

1. INTERNATIONAL ACTIVITIES

A. International Maritime Organization (IMO), Maritime Safety Committee (MSC)

The 74th session of the Maritime Safety Committee (MSC 74) was held at IMO Headquarters in London from May 30 – June 8, 2001. Ninety-four member governments, 2 associate members, 4 United Nations specialized agencies, 5 intergovernmental organizations, and 33 non-governmental organizations participated. The United States was represented by the Coast Guard with assistance from the Department of State, Department of Defense, National Transportation Safety Board, and several private sector advisers.

Among major agenda issues addressed at MSC 74 were: (1) consideration and adoption of amendments to mandatory instruments; (2) large passenger ship safety; (3) bulk carrier safety; (4) implementation of the revised International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention); (5) training and watchkeeping; (6) stability, load lines, and fishing vessels safety; (7) radiocommunications and search and rescue; (8) fire protection; (9) bulk liquids and gases, (10) flag state implementation; (11) ship design and equipment; (12) technical assistance subprogram in maritime safety; (13) role of the human element; (14) formal safety assessment; and (15) piracy and armed robbery against ships.

Significant actions taken at MSC 74 include the following:

1. The MSC adopted amendments to chapter VII of the International Convention for the Safety of Life at Sea (SOLAS Convention), the International Code for the Safe Carriage of Packaged Irradiated Nuclear Fuel, Plutonium and High-Level Radioactive Wastes on Board Ships (INF Code), and the International Code of Safety for High-Speed Craft (HSC Code). In accordance with article VIII of SOLAS, these amendments are scheduled to enter into force on January 1, 2003.
2. The Committee reconvened a working group to address issues on large passenger ship safety. Based on proposals from the United States, the Committee agreed to: (a) approve the updated work plan, and include an item in the work programs and provisional agendas for forthcoming sessions of six IMO subcommittees to develop and evaluate specific solutions for the identified issues; (b) re-establish the intersessional correspondence group on large passenger ship safety in order to finalize the list of areas for consideration, finalize objectives and link them to the guiding philosophy and strategic goals, prioritize the additional work to be undertaken by appropriate subcommittees, and refine the guiding philosophy and strategic goals if needed; and (c) reconvene the working group on large passenger ship safety at MSC 75.
3. Regarding STCW implementation, the MSC confirmed the addition of 23 STCW parties that have been found to be giving full and complete effect to the 1995 STCW amendments. An MSC circular was issued with a complete listing, including the United States, of the 94 STCW parties included on the IMO “white list.”

4. The MSC amended the draft Assembly resolution on the Code of Practice for the Investigation of the Crimes of Piracy and Armed Robbery against Ships for the purpose of urging governments responsible for ports, anchorages, and sea areas to inform the IMO of specific advice available to vessels on the matter of piracy and armed robbery against ships. The Code remained unchanged from that approved at MSC 73. The Committee requested the Subcommittee on Flag State Implementation (FSI) to consider the proposal to mark ships indelibly and visibly with the IMO ship identification number with regard to the proposal's application to SOLAS and non-SOLAS ships and the method of marking non-steel ships.
5. The MSC approved a draft Assembly resolution on search and rescue (SAR). The resolution would call for more states to become parties to the 1979 International Convention on Maritime Search and Rescue (SAR Convention). The resolution would also urge states, so far as practical, to: (a) establish the basic elements of a SAR service and follow the relevant IMO minimum standards and guidelines; (b) follow the relevant parts of the Provisional International Maritime SAR Plan until the Global International Maritime SAR Plan is completed; (c) conclude bilateral or multilateral agreements and arrangements; (d) notify the IMO of those agreements and arrangements; and (e) provide technical assistance for the provision and coordination of SAR services to requesting states.
6. The Committee approved three amendments to MSC circular 896 on interim measures for combating unsafe practices associated with the trafficking or transport of migrants by sea. The MSC also invited member governments to submit reports concerning incidents on smuggling of migrants by sea and measures taken for the purpose of updating or revising of the circular, as necessary.
7. Concerning the role of the human element, the Committee: (a) approved an MSC circular regarding guidance on fatigue mitigation and management; (b) approved an MSC circular concerning guidance on the use of the human element analyzing process (HEAP) and the formal safety assessment (FSA) in the IMO rulemaking process; (c) approved an MSC circular on reporting near miss incidents that invites nations to establish a no-blame culture with respect to near miss reporting; and (d) endorsed the concept of establishing a joint IMO/International Labor Organization (ILO) working group to evaluate human element issues.
8. In response to proposals by the United Kingdom stemming from the loss of the bulk carrier *MV Derbyshire*, the Committee approved an MSC circular to provide advice to mariners on the dangers of flooding of forward compartments, including recommendations on addressing those dangers. The MSC also placed a number of additional matters on the work programs of several subcommittees. The Committee noted the progress on several ongoing studies that apply FSA methods to various aspects of bulk carrier safety. After completion of the studies, the Committee will decide on any follow-up action that may be indicated.
9. With regard to ballast water management, the MSC approved some safety-related improvements to a draft MSC/Marine Environment Protection Committee (MEPC) circular forwarded by MEPC 46 concerning design suggestions for ballast water and sediment management options on new ships. The circular will be finalized at MEPC 47.

10. The Committee agreed that the Subcommittee on Safety of Navigation (NAV) should be the coordinating subcommittee to give preliminary consideration to the places of refuge for ships in distress. The NAV was requested to: (a) prepare draft terms of reference for MSC 75 and MEPC 47; (b) consider drafting guidelines on actions expected from coastal states providing places of refuge to ships in distress; and (c) evaluate the risks associated with the provision of refuge and the actions that masters of ships in distress should take when in need of places of refuge.
11. The MSC approved the report of the 9th session of the Subcommittee on Flag State Implementation (FSI 9) and took the following specific actions: (a) approved a draft Assembly resolution on self-assessment of flag state performance; (b) approved a draft Assembly resolution on measures to further strengthen flag state implementation; (c) approved a draft Assembly resolution on measures to prevent the registration of phantom ships; (d) approved a draft Assembly resolution concerning guidelines on the implementation of the International Management Code for the Safe Operation of Ships and for Pollution Prevention (ISM Code); and (e) approved an MSC/MEPC circular on measures to improve port state control procedures.
12. The Committee approved the report of the 5th session of the Subcommittee on Radiocommunications and Search and Rescue (COMSAR 5) and took the following specific actions: (a) approved the draft amendments to chapter IV of SOLAS regarding Global Maritime Distress and Safety System (GMDSS) equipment and watchkeeping for consideration for adoption at MSC 75; (b) approved the draft amendments to chapter V of SOLAS regarding mandatory carriage of the IAMSAR Manual; (c) adopted an MSC resolution on performance standards for float-free satellite emergency position-indicating radio beacons (EPIRBs); (d) approved an MSC circular on guidelines for preparing plans for cooperation between SAR services and passenger ships; and (e) approved the convening of the joint IMO/International Civil Aviation Organization (ICAO) working group on harmonization of aeronautical and maritime SAR.
13. The Committee approved the report of the 45th session of the Subcommittee on Fire Protection (FP 45) and took the following specific actions: (a) approved an MSC circular on guidelines for evacuation analysis of high-speed craft; (b) approved an MSC circular on unified interpretations with regard to the International Code for Application of Fire Test Procedures (FTP Code); (c) approved an MSC circular regarding guidelines on fire test procedures for acceptance of fire-retardant materials for the construction of lifeboats; and (d) approved an MSC circular on guidelines for alternative design and arrangements for fire safety on board ships.
14. The MSC took the following actions on urgent matters emanating from the 44th session of the Subcommittee on Ship Design and Equipment (DE 44): (a) approved draft amendments to chapter II of SOLAS regarding access to and within spaces in the cargo area of oil tankers and bulk carriers, with a view to adoption at MSC 75 and (b) approved the draft amendments to the guidelines on the enhanced program of inspections during surveys of bulk carriers and oil tankers.

15. The Committee approved the report of the 32nd session of the Subcommittee on Standards of Training and Watchkeeping (STW 32) and took the following specific actions: (a) approved an MSC circular on guidance concerning preparation and review of independent evaluations under the STCW Convention; (b) approved an STCW circular with regard to guidance on training and assessment in the operational use of electronic chart display and information system (ECDIS) simulators; and (c) approved an STCW circular with regard to standard marine communication phrases.
16. The MSC approved the report of the 43rd session of the Subcommittee on Stability and Load Lines and on Fishing Vessels Safety (SLF 43) and took the following specific actions: (a) approved an MSC circular on unified interpretation of damage stability requirements for timber deck cargo and (b) agreed to the timeframe for revising the Fishing Vessel Safety Code and voluntary guidelines.
17. The Committee approved the report of the 6th session of the Subcommittee on Bulk Liquids and Gases (BLG 6) and, among specific actions, approved an MSC circular regarding revised standards for the design, testing, and locating of devices to prevent the passage of flame into cargo tanks in tankers.

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B. International Maritime Organization (IMO), Subcommittee on Safety of Navigation (NAV)

The 47th session of the Subcommittee on Safety of Navigation (NAV 47) was held from July 2-6, 2001, at IMO Headquarters in London. The session was attended by 60 member governments, 1 associate member government, and 31 United Nations, intergovernmental, and non-governmental organizations. The United States was represented by the Coast Guard with assistance from the National Oceanic and Atmospheric Administration, Department of Defense, Federal Communications Commission, and several private advisers.

NAV 47 agenda items included: (1) routing of ships, ship reporting, and related matters; (2) operational aspects of integrated bridge systems (IBS); (3) guidelines relating to chapter V of the International Convention for the Safety of Life at Sea (SOLAS); (4) training and certification of maritime pilots and revision of resolution A.485(XII); and (5) navigational aids and related matters.

Among significant actions taken at NAV 47 are the following:

1. The Subcommittee considered and approved all six of the U.S. ship routing proposals. These proposals included amendments to the traffic separation schemes (TSSs) in the approaches to Los Angeles/Long Beach and the Strait of Juan de Fuca, as well as the establishment of a two-way route in the Strait of Juan de Fuca. Amendments to expand the size of the area to be

avoided (ATBA) off the coast Washington and extend its applicability to ships of 1600 gross tons and above were also approved. The NAV approved two proposals for the marine area around the Florida Keys, three mandatory no anchoring areas in the Florida Keys, and an amendment to reduce the size of the northernmost ATBA off the coast of Florida. These measures protect the marine area around the Florida Keys that has been designated in principle as a Particularly Sensitive Sea Area (PSSA) by the Marine Environment Protection Committee (MEPC). Furthermore, the United States informed the NAV about the effectiveness of the mandatory ship reporting system to reduce ship strikes of northern right whales. With regard to proposals from other nations, the Subcommittee approved several new or amended TSSs, two new or amended ATBAs, one new precautionary area, and two new or amended mandatory ship reporting systems.

2. The NAV, at the direction of the MEPC, reviewed a section of a draft Assembly resolution regarding the guidelines for the identification and designation of PSSAs. The United Kingdom and Panama had expressed concern about the charting of PSSAs and associated protective measures. The Subcommittee approved the guidelines without change. The International Hydrographic Organization (IHO) informed the NAV that it would review the issue of charting related to PSSAs as a matter of urgency.
3. Based on submissions by the United Kingdom and the Republic of Korea, the Subcommittee finalized guidelines on automatic identification system (AIS) operational matters and guidelines for recording events related to navigation, both for transmittal directly to the 22nd session of the Assembly. Taking into account the decisions of the 9th session of the Subcommittee on Flag State Implementation (FSI 9), the NAV approved draft guidelines on ownership and recovery of voyage data recorders (VDRs).
4. The Subcommittee approved a new version of a revised Annex 2 to resolution A.485(XII) regarding the recommendation on operational procedures for maritime pilots other than deep-sea pilots. The approved revision of Annex 2 will be conveyed to the 33rd session of the Subcommittee on Standards of Training and Watchkeeping (STW 33) so that the STW can complete action on the entire revised resolution A.485(XII).
5. With regard to navigational aids and related matters, the NAV approved the revision of resolution A.815(19) regarding worldwide radionavigation systems. This revision updates the operational requirements for radionavigation systems for ocean, coastal, and harbor approach and entrance phases of a voyage. The Subcommittee drafted a Maritime Safety Committee (MSC) resolution outlining the performance standards for bridge navigational watch alarm systems. The NAV also reviewed performance standards for marine transmitting heading devices (THDs) and prepared a footnote regarding static errors at high latitudes. In addition, the Subcommittee agreed on interim guidance for the presentation and display of AIS target information and instructed the secretariat to disseminate the guidelines as a NAV circular with immediate effect.

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C. International Maritime Organization (IMO), Subcommittee on Dangerous Goods, Solid Cargoes and Containers (DSC)

The 6th session of the Subcommittee on Dangerous Goods, Solid Cargoes and Containers (DSC 6) was held at IMO Headquarters in London from July 16-20, 2001. The session was attended by delegations from 54 member nations, 1 associate member, the International Atomic Energy Agency (IAEA), the International Labor Organization (ILO), the League of Arab States, and 19 non-governmental organizations. The United States was represented by the Coast Guard with assistance from the Research and Special Programs Administration and several private sector advisers.

DSC 6 agenda items included: (1) amendments to the International Maritime Dangerous Goods (IMDG) Code, including harmonization of the IMDG Code with the United Nations (UN) Recommendations on the Transport of Dangerous Goods; (2) revision of the Emergency Schedules (EmS); (3) review of the Code of Safe Practice for Solid Bulk Cargoes (BC Code); (4) matters related to the Cargo Securing Manual; (5) casualty and incident reports and analysis; (6) development of an instrument for multimodal training requirements; (7) stowage and segregation requirements for freight containers on container ships with partially weatherproof hatchway covers; (8) development of a manual on loading and unloading of solid bulk cargoes for terminal representatives; and (9) amendments to chapters VI and VII of the 1974 International Convention for the Safety of Life at Sea, as amended, (SOLAS) and Annex III of the International Convention for the Prevention of Pollution from Ships, as modified by the Protocol of 1978, as amended, (MARPOL) to make the IMDG Code mandatory.

Significant actions taken at DSC 6 include the following:

1. The Subcommittee completed and agreed to the final draft text of amendment 31 to the IMDG Code for submission to the Maritime Safety Committee (MSC) for adoption. Amendment 31 incorporates the provisions of the 12th revised edition of the UN Recommendations on the Transport of Dangerous Goods, as well as other changes specific to water mode transport. Alignment with the latest UN Recommendations assures harmony with the other modal rules and, for the first time, introduces comprehensive, internationally agreed packaging provisions for pressure receptacles for all gases of class 2.
2. The DSC developed and agreed to draft amendments to SOLAS chapter VII to make the IMDG Code mandatory as well as consequential amendments to SOLAS chapter VI. The Subcommittee also prepared a draft MSC resolution on adoption of the SOLAS amendments and a separate draft resolution on adoption of the mandatory IMDG Code with amendment 31. With respect to those provisions of the IMDG Code that would remain recommendatory within the mandatory IMDG Code, the DSC agreed to a draft new paragraph for inclusion in the IMDG Code to identify those provisions. Concerning the procedure for adopting future amendments to a mandatory IMDG Code, the Subcommittee prepared draft procedures that ensure the amendments can be implemented on a timely basis consistent with other modal codes which are updated every 2 years.

3. With regard to emergency procedures for ships carrying dangerous goods (EmS Guide), a working group was convened to conclude detailed deliberations on this project, the goal of which has been to completely revise and update the EmS Guide. The DSC agreed to the draft revised guide developed by the working group with a view to incorporating it into the next edition of the supplement to the IMDG Code. The Subcommittee also agreed to the comprehensive allocation listing of specific UN numbers to the EmS Schedules in the revised guide with a view to revising column 15 in the dangerous goods list of the IMDG Code.
4. Concerning the review of the BC Code, the DSC established a working group to address numerous issues including restructuring of the BC Code, amendments to the BC Code, and procedures for evaluating the liquefaction potential of solid bulk cargoes. Since this is an ongoing work item not scheduled for completion at this session, the Subcommittee decided to defer any decisions on actions taken by the working group to the next session at which time a progress report will be available.
5. At the request of the MSC, the DSC reconsidered draft amendments to Annex 13 of the Code of Safe Practice for Cargo Stowage and Securing (CSS Code) and, based on proposals from Germany and the United States, prepared a revised text for submission to the MSC for approval. With regard to the safety aspects of ballast water management and the ongoing work on a code for ballast water management, the DSC noted that there continued to be insufficient information and data available and agreed to defer the matter to the next session.
6. The Subcommittee reviewed several submissions pertaining to incidents involving both packaged and bulk solid dangerous goods and incidents related to fumigated cargoes that had not been declared as such. In order to alert administrations and other parties concerning the dangers brought to light by the reports, the Subcommittee instructed the secretariat to disseminate information on the incidents by means of a DSC circular. With respect to the numerous reports on the results of container inspection programs, the DSC instructed the secretariat to prepare a consolidated report from the numerous individual reports in order to facilitate analysis at the next session.
7. The DSC noted the importance of training of shore-side personnel involved in the dangerous goods transport chain. It agreed to include additional guidance in the non-mandatory chapter 1.3 of the IMDG Code with respect to training topics relevant to the various functions shore-side personnel might perform. The Subcommittee noted the recommendation of the ILO representative that an IMO/ILO working group be formed to explore the best possible way to ensure implementation of relevant instruments, their enforcement, and the training of shore-side personnel. The DSC agreed, however, that, at this stage, the secretariats of the two organizations should work together to develop the modalities for this cooperation and submit the outcome to the next session for further consideration.
8. Regarding stowage and segregation requirements for freight containers on containerships with partially weatherproof hatchway covers, the DSC evaluated proposals from Japan and France as well as views expressed by other delegations and observer organizations. The Subcommittee concluded that further information was necessary in terms of experience and possible incidents with this type of vessel and agreed to defer action to its next session.

Interested parties were requested to submit casualty data and other information related to the use of this type of vessel for comparison with more conventional designs and for assessing the relevance of existing stowage and segregation provisions in the IMDG Code.

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