



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

Over the past year, IMO Members have observed some significant changes aimed at improving the way the IMO functions over the long term. The budgetary constraints which many Member States are experiencing have also affected the IMO.

In an effort to ensure that the Organization remains effective and relevant with its given resources, it has been exploring options for its "long term sustainability". One of the first and very visible change is the reorganization, or amalgamation, of the technical sub-committees.

A brief summary of the reorganization is on page 2 of this newsletter with the names of the new sub-committees and those they are replacing. These new sub-committees begin working under their new terms of reference in January of 2014 and I look forward to their progress on their numerous and substantial work items.

Another area of considerable interest for the IMO and global shipping industry is the adoption of the Recognized Organization Code (RO Code). The RO Code

will enter into force on January 1, 2015. We provide more information on the RO on page 10.

Since our last edition, the US actively participated in the 65th session of the Marine Environment Protection Committee, the 100th session of the Legal Committee, the 92nd Session of the Maritime Safety Committee, the 38th session of the Facilitation Committee, and several sub-committee meetings. Further details on these meetings are discussed in this issue.

This November and December, the IMO Assembly will meet for its biennial session, elect a new Council, and establish the 2014-2015 High Level Action Plan for the organization.

I once again thank you for your interest in the IMO e-Newsletter and welcome any comments or suggestions for future editions.

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.

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Results of the IMO Review and Reform (Amalgamation)

At the 109th session of Council, in November, 2012, the IMO Secretary General had proposed reorganizing the sub-committees in an effort to become more efficient with resources. Following extensive debate on the matter, the affected sub-committees provided their recommendations to the Maritime Safety Committee (MSC) and Marine Environment Protection Committee (MEPC).

The objective was to reorganize the existing functions and responsibilities of sub-committees, not to expand the existing functions and responsibilities. The final result is that 9 sub-committees have been replaced by 7. The organization and its Member States are optimistic that the new sub-committees will be able to work more efficiently with their time. In addition, there will be fewer sessions per biennium. The final result is listed to the right:

Previous S/C	New S/C
DE, FP, & SLF	Ship Design & Construction
BLG	Pollution Prevention & Response
STW	Human Element, Training & Watch-keeping
DE, FP, & SLF	Ship Systems & Equipment
COMSAR & NAV	Navigation, Communication & Search
FSI	Implementation of IMO Instruments
DSC	Carriage of Cargoes and Containers

56th session of the Sub-Committee on Fire Protection (FP 56)

The IMO Sub-Committee (S/C) on Fire Protection (FP) held its 56th session under the chairmanship of Juan-Carlos Cubisino (Argentina).

Working/drafting groups

The S/C established *ad hoc* working groups to consider measures to prevent explosions on oil and chemical tankers transporting low flashpoint liquids, fire protection requirements for on-deck cargo areas, and requirements for ships carrying hydrogen and compressed natural gas vehicles. A drafting group was also formed to complete work on the development of requirements for the fire resistance of ventilation ducts.

The United States chaired the working group on measures to prevent explosions on oil and chemical tankers transporting low flashpoint liquids, and the drafting group on the development of requirements for the fire resistance of ventilation ducts.

Measures to prevent explosions on

oil and chemical tankers

The S/C completed work on amendments to SOLAS to require inert gas systems on new oil and chemical tankers between 8,000 and 20,000 dwt. It also completed work on associated operational measures for the safe inerting of chemical tankers during loading and unloading, and design criteria for nitrogen inert gas generators, as amendments to chapter 15 of the FSS Code. These amendments were aimed at preventing explosions on oil and chemical tankers transporting low flashpoint liquids.

Fire resistance of ventilation ducts

The development of requirements for the fire resistance of ventilation ducts was a U.S. led initiative to update and reorganize the ventilation system requirements currently scattered throughout chapter II-2 into a single location in regulation II-2/9.7, as well as to amend SOLAS to require fire dampers at all penetrations of A-class fire barriers in line with our domestic rules. With respect to the latter, the S/

C took an alternate approach of establishing a new output on smoke control and ventilation to consider requirements for smoke management systems on passenger ships.

Fire protection for on-deck cargo areas

The S/C considered if there was a need for increased fire pump pressure or additional fire-fighting equipment on large container ships for on-deck cargo areas, to ensure adequate pressure for fire hoses to reach the top container stack on the latest generation ships which may carry as many as seven tiers of containers. The group ultimately decided that the new requirements should apply not only to containerships, but to any cargo ship carrying five or more tiers of on-deck containers. An interesting addition to the required complement of fire-fighting gear that was agreed by the Sub-Committee is the water mist lance, or piercing nozzle, on any ship that carries on-deck containers (including, e.g., an OSV carrying a

FP 56 (continued)

single container). This nozzle is intended to be hammered into a burning container to allow the fire brigade to perform an interior fire attack without having to move the container from its lashings.

Correspondence group on fiber reinforced plastic (FRP) aboard SOLAS vessels

Finally, the S/C established a correspondence group, coordinated by Sweden, to develop guidelines for the use of lightweight FRP construction on SOLAS ships. The U.S. has not supported the use of (combustible) FRP construction in this application, and will attempt to ensure that a cautious and prudent approach is taken to maintain the level of safety provided by the current restricted use of combustible materials as a functional requirement of

SOLAS Chapter II-2.

Next session

Matters considered historically by FP will now be considered in the newly formed Ship Systems & Equipment (SSE) and Ship Design & Construction (SDC) sub-committees in 2014.

17th session of the Sub-Committee on Communications and Search and Rescue (COMSAR 17)

The 17th and final session of the Sub-Committee on Radiocommunications and Search and Rescue (COMSAR 17) convened at IMO Headquarters from 21-25 January 2013. Captain Carlos Salgado of Chile chaired the meeting.

GMDSS

Review and modernization of the Global Maritime Distress and Safety System (GMDSS) continued its forward progress. The Correspondence Group on the Review of the GMDSS was re-established and retained under the coordination of the United States.

Development of a mandatory code for ships operating in polar waters, Polar Code, was handled under both the Technical and the SAR working groups. The outputs were blended into a concise, final draft product for consideration by the designated lead forum, the DE S/C, which included a special regulation for vessels operating in the Arctic.

SAR matters

The full range of search and rescue (SAR) matters were discussed, including amendments to the International Aeronautical and Maritime SAR (IAMSAR) Manual and implications of the transition of Cospas-Sarsat to the Mid Earth Orbit Search and Rescue (MEOSAR) system. It was noted that the Antarctic Treaty Consultative Meeting was convening a special SAR working group session in May 2013 in Brussels, Belgium and IMO Member States were encouraged to make SAR experts available for this session.

Joint working groups

Progress at COMSAR 17 was greatly facilitated by the work accomplished in advance by two joint working groups which serve COMSAR – the Joint IMO/ITU Experts Group and the International Civil Aviation Organization (ICAO) Joint Working Group on SAR (ICAO/IMO JWG).

Next session

Under IMO's initiative on 'Review and Reform of the Organization, COMSAR was merged with the Sub-Committee on Navigation and will become the Sub-Committee on Navigation, Communications and Search and Rescue (NCSR). NCSR 1 will have three working groups (Search and Rescue, Ships' Routeing, and Technical Matters). Due to its heavy agenda, NCSR was one of only two newly formed sub-committees for which MSC 92 endorsed the proposal for full five-day sessions with interpretation for the first session. It will meet in 2014 at a date to be determined

44th session of the Sub-Committee on Standards of Training and Watchkeeping (STW 44)

The Sub-Committee on Standards of Training and Watchkeeping (STW) held its 44th session in London from April 29 to May 03, 2013 under the chairmanship of Mr. Bradley Groves. The three main issues of importance to the U.S. were the Validation of Model Training Courses, the Revision of the Recommendations on Training of Personnel on Mobile Offshore Units (MOUs), and the Training and Certification of Mariners Working Aboard Specialized Vessels (such as ships fueled by natural gas and other low flash point fuels and ships operating in polar waters).

Validation of Model Training Courses

The S/C amended the draft model courses listed below to ensure that the model courses were designed to meet the level of training appropriate for the certificate being sought, i.e. management level courses contained

management level information vice operational level information:

- Master and Chief Officer,
- Chief Engineer Officer and Second Engineer Officer,
- Officer in charge of a Navigational watch,
- Officer in charge of an Engineering watch,
- Electro-Technical Officer, and
- Leadership and Teamwork.

Several new courses continue to be developed to meet the requirements of the 2010 Amendments to the STCW Convention, including Able Seafarer Deck, Able Seafarer Engine, Electro-technical Rating, and Basic and Advanced Tankerman. Existing courses will continue to be reviewed as needed.

Training of Personnel on Mobile Offshore Units (MOUs)

The S/C amended the current IMO Resolution A.891(21), Recommendations on Training of Personnel on Mobile Offshore Units (MOUs) to be consistent with the STCW Convention and reflect current industry best practices. It also meets the U.S. goals that one individual be designated as the person in charge during an emergency, and defining MOUs maintaining position with dynamic positioning as self propelled vessels.

Training and Certification of mariner on specialized vessels

STW 44 agreed that all the standards for seafarer training, certification and watchkeeping, including specialized training, be placed in the STCW Convention and the STCW Code. Accordingly, the agenda for the next session includes amending Chapter V of the annex to include vessels fueled by natural gas and other low flash point fuels, and ships operating in polar waters.

100th Session of the Legal Committee (LEG 100)

The 100th Session of the Legal Committee (LEG 100) was held at IMO Headquarters in London from April 15 - 19, 2013. Dr. Kofi Mbiah, from Ghana, served as its Chairman.

Collation and preservation of evidence

Most notably, LEG addressed the agenda item entitled "collation and preservation of evidence following an allegation of a serious crime having taken place on board a ship or following a report of a missing person from a ship, and pastoral and medical care of victims."

The committee discussed several topic areas, including jurisdiction of the coastal states, preventing those convicted of sexual crimes from sailing as passengers or crew, the master's authority to confiscate evidence or conduct interviews before contacting law enforcement authorities, the

inclusion of a list of crimes, and ensuring that the master is not held criminally liable for shortcomings in failing to preserve evidence.

Subsequently, the committee developed guidelines to address these topic areas and incorporated them into a draft Assembly Resolution for adoption by the 28th Assembly, which meets in November and December, 2013.

Transboundary oil pollution

The committee considered liability and compensation for transboundary oil pollution damage resulting from offshore oil exploration and exploitation. One document proposed the development of principles related to the liability and compensation mechanisms for transboundary oil pollution. The U.S. expressed its concern regarding the development of principles, as it implies an effort to define legal norms.

Instead, the U.S. expressed its belief that regional arrangements are the best means to address liability and compensation matters, and suggested that other states with existing regional arrangements provide support to those members who wish to develop their own.

Fair treatment of seafarers

The committee continued to consider issues related to the fair treatment of seafarers in the event of a maritime accident, noted the findings of a survey conducted by Seafarers' Rights International, and expressed general support for the promotion of the Guidelines on the fair treatment of seafarers.

Next session

LEG will resume its consideration of additional issues at the 101st session, scheduled for April 2014.

55th session of the Sub-Committee on Stability and Load Lines and Fishing Vessels Safety (SLF 55)

The 55th session of the Sub-Committee on Stability and Load Lines and Fishing Vessels Safety (SLF) met in London from 18-22 February 2013, under the chairmanship of Mr. Kevin Hunter (United Kingdom).

New and updated stability standards

SLF 55 completed its work on developing draft guidelines for verification of damage stability requirements for tankers and mandatory carriage requirements for stability instruments on board tankers, which included draft amendments to various IMO Codes and Conventions applicable to tankers. The proposed guidelines and draft amendments were submitted to MSC 92 for approval.

The Subdivision and Damage Stability Working Group proposed amendments to the "Recommendation on a standard method for evaluating cross-flooding arrangements" (resolution MSC.245(83)), and updated various existing formulae in the resolution

based in part on the results from recent research projects. SLF 55 agreed to these amendments for submission to MSC 92 for adoption as a new MSC resolution.

The sub-committee agreed to draft damage stability standard for offshore support vessels (OSV) that carry limited amounts of hazardous and noxious liquid substances in bulk and referred the draft text to BLG (or applicable technical sub-committee) for further consideration.

Tonnage measurement for older vessels

The sub-committee agreed on a draft Assembly resolution which would replace the "Application of recommendation 2 of the International Conference on Tonnage Measurement of Ships, 1969" (resolution A.758(18)) and the "Application of the International Conference on Tonnage Measurement of Ships, 1969, to existing ships" (resolution A.791(19)). This draft resolution consolidates and up-

dates information regarding the use of national tonnage for older "grandfathered" vessels. The draft resolution was forwarded to MSC 92 and MEPC 65, for subsequent submission to the Assembly 28.

Next session

SLF will meet next as the newly formed SDC and SSE sub-committees in 2014. Major issues to be discussed at the next convening include development of second generation intact stability criteria; development of amendments to the Intact Stability Code for towing, lifting and anchor handling operations and for a maximum angle of heel in turns criteria; review of damage stability regulations for Ro-Ro passenger ships; revision of SOLAS chapter II-1 damage stability regulations, including a review of the survivability level of passenger ships reflected in the required subdivision index "R"; development of guidelines for the approval of damage stability modules for safe return to port.

21st session of the Sub-Committee on Flag State Implementation (FSI 21)

The 21st session of the Flag State Implementation (FSI 21) Sub-Committee met on March 4-8, at IMO Headquarters, London, UK under the chairmanship of Captain Dwain Hutchinson of the Bahamas.

"Original certificates"

There were a number of interesting issues discussed at FSI 21. One of them concerned the review of the definition of an "original" certificate, as it applies to carriage of certificates on vessels. A Member State had brought forward the issue in various IMO bodies because the use of electronically signed certificates had met with difficulties in some regions of the world. In those regions, Port States felt that an original certificate meant one with

an original signature. After discussion, a proposed definition to allow for electronic signatures was developed and forwarded to MSC, FAL, and MEPC for approval.

Improvement of GISIS

There was also continued discussion on the use and improvement of the modules with the IMO's Global Integrated Shipping Information System (GISIS). It was proposed at the previous session of the FSI that an Assembly resolution should be developed to clearly articulate how GISIS could be used by Member States to meet their mandatory reporting requirements. This resolution was agreed upon at FSI 21 and forwarded to MSC and MEPC for approval.

Casualty "lessons learned"

One of the sub-committee working groups also discussed the dissemination of casualty lessons learned for seafarers, revisions and updates of related IMO instruments regarding the investigation of accidents and incidents, reporting procedures of those accidents and incidents to the IMO, and improvements to the Investigations Module of the IMO's GISIS database. The S/C agreed that the lessons learned should be published on the IMO website. Additionally, the report of investigation regarding the Mobile Offshore Drilling Unit DEEP-WATER HORIZON was referred to the relevant IMO Committees and Sub-Committees for appropriate action.

FSI 21 (continued)

BWM sampling standards

Work continued on the development of Port State Control (PSC) guidelines under the 2004 BWM Convention. FSI 21 noted the ongoing work of the BLG sub-committee, as it relates to development of a standard for sampling. It was agreed that a Correspondence Group, under the coordination of Canada, would be convened to work interessionally on the proposed PSC guidelines.

Flag State surveys

With regard to Flag State survey issues, draft amendments to the Survey

Guidelines under the Harmonized System of Survey and Certification, 2011 (HSSC) were developed and forwarded for approval and eventual issuance as a new IMO Assembly Resolution. There were also discussions within the HSSC Working Group on a number of issues including the meaning of the term, “periodical survey” and possible exemption of non-self propelled barges from parts of MARPOL. The first issue was forwarded to the DE sub-committee for review while the latter was referred to the HSSC intersessional correspondence group for their continued work.

IMO numbering scheme

Finally, some changes were proposed to IMO Assembly Resolution A.600 (15), IMO Ship Identification Number Scheme, that would remove the exclusion of fishing vessels from the IMO Vessel Numbering Scheme. The S/C agreed to forward a draft Assembly resolution to MSC for consideration. MSC subsequently approved it for submission to the 28th Assembly which meets in the fall of 2013.

Next session

FSI meets next in 2014 as the Implementation of IMO Instruments S/C.

17th session of the Sub-Committee on Bulk Liquids and Gases (BLG 17)

The 17th session of Sub-Committee on Bulk Liquids and Gases was held February 4 to 8, 2013, under the chairmanship of Mr. S. Oftedal of Norway.

IGF Code

The S/C continued work on the International Code for Ships using Gas as Fuel (IGF Code), focusing on LNG, and on how to accommodate other fuels in the draft Code and/or SOLAS. It also re-established a the Correspondence Group on the IGF Code to continue efforts to finalize the draft Code and any related draft SOLAS amendments.

Amendments to IGC Code

The S/C also agreed to the draft amendments to the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC Code) for submission to MSC 92 for approval and subsequent adoption. The draft amendments address editorial corrections and also modify requirements for emergency shutdown and gas detection systems and gas inerting.

Ballast Water Management Convention

BLG 17 made progress on three main

issues under the agenda item “Additional guidelines for implementation of the BWM Convention”:

- It finished development of a BWM circular on ballast water sampling and analysis for submission to MEPC.
- It agreed to a draft circular on options for ballast water management for OSVs, for approval by MEPC.
- It also agreed to a draft MEPC resolution regarding information to be reported for type approved ballast water management systems, and to draft amendments to the *Guidance for Administrations on the type approval process for ballast water management systems in accordance with Guidelines (G8)*, for approval by MEPC 65 and subsequent dissemination as a BWM Circular.

Black Carbon

The S/C considered the issue of the Impact on the Arctic of emissions of Black carbon from international shipping. The sub-committee agreed that more work was needed before finalizing an appropriate definition and that the focus of that work should be on the development of a technical defini-

tion and also agreed that a measurement method for Black Carbon should be further considered at its next session. The S/C established an intersessional correspondence group and a future working group to further consider this issue.

MARPOL VI

The S/C finalized draft Guidelines for replacement engines not required to meet the Tier III NOx limit. The S/C also finalized draft amendments to the NOx Technical Code 2008 to certify dual fuel engines using both diesel and natural gas. The sub-committee also established an intersessional correspondence group to: 1) further develop draft guidelines to outline the information to be submitted as part of the required notification from an Administration to IMO in respect of the approval of an Approved Method for retrofitting engines to meet the Tier I NOx standards for ships constructed between 1990-2000; and 2) develop draft guidelines as called for the revised NOx Technical Code 2008 for the approval of NOx-reducing devices for engines.

Next session

Topics considered by BLG will now be considered by Pollution Prevention & Response (PPR) and Carriage of Cargoes & Containers (CCC) in 2014.

57th session of the Sub-Committee on Ship Design and Equipment (DE 57)

The 57th session of the Sub-Committee on Ship Design and Equipment (DE) held its fifty-seventh session from 18 to 22 March 2013 under the chairmanship of Mrs. A. Jost (Germany). DE57 considered an extremely diverse set of agenda items ranging from noise reduction from shipping, wing-in-ground craft, lifesaving, Polar Code development, and watertight boundary protection, just to name a few.

Development of Polar Code.

The S/C made significant progress in further developing the draft mandatory International Code of safety for ships operating in polar waters (Polar Code). It considered a draft environment chapter proposed by the United States, Denmark, Finland, Iceland, and Norway. The environment chapter received wide international support and was forwarded to MEPC 65 for review. It was reaffirmed that ships operating in polar waters will be divided into categories depending on their operational limitations in ice. The sub-committee also considered structural integrity regulations and ice class rules in the context of ship categories. Brief discussions were held regarding navigation and lifesaving regulations as well as temperature considerations in ship operations and equipment design, operation, testing. It was agreed to establish a correspondence group and to request an interessional meeting of the Polar Code Working Group in late 2013, to further progress the work in support of a drafting deadline in 2014.

Lifesaving.

The S/C approved comprehensive U.S.-proposed guidelines for the construction and validation of reference test devices (RTDs) for the testing of lifejackets, concluding work stemming

from a U.S. initiative over a decade ago. It developed a draft MSC resolution to make mandatory the current recommendation on periodic servicing and maintenance of lifeboats, rescue boats, and their launching and retrieval systems, which will require Administrations to ensure that the thorough examination, operational testing, repair, and overhaul of this equipment is carried out by authorized service providers that are qualified for each make and type of equipment they service. Associated amendments to SOLAS, and guidelines for safety during abandon ship drills, further aim to prevent accidents with lifeboats, a long-standing sub-committee effort. The sub-committee also agreed, in principle, to draft Goal-based guidelines on a framework of requirements for ships' life-saving appliances. This work will lead to the development of a new framework of requirements for life-saving appliances and arrangements and will guide a comprehensive review of SOLAS chapter III and the International Life-Saving Appliance (LSA) Code.

Classification of offshore industry vessels and carriage of industrial personnel.

The S/C considered proposals related to offshore industrial vessels, specifically wind farm vessels, as well as the classification and carriage of offshore industrial personnel in general. A correspondence group was formed to develop guidelines for standards of offshore wind farm construction and service vessels. The scope of the guidelines will include design and construction, terminology, current conventions, codes and guidelines that apply and any deviations from such survey and certification. The sub-committee also developed a proposal to the Maritime Safety Committee (MSC) to allow it to consider the classification and

carriage of more than 12 offshore industrial personnel. MSC approved the new proposal, and the group will provide a report at SSE 1.

Provisions for the reduction of noise from commercial shipping.

The S/C established a drafting group chaired by the U.S. to finalize draft guidelines for the reduction of underwater noise from commercial shipping. It completed work on this item, and the draft MEPC circular on the guidelines will be submitted MEPC 66 for approval.

Development of requirements for onboard lifting appliances and winches.

The S/C established a working group to consider requirements for onboard lifting appliances and winches based on available casualty data. The working group considered existing requirements for lifting appliances and winches and what elements may be included in future guidelines or requirements such as design, construction, certification, operations, and maintenance. The working group acknowledged that a wide array of lifting appliances and winches are installed on ships and did not reach consensus on what onboard lifting appliances and winches should be included in the scope of this work. The S/C established a correspondence group to further consider the scope of this work, begin developing guidelines or requirements, as appropriate, and report to the next DE session.

Next session

DE will meet next as the newly formed Ship Systems & Equipment (SSE) and Ship Design & Construction (SDC) sub-committees in 2014.

38th session of the Committee on Facilitation (FAL 38)

The Facilitation Committee (FAL) held its 38th session (FAL 38) April 8-12, 2013, at the IMO Headquarters under the chairmanship of Mr. Charles Abela, of Malta.

The FAL 38 agenda covered a wide range of topics, including: General review and implementation of the Convention, E-business possibilities for the facilitation of international traffic, certificates and documents required to be carried on board ships, FAL Forms, and ensuring security in, and facilitating, international trade. Below are some highlights.

Maritime Trade Recovery (MTR)

MTR is a growing concern as we face an increase in disruptions to the global supply chain in the event of large-scale emergencies. Hurricane Sandy and the Deepwater Horizon accident are but two recent examples of these disruptions. Based on lessons learned, the U.S. and Canada coordinated an intersessional correspondence group that developed guidelines for enhancing MTR. At FAL 38, the Committee approved FAL.6/Circ.16 Guidelines on Measures Toward Enhancing Maritime Trade Recovery Related to the Global Supply Chain System and Maritime Conveyances. These Guidelines provide recommendations on information

sharing and collaboration before, during and after disruptions to ensure rapid reconstitution of maritime transport.

E-business for vessel arrivals, stays, and departures

With a focus on Electronic Means for the Clearance of Ships, the Committee established a Working Group (WG) to promote e-business techniques to facilitate the arrival, stay, and departure of ships. Discussions included experiences with establishing national/regional Single Windows; revisions to the list of certificates and documents required to be carried on board ships; and updates to the IMO Compendium on Facilitation and Electronic Business. The Committee approved FAL.5/Circ.40 Revised IMO Compendium on Facilitation and Electronic Business that finalizes the message implementation guidelines for the standard electronic messages associated with FAL forms 1 through 7 and the Security Report.

Also considered at FAL 38 were draft Guidelines for Use of Electronic Certificates. In these guidelines, FAL recognizes the trend toward vessel certificates issued as digital versions and transmitted to the vessel, agent, or

owner as, for example, an e-mail attachment. The advantages of using electronic versions of certificates are numerous; but they rely on being able to confirm that the electronic version is valid. Consequently, the Committee approved FAL.5/Circ.39 on Interim Guidelines for Use of Printed Versions of Electronic Certificates. Under these guidelines, electronic versions of certificates must still be printed for presentation to Port State Control officials, must contain a unique tracking number, and instructions for validating the certificates must be kept aboard the vessel.

Intersessional work

For ongoing initiatives, the Committee approved intersessional work addressing:

Comprehensive review to the Annex of the FAL Convention [coordinated by France]; and

Electronic access to certificates and documents [coordinated by the United States].

Next session

The 39th session of FAL is tentatively scheduled for October 2014.

65th Session of the Marine Environment Protection Committee (MEPC 65)

The 65th session of the Marine Environment Protection Committee met on May 13-17, 2013 at IMO headquarters in London, under the chairmanship of Mr. Andreas Chrysostomou. The Committee addressed several important agenda items including ballast water management (BWM), ship recycling, prevention of air pollution from ships and energy efficiency, and amendments to MARPOL annexes and related guidelines. Note: Mr. Chrysostomou is stepping down as the Chairman after chairing the Com-

mittee for eleven years, during which virtually every annex of MARPOL was reviewed and significantly amended and updated, resulting in significantly improved environmental protection standards for international shipping.

Ballast water management (BWM)

At MEPC 65, the Committee granted basic approval to 3 BWM systems, and final approval to 3 BWM systems. This brings the number of such systems that have been approved under

IMO guidelines to a total of 34.

The Committee also approved a draft Assembly resolution for submission to the 28th IMO Assembly (November, 2013) on the application of regulation B-3 (the BWM Convention compliance dates for vessels) to ease and facilitate the smooth implementation of the Convention. In general, the draft resolution proposes that ships constructed before the entry into force of the Convention will not be required to comply with regulation D-2 (the ballast

MEPC 65 (continued)

water treatment performance standard) until their first renewal survey following the date of entry into force of the Convention.

Ship recycling

The committee continued work on ship recycling issues with emphasis on the development of threshold values and exemptions applicable to the materials listed in the vessel Inventory of Hazardous Materials required under the Hong Kong Convention. The Committee re-established a U.S. led correspondence group to finalize these threshold values and exemptions with this undertaking scheduled for completion at MEPC 66. The Committee's view is that such values must be established before ships can be recycled internationally under the Hong Kong Convention, which has yet to enter into force.

Energy efficiency of ships

The adoption of Chapter 4 of MARPOL Annex VI at MEPC 62 mandated the development of an Energy Efficiency Design Index (EEDI) for each new ship and a Ship Energy Efficiency Management Plan (SEEMP) for all ships. At MEPC 65, the Committee approved amendments to MARPOL Annex VI for adoption at MEPC 66 that will extend EEDI requirements to ro-ro (car carrier) cargo ships, LNG carriers, and cruise ships having non-conventional propulsion, while exempting from EEDI requirements ships not propelled by mechanical means, platforms (including FPSOs, FSUs, and drilling rigs), and ships with ice-breaking capability. The Committee also adopted operational and technical guidelines and unified interpretations that will assist ship owners and operators with the implementation of these EEDI and SEEMP energy efficiency measures that enter into force on January 1, 2013. In a related move, MEPC agreed to establish a sub-agenda item for discussion of fur-

ther technical and operational measures for enhancing energy efficiency for international shipping and to establish a working group under this sub-agenda item at MEPC 66.

The committee adopted an MEPC Resolution on Promotion of Technical Co-operation and Transfer of Technology relating to the Improvement of Energy Efficiency on Ships, which is designed to promote cooperation among Member States in the transfer of energy efficient technologies to developing countries. This adoption of this resolution was particularly noteworthy. It had been in the works since MARPOL Annex VI was amended at MEPC 62 to include requirements on ship efficiency that reflected strongly held views by various countries.

Air Pollution from Ships

The MEPC agreed to a proposal by Russia to delay the effective date for Tier III NOx standards in emission control areas (ECAs) from 1 January 2016 to 1 January 2021. Russia made this proposal on the basis that technology was not available to implement the Tier III NOx standards despite the opposite conclusion reached by the intercessional correspondence group (coordinated by the US) which reported to MEPC 65. Subsequently, the committee approved draft amendments to MARPOL Annex VI regulation 13 on Nitrogen Oxides (NOx) to change the effective date of the Tier III NOx standards. These amendments will be considered for adoption at MEPC 66. The US and many other countries strongly disagreed with the position of Russia and the conclusion by the Committee that technology was not available and the subsequent need for the amendments. Unfortunately, these amendments, if adopted would affect only certain ships operating within current ECAs designated to limit NOx emissions (i.e., the North American ECA and the U.S. Carib-

bean Sea ECA).

Reduction of GHG Emissions from Ships

The committee agreed to initiate a study for a new green house gas (GHG) emissions estimate for international shipping. This study will update a 2009 IMO GHG study, which estimated that international shipping accounted for 870 million tons or 2.7% of the total global man-made emissions of carbon dioxide.

Other accomplishments

Under other agenda items, the committee approved an MEPC circular on 2011 Guidelines for the Control and Management of Ship's Biofouling to Minimize the Transfer of Invasive Aquatic Species, adopted amendments to MARPOL Annexes I and II to make mandatory the Code for Recognized Organizations, and adopted amendments to MARPOL Annex V that add references to electronic equipment waste (E-waste) generated on board vessels and that update the form of the shipboard Garbage Record Book required under this Annex.

Next session

The next session of MEPC, MEPC 66, is scheduled for the week of March 31 to April 4, 2014, under the chairmanship of newly elected Mr. Arsenio Dominguez, of Panama.

Maritime Safety Committee (MSC 92)

The 92nd session of the Maritime Safety Committee (MSC) met on June 12-21, 2013, at the IMO Headquarters, under the chairmanship of Mr. Christian Breinholt, of Denmark.

The agenda covered a wide range of topics, including: passenger ship safety, piracy, the RO Code, and the process for amending SOLAS. Below are some highlights.

Passenger Ship Safety

The committee considered a report by Italy and its preliminary recommendations stemming from the Costa Concordia marine casualty investigation. It also discussed submissions from other Members and NGOs. After some detailed discussions the MSC 92 agreed to update MSC.1/Circ.1446, *Recommended Interim Measures for Passenger Ship Companies to Enhance the safety of Passenger Ships*, with additional guidance. The committee updated the Action Plan for Long Term Work on Passenger Ship Safety.

The committee also invited Members to submit additional information and analysis, and requested the SDC sub-committee work further on stability, survivability, and evacuation issues; and that the Implementation of IMO Instruments (III) S/C provide further clarification and information regarding the Costa Concordia casualty report.

Piracy and armed robbery against ships

MSC 92 discussed the submissions by Greece and the Secretariat regarding piracy in the Gulf of Guinea. It noted the need for comprehensive legal frameworks, maritime situational awareness, law enforcement capability, and international cooperation.

Additionally, the committee highlighted preventative measures, including complying with the Code of Conduct on the repression of piracy; for

ships to report incidents; and to implement best management practices issued as MSC.1/Circ.1333 and 1334.

The committee also agreed to circulate anti-piracy guidance proposed by the industry concerning the threat in the Gulf of Guinea.

Iridium as a GMDSS provider

The United States submitted a document to MSC 92 notifying the Committee that "Iridium" would soon be submitting a full application to the IMO to be considered as a GMDSS service provider, and requesting that the Committee instruct the NCSR S/C to evaluate the application at its next meeting. The Committee agreed to do so. The U.S. also sponsored a reception by Iridium to inform other Member States and observers of the capability of Iridium to provide GMDSS service.

RO Code

MSC 92 adopted the RO Code, which will become mandatory through amendments to SOLAS and the Loadline Convention on 1 January 2015. This follows the action taken by MEPC 65 which took the same action with regard to MARPOL.

The RO Code includes provisions for countries to adhere to for the assessment and authorization of recognized organizations (ROs); provides harmonized, transparent and independent mechanisms for the consistent oversight of ROs; and clarifies the responsibilities of organizations authorized as ROs for a flag State.

This is a significant achievement for IMO due to the reliance on ROs by virtually all countries (including the US) to verify compliance with mandatory IMO instruments. Notably, the development of a mandatory RO Code was in response to an initiative by a number of EU countries. How-

ever, as they did at MEPC 65, the EU countries intervened with a declaration that where the RO Code conflicted with EU legislation, they would not be bound by the RO Code. This was followed by a statement made by Japan, on behalf of itself, the US and 25 other countries that requested clarification of this declaration. In essence, these countries are asking whether or not the EU countries, as parties to the international conventions (SOLAS, Loadline, MARPOL, etc) intend to abide by provisions of those conventions.

The salient issue concerns a provision in the RO Code that prohibits an RO from taking action on ships for which they are an RO on behalf of the ships' flag state, without the express permission and direction from the flag state. The EU believes they can direct EU ROs to take action on all ships, regardless of the flag. Japan, the US and the other countries strongly disagree with this view and maintain that this infringes on the sovereignty and responsibility of each flag state.

Process for Amending SOLAS

The committee discussed the issue of amending SOLAS and related codes and guidelines, in a holistic manner. There were four primary elements which MSC 92 agreed to for this issue:

- The four-year period for the entry into force of amendments to the SOLAS Convention and related mandatory codes should be reinstated
- The general application date of a chapter should only be changed if a comprehensive revision of the chapter is made and, after that, the application date of new requirements should be indicated under each new or amended regulation;
- The guidance on drafting of amendments should be applicable

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to the entire SOLAS Convention and related mandatory codes; and,

- The *Guidelines on the organization and method of work of the Committees* should not be amended at this stage, with the understanding that this should be reconsidered in the future once the guidance on the drafting of amendments had been finalized and tested, including the consideration of whether the application of the guidance could be expanded to other Conventions and instruments (e.g. MARPOL Convention).

Adopted Amendments

MSC 92 amended SOLAS regarding emergency training and drills and requirements for shipborne navigational

systems and equipment. The HSC, ISM, IMSBC, CSC, MODU, FSS, and DSC Codes and 1998 Protocol to the Load Line Convention were also amended,

Approved Draft Amendments

MSC 92 approved draft amendments to the IBC, IGC, BCH, EGC, and GC Codes. These draft amendments were provided by SLF 55, relating to carriage requirements for stability instruments.

Next session

The next session of MSC, MSC 93, is scheduled for May 14-23, 2014.