



IMO III 8 Meeting Summary

August 23, 2022

The 8th meeting of the IMO's Sub-Committee on Implementation of IMO Instruments (III 8) was held 25-29 July 2022 online.

Liberia participated in the plenary and the following groups:

Group	Subject
WG 1	Lessons learned and safety issues identified from the analysis of marine safety investigation reports (room virtual)
WG 2	IMSAS-related matters (room virtual)
WG 3	Working Group on the Survey Guidelines under the HSSC, the Non-exhaustive list of obligations, and the Guidance on remote survey, audit and verification (Room virtual)
DG 1	Measures to harmonize port State control (PSC) activities and procedures worldwide – Identified issues relating to the implementation of IMO instruments from the analysis of PSC data

IMPLEMENTATION MATTERS

Port reception facilities

III 8 considered information provided by the IMO Secretariat concerning reports on the alleged inadequacy of port reception facilities.

- In 2020, 91 cases were reported by six flag States;
- In 2021, 105 cases of alleged inadequacies of port reception facilities (PRFs) were reported in the GISIS by eight flag States.

III 8 reminded Member States:

- that since 1 March 2018, they have full access to the module and should directly report their cases without having to submit the information to the Secretariat; and
- of the importance of reporting alleged inadequacies of reception facilities to the Organization.
- to progress IMO's efforts to reduce pollution caused by marine plastic litter from ships, it is crucial that inadequacies are accurately reported to address existing problems.

III 8 considered a document on difficulties with reception facilities for exhaust gas cleaning residues encountered by port States and corresponding proposals, which was deferred to III 8 by III 7. III 8 encouraged Member States

and international organizations to submit their best management practices and experience gained, as well as difficulties.

CASUALTY ANALYSES

Lessons learned from marine casualties

III 8 approved to post the 15 cases reviewed by members and the CG on [the IMO website](#).

Safety issues that need further consideration

Container loss

Regarding the safety issue related to securing containers, III 8 noted the information of the work undertaken by the Top Tier joint industry project (JIP) on lowering the probability of loss of containers at sea.

III 8 tasked the correspondence group (CG) to further develop a justification for the new work for approval by the Maritime Safety Committee (MSC).

Fire of the self-unloading bulk carrier

III 8 identified the risk of fire in the self-unloading space is not mitigated by alarms or fixed fire-fighting equipment, which may be addressed as a new requirement.

The CG will further address the issue.

Fall from height

III identified the following issues for bringing it to the attention of MSC:

- safety management systems for working at height or over the side are not always effectively implemented;
- tasks that involve the risk of falling from height are not always considered as "working at height";
- inappropriate use of personal protective equipment (PPE);
- onboard safety training does not appear to be achieving its intended purpose; and
- onboard management supervision and control of seafarers performing shipboard tasks that require working at height or over the side is ineffective and needs to be improved.

Pilot ladder

III noted the following findings of the CG:

- regulations and associated instruments appear at times to be unclear or ambiguous; and
- pilot transfer arrangements, especially pilot ladders, are used frequently, hence susceptible to damages, but since they are usually stowed away, such damages are not likely to be identified.

III 8 brought the above to the attention of MSC.

Risk assessment criteria

III 8 noted that the *procedure for identifying safety issues* has been under development for a few years and considered different options for finalizing it without further delay. In this regard, III 8 noted that MSC-MEPC.2/Circ.12/Rev.2 on *Revised guidelines for formal safety assessment (FSA) for use in the IMO rule-making process*, in particular, paragraph 5.2.2 and that appendix 4 provided a background for ranking, an example of defining frequency and consequence categories, as well as possible ways of establishing risk levels for ranking purposes.

III 8 revised the *draft procedure for identifying safety issues for submission to MSC*, which makes direct reference to paragraph 5.2.2 and appendix 4 of MSC-MEPC.2/Circ.12/Rev.2.

Amending the Casualty Investigation Code to mandate root causes

The proposal for a new output to amend the Casualty Investigation Code (CIC) to mandate a root cause investigation highlighted that identifying the root causes of the incident is essential for the prevention of accidents in the future. The co-sponsors thus proposed that the root causes of an incident should be carried out by incorporating additional paragraphs in the mandatory

part of the Casualty Investigation Code (CIC).

III 8 identified several technical issues. III 8 also noted the views that sections 16.5, 21.2.4 of the CIC and the MAIF manual are sufficient to explain the depth of any investigation required, and that many accident investigation bodies were already following the recommendations within section 16.5 of CIC.

III 8 noted the intent of the document but did not support the proposal for a new output to mandate such a root cause investigation or prescribe its scope as suggested in the paper.

Bulk carrier casualty report 2012-2021

III 8 noted with appreciation the information on bulk carrier casualty statistics and analysis between the years 2012-2021.

PORT STATE CONTROL

Draft revision to the PSC procedure

Verification of corrective actions for Carbon Intensity (CII) Rating

With regard to the instruction by MEPC 78 to consider whether not implementing corrective actions for a ship rated as D for three consecutive years or rated as E can be a detainable deficiency, there was an intense discussion on this point.

The majority of the members were of the view that not taking corrective action should not constitute detainable deficiency because:

- CII requirements itself is not fully matured, and should be considered as experience building phase;
- There are elements that is beyond the control of shipowners/management companies;
- Detainable deficiency of the safety management system related deficiency should be decided based on the judgement on the shipboard safety management system as a whole;
- These are the issues to be implemented by the flag States, not through port State control;
- Once a ship is detained, there would be no remedy for releasing the ship, as the matter is not a simple repair of the ship or its equipment, and staying in a port during the detention will further worsen CII rating.

Following consideration, III 8 noted that at this stage there was not sufficient support within the Sub-Committee to regard as a detainable deficiency the absence of implementation by the ship as planned at the time of the inspection and agreed to advise MEPC 79 accordingly.

PSC reports

III 8 reviewed various reports submitted by regional PSC regimes. III 8 invited all PSC regimes to continue submitting annual reports to the Sub-Committee.

SURVEY AND CERTIFICATION

AFS Convention

An industry observer presented concerns over the type-approval schemes for anti-fouling paint products by recognized organizations and in practice, such pre-qualification of anti-fouling paints is causing confusion and unnecessary bureaucratic and costly burden on the marine industry.

III 8 noted the concern expressed and confirmed that under the AFS Convention there is no such a requirement for type-approval as pre-qualification for anti-fouling paint products for issuance of International Anti-fouling System Certificates, though it should be at the discretion of the Administration to decide if more than what is required under the provisions of the Convention is needed.

Revalidation process

III 8 noted information on the cases where the understanding of the revalidation process was different from the flag Administration and Port State Control.

Remote survey and certification

The Maritime Safety Committee and the Marine Environment Protection Committee agreed to include a new output on "Development of guidance on assessments and applications of remote surveys, ISM Code audits and ISPS Code verifications", in the biennial agenda of the Sub-Committee for the 2022-2023 biennium and the provisional agenda for III 8, with a target completion year of 2024.

III 8 agreed that the output would be one document containing principles and common areas and three guidance:

- amendments to Survey Guidelines under the HSSC (part 1) (to be completed by III 9 (2023) for adoption by A 33);
- amendments to the Revised Guidelines on the implementation of the International Safety Management (ISM) Code (part 2) (to be concluded by III 11 (2025) for adoption by A 35); and
- development of guidance on assessments and applications of remote surveys, ISM Code audits and ISPS Code verifications (part 3) (To be completed by III 10 (2024)).

The issue will be further developed by the correspondence group.

RUSSIA – UKRAINE ISSUE

Humanitarian maritime corridor

III 8 noted information provided by the Secretary-General on the agreement on 22 July 2022, to establish a humanitarian maritime corridor to allow ships to export critical cargoes of grain and foodstuffs from Ukraine.

III 8 further noted that, with respect to the establishment of a Joint Coordination Centre (JCC) in Istanbul, Türkiye, IMO has seconded two staff members, the Director, Legal Affairs and External Relations Division and the Special Advisor to the Secretary-General on Maritime Security, who supported the development of the agreement from a technical viewpoint and will support the JCC in Istanbul.

FURTHER INFORMATION

For further information please contact: imo@liscr.com

III 8 – Summary of Major Decisions

PROVISIONAL LIST OF DRAFT RESOLUTIONS AND CIRCULARS

- Procedure for identifying and forwarding safety issues.