



IMO MSC 106 Meeting Summary

November 22, 2022

The 106th session of the IMO's Maritime Safety Committee (MSC 106) was held 2 - 11 November 2022 at the IMO Headquarters in London, supplemented by Hybrid (online) participation.

Working Groups and Drafting Groups were organized for online participation. Among others, Liberia participated in the following groups in addition to the plenary, which was held in-person:

Group	Subject
WG 1	Development of a goal-based instrument for MASS
WG 2	Ship Systems and Equipment
WG 3	Draft MSC resolution on unsafe mixed migration by sea
DG 1	Drafting Group on Amendments to Mandatory Instruments

THE BLACK SEA AND THE SEA OF AZOV

Black Sea initiatives

The IMO Secretariat provided information on the Black Sea Grain Initiative including the important technical and facilitation support provided by IMO as part of the UN effort to ensure the resumption of critical global food exports from Ukraine. Detailed vessel movement reports can be found here: <https://www.un.org/en/black-sea-grain-initiative/vessel-movements>.

The UN, Türkiye and all other involved parties, including the Joint Coordination Centre, were thanked for the success of the Black Sea Grain Initiative to date, which had made a very significant difference in alleviating global food shortages, however, concerns were expressed with regard to the number of ships and seafarers still stranded in the conflict area.

MSC 106:

- urged the UN Secretary-General and IMO Secretary-General to continue to work on humanitarian efforts to evacuate all stranded ships and seafarers in the conflict area, including efforts to expand the Initiative to other types of ships and additional ports;
- emphasized the important contribution that the Black Sea Grain Initiative was making to alleviate the global food supply shortages resulting from the ongoing conflict in Ukraine;

- recalled that the Black Sea Grain Initiative had been recognized by the UN Secretary-General as a landmark agreement to help vulnerable people in every corner of the world; and
- agreed to develop an MSC resolution to remind Member States of their responsibilities and obligations under the SOLAS and SAR Conventions in the context of armed conflicts.

Subsequently, MSC 106 adopted resolution MSC.519(106) on *Member states' obligations in connection with search and rescue services under the SOLAS and SAR conventions in the context of armed conflicts*. The resolution urges Member States to refrain during the armed conflict from:

- preventing SAR units and facilities available to render assistance to persons in distress from performing their functions and hampering the effective and efficient coordination of SAR operations by rescue coordination centres (RCC) and rescue sub-centres (RSC) within their search and rescue regions;
- hindering SAR services by the seizure of SAR units and facilities and their crews, RCCs and RSCs; and
- detaining crewmembers of SAR units and facilities and RCC/RSC personnel.

Adoption of mandatory instruments

MSC 106 adopted the following mandatory instruments (Convention, code etc.). Entry into force date is indicated

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- SOLAS Chapter II-2 on requiring documentations on the flashpoint of fuels to be supplied and supplied to ships, and reporting the confirmed case of non-compliant (flashpoint) fuel (1 January 2026);
- The International Code of Safety for Ships Carrying Industrial personnel (IP Code) and associated Amendments to the SOLAS (New Chapter XV), which require new design and operational arrangements for transporting more than 12 industry personnel by cargo ships or high-speed cargo craft (1 July 2024);
- The amendments to the IGC and IGF Code on the use of high manganese austenitic steel (1 January 2026);
- The amendments to the ESP Code on coating condition “less than good” and scope of application to an independent cargo tank (1 July 2024); and
- The amendments to the IBC Code on the use of hinged doors for alignment with the survivability requirements in SOLAS, MARPOL, Load Line Conventions IGC codes (1 July 2024).

Maritime Autonomous Surface Ships (MASS)

MSC 106 considered the outcome of the first meeting of the Joint MSC-LEG-FAL MASS Working Group (JWG-MASS) and a verbal update by the coordinator of the MASS Correspondence Group (CG) on the progress made.

MSC 106 agreed on the work plan of JWG-MASS, including holding two meetings in 2023.

MSC 106 agreed that:

- the MASS Code should not repeat provisions or regulations of existing IMO instruments;
- work on the MASS Code should focus on developing goals and functional requirements, based on the Generic Guidelines for developing IMO Goal-Based Standards (MSC.1/Circ. 1394/Rev.2);
- consideration of the human element was crucial; and
- all submitted documents should be considered for developing the MASS code but need further discussion.

MSC 106 agreed to re-establish the MASS GBS Working Group at MSC 107 and, if considered appropriate, to amend the Generic GBS Guidelines to facilitate their use in the future, considering the example for the section “fire protection/safety” developed for the MASS Code during MSC 106.

With respect to the meaning of the term “MASS”, MSC 106 agreed that the term needs to be discussed further and to be defined, to decide which provisions of the draft code apply to an unmanned ship (fully autonomous or

remotely controlled) or to ships with some (reduced) crew on board with autonomous functions.

Nevertheless, the CG was tasked to develop the goals and functional requirements for various sections of the draft MASS Code, e.g. for navigation, security or communication.

Maritime security and Piracy

UN Expert Panel

MSC 106 noted the concerns of the UN on the action by launching missiles without navigational warnings, AIS tampering may be used to disguise illicit oil deliveries and to transfer oil between ships on the high seas etc.

MSC 106 instructed the NCSR to examine the AIS tampering cases. MSC 106 also requested members to update Continuous Synopsis Record (CSR) information.

World Customs Organization (WCO) matters

MSC 106 noted information on WCO initiatives to develop measures for passenger facilitation and control in particular, through the use of standardized Advance Passenger Information and Passenger Name Records (API/PNR) data; and cooperation between WCO and the IMO in this area.

Piracy

MSC 106 noted:

- updates presented by the IMO Secretariat, which in general, indicate a downturn trend.
- the information by shipping industry NGOs that the removal of the high-risk area in the Indian Ocean, i.e., the area will no longer be in place from 0001 UTC on 1 January 2023.

Unsafe mixed migration by sea

This subject was mainly initiated by the Maersk Etienne case (April 2020) where the ship was instructed by an MRCC to rescue migrants at sea but the rescued migrants were not allowed to disembark for over 38 days.

MSC 106 adopted resolution MSC.528(106) on *Recommended cooperation to ensure the safety of life at sea, the rescue of persons in distress at sea and the safe disembarkation of survivors*. The resolution calls on flag, coastal and port States to ensure effective cooperation, minimize the time survivors remain onboard the ship rendering assistance, continue the coordination until all survivors are disembarked and promote cooperation between flag, coastal and port States.

Formal safety assessment

MSC 106 reviewed the possible work arrangements for the FSA group on containership fire and invited the Council to endorse holding of a meeting of the FSA Expert Group in 2023.

Outcome of HTW 8

MSC 106 reviewed the non-urgent matter of 8th session of the Sub-Committee on Human Element, Training and Watchkeeping (HTW 8), which had not been addressed by MSC 105. The key issue was the use of electronic certificates.

In this regard, Liberia has submitted a document, together with cosponsors, asking for clarification of responsibilities between the Administration of the original certificate and the Administration issuing a certificate by endorsement.

While MSC 106 approved draft amendments to the STCW Convention and the Code for the introduction of electronic STCW certificate subject to the final adoption by MSC 107, MSC 106 tasked HTW 9 to reconsider the guidelines for reporting back to MSC 107 so that the guidelines will be completed when the Convention and Code will be adopted.

Outcome of SSE 8 and relevant discussions under Any Other Business (AOB)

MSC 106 reviewed the outcome of the 8th session of the Sub-Committee on Ship Systems and Equipment (SSE 8). Key issues are given hereunder.

Life saving appliance

MSC 106:

- approved draft amendments to the SOLAS Convention and the LSA Code requiring mechanical ventilation for totally enclosed lifeboats. The text will be adopted by MSC 107 for expected entry into force on 1 January 2026 and actual application from 1 January 2029. A corresponding set of amendments to *the revised recommendation on testing of life-saving appliances* (MSC.81(70), as amended) for totally enclosed lifeboats, was also agreed in principle, with a view to adoption at MSC 107. The work on other survival craft will continue, but SSE 9 will address the compelling need for the work first;
- approved MSC.1/Circ.1614/Rev.1 on *the Interim guidelines on life-saving appliances and*

arrangements for ships operating in polar waters, which will take into account the tandem operations of passenger ships in calculating the required duration until the arrival of a rescue service;

- reviewed the safeguard arrangements for the off-load release hook and sent this back to the SSE Sub-Committee; and
- deferred the discussion on resolution MSC.402(96) on *Requirements for maintenance, thorough examination, operational testing, overhaul and repair of lifeboats and rescue boats, Launching appliances and release gear*, to the SSE Sub-Committee. There was an intense discussion in particular, on the interpretation of “type” whether that implies a particular product of the hook or a generic type, MSC 106 agreed that it was premature to conclude on the matter of ISO Standard 23678 and the implementation of resolution MSC.402(96).

Fire Safety

MSC 106:

- approved MSC.1/Circ.1315/Rev.1 on *Fixed dry chemical powder fire-extinguishing systems for the protection of ships carrying liquefied gases in bulk*, which takes performance-based approach for new installation on or after 1 July 2023;
- approved draft amendments to the SOLAS Chapter II-2, 1994 and 200 HSC Codes on the prohibition of perfluorooctane sulfonic acid (PFOS) for the use as fire fighting form, subject to final adoption by MSC 107;
- approved an MSC.1/Circ.1655 on Unified interpretations on fire dumper insulation on Class A bulkheads and fire duct clearance that pass through Class B bulkheads; and
- instructed the SSE Sub-Committee to examine recent changes to the ISO standards on ship pressure-vacuum relief valves and devices to prevent the passage of flame into cargo tanks (ISO 15364) in conjunction with MSC/Circ.677 on *Revised standards for the design, testing and locating of devices to prevent the passage of flame into cargo tanks in tankers*.

Lifting appliances onboard ships, and anchor handling winches of anchor handling vessels

MSC 106 approved the draft new regulations of the SOLAS Convention on Lifting appliance and anchor handling winches, subject to final adoption by MSC 107 scheduled for June 2023. MSC 106 also approved associated guidelines, in principle, for final adoption by MSC 107. The expected entry into force date is on 1 January 2026, which applies both new and existing appliances.

Outcome of NCSR 9

MSC 106 reviewed the outcome of the 9th session of the Sub-Committee on Navigation, Communication and Search and Rescue (NCSR 9), and approved/adopted the following:

- New and amended routing measures;
- Final tidy up of modernization of GMDSS (approval of various circulars);
- Draft amendments to the SOLAS Convention and the Polar code for expanding application to non-SOLAS ships, i.e., under SOLAS size cargo ships, fishing vessels and pleasure yachts, on navigation and voyage planning, subject to final adoption by MSC 107 with expected entry into force on 1 January 2026;
- Guidelines on places of refuge for ships in need of assistance, which revised the existing guidelines to take into account coordination among multiple stakeholders;
- New Satellite system (Bei-Dou, China) into GMDSS;
- Various circulars on Maritime Search and Rescue coordination matters;
- ECDIS good practice guidance, including clarification of type approval upon software update);
- ECDIS performance standard, introducing IHO S-101 standard though induction period 2026 - 2029; and
- Draft amendments to the SOLAS Convention for introducing mandatory carriage requirements of the electronic inclinometer for new container ships and bulk carriers of 3000 GT or above. The expected entry into force date is 1 January 2026, subject to the final adoption by MSC 107.

Outcome of III 8

MSC 106 reviewed the outcome of the 8th session of the Sub-Committee on Implementation of IMO Instruments (III 8). MSC 106:

- decided not to amend the casualty investigation code for mandating root cause investigation;
- identified shortcomings of providing shore radio service;
- agreed, subject to the concurrence of MEPC, that the Harmonized System of Survey and Certification (HSSC) guidelines should be derived from and linked to, mandatory instruments;
- noted the progress on the remote survey/audit for conclusion by the 33rd Assembly (December 2023); and

- noted the progress of the PSC guidelines for conclusion by the 33rd Assembly (December 2023).

New work programme

MSC 106 approved the following proposals:

- Pilot transfer (SOLAS regulation V/23 and associated instruments to improve the safety of pilot transfer arrangements);
- Safe operation of elevators on board ships;
- Safety of crew when rigging of safety netting from the ship's deck to the outboard side of an accommodation ladder and/or gangway;
- Enclosed space entry; and
- Review of the appropriateness and effectiveness of SOLAS regulation IV/5 - Provision of radiocommunication service.

Any other business

Internal quality scheme

MSC 106 noted the update of IACS Quality System Certification Scheme (QSCS) audits as well as the development of the International Quality Assessment Review Body (IQARB).

COVID-19

There was a submission which provided updated information on the vaccination campaign for all seafarers regardless of nationality or flag.

MSC 106:

- urged Member States to join the effort of seafarers' vaccination;
- urged IMO Members and other key sectors of the global maritime industry, echoing the Neptune Declaration, to access vaccines for seafarers; and
- acknowledge seafarers' key role and facilitate their repatriation, access to medical care and protection.

Further, MSC 106 also invited Member States to:

- ensure that seafarers, as key workers, have the right to be treated with dignity and respect, taking into account that they spend most of their time travelling and at sea with a greater degree of testing and regular medical checks than any other person, and are only able to visit the shore for a short time, so a human approach to their medical needs and treatments must be respected; and
- acknowledge seafarers' key role and facilitate their repatriation, access to medical care and protection in respect of shipowners' protocols to avoid contagion

especially during the gradual relaxation of COVID-19 restrictions.

Asbestos

There was a proposal to amend MSC.1/Circ.1374 to allow asbestos containing gaskets in good condition and installed between 1 July 2002 and 1 January 2011 may be allowed for an onboard implemented risk-based maintenance and monitoring programme, instead of removal. Subsequently, MSC 106 approved MSC.1/Circ.1374/Rev.1.

Bunker fuel

There was a paper commenting on oil fuel parameters other than flashpoint and geographical differences and suggesting the introduction of mandatory bunker licensing scheme.

There was another submission on investigations into the supply of bunker fuel containing elevated levels of chlorinated organic compounds, actions taken and key observations on how we can further strengthen the quality assurance of bunkers supplied globally.

MSC 106 recalled that the bunker supplier licensing issue was on MARPOL and the Marine Environment Protection Committee (MEPC). Any request for an action should be submitted to MEPC.

Technical contents of the submission papers were brought to the attention of the fuel safety CG.

Together with safety initiatives

Shipping industry NGOs came together and shared best practices in four key areas: leadership; incident prevention; wellbeing and care; and collaboration.

Joint Industry Project (JIP) on securing container safety

MSC 106 noted information on the progress of the TopTier JIP on securing container safety.

The TopTier project started in 2021 with the initial focus being on bringing together an industry wide consortium to support and conduct the project. The details can be found here: <https://www.marin.nl/en/jips/toptier>.

Global shortage of components for electronic marine equipment

MSC 106 noted information on an ongoing global shortage of electronic and hardware components adversely affecting the manufacture, delivery, and servicing of electronic marine equipment. The component shortage is persistent and may last several years, with the associated risk that equipment might not be available to fulfil or support carriage requirements.

FURTHER INFORMATION

For further information please contact: imo@liscr.com

MSC 106 – Summary of Major Decisions

Provisional list of resolutions and circulars

MSC.519(106)	Member States' obligations in connection with Search and Rescue services under the SOLAS and SAR conventions in the context of armed conflicts
MSC.520(106)	Amendments to the International Convention for the Safety of Life at Sea, 1974 (chapter II-2)
MSC.521(106)	Amendments to the International Convention for the Safety of Life at Sea, 1974 (chapter XV)
MSC.522(106)	Amendments to the Protocol of 1978 relating to the International Convention for the Safety of Life at Sea, 1974
MSC.523(106)	Amendments to the International Code for the Construction and Equipment of Ships Carrying Liquefied Gases in Bulk (IGC code)
MSC.524(106)	Amendments to the International Code of Safety for Ships Using Gases or Other Low-Flashpoint Fuels (IGF Code)
MSC.525(106)	Amendments to the International Code on the Enhanced Programme of Inspections during Surveys of Bulk carriers and Oil tankers, 2011 (2011 ESP code)
MSC.526(106)	Amendments to the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC code)
MSC.527(106)	International Code of Safety for Ships Carrying Industrial Personnel (IP Code)
MSC.528(106)	Recommended Cooperation to Ensure the Safety of Life at Sea, the Rescue of Persons in Distress at Sea and the Safe Disembarkation of Survivors
MSC.263(84)/REV.1	Performance Standards and Functional Requirements for the Long-Range Identification and Tracking of Ships
MSC.529(106)	Statement of Recognition of Maritime Mobile Satellite Services Provided by CTTIC through BDMSS
MSC.530(106)	Performance Standards for Electronic Chart Display and Information Systems (ECDIS)
MSC.1/Circ.1500/Rev.2	Guidance on drafting of amendments to the 1974 SOLAS Convention and related mandatory instruments
MSC-MEPC.2/Circ.15/Rev.2	Guidelines for the development, review and validation of model courses
MSC.1/Circ.1164/Rev.26	Promulgation of information related to reports of independent evaluation submitted by Parties to the 1978 STCW Convention confirmed by the Maritime Safety Committee to have communicated information which demonstrates that Parties are giving full and complete effect to the relevant provisions of the Convention
MSC.1/Circ.797/Rev.38	List of competent persons maintained by the Secretary-General pursuant to section A-I/7 of the Seafarers' Training, Certification and Watchkeeping (STCW) Code
MSC.1/Circ.1614/Rev.1	Revised interim guidelines on life-saving appliances and arrangements for ships operating in polar waters
MSC.1/Circ.1315/Rev.1	Revised guidelines for the approval of fixed dry chemical powder fire-extinguishing systems for the protection of ships carrying liquefied gases in bulk
MSC.1/Circ.1655	Unified interpretations of SOLAS chapter II-2

MSC.1/Circ.1630/Rev.1	Revised standardized life-saving appliance evaluation and test report forms
COLREG.2/Circ.78	Traffic separation schemes and associated measures
SN.1/Circ.342	Routeing measures other than traffic separation schemes
MSC.1/Circ.1259/Rev.9	Long-range identification and tracking system – Technical documentation (part I)
MSC.1/Circ.1307/Rev.1	Guidance on the survey and certification of compliance of ships with the requirement to transmit LRIT information
MSC.1/Circ.1376/Rev.5	Continuity of service plan for the LRIT system
MSC.1/Circ.1656	GMDSS operating guidance for ships in distress situations
MSC.1/Circ.1657	Procedure for responding to DSC distress alerts by ships
MSC.1/Circ.1658	Guidance on distress alerts
MSC.1/Circ.892/Rev.1	Guidance on alerting of search and rescue authorities
MSC.1/Circ.1659	Guidance for the dissemination of search and rescue related information through the international enhanced group call service
MSC.1/Circ.1403/Rev.2	NAVTEX Manual
MSC.1/Circ.1660	Guidance on the training on and operation of emergency personal radio devices in multiple casualty situations
MSC.1/Circ.1503/Rev.2	ECDIS – Guidance for good practice
MSC.1/Circ.1661	Guidance framework for the application of casualty cases and lessons learned to seafarers' education and training
MSC-MEPC.1/Circ.5/Rev.4	Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies