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25.05.2021

**Konu** : IMO MSC 103 Toplantısı Özet Raporu Hk.

Sirküler No: 523

Sayın Üyemiz,

Uluslararası Deniz Ticaret Odası (ICS) tarafından gönderilen 24 Mayıs 2021 tarihli ve MC(21)47 sayılı yazıda;

Uluslararası Denizcilik Örgütü (IMO) Deniz Emniyeti Komitesi (MSC) 103. Oturumunun Sayın Mayte MEDINA başkanlığında gerçekleştirildiği belirtilmekte,

Detayları Ek'te sunulan özet toplantı sonuç raporu içeriğinde;

- Bir sonraki MSC toplantısına (MSC 104) iletilen konular,
- Sözleşme ve Kodlara yönelik değişiklikler,
- Deniz üstü otonom gemilerin kullanımına yönelik düzenleme çalışmaları,
- Gemi yakıtlarının kullanımı ile ilgili gemilerin güvenliğini artırmaya yönelik tedbirlerin geliştirilmesi,
- Deniz haydutluğu ve siber güvenlik konularını kapsayan deniz güvenliğini artırmaya yönelik tedbirler,
- İnsan faktörü, eğitim ve vardiya tutma standartlarına ilişkin konular,
- Seyir, haberleşme, arama ve kurtarma,
- Gemi sistemleri ve ekipmanları konularında alınan kararlara yer verilmektedir.

Bilgilerinize arz/rica ederim.

Saygılarımla,

İsmet SALİHOĞLU  
Genel Sekreter

**Ek:ICS Yazısı ve MSC 103 Toplantı Özet Raporu (17 sayfa)**

**Bu belge, 5070 sayılı Elektronik İmza Kanuna göre Güvenli Elektronik İmza ile İmzalanmıştır.**



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**Dağıtım:****Gereği:**

- Tüm Üyeler (WEB sayfası ve e-posta ile)
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- S.S. Gemi Armatörleri Motorlu Taşıyıcılar Kooperatifi
- GİSBİR (Türkiye Gemi İnşa Sanayicileri Birliği

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- Gemi, Yat ve Hizmetleri İhracatçıları Birliği
- VDAD (Vapur Donatanları ve Acenteleri Derneği)
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- ROFED (Kabotaj Hattı Ro-Ro ve Feribot İşletmecileri Derneği)
- Türk Uzakyol Gemi Kaptanları Derneği

**Bilgi:**

- Yönetim Kurulu Başkan ve Üyeleri
- İMEAK DTO Meslek Komite Başkanları

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24 May 2021

**MC(21)47**

**To: MARINE COMMITTEE**

**Copy: All Full and Associate Members (for information)**

**MSC 103 – ICS REPORT**

**Action required: *Members are invited to note the ICS report on the main outcomes of MSC 103.***

The 103<sup>rd</sup> session of the IMO Maritime Safety Committee was held via video conference from 5 – 14 May 2021 under the Chair of Ms Mayte Medina (United States).

This circular provides a summary report on the main outcomes of the meeting. Further information can be provided by the Secretariat on request.

Chris Oliver  
Nautical Director

## 1. ITEMS POSTPONED TO MSC 104

Due to time constraints a number of agenda items were not discussed and were postponed to MSC 104.

- Decisions of other IMO bodies (Agenda item 2)
- Capacity building for the implementation of new measures (Agenda item 4)
- Goal-based new ship construction standards (Agenda item 7)
- Unsafe mixed migration by sea (Agenda item 11)
- Formal Safety Assessment (Agenda item 12)
- Application of the Committee's method of work (Agenda item 17)

There were a number of submissions under "Any other business (Agenda item 20)" that were also postponed to MSC 104, a full list can be provided by the Secretariat if required.

## 2. AMENDMENTS TO MANDATORY INSTRUMENTS (AGENDA ITEM 3)

### 2.1 Amendments to the 1974 SOLAS Convention

MSC 102 had approved draft amendments to chapters II-1 and III of the annex to the 1974 SOLAS Convention, concerning:

1. new regulation II-1/25-1 on water level detectors on multiple hold cargo ships other than bulk carriers and tankers; and
2. regulation III/33.2 on survival craft embarkation and launching arrangements

The Committee agreed that the draft amendments to chapters II-1 and III of the annex to the 1974 SOLAS Convention proposed for adoption should be deemed to have been accepted on 1 July 2023 and enter into force on 1 January 2024.

### 2.2 Proposal to revise the Performance standards for water level detectors on bulk carriers and single hold cargo ships other than bulk carriers (resolution MSC.188(79))

IACS offered to prepare a draft revision of the Performance Standards and the Committee agreed to:

1. extend the scope of the output and change its title to "Revision of the Performance standards for water level detectors on bulk carriers and single hold cargo ships other than bulk carriers (resolution MSC.188(79))";
2. instruct the SDC Sub-Committee to review the Performance Standards to include provisions for detectors for multiple hold cargo ships and to consider the equivalency between bilge alarms and water level detectors; and
3. extend the target completion year for the output to 2022.

### 2.3 Draft amendments to the 2011 ESP Code

MSC 102 had approved draft amendments to annex 2 (Minimum requirements for thickness measurements at renewal surveys of double-hull oil tankers) of part A of annex B to the 2011 ESP Code, concerning minimum requirements for thickness measurements at renewal surveys of double-hull oil tankers.

The Committee agreed that the draft amendments to the 2011 ESP Code proposed for adoption at this session should be deemed to have been accepted on 1 July 2022 and enter into force on 1 January 2023.

#### **2.4 Draft amendments to the FSS Code**

MSC 102 had approved draft amendments to chapter 9 (Fixed fire detection and fire alarm systems) of the FSS Code, concerning fault isolation requirements for cargo ships and passenger ship cabin balconies fitted with individually identifiable fire detector systems.

The Committee agreed that the draft amendments to the FSS Code proposed for adoption at this session should be deemed to have been accepted on 1 July 2023 and enter into force on 1 January 2024.

#### **2.5 Draft amendments to the LSA Code**

MSC 102 had approved draft amendments to chapter IV (Survival craft) of the LSA Code concerning the exclusion of free-fall lifeboats from the requirement of being capable of launching and towing when the ship is making headway at a speed of up to 5 knots in calm water.

The Committee agreed that the draft amendments to the LSA Code proposed for adoption at this session should be deemed to have been accepted on 1 July 2023 and enter into force on 1 January 2024.

#### **2.6 Draft amendments to the 1978 STCW Convention**

MSC 102 had approved draft amendments to chapter I (General provisions) of the 1978 STCW Convention, concerning the inclusion of a new definition of the term "high-voltage".

The Committee agreed that the draft amendments to the 1978 STCW Convention proposed for adoption at this session should be deemed to have been accepted on 1 July 2022 and enter into force on 1 January 2023.

#### **2.7 Draft amendments to the STCW Code**

MSC 102 had approved draft amendments to section A-I/1 of the STCW Code, concerning an amendment to the definition of "operational level" to include the capacity "electro-technical officer" as a consequential amendment to the introduction of this capacity as part of the 2010 Manila Amendments.

The Committee agreed that the draft amendments to the STCW Code proposed for adoption at this session should be deemed to have been accepted on 1 July 2022 and enter into force on 1 January 2023.

## **2.8 Non-mandatory instruments**

### **Draft amendments to the Revised recommendation on testing of LSA (resolution MSC.81(70))**

The Committee confirmed, subject to any editorial amendments, the draft consequential amendments to the Revised recommendation on testing of life-saving appliances (resolution MSC.81(70)), emanating from the draft amendments to SOLAS chapter III and the LSA Code, with a view to adoption in conjunction with the adoption of the draft amendments to SOLAS regulation III/33 and chapter IV of the LSA Code.

### **Draft MSC circular on voluntary early implementation of the draft amendments to SOLAS chapter III and the LSA Code**

The Committee confirmed, subject to any editorial amendments, a draft MSC circular on voluntary early implementation of the draft amendments to SOLAS chapter III and the LSA Code, in conjunction with the adoption of the draft amendments to SOLAS regulation III/33.2 and paragraph 4.4.1.3.2 of the LSA Code regarding testing requirements of free-fall lifeboats.

## **2.9 Resolutions adopted and Circulars approved by MSC 103**

The Committee adopted a number of Resolutions related to mandatory and non-mandatory instruments, guidelines, performance standards and statements.

In addition to the above, the Committee also approved a number of Circulars.

Not all have yet been assigned numbers, however a full list can be found at the end of this report.

## **3. REGULATORY SCOPING EXERCISE FOR THE USE OF MARITIME AUTONOMOUS SURFACE SHIPS (MASS) (AGENDA ITEM 5)**

The objective of the RSE was to assess the degree to which the existing regulatory framework might be affected in order to address MASS operations and to identify items for further discussion in the future.

The topics covered were;

- Common potential gaps and/or themes
- Priorities for further work
- Development of internationally agreed terminology
- Future work

The MASS Working Group was established, chaired by Mr. Henrik Tunfors (Sweden).

The working group identified all degrees of autonomy for every instrument under the purview of the Maritime Safety Committee, expected to be affected by MASS operations.

The working group completed listing instruments in degree of priority, to provide a framework for work going forward.

The Committee approved the report Working Group and:

- .1 noted that the best way forward to address MASS in the IMO regulatory framework could, preferably, be addressed in a holistic manner through the development of a goal-based MASS instrument;
- .2 invited Member States to submit output proposals on how to achieve the best way forward;
- .3 invited Member States and international organizations to submit reports on the experience gained in the operation of MASS; and
- .4 approved the outcome of the regulatory scoping exercise.

#### **4. DEVELOPMENT OF FURTHER MEASURES TO ENHANCE THE SAFETY OF SHIPS RELATING TO THE USE OF FUEL OIL (AGENDA ITEM 6)**

The Committee considered the report of the Correspondence Group on the Development of Further Measures to Enhance the Safety of Ships Relating to the Use of Oil Fuel and the following submissions under this agenda item:

- .1 China – various proposals based on lessons learned from cases provided;
- .2 Cook Islands and ICS – proposing solutions for a list of items that were either not resolved or found to be beyond the scope of work of the Correspondence Group;
- .3 Japan – commenting on the verification procedure for fuel oil samples and the measures taken in the event of indicative test results obtained from the ship's own tests; and
- .4 China – encouraging Member States to provide consolidated fuel oil parameter testing services for shipping industry at their pivotal bunkering ports; proposing to refer to the practice of Experience-Building Phase (EBP) of the Ballast Water Management (BWM) Convention and encouraging Member States to report confirmed cases of fuel oil safety issues to IMO.

Detailed discussions on the above issues in the Working Group on measures to enhance the safety of ships relating to the use of fuel oil resulted in the following outcomes that were endorsed by the Committee:

- Draft SOLAS amendments on the reporting of confirmed cases where oil fuel suppliers have failed to meet the flashpoint requirements of the organization were prepared;
- Draft SOLAS amendments were prepared on actions against oil fuel suppliers that have been found to deliver oil fuel that does not comply with minimum flashpoint requirements. The development of these amendments will be continued by the correspondence group, taking into account possible outcomes from MEPC 76;

- Development of draft regulations on the development of mandatory requirements regarding the documentation of the flashpoint of the actual fuel batch when bunkering was progressed. This work will be continued by the correspondence group taking into account possible outcomes from MEPC 76;
- A list of items to be addressed by the guidelines for ships to address situations where indicative test results suggest that the oil fuel supplied may not comply with SOLAS regulation II-2/4.2.1 was prepared, with a view to be further developed by the correspondence group; and

The Working Group also had an in-depth discussion on the matter related to the consideration of encouragement by the Committee for Member States to implement licensing schemes for bunker suppliers, taking into account the relevant proposal in the ICS co-sponsored document. There was a lot of support for the proposal, however there were some concerns regarding the term "encourage". In this context, the Committee endorsed the Group's agreement not to use the term "encourage" and invited Member States to consider the implementation of licensing schemes for bunker suppliers operating in their jurisdiction.

The Correspondence Group on the Development of Further Measures to Enhance the Safety of Ships Relating to the Use of Oil Fuel was re-established by the Committee. ICS will participate in the Correspondence Group. This Group will report to MSC 105 scheduled to be held in first half of year 2022. The Committee also decided to take this item off the agenda for MSC 104.

## **5. MEASURES TO ENHANCE MARITIME SECURITY (AGENDA ITEM 9)**

### **5.1 Industry Guidelines on Cyber Security Onboard Ships**

Considering the proposals that the Industry's Guidelines on Cyber Security Onboard Ships should be disseminated as an MSC Circular, the Committee noted the voluntary nature of the Guidelines and that issuing them under cover of an MSC circular should not be taken to mean that it had endorsed every detail, but rather recognized the helpfulness of the Guidelines and promoted their availability.

In relation to the upcoming cybersecurity guidelines for ports and port facilities, the Committee noted a view that a future session would need to carefully consider any legal implications for ports of such guidelines, which might be outside the scope of the Organization's work.

### **5.2 Proposals for the Designation of a High-Risk Area in the Red Sea**

The Committee considered proposals made by Iran that the Organisation should designate the Red Sea as a High-Risk Area, following a number of attacks against its vessels there.

After a lengthy and highly politicised debate, the Committee recalled its earlier discussion regarding the existing high-risk area in the Western Indian Ocean, where it had noted that it was not within its remit to declare or define such areas. Consequently, the Committee found the issue to be outside its remit and, therefore, did not support the proposal of Iran.



## **6. PIRACY AND ARMED ROBBERY AGAINST SHIPS (AGENDA ITEM 10)**

### **6.1 High Risk Area in the Western Indian Ocean**

Kenya listed its complaints about the High-Risk Area in the Western Indian Ocean, with the support of numerous States.

Noting that the designation of the High-Risk Area was in the control of the BMP authors, and that the Committee were advised that a review of the area begun by those industry associations in February 2021, the Committee invited the industry group and appropriate bodies to continue to work on the matter with regional stakeholders, including coastal States and military authorities; and requested them to provide an update report to MSC 104, taking into account further consultations with Kenya.

### **6.2 Piracy in the Gulf of Guinea**

A Working Group was formed under the Chairmanship of Capt. Derrick Attachie (Ghana) to consider measures to address piracy and armed robbery against ships in the waters of the Gulf of Guinea.

The Committee considered the outcome of the Working Group and approved an MSC Resolution which identified a number of key measures to address the problem of Piracy in the Gulf of Guinea.

In particular the Resolution highlighted the important role played by the region and industry in the development of counter-piracy programmes and best practice guidance. Furthermore, the Resolution noted the importance of the framework agreement between the ICC Yaounde and Nigeria which resulted in the formation of the Maritime Cooperation Forum GOG/Shared Awareness and Deconfliction (MCF GOG/SHADE GOG, as well as the need for an effective cooperative mechanism in the region.

It was agreed that the Assembly Resolution developed by the Working Group would be forwarded to MSC 104 for further consideration, particularly with respect to a section concerning the European Union's Combined Maritime Presence concept.

The Committee also noted that the shipping industry had comprehensively reviewed and amended its guidance on piracy and armed robbery and requested the Secretariat to update MSC.1/Circ.1601 on Revised Industry Counter Piracy Guidance, replacing annex 3 with the BMP West Africa guidance.

It was also noted that the Group identified a number of reasons for under-reporting of piracy and armed robbery incidents with a view to optimizing current incident reporting, response coordination and information-sharing mechanisms, and it was recommended that this should be discussed at the next session. It is likely that ICS and other associations will submit proposals to MSC 104 on this issue, in particular with respect to the harmonisation of piracy incident report criteria as contained in resolutions MSC.1/1333 and 1334.

From an industry perspective the outcome of the meeting was positive, with the progress made in the region and the burgeoning operations and work to address piracy recognised by the Committee, as well as the important role played by the industry.

Similarly, IMO demonstrated its commitment to addressing the problem of piracy and armed robbery in the Gulf of Guinea.

## **7. HUMAN ELEMENT, TRAINING AND WATCHKEEPING (AGENDA ITEM 13)**

### **7.1 Strategic direction on the human element**

The Committee agreed to request C 125 to include a specific strategic direction on the human element in the current Strategic Plan for the Organization at the earliest opportunity.

### **7.2 Correspondence Group on COVID-19 Training and Certification Matters**

The Committee endorsed the establishment of a Correspondence Group on COVID-19 Training and Certification Matters and the submission of its report to MSC 104 in order to expedite action on this matter. ICS will participate in the Correspondence Group.

### **7.3 Joint ILO/IMO working group to identify and address seafarers' issues and the human element**

LEG 107 had agreed to request, as a matter of urgency, the Special Tripartite Committee (STC) of MLC, 2006, of ILO to authorize the establishment of an ILO/IMO tripartite working group to identify and address seafarers' issues and the human element, which would need to be endorsed by the ILO Governing Body during its meeting in November 2021, as recommended by the ILO Sectoral Meeting.

The ILO STC of MLC, 2006, at its fourth meeting held remotely from 19 to 23 April 2021, based on the consensus in favour of IMO's proposal, requested the ILO Secretariat to liaise with the IMO Secretariat to prepare a draft resolution in close consultation with, and under the overall guidance of, the STC Officers, recommending the establishment of the group to the ILO Governing Body, including precise terms of reference,

The Committee approved, in principle, the establishment of a standing joint ILO/IMO working group to identify and address seafarers' issues and the human element, subject to the approval of the terms of reference and other arrangements for the standing group as may be provided in the STC resolution; and invited C 125 to endorse this decision, in principle, subject to approval of the group's method of work, as may be provided in the resolution to be adopted by the STC of ILO, by relevant IMO Committees.

## **8. NAVIGATION, COMMUNICATIONS AND SEARCH AND RESCUE (AGENDA ITEM 14)**

### **8.1 Dissemination of MSI and SAR-related information over multiple GMDSS recognized mobile satellite services**

MSC 102 had considered the report of NCSR 7 and, having briefly considered the discussions on dissemination of maritime safety information (MSI) and search and rescue (SAR) related information over multiple recognized mobile satellite services for use in the Global Maritime Distress and Safety System (GMDSS), agreed to defer the consideration of matters concerning cost implications for MSI and SAR information providers to MSC 103.

ICS maintained its stance from NCSR that the end user, in this case the ship owner, should **NOT** incur any additional costs. This was echoed by member States and confirmed by the Chair.

A correspondence group on the matter, coordinated by Australia, will be established to work intersessionally. ICS will participate in the Correspondence Group.

## **9. SHIP SYSTEMS AND EQUIPMENT (AGENDA ITEM 16)**

### **9.1 Draft amendments to the Guidelines for the maintenance and inspections of fixed carbon dioxide fire-extinguishing systems (MSC.1/Circ.1318)**

The Committee approved the proposal to align the draft amendments to the Guidelines for the maintenance and inspections of fixed carbon dioxide fire-extinguishing systems (MSC.1/Circ.1318), with the Revised guidelines for the maintenance and inspection of fire protection systems and appliances (MSC.1/Circ.1432).

### **9.2 Correction of references to standards for coated fabric material tests for inflatable liferafts in the Revised recommendation on testing of LSA (MSC.81(70))**

The Committee, noting SSE 7's earlier agreement that the outdated references should be revised after the typographical errors had been addressed, agreed to the minor corrections and requested the Secretariat to:

- .1 incorporate these modifications in the final MSC resolution on amendments to the Revised recommendation, containing other consequential modifications emanating from amendments to SOLAS chapter III and the LSA Code;
- .2 submit a document to SSE 8 with suggested consequential amendments to the Revised standardized life-saving appliance evaluation and test report forms (survival craft) (MSC.1/Circ.1630) for consideration, with a view to aligning them with the aforesaid amendments to resolution MSC.81(70).

## **10. WORK PROGRAMME (AGENDA ITEM 18) – PROPOSALS FOR NEW OUTPUTS**

### **10.1 Review of the IGC Code**

The Committee agreed to include in its post-biennial agenda an output on "Review of the IGC Code", with two sessions needed to complete the item, assigning the CCC Sub-Committee as the associated organ.

MSC 103 agreed that:

- .1 the amendments to be developed should apply to all new ships to which the IGC Code applied on or after the date of entry into force;
- .2 the instrument to be amended was the IGC Code; and
- .3 the amendments to be developed should enter into force on 1 January 2028, provided that they were adopted before 1 July 2026.

### **10.2 Fire protection on containerships**

The Committee agreed to include in the biennial agenda of the SSE Sub-Committee for 2022-2023 and the provisional agenda for SSE 8 an output on "Development of amendments to SOLAS chapter II- 2 and the FSS Code concerning detection and control of fires in cargo holds and on the cargo deck of containerships", having noted the need for a holistic risk-based approach and prioritization of risk prevention and mitigation enhancement when developing amendments.

The Committee also agreed a target completion year of 2025, in association with the CCC Sub-Committee as and when requested by the SSE Sub-Committee.

The Committee agreed that:

- .1 the amendments to be developed should apply to new ships;
- .2 the output was to amend regulations in SOLAS chapter II-2 and the FSS Code to enhance provisions for early fire detection and effective control of fires in containerized cargoes stowed on and under deck of containerships; and
- .3 the amendments to be developed should enter into force on 1 January 2028, provided that they were adopted before 1 July 2026.

### **10.3 Amendments to SOLAS chapter V and development of relevant IMO instruments related to VHF Data Exchange System (VDES)**

The Committee agreed to include in its post-biennial agenda an output on "Development of amendments to SOLAS chapters IV and V and performance standards and guidelines to introduce VHF Data Exchange System (VDES)", with two sessions needed to complete the item, assigning the NCSR Sub-Committee as the associated organ, and also agreed to exempt those SOLAS amendments from the four-year amendment cycle.

The Committee also agreed that:

- .1 the amendments to be developed should apply to all ships of 300 gross tonnage and above engaged on international voyage, cargo ships of 500 gross tonnage and above not engaged on international voyage, and passenger ships irrespective of size, taking into account the application provisions of SOLAS chapters IV and V, on or after the date of entry into force)
- .2 the instrument to be amended was SOLAS, chapters IV and V, including the development of related performance standards and guidelines, and consequential amendments to existing instruments; and
- .3 the NCSR Sub-Committee should recommend the appropriate entry-into-force date for the amendments and also consider options with a view to developing appropriate guidance for early implementation.

### **10.4 Extension of the requirements for emergency towing arrangements in SOLAS regulation II-1/3-4 to all types of ships**

The Committee agreed to include in the biennial agenda of the SDC Sub-Committee for 2022-2023 and the provisional agenda for SDC 8 an output on "Development of

amendments to SOLAS regulation II-1/3-4 to apply requirements for emergency towing equipment for tankers to other types of ships", with a target completion year of 2023.

The Committee also agreed that:

- .1 the amendments to be developed should apply to all types of new ships of [20,000] gross tonnage and above, whereby the tonnage threshold was left in square brackets for consideration by the SDC Sub-Committee and advice to the Committee;
- .2 the instrument to be amended was SOLAS regulation II-1/3-4; and
- .3 the amendments to be developed should enter into force on 1 January 2028, provided that they were adopted before 1 July 2026.

### **10.5 Development of performance standards for a digital navigational data system (NAVDAT) for the reception of maritime safety and security-related information**

The Committee agreed to include in its post-biennial agenda an output on "Development of performance standards for a digital navigational data system (NAVDAT)", with two sessions needed to complete the item, assigning the NCSR Sub-Committee as the associated organ.

### **10.6 Amendments to SOLAS chapter XII and revision of the unified interpretations of SOLAS regulations XII/4.2 and XII/5.2 (MSC/Circ.1178)**

The Committee considered proposed amendments to SOLAS chapter XII (Additional safety measures for bulk carriers) and a revision of the unified interpretations of SOLAS regulations XII/4.2 and XII/5.2 (MSC/Circ.1178) in order to close gaps in these regulations that were identified during the flag State's marine safety investigation of the loss of MV Stellar Daisy.

Several delegations, while supporting a review of SOLAS chapter XII and MSC/Circ.1178 in general, recognized that it was premature to commence the work since this matter required a thorough analysis before developing a requirement regarding water level detectors in addition to the existing requirements and strength and stability of bulk carriers.

The Committee instructed the SDC Sub-Committee to consider this item under its agenda item "Any other business", taking into account the comments made, and report back to the Committee with a recommendation on the way forward.

### **10.7 Amendments to the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code)**

The Committee considered proposed amendments to the 2011 ESP Code to address safety issues that were identified during the flag State's marine safety investigation of the loss of MV Stellar Daisy and instructed the SDC Sub-Committee to consider the matter under its existing continuous output "Amendments to the ESP Code".

The Committee also agreed that:

- .1 the SDC Sub-Committee consider in detail proposed amendments to the 2011 ESP Code to address matters related to surveys of ballast tanks and void spaces, and advise the Committee on the application requirements;
- .2 the instrument to be amended was the 2011 ESP Code; and
- .3 the amendments to be developed should enter into force with other amendments being developed under the existing output.

### **10.8 Review of the International Code for Application of Fire Test Procedures, 2010**

The Committee agreed to include in its post-biennial agenda an output on "Revision of the 2010 FTP Code to allow for new fire protection systems and materials", with three sessions needed to complete the item, assigning the SSE Sub-Committee as the associated organ.

The Committee also agreed that:

- .1 the amendments to be developed should apply to all new ships to which the 2010 FTP Code applies;
- .2 the instrument to be amended is the 2010 FTP Code; and
- .3 the amendments to be developed should enter into force on 1 January 2028, provided that they are adopted before 1 July 2026.

### **10.9 Review of guidance on the application of SOLAS provisions related to safe return to port**

The Committee agreed to include in its post-biennial agenda of the Committee an output on "Revision of the Interim explanatory notes addressing the safe return to port (MSC.1/Circ.1369) and related circulars", with two sessions needed to complete the item, assigning the SDC Sub-Committee as the coordinating organ, in association with the SSE and HTW Sub-Committees as and when requested by the SDC Sub-Committee.

### **10.10 Containers lost at sea**

The Committee agreed to include in its post-biennial (2022-2023) agenda an output on "Development of measures regarding the detection and mandatory reporting of containers lost at sea that may enhance the positioning, tracking and recovery of such containers", with two sessions needed to complete the item, assigning the CCC Sub-Committee as the coordinating organ, in association with the NCSR Sub-Committee as and when requested by the CCC Sub-Committee.

A statement on behalf of ICS, WSC and BIMCO was delivered for inclusion in the Committee's report, highlighting industry's concerns regarding recent container losses, outlining several contributory factors to container losses in general and informing that shipping companies have confirmed participation in the 'TopTier Joint Industry Project' organised by the Maritime Research Institute Netherlands (MARIN) which aims to develop recommendations based on research.

### **10.11 New entrant training manual for PSC personnel**

The Committee agreed to include in the biennial agenda of the III Sub-Committee for 2022-2023 and the provisional agenda for III 8 an output on "Development of an entrant training manual for PSC personnel", with a target completion year of 2023, subject to concurrent decision by MEPC.

### **10.12 Development of IMSAS guidance to assist in the implementation of the III Code by Member States**

The Committee agreed to include in the biennial agenda of the III Sub-Committee for 2022-2023 and the provisional agenda for III 8 an output on "Development of guidance in relation to IMSAS to assist in the implementation of the III Code by Member States", with a target completion year of 2023, subject to concurrent decision by MEPC.

## **11. ANY OTHER BUSINESS (AGENDA ITEM 20)**

### **11.1 COVID-19 related matters – general**

The Committee noted information provided orally by the Secretariat on the current status of seafarers' designation as "key workers" and latest relevant developments relating to the pandemic, in particular that:

- .1 as of 10 May 2021, 58 Member States and 2 Associate Members had notified the Organization of their recognition of seafarers as "key workers" (Circular Letter No.4204/Add.35/Rev.6), and urged Governments that had not yet done so to designate seafarers as "key workers", taking into account the relevance of this designation, including for seafarers' prioritization for vaccination;
- .2 as requested by MSC 102, the new GISIS module on Crew Change and Repatriation of Seafarers had been developed and was available for the notification and dissemination of information on ports that facilitated crew changes and on National Focal Points on the matter (Circular Letter No.4398 of 8 April 2021) and that, following the deployment of the module, the MSC.7 circular series for the dissemination of such information would be discontinued; and
- .3 the Industry recommended framework of protocols for ensuring safe ship crew changes and travel during the Coronavirus (COVID-19) pandemic (MSC.1/Circ.1636) had been revised and disseminated by means of MSC.1/Circ.1636/Rev.1, as agreed at MSC 102. This revision took into account issues relevant to the global roll out of vaccines and the critical part they played in facilitating ships' crew changes and the efficient movement of world trade, including, inter alia, Circular Letter No.4204/Add.38 of 25 March 2021 containing a Joint Statement of ICAO, ILO, IMO, WHO and IOM, urging all United Nations Member States to prioritize seafarers in their national COVID-19 vaccination programmes, to protect them through vaccination as soon as possible and to facilitate their safe movement across borders; and endorsed MSC.1/Circ.1636/Rev.1.

### **11.2 COVID-19 vaccination of seafarers**

The Committee noted the information from the IMO Secretariat on the latest developments relating to COVAX and prioritization of seafarers for vaccination, and that

the IMO continued to engage with the UN COVID-19 Crisis Management Team, particularly related to the impacts of the pandemic on seafarers with regards to crew changes and vaccination.

The Committee further noted that the global and equitable distribution of COVID-19 vaccines was a challenge and encouraged Member States and other stakeholders to share their plans and initiatives with the IMO Secretariat, including experiences and lessons learned in the process, with a view to the Secretariat disseminating the information via Circular Letters.

The Committee noted that the IMO Secretariat, in consultation with the Chair of the Committee, and taking into account the ongoing crew change crisis, the need for prioritization of seafarers' vaccination and the aforementioned documents related thereto, had prepared a draft resolution on Recommended action to prioritize COVID-19 vaccination of seafarers and;

- .1 acknowledging the difficulties to maintain reliability and accuracy of information on vaccination strategies implemented by States, invited Member States to provide updated information on national vaccination programmes, and relevant information related thereto, to the Secretariat with a view to dissemination via circular letters;
- .2 recognized that the coordination of a global vaccination strategy, including prioritization of seafarers, was undertaken by WHO with the assistance of UNICEF, as part of the WHO SAGE Roadmap;
- .3 adopted an MSC Resolution on Recommended action to prioritize COVID-19 vaccination of seafarers, and
- .4 requested the Secretariat to prepare a draft Assembly resolution consolidating issues related to crew change, access to medical care, "key worker" designation and vaccination to further highlight the relevance of these problems, for consideration at MSC 104, with a view to adoption by A 32.

It should be noted that the Resolution that was adopted was not as robust as had been hoped for. ICS supported that member States should prioritise seafarers of all nationalities in their national vaccination programmes, however this was not supported by member States, who only agreed to prioritise their own seafarers in their national vaccination programmes.

## **12. NEXT MEETINGS**

The Committee noted that MSC 104 had been scheduled to take place from 4 to 8 October 2021 and that MSC 105, expected to take place in the first half of 2022, had not yet been scheduled.

The Committee agreed that, based on the decisions taken under various agenda items, working and drafting groups on the following subjects could be established at MSC 104:

- .1 Working Group on piracy;
- .2 Working Group on domestic ferry safety; and



### .3 Drafting Group amendments to mandatory instruments.

The Committee noted that due to the uncertainty of which kind of meetings (physical, hybrid or remote) would be held in 2022, the preliminary programme of meetings for 2022 was not yet available. Meeting dates for 2022 were expected to be published shortly after C 125 in July 2021.

In addition to the intersessional meetings approved by MSC 102 to take place in 2021, the Committee approved, subject to endorsement by the Council, the holding of the thirty-sixth meeting of the E&T Group on the IMSBC Code, to take place in the first half of 2022.

**List of Resolutions adopted by MSC 103**

RESOLUTION MSC...(103) – AMENDMENTS TO THE INTERNATIONAL CONVENTION FOR THE SAFETY OF LIFE AT SEA (SOLAS), 1974

RESOLUTION MSC...(103) – AMENDMENTS TO THE INTERNATIONAL CODE ON THE ENHANCED PROGRAMME OF INSPECTIONS DURING SURVEYS OF BULK CARRIERS AND OIL TANKERS, 2011 (2011 ESP CODE)

RESOLUTION MSC...(103) – AMENDMENTS TO THE INTERNATIONAL CODE FOR FIRE SAFETY SYSTEMS (FSS CODE)

RESOLUTION MSC...(103) – AMENDMENTS TO THE INTERNATIONAL LIFE-SAVING APPLIANCE CODE (LSA CODE)

RESOLUTION MSC...(103) – AMENDMENTS TO THE INTERNATIONAL CONVENTION ON STANDARDS OF TRAINING, CERTIFICATION AND WATCHKEEPING FOR SEAFARERS (STCW), 1978

RESOLUTION MSC...(103) – AMENDMENTS TO PART A OF THE SEAFARERS' TRAINING, CERTIFICATION, AND WATCHKEEPING (STCW) CODE

RESOLUTION MSC...(103) – AMENDMENTS TO THE REVISED RECOMMENDATION ON TESTING OF LIFE-SAVING APPLIANCES (RESOLUTION MSC.81(70))

OUTCOME OF THE REGULATORY SCOPING EXERCISE FOR MASS

DRAFT ASSEMBLY RESOLUTION – [PREVENTION AND SUPPRESSION OF PIRACY, ARMED ROBBERY AGAINST SHIPS AND ILLICIT MARITIME ACTIVITY IN THE GULF OF GUINEA]

RESOLUTION MSC...(103) – DEMONSTRATING THE ORGANIZATION'S DETERMINATION TO RESTORE SECURITY IN THE WATERS OF THE GULF OF GUINEA, AND TO ENCOURAGE MEMBER STATES AND ALL STAKEHOLDERS TO WORK TOGETHER AND TAKE EFFECTIVE AND EFFICIENT MEASURES TO PREVENT PIRACY

RESOLUTION MSC...(103) – RECOMMENDED ACTION TO PRIORITIZE COVID-19 VACCINATION OF SEAFARERS

**List of Circulars approved by MSC 103**

MSC.1/Circ.[...]	Voluntary early implementation of the draft amendments to SOLAS Convention and the LSA Code
MSC.1/Circ.[...]	The Guidelines on cyber security onboard ships
MSC-FAL.1/Circ.3/Rev.1	Guidelines on maritime cyber risk management
MSC.1/Circ.1601/Rev.1	Revised Industry Counter Piracy Guidance
MSC.1/Circ.797/Rev.35	List of competent persons maintained by the Secretary-General pursuant to section A-I/7 of the STCW Code
MSC.1/Circ.[...]	Amendments to the IAMSAR Manual
MSC.1/Circ.[...]	Guidelines for safety measures for fishing vessels of 24m in length and over operating in polar waters
MSC.1/Circ.[...]	Guidelines for pleasure yachts of 300 gross tonnage and above not engaged in trade operating in polar waters
MSC.1/Circ.1318/Rev.1	Revised guidelines for the maintenance and inspections of fixed carbon dioxide fire-extinguishing systems