already used in the IMDG code. The S/C further concluded that classification criteria should require that the cleaning product not be a harmful substance in accordance with MARPOL Annex III and not contain any components known to be carcinogenic, mutagenic, or reprotoxic.

The S/C approved in general the report of the correspondence group established at BLG 15 and established a working group at this session to further develop the IGF code. The working group progressed on unresolved issues including portable fuel tanks, emergency shutdown devices, gas detectors, applicability, and fuel storage. The S/C established an intersessional correspondence group to further consider the various unresolved issues and submit a report to BLG 17.

The S/C approved in general the report of the correspondence group established at BLG 15 and established a drafting group at this session to finalize the revised IGF code. The S/C endorsed the drafting group's editorial amendments and requested it be circulated to other bodies. It was understood that further work would be required regarding a possible circular on application of limit state

design; an informal group agreed to further this effort while the draft revised code is being circulated.

BLG 17 is scheduled for 4-8 February 2012 in London, United Kingdom. Major issues to be discussed at BLG 17 include evaluation of safety and pollution hazards of bulk chemicals, development of guidelines for the Ballast Water Management Convention, development of revisions to the International Gas Carrier Code, drafting of a Safety Code for Gas and Low-Flash Point Fuels, review of instruments affected by amendments to MARPOL Annex VI and the NOx Technical Code, and development of a Code for Offshore Support Vessels Carrying Limited Amounts of Hazardous and Noxious Substances. BLG 17 will also consider the relevant reports of other S/Cs and any new topics assigned to BLG 17 by the Maritime Safety Committee or by the Marine Environment Protection Committee.

56th Session Sub-Committee of the Ship Design & Equipment (DE 56)

The 56th session of the IMO DE S/C met in London, 13-17 February 2012, chaired by Mrs. A. Jost (Germany). The session was attended by delegations from 65 Member States, two associate members, two intergovernmental organizations, and observers from 32 non-governmental organizations in consultative status. Working groups (WG) were formed to address several of the agenda items.

The S/C reaffirmed its decision to develop the Polar Code following a two-step approach, that the Code should initially apply to SOLAS passenger and cargo ships, taking into account the urgent need for relevant mandatory requirements, and later provisions for non-SOLAS ships, such as fishing vessels, may be developed, after consideration by the Organization. The S/C agreed to refer certain chapters of the draft Polar Code to other Sub-Committees, and established a working group chaired by Norway to continue work. The S/C decided to keep any decision on environmental requirements to be included in the Code in abeyance, pending further consideration at DE 57. The S/C re-established a correspondence group coordinated by Norway, and tentatively agreed to establish a working group at DE

57.

The S/C agreed to a draft MSC circular on Unified interpretation of paragraph 1.2.2.6 of the LSA Code concerning lifeboat exterior color, for submission to MSC 90 for approval, as well as a road map for the development of a new framework of requirements for ships' life-saving appliances. The S/C tasked the LSA intersessional correspondence group to also further develop the draft Goal-based guidelines on framework of requirements for ships' life-saving appliances, taking into account the human element in accordance with MSC- MEPC.7/Circulars 1, 2, and 4 and the road map, and invited the MSC to extend the target completion date of this item to 2013.

The S/C had an extensive discussion in which many delegations supported the need to further clarify relevant categories of personnel, e.g., passengers, seafarers, special personnel or other categories, in terms of applying relevant requirements, as well as competencies and training requirements. The S/C agreed that there is an urgent need to further consider the application of existing IMO instruments to Offshore Wind Farm Construction Vessels

and Offshore Wind Farm Service Craft, including a gap analysis, and to further clarify the application of relevant requirements concerning industrial personnel transported by sea. The S/C invited MSC 90 to note the results of the discussion, and invited Member States and international organizations to submit concrete proposals on the issues relating to this item to DE 57.

Revision of the Revised guidelines on implementation of effluent standards and performance tests for sewage treatment plants (resolution MEPC.159(55)) - The S/C concurred with the incorporation of a dilution compensation factor Qi/Qe and agreed to a draft MEPC resolution on 2012 Guidelines on implementation of effluent standards and performance tests for sewage treatment plants for submission to MEPC 64 for adoption. The S/C had agreed that the draft 2012 Guidelines should be applied from 1 January 2016.

Chairman/date of next meeting – The fifty-seventh session of the DE S/C is tentatively scheduled for 18-22 March 2013. The S/C re-elected Mrs. A. Jost (Germany) as chairman and Dr. Susumu Ota (Japan) as vice chairman for 2013.

16th Session of the Sub-Committee on Radiocommunications and Search and Rescue (COMSAR 16)

The 16th session of the IMO COMSAR S/C met in London, 12-16 March. The Secretary General of IMO, the Secretary General of World Meteorological Organization (WMO), and the President of International Hydrographic Organization (IHO) attended the opening day of COMSAR 16. The IMO Secretary-General delivered the opening address, stating how important COMSAR's work is for setting standards for shipping safety. He expressed concern about events like the COSTA CONCORDIA accident that resulted in the loss of lives, but cautioned the Sub-Committee to wait for the results of the investigation before addressing issues based on mere speculation. He wished the Group all the best in their deliberations and for a productive meeting. Captain Carlos Salgado (Chile) chaired COMSAR 16. The Sub-Committee adopted the agenda (COMSAR 16/1), and agreed, in general, that the work of the Sub-Committee should be guided by the annotations to the provisional agenda and timetable (COMSAR 16/1/1, as

amended). Plenary discussions were dominated by two major issues: 1) the economic viability of the Long-Range Identification and Tracking (LRIT) program and International Mobile Satellite Organization's (IMSO) role in LRIT oversight; and 2) the emerging uses for Automatic Identification System (AIS) technology and satellite detection of the AIS signal. The concerns seemed to be centered on AIS satellite detection competing with LRIT and the unsecure ship information currently being distributed.

The US submitted COMSAR 16/3/5 concerning the request for the International Electrotechnical Commission (IEC), IMSO, and Committee International Radio-Maritime (CIRM) to develop a data output interface for SafetyNet receivers for use on a voluntary basis with equipment such as Integrated Navigation Systems (INS) and Electronic Chart Display (ECDIS) displays; the paper was partially accepted. The part of the paper requesting revision of MSC Circular 68(68) in

a manner similar to the requirements for NAVTEX receivers as found in MSC.148 (77) was advised to be sent to 91st Session of the Maritime Safety Committee (MSC 91) by interested Member States as part of an unplanned output from the Sub-Committee. Under the report of the ICAO/IMO JWG on SAR, the Sub-Committee adopted revision to IAMSAR Manual Volumes II and III (Note: Volume I revision was completed last year). The IAMSAR Manual will be published in 2013 with these changes and will commence the cycle of publishing a new edition every three years. The US paper on "social media" generated keen interest and led to tasking to the ICAO/IMO JWG to include this topic in the next edition of the IAMSAR Manual.

Captain Carlos Salgado (Chile) was re-elected as Chairman for COMSAR 17 which will be held in 21 – 25 January 2013. The Vice-Chairman position will remain vacant until COMSAR 17 when a suitable candidate can be identified to replace Mr H. Supriyono.

63rd Session of the Marine Environment Protection Committee (MEPC 63)

The 63rd Session of IMO's MEPC convened under the chairmanship of Mr. A. Chrysostomou (Cyprus) during the week of 27 February through 02 March, 2012. The meeting was attended by 98 members, 1 associate member, 5 United Nations agencies, 6 inter-governmental organizations, and 46 non-governmental organizations.

The Committee noted the number of contracting governments to the International Convention for the Control and Management of Ships' Ballast Water and Sediments (2004) is 33, representing 26.5% of the world's merchant fleet tonnage, and reiterated the need for additional countries to ratify the Convention to achieve its entry into force at the earliest opportunity. The Convention will enter into force 12 months after the date on which at least 30 countries, the combined merchant fleets of which constitute not less than 35% of the gross tonnage of the world's merchant shipping, have become parties to it.

The Committee agreed to an updated work plan for the development of further guidelines and energy efficiency frameworks for those ships not covered by the current Energy Efficiency Design Index (EEDI) regulations and guidelines which was designed as a measure to curb greenhouse gas emissions by increasing fuel economy. Matters to be discussed under this agenda item at MEPC 64 include: (1) determination of EEDI reference lines for ship types not already covered by EEDI guidelines (such as Passenger Vessels and RoRos); (2) development of reference lines for ships of non-conventional propulsion, as well as further review of EEDI reference lines for large bulk carriers and tankers, and; (3) discussion on the minimum propulsion power or speed for maneuvering in adverse conditions. The MEPC 64 agenda for this item will also include a discussion of standards for EEDI sea trials (under development by ISO) and standards for EEDI tank tests (under development by the International Towing Tank Conference – ITTC).

The MEPC continued its intensive discussions of proposed market-based measures (MBMs), which would complement the technical (EEDI) and operational (SEEMP) measures already adopted under Chapter 4 of Annex VI. The Committee noted the report of the intersessional Work Group on Market Based Measures (MBM) dated March, 2011 and agreed that the main is-

sue now was the need for an assessment on the impact for developing countries from MBM. The MBM proposals range from a contribution, or levy, on all CO2 emissions from international shipping, to proposals under which those ships not meeting EEDI requirements would pay a levy, to schemes based on levies keyed to a ship's actual efficiency.

Near the end of the session, the Committee was presented with draft terms of reference for the impact assessment of the proposed MBM for international shipping. However, there was insufficient time to finalize these terms of reference and the Committee deferred the matter to MEPC 64. There, it will be discussed in conjunction with the Resolution on Technical Cooperation and Transfer of Technology. The Committee agreed that EEDI had been developed in the new Chapter 4 of Annex VI for new ships only and was not to be applied to existing ships.

The Committee adopted amendments to Annexes I, II, IV, V and VI of the International Convention for the Prevention of Pollution from Ships (MARPOL) which will allow small island developing States to use regional port reception facilities to satisfy their MARPOL requirements to provide adequate reception

facilities for ships' wastes. Parties participating in a regional arrangement must develop a Regional Reception Facilities Plan and the Committee will be consulted during the plan's development. The amendments are expected to enter into force on 1 August 2013.

The Committee approved four oil spill response guidance manuals developed by the OPRC HNS Technical Group. These guidance documents were: (1) IMO/IPIECA Guidance on Sensitivity Mapping for Oil Spill Response; (2) Guidelines for Oil Spill Response in Fast Currents; (3) Operational Guide on the Use of Sorbents for Spill Response, and; (4) Oil Spill Waste Management Decision Support Tool. The Committee instructed the Secretariat to prepare these guidance documents for publication, as appropriate.

The Committee approved the draft Assembly Resolution and the related draft 2013 Guidelines for the Designation of Special Areas under MARPOL 73/78 that were necessitated by amendments to MARPOL Annex IV that permitted the establishment of "Special Areas", such as the Baltic Sea, for the prevention of sewage pollution from ships. The Committee further instructed the Secretariat to make a final editorial check and submit the draft Assembly Resolution to the twenty-eighth session of the Assembly (December 2013) for adoption.

The Committee reaffirmed the previous agreement that non-binding technical guidelines designed to reduce the incidental introduction of underwater noise from commercial shipping, be developed as a means to reduce the potential adverse impacts of this noise on marine life. The Committee agreed to keep this item on its agenda for MEPC 64, as the fifty-sixth session the Ship Design and Equipment (DE) Subcommittee had convened just 10 days before MEPC 63 and there had been no opportunity for that Subcommittee to apprise the Committee of its ongoing work on the subject guidelines on noise from commercial shipping.

The Committee recalled that, at its last session, it unanimously re-elected Mr. Andreas Chrysostomou (Cyprus) as Chairman for 2012 and that it also decided to conduct the election of Vice-Chairman at this session. Accordingly, the Committee unanimously elected Mr. Arsenio Dominguez (Panama) as Vice-Chairman of MEPC for 2012.



20th Session of the Sub-Committee on Flag State Implementation (FSI 20)

The 20th session of the Flag State Implementation Sub-Committee (FSI 20 S/C) met at IMO Headquarters, London, from 26-30 March, 2012, under the chairmanship of Captain Dwain Hutchinson (The Bahamas). Eighty-six Member States, two associate members, one United Nations (UN) entity, eleven intergovernmental organizations, eighteen nongovernmental organizations, four invited observers and a representative from the World Maritime University participated. All US Delegation (USDEL) objectives were achieved.

Mandatory Reports Under MARPOL: FSI 20 noted that only 34 parties and one associate member had submitted the required reports for 2010. The S/C agreed that the result and rate of mandatory reporting was disappointing in spite of simplification of the reporting form and again urged members to fulfill their mandatory obligations. Member States were encouraged to comply with the annual reporting requirements for MARPOL 73/78, as outlined in MEPC/Circ.318.

The S/C considered the reports of the Correspondence Group on Casualty Analysis (CGCA) and the Working Group on Casualty Analysis (WGCA). The S/C confirmed the WGCA analyses of casualty reports, authorized their release, and approved 34 lessons learned for presentation to seafarers for release on the IMO website following the usual procedures. The S/C referred select casualty analysis to relevant IMO Committees and

Sub-Committees for further review. Another area of interest was submission of the casualty investigations for the Deepwater Horizon incident. The investigations conducted by the Flag State (Republic of the Marshall Islands) and the Coastal State (the United States) were officially submitted to the IMO. These casualty reports will be reviewed intersessionally by the correspondence group and will be further discussed at FSI 21. The US will participate in this group.

FSI 20 continued the work of the two previous sessions of FSI with regard to the development of a code for recognized organizations (which includes classification societies and other private sector ship and equipment inspection service providers who perform inspection and equipment approval on behalf of IMO member states). In a June 2009 paper the European Union Member States recommended that the scattered IMO regulations regarding RO's be formed into a consolidated and comprehensive IMO RO Code. The US served as the coordinator of the intersessional correspondence groups and performed the majority of drafting for the new RO Code. In the course of development of the RO Code there was an attempt by the European Union Member States to modify the definitions used in order to enable them to continue to directly influence class society work regardless of the national flag of the ship being certified. Classification societies perform surveys on vessels both for the purpose of classification and also to issue statutory certificates on behalf of

national governments. There is substantial overlap in these functions. The EU attempted to create a bright line between classification work for clients and statutory work as agents of a government. The US successfully opposed the EU definitional changes as being inaccurate and also an inappropriate attempt to regulate the certification activity done by an RO on non-EU flag ships. The RO Code was completed at FSI 20 and forwarded to MSC and MEPC for acceptance and approval.

The S/C also discussed measures to protect the safety of persons at sea. This issue had been under discussion at the FAL, LEG and COMSAR bodies and the general consensus is that this issue should be dealt with regionally, with the assistance of the IMO Secretariat and IMO Member States possessing expertise in the area. The US has provided some guidance on the matter, taking into account our work in the Caribbean Region. In this particular case, Italy, Spain and Malta are the primary States involved, although many States within the Mediterranean Region are interested parties. Meetings between these States have been coordinated by the IMO and scheduled for the near future. No further action necessary on the part of the FSI.

The Chairman announced that FSI 21 is tentatively scheduled for 4-8 March 2013 at IMO Headquarters in London. The S/C re-elected by acclamation Captain Dwain Hutchinson of The Bahamas as chairman and Mrs. Julie Gascon of Canada as vice-chairman.

99th Session of the Legal Committee (LEG 99)

The Legal Committee (LEG) of the International Maritime Organization (IMO) held its 99th session at IMO Headquarters in London, from 16-20 April, 2012, under the chairmanship of Dr. Kofi Mbiah (Ghana). Eighty-five Member States, two associate members, one United Nations and specialized agency, two Intergovernmental Organizations, and eighteen Non-Governmental Organizations (NGO) participated.

LEG noted the Secretariat's report on the status of the 2010 Protocol to the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (2010 HNS Protocol), including that governments should ratify the 2010 HNS Protocol rather than the underlying 1996 convention and that a number of documents to assist implementation of the 2010 HNS Protocol are now available on the IMO website, such as cargo classification documents. The website also includes a cargo database called HNS Finder. As of

LEG 99, eight member states have signed the 2010 HNS Protocol, subject to ratification.

LEG noted the information provided by Mr. Brandt Wagner, International Labour Office (ILO) on the MLC 2006, including that the MLC 2006 needed only five additional ratifications to come into force and these ratifications were expected within 2012, with the MLC 2006 entering into force in 2013. Additionally, the Special Tripartite Committee will consider amendments to the MLC 2006 on the issue of financial security for seafarers and their dependents in cases of personal injury, death, or abandonment, at its first meeting after the MLC 2006 enters into force.

LEG considered the Secretariat's suggestion that the Secretariat inquire about preparing a database of court decisions related to piracy (LEG 99/7/2) and Ukraine's request that the IMO Secretariat approach regional entities involved in combating piracy and armed rob-

bery, (including the European Union Naval Force Somalia, the North Atlantic Treaty Organization, and United Nations Office on Drugs and Crimes), with an information request for facts on apprehension and prosecution of pirates and for that information to be summarized and presented to LEG 100 (LEG 99/7/1). LEG agreed that the Secretariat should investigate consolidating various existing databases containing information on or related to the prosecution of piracy into an easily accessible and searchable format, taking into account any gaps in existing databases, respecting national privacy laws, and not duplicating work of IMO or other agencies. The USDEL requested that the inquiry be broadened to include piracy-related crimes, as piracy may be prosecuted under charges not specific to piracy, depending on the jurisdiction.

LEG 100 is scheduled for April 2013 (exact dates to be determined) at IMO Headquarters in London, United Kingdom.

43rd Session of the Sub-Committee on Standards of Training & Watchkeeping (STW 43)

The 43rd session of the IMO STW S/C met in London 30 April to 04 May 2012, chaired by Rear Admiral Peter Brady (Jamaica). The session was attended by delegations from 80 member states, 3 associate members, observers from 3 inter-governmental organizations, and observers from 24 non-governmental organizations. Three working groups (WG) were formed, one WG was formed to address agenda item 6, Development of an e-navigation strategy implementation plan, one WG was formed to address agenda item 9, Implementation of the Manila amendments, and one WG was formed to address agenda item 10, Role of the human element. Two drafting groups (DG) were formed to address agenda item 3, Validation of model training courses.

Validation of Model Training Courses. The S/C conducted an in-depth discussion on this item, and the associated twenty-four papers submitted. The United States submitted three model courses for approval: 1) Operational use of Electronic Chart Display and Information Systems (ECDIS), 2) Security awareness training for seafarers with designated security duties, and 3) Security awareness training for all seafarers. Based on the outcome of the discussions the S/C validated the model courses on: 1) Operational use of Electronic Chart Display and Information Systems (ECDIS), 2) Security awareness training for seafarers with designated security duties, 3) Security awareness training for all seafarers, 4) Ship Security Officer, and 5) Training the Simulator Trainer and Assessor. The S/C instructed the Secretariat to finalize and publish them as

soon as possible.

Development of an E-navigation Strategy Implementation Plan. The S/C conducted in-depth discussions on the report of the Correspondence Group (CG) on e-navigation, from the training and human element perspective. Based on the discussions the S/C agreed: 1) that it was premature to develop new training requirements at this stage, however some training elements, especially those that were in general covered by the STCW Convention and Code, might need to be reviewed in the future in light of the forthcoming developments on e-navigation; and 2) the revision, updating or development of training elements should only be considered in the future, after having a clear understanding of the potential technical, operational and regulatory e-navigation solutions that would be developed by the Organization. The recommendations will be forwarded to NAV 58 for consideration.

Development of Guidance for the Implementation of the 2010 Manila Amendments. The main three issues discussed related to documents submitted by IALA, Brazil and the joint US/Canada submission. The S/C agreed there was no need to develop separate guidance related to VTS procedures as proposed by IALA, as training relating to VTS procedures would be included in the existing relevant model course and IALA has developed relevant training guidance for VTS operators. In relation to the Brazil submission, the Committee agreed that there was no need to develop any further guidance on the application of hours of rest in paragraph 3 of Section A-VIII/1, as the provisions in the

STCW Code already include interpretative language for the implementation of short term relaxations to the requirements applicable to specific seafarers. With regard to the US/Canada submission, the S/C agreed to defer, to its next session, further consideration on the problems with the implementation of the color vision requirements in the 2010 amendments to gather experience from countries with the implementation of these requirements. The US and Canada informed the S/C that we would be submitting a new work program item on this issue to MSC 91 for inclusion into the STW 44 agenda, to amend the STCW requirements.

In addition, the S/C endorsed draft revised circulars for submission to MSC 91: 1) Procedures regarding the consideration of information communicated in accordance with article IV and regulation I/7 of the STCW Convention and section A-I/7 of the STCW Code, 2) Guidance on the preparation, reporting and review of independent evaluations and steps taken to implement mandatory amendments required by regulations I/7 and I/8 of the STCW Convention, and sections A-I/7 and A-I/8 of the STCW Code, 3) Guidance on arrangements between parties to allow for recognition of certificates under regulation I/10 of the STCW Convention, and 4) Electronic Chart Display and Information System (ECDIS) Training.

The S/C unanimously elected Mr. Bradley Groves (Australia) as Chair and Ms. Mayte Medina (United States) as Vice-Chair, both for the calendar year 2013.



90th Session of the Marine Safety Committee (MSC 90)

The 90th Session of IMO's MSC convened on 16—25 May 2012 at IMO Headquarters, under the new chairmanship of Mr. Christian Breinholt (Denmark).

One agenda item of particular interest to the Committee was piracy and armed robbery against ships. The Committee adopted two MSC Circulars: MSC.1/Circ.1443; "Interim guidance to Private Maritime Security Companies providing Privately Contracted Armed Security Personnel on board ships in the High Risk Areas" and MSC.1/Circ.1444; "Interim guidance for Flag States on measures to prevent and mitigate Somalia-based piracy."

Also held in conjunction with the MSC session was a high-level discussion on counter-piracy. US Coast Guard Deputy Commandant for Operations, VADM Peter Neffenger, addressed the participants, and highlighted the successful efforts in the fight against piracy and outlined the challenges that remain. The discussions centered on guidance for privately contracted armed security personnel (PCASP), the concerns of littoral states in regards to PCASP, and guidelines on the use of firearms.

Members of the US Delegation also participated in a seminar on maritime secu-

urity, sponsored by the Sasakawa Peace Foundation, which complemented aspects of the MSC 90 agenda.

Another notable item on the MSC 90 agenda dealt with passenger vessel safety, especially relevant in light of recent tragedy involving the COSTA CONCORDIA. The Committee adopted a resolution encouraging the IMO membership to ensure that the passenger ship industry's current safety standards are implemented in full and effectively.

Additionally, the Committee agreed to identify operational measures affecting passenger ship safety which could be implemented immediately and to develop a long term action plan for passenger ship safety.

The Committee also finalized text and adopted amendments to several chapters of 1974 SOLAS Convention. Included among these amendments is chapter VI/5-2, which includes a US proposed exemption from the prohibition of production processes for offshore service ships.

Elements of the 2000 HSC Code, FSS Code, IMDG Code, 1966 Load Lines Convention, and 19088 Load Lines Protocol were also amended.

The Committee also established an inter-sessional correspondence group for Goal Based Standards, under the coordination of the US.

The Committee approved the draft amendments to the 2006 Offshore Supply Vessel (OSV) Guidelines proposed by the US. These amendments are intended to clarify the applicability of the revised damage stability guidelines for OSVs.

A proposed regulation by BLG, SOLAS VI/5-2, which would prohibit production processes on board a ship, during its sea voyage, was sent to a drafting group to develop final text for the regulation, but not before it was amended by a US-led effort to allow for production processing of cargoes for use in the search and exploitation of seabed mineral resources on board ships used to facilitate such operations.

The Committee also discussed confidentiality in the context of the mandatory member audit scheme. The Committee agreed, by a slight majority, that the release of the executive summary report and the related Member State's comments thereon would have no negative impact on its role or that of a Member State as a Party to the instruments concerned.

Additional IMO sessions in 2012

62nd Technical Co-operation Committee (TC62) June 6-8

108th Council (C108) June 11-14

58th Safety of Navigation Subcommittee (NAV58) July 2-6

17th Carriage of Dangerous Goods, Solid Cargoes & Containers Subcommittee (DSC17) September 17-21

17th Editorial and Technical Group of DSC (E&T17) September 24-28

64th Marine Environment Protection Committee (MEPC64) October 1-5

18th Working Group on the Evaluation of Safety and Pollution Hazards (ESPH18) October 22-26

109th Council (C109) November 5-9

91st Marine Safety Committee (MSC91) November 26-30