

# News from IMO

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The paper presents current work of selected IMO bodies in the period preceding the publication of this issue of ToMS. The outcome of 28<sup>th</sup> session of the Assembly in relation to safety and environment protection has been covered, aiming at informing seafarers and shipping industry at large on the decisions taken, as well as on the IMO instruments and/or their amendments that have entered into force.

## KEY WORDS

- ~ IMO
- ~ Safety
- ~ Environment protection

## INTRODUCTION

IMO Secretary-General Koji Sekimizu has launched this year's World Maritime Day theme, "IMO Conventions: effective implementation", expressing the hope that the year would see genuine progress towards effective and global implementation of all IMO conventions and stating that the theme provided an opportunity to shine a spotlight on those IMO treaty instruments which have not yet entered into force, as well as wider and more effective implementation of measures already agreed or in place, "because an IMO convention is only worthwhile and meaningful if it is effectively and universally implemented," Mr. Sekimizu said.

Treaties still to enter into force include the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004; the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009; the Nairobi International Convention on the Removal of Wrecks, 2007; the 2010 Protocol to the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS); and the Cape Town Agreement of 2012 on the Implementation of the Provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels.

Mr. Sekimizu noted that implementation of IMO measures already in place was, ultimately, the responsibility of the Member States and the industry, while the forthcoming mandatory audit scheme for Member States would be an important tool for assessing Member States' performance in meeting their obligations and responsibilities as flag, port and coastal States under the relevant IMO treaties. The Organization and the Secretariat also had a role to play, specifically through IMO's extensive technical cooperation programme.

## 28th session of the IMO Assembly (A 28)

The Assembly, IMO's highest governing body, met at the Organization's London Headquarters for its 28th session from 25 November to 4 December 2013. The selected decisions have been presented in this review, whilst complete information is available to the public on the Organization's IMODOCS website (<http://docs.imo.org/>).

The Assembly, which normally meets once every two years in regular session, is responsible for approving the work programme, voting the budget and determining the financial arrangements of the Organization. It also elects the Organization's 40-Member Council.

### IMO Member State audit scheme

The Assembly adopted key resolutions and amendments relating to the Organization's mandatory audit scheme. The Assembly adopted the Framework and Procedures for the IMO Member State Audit Scheme (resolution A.1067(28)); a resolution on transitional arrangements from the voluntary to the mandatory scheme (resolution A.1068(28)); the IMO Instruments Implementation (III) Code (resolution A.1070(28)), which provides a global audit standard to enable States to meet their obligations as flag, port and/or coastal States; and the 2013 non-exhaustive list of obligations under instruments relevant to the III Code (resolution A.1077(28)).

The Assembly also adopted amendments to the International Convention on Load Lines, 1966; the International Convention on Tonnage Measurement of Ships, 1969; and the Convention on the International Regulations for Preventing Collisions at Sea, 1972, as amended, to make the use of the III Code mandatory in auditing Member States to determine how they give full and complete effect to the provisions of those Conventions to which they are party.

Following this, the Organization's Marine Environment Protection Committee, at its 66th session (MEPC 66), held from 31 March to 4 April 2014, adopted similar amendments to Annexes I to VI to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto, and its 1997 Protocol, as amended. Similar amendments are expected to be considered with a view to adoption by the Maritime Safety Committee, at its 93rd session (MSC 93), to be held in May 2014, to the International Convention for the Safety of Life at Sea, 1974, as amended; the Protocol of 1988 relating to the International Convention on Load Lines, 1966; and the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.

The adoption of the various amendments and their entry into force will form the basis for an institutionalized audit scheme, under which audits are expected to commence in 2016, once amendments to mandatory instruments have entered into force.

### Adoption of resolutions

The Assembly adopted a number of resolutions submitted by the various IMO Committees and by the Council's 27th Extraordinary Session. The topics covered by such resolutions include inter alia:

- Prevention and suppression of piracy, armed robbery against ships and illicit maritime activity in the Gulf of Guinea;
- Revised guidelines on the implementation of the International Safety Management (ISM) Code by Administrations;
- Revised guidelines for a structure of an integrated system of contingency planning for shipboard emergencies;
- Guidelines to assist investigators in the implementation of the Casualty Investigation Code;
- Fair treatment of crew members in respect of shore leave and access to shore-side facilities;
- Recommendations for the training and certification of personnel on mobile offshore units (MOUs);
- Application of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004;
- Entry into force and implementation of the 2012 Cape Town Agreement on the Implementation of the Provisions of the Torremolinos Protocol of 1993 relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977;
- Implementation of the Convention on Facilitation of International Maritime Traffic (FAL);
- Voluntary application of the IMO Ship Identification Number Scheme to fishing vessels of 100 gross tons and above;
- Amendments to the survey guidelines under the Harmonized System of Survey and Certification (HSSC);
- Guidelines for the designation of special areas under MARPOL;
- Amendments to the International Convention on Load Lines, 1966 (1966 LL Convention), to shift the Winter Seasonal Zone off the southern tip of Africa further southward by 50 miles;
- Recommendation on the use of adequately qualified deep-sea pilots in the North Sea, English Channel and Skagerrak; and in the Baltic Sea; and
- Recommendation on the use of national tonnage in applying international conventions.

## Amendments to IMO instruments that have entered into force on 1 January 2014

### 2012 May SOLAS amendments - resolution MSC.325(90)

- amendment to SOLAS regulation II-1/8-1, to introduce a mandatory requirement for new passenger ships for either onboard stability computers or shore-based support, for the purpose of providing operational information to the Master for safe return to port after a flooding casualty;
- amendment to SOLAS regulation III/20.11.2 regarding the testing of free-fall lifeboats, to require that the operational testing of free-fall lifeboat release systems shall be performed either by free-fall launch with only the operating crew on board or by a simulated launching;
- amendment to SOLAS chapter V to add a new regulation V/14 on ships' manning, to require Administrations, for every ship, to establish appropriate minimum safe manning levels following a transparent procedure, taking into account the guidance adopted by IMO (Assembly resolution A.1047(27) on Principles of minimum safe manning); and issue an appropriate minimum safe manning document or equivalent as evidence of the minimum safe manning considered necessary;
- amendment to SOLAS chapter VI to add a new regulation VI/5-2, to prohibit the blending of bulk liquid cargoes during the sea voyage and to prohibit production processes on board ships;
- amendment to SOLAS chapter VII to replace regulation 4 on documents, covering transport information relating to the carriage of dangerous goods in packaged form and the container/vehicle packing certificate; and
- amendment to SOLAS regulation XI-1/2 on enhanced surveys, to make mandatory the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code, resolution A.1049(27)).

## 2010 October MARPOL amendments - resolution MEPC.193(61)

- Revised MARPOL Annex III Regulations for the prevention of pollution by harmful substances carried by sea in packaged form, to include changes to the Annex to coincide with the next update of the mandatory International Maritime Dangerous Goods (IMDG) Code, specifying that goods should be shipped in accordance with relevant provisions.
- United States Caribbean ECA now effective - resolution MEPC.202(62)
- The United States Caribbean Sea Emission Control Area (SO<sub>x</sub>, NO<sub>x</sub> and PM) came into effect, under MARPOL Annex VI, regulation 14, bringing in stricter controls on emissions of sulphur oxide (SO<sub>x</sub>), nitrogen oxide (NO<sub>x</sub>) and particulate matter for ships trading in certain waters adjacent to the coasts of Puerto Rico and the United States Virgin Islands. Coordinates for the Caribbean Sea ECA can be found in resolution MEPC.202(62). There are now four designated ECAs in effect globally: the United States Caribbean Sea ECA and the North American ECA; and the sulphur oxide ECAs in the Baltic Sea area and the North Sea area.
- Winter Seasonal Zone moved south under amendments to LL Protocol – resolution MSC.329(90)
- Amendments to regulation 47 of the 1988 Protocol to the International Convention on Load Lines (LL), 1966 to shift the Winter Seasonal Zone off the southern tip of Africa further southward by 50 miles.