REPORT TO THE MARITIME SAFETY COMMITTEE

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For reasons of economy, this document is printed in a limited number. Delegates are kindly asked to bring their copies to meetings and not to request additional copies.
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1 GENERAL

1.1 The Sub-Committee on Standards of Training and Watchkeeping (STW) held its thirty-seventh session from 23 to 27 January 2006 under the chairmanship of Rear Admiral Peter Brady (Jamaica). The Vice-Chairman, Mr. A.H. Kayssi (Lebanon), was also present.

1.2 The session was attended by representatives from the following countries:

ALGERIA
ANTIGUA AND BARBUDA
ARGENTINA
AUSTRALIA
BAHAMAS
BELGIUM
BELIZE
BOLIVIA
BRAZIL
BULGARIA
CANADA
CHILE
CHINA
COLOMBIA
CUBA
CYPRUS
CZECH REPUBLIC
DEMOCRATIC REPUBLIC
OF THE CONGO
DENMARK
DOMINICA
DOMINICAN REPUBLIC
ECUADOR
EGYPT
ESTONIA
FINLAND
FRANCE
GERMANY
GHANA
GREECE
HONDURAS
ICELAND
INDIA
INDONESIA
IRAN (ISLAMIC REPUBLIC OF)
IRELAND
ISRAEL
ITALY
JAMAICA
JAPAN
JORDAN
KENYA
LATVIA
LEBANON
LIBERIA
LITHUANIA
LUXEMBOURG
MALAWI
MALAYSIA
MALTA
MARSHALL ISLANDS
MEXICO
MOROCCO
MYANMAR
NETHERLANDS
NIGERIA
NORWAY
PANAMA
PERU
PHILIPPINES
POLAND
PORTUGAL
REPUBLIC OF KOREA
ROMANIA
RUSSIAN FEDERATION
SAUDI ARABIA
SINGAPORE
SPAIN
SWEDEN
THAILAND
TRINIDAD AND TOBAGO
TURKEY
TUVALU
UKRAINE
UNITED KINGDOM
UNITED REPUBLIC OF
TANZANIA
UNITED STATES
URUGUAY
VANUATU
VENEZUELA
and the following Associate Member of IMO:

HONG KONG, CHINA

1.3 The following specialized agencies and intergovernmental and non-governmental organizations were also represented:

- EUROPEAN COMMISSION (EC)
- MARITIME ORGANIZATION FOR WEST AND CENTRAL AFRICA (MOWCA)
- INTERNATIONAL MOBILE SATELLITE ORGANIZATION (IMSO)
- INTERNATIONAL SHIPPING FEDERATION (ISF)
- INTERNATIONAL UNION OF MARINE INSURANCE (IUMI)
- INTERNATIONAL CHAMBER OF SHIPPING (ICS)
- INTERNATIONAL CONFEDERATION OF FREE TRADE UNIONS (ICFTU)
- BIMCO
- INTERNATIONAL ASSOCIATION OF CLASSIFICATION SOCIETIES (IACS)
- OIL COMPANIES INTERNATIONAL MARINE FORUM (OCIMF)
- INTERNATIONAL MARITIME PILOTS’ ASSOCIATION (IMPA)
- INTERNATIONAL FEDERATION OF SHIPMasters’ ASSOCIATIONS (IFSMa)
- INTERNATIONAL ASSOCIATION OF INDEPENDENT TANKER OWNERS (INTERTANKO)
- SOCIETY OF INTERNATIONAL GAS TANKER AND TERMINAL OPERATORS LIMITED (SIGITTO)
- INTERNATIONAL COUNCIL OF CRUISE LINES (ICCL)
- INTERNATIONAL ASSOCIATION OF DRY CARGO SHIPOWNERS (INTERCARGO)
- THE INSTITUTE OF MARINE ENGINEERING, SCIENCE AND TECHNOLOGY (IMarEST)
- INTERNATIONAL SHIP MANAGERS’ ASSOCIATION (ISMA)
- THE INTERNATIONAL MARINE CONTRACTORS ASSOCIATION (IMCA)
- WORLD NUCLEAR TRANSPORT INSTITUTE (WNTI)
- WORLD MARITIME UNIVERSITY

Secretary-General’s opening address

1.4 In welcoming the participants, the Secretary-General wished all present and the maritime community at large, a happy, healthy, successful and accident-free New Year and invited all with an interest in the affairs of IMO and the shipping industry to join forces together to create a safer, more secure, more environmentally friendly and more efficient maritime world.

The Secretary-General recalled that in response to the Millennium Development Goals of the United Nations, IMO was determined to play its part by adopting the World Maritime Day theme for this year as “Technical Co-operation: IMO’s response to the 2005 World Summit. He reiterated that the IMO’s technical co-operation activities had helped to build capacity in developing countries, which in turn had led to the achievement of sustainable development. This had acted as the catalyst for the widespread and effective implementation of IMO standards. He further stated that the Sub-Committee and the Secretariat had actively contributed, through the development of model training courses and had been conducting training courses, seminars and workshops, to assist developing countries to build their capacity in the maritime field. This work, in his opinion, would go a long way towards meeting the Millennium Development Goals in the maritime context and should continue in the future.
The Secretary-General recalled that the MSC had asked all sub-committees to keep uppermost in mind, in any regulatory work that they undertook, the role of the human element in safe operations. And of them all, the Secretary-General stated that the role of the Sub-Committee was the most crucial, central and pivotal one to play, as it was the Sub-Committee’s duty and responsibility to regulate how shipmasters, engineers, officers and ratings discharged their responsibilities to safeguard life at sea, property and the marine environment.

In the field of maritime security, the Secretary-General appreciated the Sub-Committee’s contribution to the Organization’s effort to prevent shipping from becoming soft target for international terrorism. He stated that the Ministerial Conference on Transport Security, hosted by the Government of Japan in Tokyo in January 2006, had recognized that more remained to be done and, in this respect, the Sub-Committee was expected to review the relevant IMO instruments falling in its purview with a view to including appropriate security-related provisions therein and also to consider developing appropriate guidance for the training and certification of port facility security officers.

In drawing attention to the widely reported shortage of seafarers, the Secretary-General noted that the BIMCO/ISF manpower 2005 update provided a more encouraging picture than that projected in the 2000 study with the calculated shortage of officers being estimated at around 2%, reportedly due to increased levels of training in the Asian region.

In order to safely operate the growing LNG fleet, he stressed that the demand for competent and professional seafarers should be met without delay. In this context, he welcomed the initiatives taken by SIGTTO, the International Association of Maritime Universities and the Arab Academy for Science, Technology and Maritime Transport to address this issue.

The Secretary-General drew attention to the outcome of recent analyses of accidents which indicated that, due to inappropriate levels of manning and watchkeeping arrangements, particularly in short sea voyages, fatigue had emerged as a significant contributory factor in accidents. In this context, the IMO principles of safe manning and the provisions related to watchkeeping arrangements and hours of rest within the STCW Convention were arguably sufficiently comprehensive. However, against the background of continuing accidents attributable to fatigue, he expressed the view that perhaps the time had come for these principles to be re-assessed, possibly by the identification of factors against which maritime Administrations could evaluate proposed or actual manning levels on ships of similar types, size and trade.

The Secretary-General recalled that, at the last session, after consideration of the decision of the ILO Preparatory Maritime Technical Conference to transfer the ILO provisions related to the training and certification requirements for able seamen to the STCW Convention, the Sub-Committee had established a correspondence group to develop competence standards for ratings. He noted that the Sub-Committee would be considering the report of the correspondence group which provided a proposed way forward in the development of such comprehensive standards of training and certification and advised that the outcome should be brought to the attention of the 94th (Maritime) Session of the International Labour Conference scheduled to be held in Geneva in February 2006 to consider and adopt a new consolidated maritime labour convention.

While on the subject of consolidation, the Secretary-General, noting that the 1995 version of the STCW Convention had been amended four times since its adoption and was likely to be amended further over the medium-term, expressed the view that since more than ten years had elapsed since its last major revision, perhaps the time had come for the Sub-Committee to give
some preliminary consideration to the need for, and the timing of, another comprehensive review of the Convention to ensure that it met the new challenges facing the shipping industry in the years to come and if appropriate to advise the MSC accordingly with full justification.

In considering issues relating to **unlawful practices associated with certificates of competency** and the means to prevent them, he noted that the Sub-Committee would be considering advice on the implications for the Organization if the nationality of individuals holding a fraudulent certificate was to be included in any report published by the Secretariat and hoped that further progress to prevent these dangerous and unlawful practices could be made.

The Secretary-General reiterated his concern on the reported global loss of some 24,000 fishermen every year and his previous pleas urging Governments to promptly **ratify the Torremolinos Protocol and the STCW-F Convention** to enable both instruments to enter into force in the foreseeable future, which would contribute towards the improvement of the safety of fishermen, and the overall safety of life at sea.

The Secretary-General, referring to the implementation of the **Voluntary IMO Member State Audit Scheme** in accordance with resolution A.974(24) adopted by A 24, requested Member Governments to offer themselves for audit; nominate auditors to enable him to select audit teams from among them; and nominate qualified auditors to participate in the regional training courses planned by the Organization for the effective implementation of the Scheme. He informed the Sub-Committee that the Governments of Chile, Cyprus, Denmark, Liberia and the United Kingdom had notified their preparedness for audit, and looked forward to many more Member States offering themselves for audit and to the support and co-operation of all concerned towards the effective implementation of the Scheme.

In his concluding remarks the Secretary-General, referring to the planned **refurbishment of the Headquarters Building**, which, for that purpose, would be closed for approximately 12 months between the summers of 2006 and 2007, requested the co-operation of all concerned so as to pass on to the next generation of IMO delegates and staff a building worthy of the technological, IT and communication facilities of the 21st century, one which would also incorporate state-of-the-art safety, security and health requirements and of which all would be proud.

**Chairman’s remarks**

1.5 In response, the Chairman thanked the Secretary-General for his words of guidance and encouragement and assured the Secretary-General that his advice and requests would be given every consideration in the deliberations of the Sub-Committee and its working groups.

He stressed that the Sub-Committee had before it a demanding and challenging meeting. In spite of that and given the successful history of the Sub-Committee in producing sound and robust international legislation and guidance pertinent to training, certification and watchkeeping, in an efficient way, he was confident that the same mentality would prevail at this session.

**Adoption of the agenda and related matters**

1.6 The Sub-Committee adopted the agenda (STW 37/1) and agreed, in general, that the work of the Sub-Committee should be guided by the annotations to the provisional agenda and the timetable (STW 37/1/1), as amended. The agenda of the session, including a list of documents submitted under each agenda item, is given at annex 1.
2 DECISIONS OF OTHER IMO BODIES

Decisions of MSC 80

2.1 The Sub-Committee was informed (STW 37/2) of the decisions and comments, pertaining to its work of the eightieth session of the Maritime Safety Committee. The actions taken by the Sub-Committee, with respect to the decisions and comments of MSC 80 on items on its agenda, are reported under relevant sections of this report and in particular:

.1 agenda item 5 – Passenger ship safety (document STW 37/5);
.2 agenda item 7 – Measures to enhance maritime security (document STW 37/7); and
.3 agenda item 15 – Work Programme (the Sub-Committee’s terms of reference – document STW 37/2, annex 2).

Recognition arrangements

2.2 The Sub-Committee noted that MSC 80 had instructed the Secretariat to post the information relating to recognition arrangements received from STCW Parties on the IMO website, and update it as and when any information was received by the Secretariat from STCW Parties.

Communication of information

2.3 The Sub-Committee noted that MSC 80 had received the Secretary-General’s report on one STCW Party pursuant to STCW regulation I/7 (MSC 80/24, paragraphs 11.24 to 11.28); had confirmed that the procedures for assessment of information had been followed correctly in respect of that Party; and had issued MSC/Circ.1163 on Parties to the STCW Convention confirmed by the Committee, at its eightieth session, as having demonstrated to be giving ‘full and complete effect’ to the relevant provisions of the STCW Convention, as amended.

2.4 The Sub-Committee noted that MSC 80 had received the Secretary-General’s reports on fourteen STCW Parties pursuant to STCW regulation I/8 (MSC 80/24, paragraphs 11.29 to 11.30); had confirmed that the procedures for assessment of information had been followed correctly; and had issued MSC/Circ.1164 on Promulgation of information related to reports of independent evaluation submitted by Parties to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended, confirmed by the Maritime Safety Committee to have communicated information which demonstrated that Parties are giving full and complete effect to the relevant provisions of the Convention.

Approval of competent persons

2.5 The Sub-Committee noted that MSC 80 had approved additional competent persons nominated by Governments, as listed in the annex to MSC/Circ.797/Rev.11.

Improving the efficiency of meetings

2.6 The Sub-Committee noted that MSC 80 had agreed that working groups could start work on Monday morning of the session on the basis of the draft terms of reference presented by the Chairman of the committee or sub-committee concerned, pending formal discussion of those
terms of reference under the relevant agenda item. However, these measures should be decided by the chairman of the committee or sub-committee concerned, on a case-by-case basis.

Invitation to experts

2.7 The Sub-Committee noted that MSC 80 had decided that experts could participate in the Committee and Sub-Committee sessions on condition that they provided written advice or expertise only through the Secretariat, participated only in sessions, or parts thereof, to which they had been specifically invited and did so without taking part in debate and without vote; and had adopted amendments to the Committee’s Rules of Procedure to include a new rule 45 on “Invitation to experts”.

Decisions of other Sub-Committees

2.8 The Sub-Committee was also informed (STW 37/2/1) of the decisions and comments, pertaining to its work of the forty-ninth session of the Sub-Committee on Fire Protection; the ninth session of the Sub-Committee on Radio Communications and Search and Rescue; the forty-eighth session of the Sub-Committee on Design and Equipment; the fifty-first session of the Sub-Committee on Safety of Navigation; and the forty-eighth session of the Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety. The actions taken by the Sub-Committee with respect to these decisions and comments thereon are reported in the relevant sections of this report and in particular:

.1 agenda item 6 – Measures to prevent accidents with lifeboats (document STW 37/6);
and

.2 agenda item 14 – Review of operational and training requirements for the revision of the Intact Stability Code (document STW 37/14).

Decisions of MEPC 53

2.9 The actions taken by the Sub-Committee with respect to decisions and comments of MEPC 53 (STW 37/2/2) on items on its agenda are reported under the relevant sections of this report.

3 VALIDATION OF MODEL TRAINING COURSES

3.1 The Sub-Committee noted the information provided by the Secretariat (STW 37/3) on the status of production of model courses and the progress made with their translation into French and Spanish. According to updated information provided by the Secretariat, the Sub-Committee also noted that the following model courses had been developed and revised:

1. OPRC Introductory Course
2. OPRC Level 1 – First Responder
3. OPRC Level 2 – Supervisor / On-Scene Commander
4. OPRC Level 3 – Administrators and Senior Managers

and 28 model courses had been translated into French and 32 model courses had been translated into Spanish. Of these translated model courses 15 had been published in French and 19 in Spanish. The rest were in the process of production and would be available shortly. The translation of the other courses was being undertaken in a phased manner as reported earlier.
Amendments to MARPOL Annexes I and II and the IBC Code

3.2 The Sub-Committee also noted the oral update provided by the Secretariat on the progress made on the revision of model courses 1.02 and 1.04 relating to Specialized Training Programme for Oil and Chemical Tankers respectively, which were expected to be circulated to the validation panel for their comments shortly with a view to validation at STW 38.

Implementation of STCW Quality Standards Systems

3.3 The Sub-Committee further noted the oral information provided by the Secretariat that France had developed a model course on ‘Implementation of STCW Quality Standards Systems’. This course had been circulated to the validation panel for its review and comments and was expected to be submitted to STW 38 for validation.

3.4 The delegation of the Russian Federation, being aware that this was an issue for the Council to decide, stated that the model courses were a useful tool for training and effective implementation of the Convention and that it was also necessary to translate them into all the official languages rather than restricting them to only French and Spanish.

3.5 The delegation of China informed the Sub-Committee that, recognizing the importance of the model courses, they had themselves translated 40 model courses into Chinese.

Validation of model courses

3.6 The Sub-Committee gave preliminary consideration to the draft model course on the Operational use of AIS contained in document STW 37/3/1 and referred it to the drafting group to be established to consider and comment on the text.

Proposed new model courses

3.7 India (STW 37/3/2) informed the Sub-Committee of their proposal to develop the following model courses:

1. Chemical cargo and ballast-handling simulator;
2. LPG cargo and ballast-handling simulator;
3. LNG cargo and ballast-handling simulator;
4. Familiarization training for LNG tankers; and
5. Specialized training for LNG tankers,

and make them available to the Organization free of charge for the benefit of the international shipping industry and for circulation to the validation panel for its comments with a view to validate them at the next session of the Sub-Committee.

3.8 The delegation of the Republic of Korea informed the Sub-Committee that there was an urgent need for unified and agreed standards for LNG training in order to meet the growing demand to man LNG tankers. In this context, they had already developed model courses related to training of seafarers serving on board LNG tankers.
3.9 The delegation of the United Kingdom appreciated the development of the model courses and agreed that these could be useful tools for training but should not replace practical training.

3.10 The Sub-Committee thanked India for their offer and concurred with the proposal.

Establishment of a drafting group

3.11 The Sub-Committee established a drafting group and instructed it, taking into account the comments made in plenary, to:

- consider and comment on the text as appropriate on the draft model course, set out in the annex to document STW 37/3/1; and
- report to plenary on Thursday, 26 January 2006.

Report of the drafting group

3.12 On receipt of the report of the drafting group (STW 37/WP.4), the Sub-Committee validated the model courses, as set out in the annex to document STW 37/3/1 and amended by the group, and instructed the Secretariat to publish it as soon as possible.

3.13 The Sub-Committee recalled that validation of model courses by the Sub-Committee in this context meant that it found no grounds to object to their contents. In doing so, the Sub-Committee did not approve the documents and they could, therefore, not be regarded as an official interpretation of the Convention.

3.14 The Sub-Committee expressed thanks to members of the IMO/ILO validating group for their work in reviewing the draft model course.

4 UNLAWFUL PRACTICES ASSOCIATED WITH CERTIFICATES OF COMPETENCY

Reporting format on fraudulent certificates

4.1 The Sub-Committee recalled that STW 36 had considered the advice from the Legal Division and agreed that it was not appropriate to include the name and passport number or other identification details of the individual holding a fraudulent certificate in the report published by the Secretariat.

4.2 The Sub-Committee further recalled that STW 36 had discussed the possibility of including the nationality of the individual holding a fraudulent certificate in the report published by the Secretariat, and agreed that this should be further discussed at the current session, after the Legal Division had examined the matter in detail.

4.3 The Sub-Committee considered the advice from the Legal Division (STW 37/4) and agreed to advise the Committee to seek explicit concurrence from the Council before including such information in the reporting format.
Information on fraudulent certificates reported to the Secretariat

4.4 The Sub-Committee noted the information provided by the Secretariat, detailing examples of fraudulent certificates found on board ships during inspections or reportedly being used, as reported to the Secretariat for the year 2005.

4.5 The Sub-Committee also noted the oral information provided by Secretariat that the certification verification facility through the IMO website had been used 4,900 times during the year 2005.

4.6 The delegation of the United Kingdom appreciated the efforts made by Member States in providing information on fraudulent certificates detected. They expressed the view that unlawful practices associated with certificates of competency represented a real safety hazard to all associated with shipping. In this context, they proposed that while reporting fraudulent certificates, it would be helpful if information related to: types of certificates detected; type of fraud e.g. manufacture, cloning, alteration laundering, etc; and how it was detected e.g. verification by employer, PSC inspection etc. could be reported to the Secretariat. The delegation also informed the Sub-Committee that information on the studies carried out by the United Kingdom would be submitted to STW 38.

4.7 The delegation of Malta emphasized that holders of fraudulent certificates posed a significant risk to safety of life at sea and informed the Sub-Committee that certain Member States were not responding promptly to requests for certification verification. They also informed the Sub-Committee that in certain cases the information on the IMO website was not up-to-date and therefore invited Member Governments to regularly update the information provided either to IMO or on their own websites.

4.8 A number of delegations agreed that more efforts were required to provide information to the Secretariat along with the additional details proposed by the United Kingdom.

4.9 The Sub-Committee agreed that future reports should include the above additional information and urged Member Governments to provide any changes to their contact information to the Secretariat with a view to update the IMO website on certification verification.

5 PASSENGER SHIP SAFETY

5.1 The Sub-Committee recalled that MSC 78 had approved the revised work plan on large passenger ship safety, as redrafted by its Working Group on Large Passenger Ship Safety, based on the recommendations of the sub-committees and the need to avoid any duplication of work.

5.2 The Sub-Committee also recalled that the title of this agenda item had been amended, following the corresponding decision by MSC 79 to: “Passenger Ship Safety” (MSC 79/23, paragraph 4.19).

5.3 The Sub-Committee (STW 37/5) noted that MSC 80 had approved the revised work plan and instructed the Sub-Committee to:

1. review the model courses for crisis and crowd management to incorporate the safe area concept and provide recommendations to MSC 81;

2. consider matters related to training of SAR personnel and seafarers with recovery responsibilities and advise MSC accordingly;
.3 consider whether a refresher fire-fighting course should be made a mandatory requirement within the provisions of the STCW Code and take action as deemed appropriate; and

.4 consider the need for guidelines for abandonment of ship alongside in port, under ISM provisions.

5.4 The Sub-Committee also noted that MSC 80 had approved the definitions for “casualty threshold” and “time to remain habitable”.

5.5 The Sub-Committee further noted that, in considering the 3-hour timeframe for habitability agreed at MSC 78, MSC 80 had reiterated its previous decision that future passenger ships should be designed to meet the safe return to port concept after a casualty and that relevant casualty thresholds should be developed.

5.6 ICCL advised the Sub-Committee that it had completed its initial review of model courses 1.28 and 1.29 (STW 37/5/1). In their opinion, no major revision was necessary. Furthermore, ICCL considered that the course content should be more focused on those crew members that required particular training or knowledge, i.e. training in stability, trim and stress, should not be a requirement for hotel staff assigned emergency duties. Similarly, crew members assigned responsibility for crowd control and management should only be trained in subjects appropriate to those duties. They informed the Sub-Committee that a clear definition of ‘safe area’ was required to complete the review and revision of these model courses.

5.7 The Sub-Committee noted that FP 50, while agreeing with the definition of safe area in the context of fire, as proposed by the relevant correspondence group, and noting that a similar definition had been developed by the SLF Sub-Committee in the context of flooding (SLF 48/21, paragraph 6.19.1), had approved the following combined definition to enhance its ease of use:

“52 Safe area in the context of a casualty is, from the perspective of habitability, any area which will not be flooded or which is outside the main vertical zone(s) in which a fire has occurred such that it can safely accommodate all persons onboard to protect them from hazards to life health and provide them with basic services”

and had invited the Committee to consider the new combined definition from the holistic point of view (FP 50/WP.1, paragraphs 3.16 and 3.17).

5.8 The delegation of the United Kingdom, supported by others, agreed with the observations of ICCL and agreed that training in stability, trim and stress etc. should be restricted to senior officers. In this context, the Secretariat confirmed that only senior officers were required to undergo training prescribed in model course 1.29 on Proficiency in Passenger Safety, Cargo Safety, Hull Integrity, Crisis Management and Human Behaviour Training on Passenger and Ro-Ro Passenger Ships.

5.9 The Sub-Committee agreed that pending approval of the Committee, ICCL should use the definition developed by FP 50 to incorporate the concept of ‘safe area’ in the model courses.

5.10 The Sub-Committee noted that the matter related to training of SAR personnel and seafarers with recovery responsibilities could only be considered after COMSAR 10 had discussed the issue as the co-ordinating Sub-Committee.
5.11 The Sub-Committee agreed to discuss the matter relating to a refresher fire-fighting course when considering the review of the requirements in STCW Code chapter VI on demonstration of competence under agenda item 17 (see paragraph 17.11).

5.12 The Sub-Committee agreed that the matter relating to the consideration of the need for guidelines for abandonment of ship alongside in port, under ISM provisions was not a training issue and should be considered by the Joint MSC/MEPC Working Group on Human Element. Accordingly, the Sub-Committee invited the Committee, subject to its endorsement, to instruct the Joint MSC/MEPC Working Group on Human Element to consider this issue at its next session.

5.13 The Sub-Committee agreed, as it would need to consider the outcome of COMSAR 10 on matters related to training of SAR personnel and seafarers with recovery responsibilities, as instructed by MSC 80, to invite the Committee to extend the target completion date to 2007 (see agenda item 15).

6 MEASURES TO PREVENT ACCIDENTS WITH LIFEBOATS

6.1 The Sub-Committee recalled that MSC 74 had included a new agenda item ‘Measures to prevent accidents with lifeboats’ to be co-ordinated by the DE Sub-Committee in the work programme of the Sub-Committee (MSC 74/24, paragraph 21.34) and STW 35 had subsequently developed amendments to table A-VI/2-1 of the STCW Code, which were adopted at MSC 79 and would enter into force on 1 July 2006.

6.2 The Sub-Committee further recalled that STW 36 agreed that Administrations should also be permitted to accept, during drills, all free-fall lifeboats, irrespective of their launching heights, be launched by falls in lieu of free-fall launching, provided that a simulated free-fall launch was conducted at least every six months in accordance with the Organization’s guidelines and referred this view to DE 48 for consideration. STW 36, also noting that the Committee was aware that this advice was in conflict with the existing provisions of SOLAS regulation III/19.3.3.4, had invited MSC 80 to instruct the DE Sub-Committee to consider the need to amend the SOLAS Convention when addressing this issue.

6.3 The Sub-Committee noted (STW 37/6) that MSC 80 had endorsed the views expressed by STW 36, and in view of the need to reduce some workload of DE 49, MSC 80 had agreed to move, on an ad hoc basis for the year 2006 only, this agenda item to the Sub-Committee on Fire Protection (FP 50).

6.4 The Sub-Committee was informed that FP 50 had:

.1 prepared the draft amendment to SOLAS regulation III/19.3.3.4 concerning the launching of free-fall lifeboats during abandon ship drills as follows:

“19.3.3.4 In the case of a lifeboat arranged for free-fall launching, at least once every three months during an abandon ship drill the crew shall board the lifeboat, properly secure themselves in their seats and commence the launch procedure up to but not including the actual release of the lifeboat (i.e., the release hook shall not be released). The lifeboat shall then either be free-fall launched with only the required operating crew on board, or lowered into the water by means of the secondary means of launching without the operating crew on board, and then manoeuvred in the water by the operating crew. At intervals of not more than six months, the lifeboat shall either be launched by free-fall with only the
operating crew on board, or simulated launching shall be carried out in accordance
with the guidelines developed by the Organization.*

* Refer to MSC/Circ.1137 on Guidelines for simulated launching of free-fall
lifeboats [or its successor].

.2 noted that the provisions of MSC/Circ.1115 on Prevention of accidents in high
free-fall launching of lifeboats had been superseded by the new draft SOLAS
regulation III/19.3.3.4 and agreed that Administrations should be urged to effect
early implementation of the draft SOLAS regulation III/19.3.3.4, i.e. prior to its
entry into force (FP 50/WP.3/Add.1, paragraphs 2 and 7).

6.5 The Republic of Korea (STW 37/6/1) proposed amendments to table A-VI/1-1 of the
STCW Code on specification of minimum standard of competence in personal survival
techniques.

6.6 The delegation of Greece, supported by others, expressed concern that the proposed
amendments would include all seafarers even though they might not be serving on board ships
with free-fall lifeboats. Accordingly, they proposed that it would be appropriate to include
guidance in part B of the STCW Code.

6.7 The ICS observer, while agreeing in principle to the proposal, drew the attention of the
Sub-Committee to the fact that the existing resources in training institutes around the world
might not be sufficient to meet the proposed requirements. Furthermore, the location of training
institutions might not be appropriate to conduct the necessary training.

6.8 The delegations of Liberia and the Bahamas, supported by the ICFTU observer, drew the
attention of the Sub-Committee that, in order to prevent such accidents from happening, the
equipment should be properly designed and tested before being placed on board. The
DE Sub-Committee should therefore be requested to consider the associated design and
equipment requirements.

6.9 In light of the foregoing, the Sub-Committee agreed that it would not be appropriate to
develop the amendments proposed by the Republic of Korea (STW 37/6/1) but instead, to
develop draft amendments in part B of the STCW Code providing guidance for participation of
seafarers serving on board ships with free-fall lifeboats in free-fall launch prior to joining the
ship, and instructed the training working group accordingly.

6.10 The Sub-Committee noted the information on a recent focused inspection campaign on
lifeboats carried out by Australia (STW 37/INF.4).

6.11 In light of the information provided by Australia, the Sub-Committee agreed to invite the
Committee to forward to the DE Sub-Committee the concerns of the STW Sub-Committee about
the difficulties seafarers faced in using lifeboats and their associated launching appliances, and
about the apparent lack of awareness of the new regulations for maintenance and testing of this
equipment, and to urge DE to address these matters, and to consider improved design and testing
criteria, within its on-going work on measures to prevent accidents with lifeboats.

**Working Group**

6.12 The Sub-Committee instructed the working group, established to consider training
matters, taking into account comments and decisions made in plenary, to:
.1 develop draft amendments in part B of the STCW Code providing guidance for participation of seafarers serving on board ships with free-fall lifeboats in free-fall launch prior to joining the ship.

Report of the Working Group

6.13 On receipt of the report of the working group (STW 37/WP.3), the Sub-Committee took action as summarized in the ensuing paragraphs.

6.14 The Sub-Committee, in considering the proposal from the Republic of Korea contained in the annex to document STW 37/6/1, agreed that it was necessary for seafarers on board ships with free-fall lifeboats to have knowledge of actions to be taken when boarding free-fall lifeboats. The Sub-Committee also agreed that while only seafarers assigned as operating crew of free-fall lifeboats should undergo training and actually participate on at least one occasion in a free-fall launch prior to boarding a vessel fitted with free-fall lifeboats, all seafarers serving on board such vessels should receive familiarization training in boarding and launching procedures for such lifeboats.

6.15 Accordingly the Sub-Committee, taking into account the draft amendment to SOLAS regulation III/19.3.3.4 agreed by FP 50, prepared draft amendments to part B of the Seafarers Training, Certification and Watchkeeping Code related to section B-I/14 of the STCW Code (Guidance regarding responsibilities of companies and recommended responsibilities of masters and crew members) providing guidance on familiarization and training for seafarers serving on board ships fitted with free-fall lifeboats and the associated STCW.6 circular set out in annex 1, and invited the Committee to adopt the amendments in accordance with its Rules of Procedure.

6.16 The Sub-Committee agreed, as the work thereon had been completed, to invite the Committee to delete this item from its work programme (see agenda item 15).

7 MEASURES TO ENHANCE MARITIME SECURITY

7.1 The Sub-Committee recalled that MSC 75 (MSC 75/24, paragraph 22.9) had decided to include in the work programme of the Sub-Committee and provisional agenda for STW 34, a high-priority item on “Measures to enhance maritime security”.

7.2 The Sub-Committee also recalled that STW 36 had prepared training and certification requirements for ship security officer as well as training requirements for company security officers.

7.3 The Sub-Committee noted that MSC 80 had:

Training and certification of ship security officers

.1 approved draft amendments to the STCW Convention along with the associated draft MSC resolution, regarding requirements for the issue of certificates of proficiency for ship security officers;

.2 approved draft amendments to part A of the STCW Code on Training requirements for issue of certificates of proficiency for ship security officers; and
.3 approved related draft amendments to part B of the STCW Code on Guidance regarding training for ship security officers and the associated STCW.6 circular, to become operative on the same date as the entry into force of the aforementioned amendments to the STCW Convention and part A of the STCW Code,

with a view to adoption at MSC 81 (MSC 80/24, paragraphs 5.7 to 5.9);

**Instruments to be reviewed and amended so as to include appropriate security-related provisions**

.4 noted that STW 36 had invited (STW 36/17, paragraph 8.17) the submission of specific proposals on the actions which needed to be taken in relation to the revision of the STCW Convention and the Principles of Safe Manning, in order to enable STW 37 to have an in-depth discussion of the subject with a view to providing the Committee with a holistic proposal on the issues which needed to be addressed (MSC 80/24, paragraph 5.28); and

.5 endorsed (STW 36/17, paragraph 8.18) the views of STW 36 on the revision of MSC/Circ.675 on Recommendations on the safe transport of dangerous cargoes and related activities in port areas and instructed the Secretariat to inform DSC 10 accordingly (MSC 80/24, paragraphs 5.24 and 5.25);

**Training and certification of company security officers**

.6 approved MSC/Circ.1154 on Guidelines on the training and certification of company security officers (MSC 80/24, paragraph 5.81); and

**Training and certification of port facility security officers**

.7 instructed the Sub-Committee to develop guidelines on the training and certification of port facility security officers (PFSOs) (MSC 80/24, paragraph 5.82). In this respect, MSC 80 had also decided that while developing these guidelines the Sub-Committee should:

.1 be concise and take into account the duties and responsibilities of PFSOs and the required knowledge and training specified in parts A and B of the ISPS Code and the IMO Model Course 3.21 on Port facility security officers;

.2 address, *inter alia*, issues relating to competence, knowledge, understanding and proficiencies; methods for demonstrating competence; and criteria for evaluating competence;

.3 also consider whether the proposed guidelines should include any guidance with respect to any criteria, other than those relating to training, which PFSOs should meet, as well as the form of certification of the training; and

.4 use MSC/Circ.1154 on Guidelines on the training and certification of company security officers as a template.
INSTRUMENTS TO BE REVIEWED AND AMENDED SO AS TO INCLUDE APPROPRIATE SECURITY-RELATED PROVISIONS

7.4 The Sub-Committee recalled that STW 36 had invited the submission of specific proposals on action which needed to be taken in relation to the revision of the STCW Convention and the Principles of Safe Manning, in order to enable the present session of the Sub-Committee to have an in-depth discussion on the issue with a view to providing the Committee with a holistic proposal on the matters which needed to be addressed (STW 36/17, paragraph 8.17).

STCW Convention

7.5 The United States (STW 37/7/1) informed the Sub-Committee that it had reviewed the STCW Convention in conjunction with the ISPS Code and proposed that training for shipboard personnel, without security responsibilities, could be addressed by developing general security-related training requirements (security awareness) applicable to all shipboard personnel using one or a combination of the following arrangements:

1. Including a new section under STCW Convention chapter VI addressing security awareness;

2. Amending STCW Convention chapter VI and STCW Code section A-VI/1-2, to include security awareness as part of Basic Safety Training; and

3. Amending STCW Convention chapter VI, STCW Code section A-VI/1-1, to include security awareness as part of familiarization training. In addition to providing security awareness, this path could also ensure that all seafarers become familiar with the particular ship’s security arrangements.

7.6 The United States also proposed that training for shipboard personnel with security responsibilities could be addressed by developing specific requirements applicable to those that may be required to assist the SSO and could be incorporated into the STCW Convention using one or a combination of the following arrangements:

1. Amending the existing tables of competence under STCW Convention chapters II and III to include training associated with security responsibilities; and

2. Including the training requirements as part of the general security training requirements (security awareness) applicable to all ship personnel.

7.7 The United States also suggested the inclusion of appropriate transitional provisions applicable to those seafarers serving on board ships prior to the entry into force of any new requirements.

7.8 ISF (STW 37/7/3) expressed the view that the proposal of the United States (STW 37/7/1) went beyond what was envisaged when the Ship Security Officer’s (SSO) competencies were developed, and suggested that security-related training for seafarers other than the SSO was most effectively undertaken through the existing arrangements under the ISPS Code. In ISF’s opinion, it was the Company Security Officer’s (CSO) responsibility to see that the SSO ensures that the seafarers serving on board are adequately trained and this, in ISF’s view, was best done through the focused and ship specific security drills and training conducted by the SSO on board.
ISF also indicated that if, some amendments were needed to the STCW Convention, then, the general requirements could be added to the familiarization training provisions in STCW Code section A-VI/1, and the basic requirements to the tables in chapters II and III of the STCW Code.

7.9 The Sub-Committee recalled that training and knowledge requirements for “the Company Security Officer” and “appropriate shore-based personnel”; “the Ship Security Officer”; “shipboard personnel having specific security-related duties” and “all other shipboard personnel” were set out in the ISPS Code (paragraphs B/13.1 to B/13.4) and agreed to refer both documents to the working group to be established to consider measures to enhance maritime security, for detailed consideration.

7.10 The delegation of the United Kingdom, supported by others, endorsed, in principle, the proposals of the United States (STW 37/7/1) for mandatory security-related training and certification requirements for all seafarers. They also indicated that they preferred to see the relevant requirements been included in STCW chapter VI (and the related sections of the STCW Code) rather than in STCW chapter II and/or III. In addition, they pointed out the need to ensure that the eventual requirements afforded STCW Convention parties a degree of flexibility on the approach to be taken.

7.11 The delegation of Iran (Islamic Republic of) pointed out that, in their view, the existing competences of the STCW Code (i.e. tables A-II/2 and A-III/2) contained some security-related training. As a result, in their view, it was more prudent to amend the relevant competences and add new “KUPs” as necessary instead of adding new competences, with the possible exception of including in section A-VI/1 of the STCW Code elements relating to “security awareness” as part of familiarization training.

7.12 The delegation of Cyprus indicated that the proposals of the United States (STW 37/7/1) provided a framework for discussion. However, in their view, as the Committee had instructed the Sub-Committee to prepare proposals for a holistic review of the STCW Convention to include security-related provisions, other aspects needed to be also examined such as STCW article VIII and STCW regulations I/4, I/5 and I/14. In addition, they referred to operative paragraph 1(a) of 2002 SOLAS Conference resolution 3 which invited the Organization to develop training guidance such as model courses for ship security officers, company security officers, port facility security officers and company, ship and port security personnel and, in view of IMO model courses 3.19, 3.20 and 3.21, inquired on the progress made in relation to the development of training guidance for company, ship and port security personnel.

7.13 The delegation of the Republic of Korea, supported by a number of other delegations, agreed with the development of security-related training requirements within the STCW Convention along the lines proposed by the United States (STW 37/7/1).

7.14 The delegation of the Bahamas, supported by a number of other delegations, indicated a preference for pursuing the development of security-related training requirements within the STCW Convention along the lines suggested by ISF (STW 37/7/3) and expressed the view that proposals of the United States were too detailed.

7.15 The delegations of Ukraine and Uruguay informed the Sub-Committee that they were already providing security-related training to all categories of seafarers. In addition, the delegation of Ukraine referred to the recent hijacking of a ship, with Ukrainian crew, off the coast of Somalia and stressed the importance of providing seafarers with adequate security-related training.
7.16 The delegation of Dominica referred to the recent hijacking of a ship under the flag of Dominica in the Strait of Malacca and stressed the need to ensure that the human factor was correctly addressed in the context of welfare, protection and training. In their view the proposals of the United States provided a good start.

7.17 The observers from ICFTU and BIMCO supported the development of security-related training requirements along the lines suggested by ISF (STW 37/7/3). In addition, ICFTU pointed out that seafarers are not security experts and any eventual training requirements should not seek to convert seafarers into security specialists.

7.18 In addition some delegations expressed the opinion that any security-related training provisions should be incorporated into STCW chapter VI, rather than into STCW chapters II and III. Furthermore, a number of delegations stressed the need to ensure that any eventual security-related training requirements under the STCW Convention provided the desired degree of flexibility.

7.19 The Chairman pointed out that, at this stage, the Sub-Committee was expected to make proposals for a holistic review and to identify the salient provisions and not to engage in the drafting of specific provisions such as those related to security-related training.

7.20 The Sub-Committee agreed that the working group, to be established to consider measures to enhance maritime security, should identify the various aspects of the STCW Convention which may need to be reviewed and amended with a view to including therein appropriate security-related provisions. In this context, the group should take into account the proposals of the United States (STW 37/7/1), the suggestions of ISF (STW 37/7/3) and the comments and decisions in plenary. Furthermore, the group should note that the Committee expected a holistic proposal on the matters which needed to be addressed and that the drafting of specific amendments would be initiated after the Committee had reviewed and endorsed the proposals of the Sub-Committee.

**Principles of Safe Manning**

7.21 The Sub-Committee noted that the 2002 SOLAS Conference had invited the Organization (2002 SOLAS Conference resolution 3, operative paragraph 1(e)) to review “resolution A.890(21) on Principles of safe manning and, if found necessary, develop appropriate amendments thereto”. Consequently, A 23 had adopted resolution A.955(23) on Amendments to the Principles of Safe Manning (resolution A.890(21)).

7.22 The Sub-Committee noted that no submissions had been received for the revision of the Principles of Safe Manning and the United Kingdom et al (MSC 81/23/3) had proposed to MSC 81 the approval of a new work programme item dealing with the review and revision of the Principles of Safe Manning. Accordingly, the Sub-Committee decided not to embark, at this stage, on any discussion relating to the revision of the Principles of Safe Manning until MSC 81 had decided on that proposal.

7.23 The observer from ICFTU expressed regret on the lack of making progress in relation to the holistic review of the Principles of Safe Manning. ICFTU had previously submitted proposals to this end, had been asked to re-submit them and was planning to do so for consideration by MSC 81. ICFTU also expressed regret for the fact that although A 23, in response to a request from the 2002 SOLAS Conference and through resolution A.955(23), had adopted amendments to the Principles of Safe Manning to include the security-related duties of the shipboard personnel in the elements which need to be taken into account in establishing the
minimum manning of ships, flag States have failed to implement the actions required and to review existing minimum manning compositions or to take the additional work load due to security into account when establishing new ones.

TRAINING AND CERTIFICATION OF PORT FACILITY SECURITY OFFICERS

7.24 The United States (STW 37/7/2) proposed tables of competences; knowledge, understanding and proficiencies; methods for demonstrating competence; and criteria for evaluating competence for port facility security officers (PFSOs) which were developed taking into account, inter alia, the duties and responsibilities of the PFSOs, as specified in parts A and B of the ISPS Code and the IMO Model Course 3.21 on Port facility security officer.

7.25 The delegation of the United Kingdom, supported by others, endorsed, in principle, the proposals of the United States (STW 37/7/2) relating to the knowledge, understanding and proficiency of PFSOs.

7.26 The delegation of the Republic of Korea also supported the proposals of the United States (STW 37/7/2) relating to the proposed guidelines on training and certification of PFSOs.

7.27 The observer from ICFTU noted that the provisions contained in the proposal from the United States did not address the issue of human rights and the right of seafarers to be granted shore leave or the access of visitors to ships in accordance with the FAL Convention and the ISPS Code. ICFTU requested and the Sub-Committee agreed that these should therefore be considered by the working group.

7.28 The Sub-Committee agreed, taking into account the instructions of MSC 80, that the anticipated working group should develop guidelines on the training and certification of PFSOs based on the proposal by the United States (STW 37/7/2).

Establishment of the working group

7.29 The Sub-Committee established a working group to consider measures to enhance maritime security and instructed it, taking into account the comments and decisions made in the plenary, to:

1. consider the documents STW 37/7/1 and STW 37/7/3 with a view to include appropriate security-related provisions in the STCW Convention and to advise the Sub-Committee accordingly;

2. develop draft guidelines on training and certification of PFSOs, taking into account the instructions of MSC 80 (see STW 37/7, paragraph 6) and the proposals of the United States (STW 37/7/2, annex); and

3. submit its report to the plenary on Thursday, 26 January 2006.

Report of the working group

7.30 On receipt of the report of the working group (STW 37/WP.2), the Sub-Committee took action as summarized in the ensuing paragraphs.
REVIEW OF THE STCW CONVENTION AND OF THE STCW CODE SO AS TO INCLUDE APPROPRIATE SECURITY-RELATED PROVISIONS

General

7.31 The Sub-Committee noted that when the STCW Convention (the Convention) and the STCW Code (the Code), were developed and adopted in their current form, security did not form part of the work of the Organization as it did today. Thus, apart from some very limited references to security (i.e. Code table A-II/2\(^1\) and A-III/2\(^2\)) the need to include security-related requirements had not been taken into account.

7.32 The Sub-Committee also noted that the existing provisions of the ISPS Code relating to the training of shipboard personnel had been developed as a “quick” and short-term solution to enable the introduction of the Special measures to enhance maritime security (SOLAS chapter XI-2 and the ISPS Code). As a result, the Sub-Committee agreed with the view of the Working Group that there was a need to regulate the matter with a long-term view, as had already been done with the development of requirements for the issue of certificates of proficiency for ship security officers under the Convention and the Code (see also paragraphs 7.40 and 7.42 below).

7.33 The Sub-Committee further noted that one delegation, at the outset of the discussions within the Working Group, had suggested that the existing provisions of the Convention and, in particular, of the Code (i.e. tables A-II/1, A-II/2, A-II/3, A-III/1 and A-III/2) provided a framework through which Parties and Administrations could address the required security-related training. As a result, in the view of that delegation, it was not necessary to develop any amendments with the possible exception of including in section A-VI/1 of the Code elements relating to “security awareness” as part of familiarization training. As this approach was based on a specific interpretation of the provisions of the Convention and of the Code, which was not necessary equally shared by all Parties and Administrations, the Sub-Committee shared the view of the Working Group and did not agree with this approach.

Identification of provisions which might need to be amended (other than those related to training)

7.34 The Sub-Committee noted that the current provisions of the Convention (i.e. following the adoption of the 1995 amendments through which the entire annex to the Convention was replaced) and the Code were developed taking into account related aspects of SOLAS, LOADLINE and MARPOL. In addition, in a number of places the Convention and the Code included cross references to these instruments and they were somehow “integrated” into the Convention and the Code. As a result, the Sub-Committee agreed with the view of the Working Group that it was necessary to review the provisions of the Convention and of the Code with a view to ensuring that they adequately reflected the inclusion of security into SOLAS.

7.35 The Sub-Committee also noted that a number of the provisions of the Convention and the Code made references to “safety of life at sea and the protection of the marine environment” or

--- ditto ---.

\(^1\) See Function on Controlling the operation of the ship and care for persons on board at the management level, Competence 2 on Monitor and control compliance with legislative requirements and measures to ensure safety of life at sea and the protection of the marine environment and Competence 3 on Maintain safety and security of the ship’s crew and passengers and the operational condition of life-saving, fire-fighting and other safety systems and the related entries under the column headed Knowledge, understanding and proficiency.

\(^2\) See Function on Controlling the operation of the ship and care for persons on board at the management level, Competence 2 on Monitor and control compliance with legislative requirements and measures to ensure safety of life at sea and the protection of the marine environment and Competence 3 on Maintain safety and security of the ship’s crew and passengers and the operational condition of life-saving, fire-fighting and other safety systems and the related entries under the column headed Knowledge, understanding and proficiency.
other similar references. As a result, the Sub-Committee agreed with the view of the Working Group that these provisions needed to be reviewed so as to establish whether there is a need to include, together with these, reference to “security”.

7.36 The Sub-Committee noted that the Working Group had developed a preliminary list, identifying the provisions of the Convention which needed to be closely examined with a view to determining whether they need to be amended so as to include appropriate security-related provisions in the light of the requirements of SOLAS chapter XI-2 and the ISPS Code, as set out in annex 2.

7.37 The Sub-Committee agreed with the view of the Working Group that, with respect to the STCW regulations identified in the preliminary list, the corresponding provisions of parts A and B of the Code would need also to be examined. Furthermore, the Sub-Committee also agreed that the list should not be considered as being exhaustive and, on close scrutiny at a later stage, other issues might be identified.

7.38 Subject to paragraph 7.51.2 below, the Sub-Committee decided to request the Committee to note the preliminary list and to authorize the Sub-Committee to start considering the matter with a view to developing, in due course, appropriate amendments, on the understanding that the Sub-Committee would have the flexibility to include, at any stage, any other related issues which transpired as a result of the discussions.

7.39 In this respect, the Sub-Committee noted that, during the discussions within the Working Group, one delegation suggested that, in addition to the issues identified in the preliminary list, it was necessary also to review the provisions of STCW regulation I/6 on Training and assessment and the related provisions of the Code. However, the Sub-Committee shared the view of the Working Group and agreed that, at this stage, it was not necessary to include this matter in the preliminary list, on the understanding that the substantive work on the issue would eventually dictate whether review of the aforesaid provisions would be warranted.

Security-related training for shipboard personnel

General

7.40 The Sub-Committee noted that the draft amendments to the Convention and the Code, which the Committee was to consider with a view to adoption at its next session (see also paragraph 7.42 below), included, *inter alia*, amendments to the title of STCW chapter VI (and corresponding amendments to the Code) to read “Emergency, occupational safety, security, medical care and survival functions”.

7.41 The Sub-Committee also noted that, with respect to shipboard personnel, the ISPS Code, in sections A/13.2 and A/13.3 and in paragraphs B/13.2 to B/13.4, set out training and knowledge requirements for the “Ship Security Officer”, for “shipboard personnel having specific security-related duties” and for “all other shipboard personnel”. In this respect, the Sub-Committee shared the view that the guidance provided in part B of the ISPS Code in relation to training and knowledge should not necessarily be considered as being absolute or definite and any eventual amendments to the Convention and the Code would need to take into account the experience gained since the entry into force of SOLAS chapter XI-2 and the ISPS Code.
Ship security officer

7.42 The Sub-Committee agreed that, as the Committee, at its next session, was to consider with a view to adoption, *inter alia*, draft amendments to the Convention and the Code relating to requirements for the issue of certificates of proficiency for ship security officers, there was no need to discuss further matters related to the training and certification of ship security officers (SSOs) (see also paragraph 7.40 above).

Shipboard personnel other than those who have specific security-related duties

7.43 The Sub-Committee noted that the Working Group had extensively discussed, taking into account the proposals of the United States (STW 37/7/1) and the suggestions of ISF (STW 37/7/3), the approach to be taken in relation to the training of shipboard personnel other than those who have specific security-related duties in accordance with the ship’s security plan.

7.44 The Sub-Committee noted that, during the discussions within the Working Group, a number of delegations suggested the inclusion of appropriate provisions in STCW regulation VI/1 together with associated provisions under section A-VI/1.1 and B-VI/1 of the Code relating to Familiarization training, so as to specify the required training and make it the obligation of the SSO to provide this during the process of the already required mandatory shipboard familiarization training.

7.45 The Sub-Committee noted that, in this respect, it was pointed out that the SSO might not necessarily have the needed competence to provide training in all the required aspects such as in relation to the knowledge of current security threats and patterns, the recognition of characteristics and behavioural patterns of persons who are likely to threaten security, or the techniques used to circumvent security measures. In addition, some aspects of the required training such as the recognition and detection of weapons, dangerous substances and devices, could not be conducted on board in a realistic manner. As a result, it was suggested that there was a need to include, in addition, salient provisions under section A-VI/1.2 of the Code on Basic training. In this connection, it was also suggested that a possible option to be explored might be to include salient provisions in table A-VI/1-4 of the Code on Specification of minimum standards of competency in personal safety and social responsibility.

7.46 The Sub-Committee also noted that, during the discussions within the Working Group a number of delegations suggested that it might eventually be necessary to address the matter by including salient provisions under Familiarization and under Basic training and that in view of the variety of approaches adopted thus far in relation to the training of shipboard personnel it would be necessary to ensure that the eventual provisions allowed Parties and Administrations a degree of flexibility.

Shipboard personnel having specific security-related duties

7.47 The Sub-Committee noted that the Working Group also discussed, taking into account the proposals of the United States (STW 37/7/1) and the suggestions of ISF (STW 37/7/3), the approach to be taken in relation to the training of shipboard personnel having specific security-related duties in accordance with the ship’s security plan.

7.48 The Sub-Committee noted that, during the discussions within the Working Group, a number of delegations suggested the inclusion of a new regulation in STCW chapter VI together with associated provisions, as necessary, under chapters A-VI and B-VI of the Code to address the training of those who might be designated to have on board specific security-related duties.
7.49 The Sub-Committee noted that, in this respect, it was pointed out that, taking into account the variety of security-related duties which might be involved, especially in the case of passenger ships, it might not be practical to develop specific provisions in this respect and, as a result, a different approach might be required. In this connection, it was suggested that it might be more appropriate for the SSO to provide the required specific training on board, taking into account the salient provisions of the related ship security plan (see also paragraphs 7.45 and 7.46 above).

Other proposals

7.50 The Sub-Committee further noted that, during the discussions within the Working Group, the following additional suggestions or points were individually made:

.1 before embarking on the development of any training related requirements, it would be necessary to identify and to clarify, rank wise, who has security-related responsibilities on board; who has security-related duties; and who has no specific security-related duties;

.2 it would not be desirable to incorporate in the existing provisions of the Convention (i.e. regulation VI/1) and the Code (i.e. section A-VI/1), provisions governing the security-related training of shipboard personnel and, in their view, it would be better to include appropriate requirements in separate and dedicated provisions;

.3 instead of amending the Convention and the Code to include appropriate security-related provisions in connection with the training of shipboard personnel, consideration should be given to amending the ISPS Code with a view of including therein the mandatory training provisions and that, in this respect, it was pointed out that such an approach might lead to fragmentation of the training requirements and would not benefit from other provisions already contained in the Convention; and

.4 if the Convention and the Code are to be amended to include appropriate security-related provisions in connection with the training of shipboard personnel, the related provisions of part A and B of the ISPS Code will need to be amended so as to avoid creating any conflicts.

Conclusions

7.51 The Sub-Committee agreed that:

.1 it was necessary to include, eventually, appropriate provisions in the Convention and in the Code to address the security-related training and familiarization of shipboard personnel, other than the SSOs, as a result of the provisions of SOLAS chapter XI-2 and the ISPS Code;

.2 at this stage, there was a divergence of opinion on the approach to be taken in relation to the development of the specific provisions (see paragraphs 7.44 to 7.46 and 7.48 and 7.49) and that this was, to a large extent, dependent on the philosophy and perception as to what needed to be included. As a result, the Sub-Committee agreed to request the Committee to consider the matter and to instruct the Sub-Committee on the approach to be taken and on the nature, extent and level of training required;
During the development of the related training provisions it would be necessary to observe the following principles:

- Shipboard personnel are not security experts and seafarers should not be converted into security specialists; and
- Shipboard personnel should receive adequate security-related training so as to acquire the required knowledge and understanding to perform their assigned duties and to collectively contribute to the enhancement of maritime security; and

Irrespective of the details of any training provisions to be eventually included in the Convention and the Code, any amendments would need to include appropriate transitional provisions such as:

- With respect to those seafarers who had been serving on board ships after 1 July 2004 and prior to the date of entry into force of the amendments, as a considerable number of them would, by the entry into force of the amendments, have undergone a variety of security-related training programmes, based on the existing provisions of the ISPS Code and, possibly, on national requirements, and would have also acquired practical experience as a result of performing security-related duties;
- With respect to those seafarers who would be serving on board ships at the time of entry into force of the amendments and thus, would practically not be able to meet any new or additional requirements; and
- With respect to training establishments, if the nature and extent of the amendments would entail verification of their compliance with new or additional requirements.

Dispensations for SSOs

7.52 The Sub-Committee noted that, during the discussions within the Working Group, the question of granting dispensations to SSOs under STCW article VIII had not been discussed and that those attending were approaching the issue in a variety of ways. In addition, it was also noted that, thus far, this matter had not been discussed by the Committee.

7.53 The Sub-Committee decided to invite the Committee to consider and resolve this issue, and, if necessary, to incorporate appropriate provisions in the draft amendments relating to the requirements for the issue of certificates of proficiency for ship security officers provisions.

Training and Certification of Port Facility Security Officers

7.54 The Sub-Committee noted that the Working Group, taking into account the instructions of MSC 80 (see STW 37/7, paragraph 6), the proposals of the United States (STW 37/7/2, annex) and MSC/Circ.1154 on Guidelines on training and certification for company security officers, developed draft Guidelines on training and certification for port facility security officers and an associated draft MSC circular.

7.55 The Sub-Committee endorsed the draft MSC circular on Guidelines on training and certification for port facility security officers for approval by the Committee, as set out in annex 3.
7.56 The Sub-Committee agreed to invite the Committee to extend the target completion date to 2007 (see agenda item 15).

8 EDUCATION AND TRAINING REQUIREMENTS FOR FATIGUE PREVENTION, MITIGATION AND MANAGEMENT

8.1 The Sub-Committee recalled that, in considering the report of the Joint MSC/MEPC Working Group on the Human Element (MSC 75/WP.10), MSC 75 had considered the issue of education and training for fatigue prevention, mitigation and management to be very important and of some urgency and had agreed to include, in the Sub-Committee’s work programme and provisional agenda for STW 34, a high priority item on “Mandatory education and training requirements for fatigue prevention, mitigation and management”.

8.2 The Sub-Committee further recalled that:

.1 STW 34 had decided that training in fatigue management should be addressed through voluntary guidance rather than mandatory requirements and had invited Member Governments to submit information on their experience with the application of the Guidelines on fatigue, as set out in MSC/Circ.1014, and the hours of work and rest provisions in STCW chapter VIII and ILO Convention 180;

.2 STW 35 had decided that, in light of no submissions from Member Governments related to their experiences with the application of the above provisions, it was premature to develop a model course, as proposed by the United States; and

.3 STW 36 had agreed that, since only one submission related to experiences with the application of the above provisions had been received, it was still premature to decide on this issue.

8.3 The Republic of Korea (STW 37/8) advised the Sub-Committee of their experience in the utilization of MSC/Circ.1014. These guidelines had been translated into the Korean language and were used as a textbook for Bridge Resource Team management and Engine-Room Resource management training courses for their cadets. In addition, the Republic of Korea had initiated a research project on optimum level of vessel’s manning. The project was expected to be completed in June this year. The results were expected to help in mitigating fatigue of seafarers on board vessels.

8.4 The Sub-Committee, noting the information provided by the Republic of Korea, requested the delegation to provide STW 38 with the results of the research.

8.5 The Sub-Committee noted the information provided by the Netherlands (STW 37/INF.5) on the study commissioned by the Dutch Government concerning fatigue and fatigue prevention and that detailed findings could be submitted to MSC 81.

8.6 The Sub-Committee noted the information provided by Sweden (MEPC 53/INF.7) forwarded to the Sub-Committee by MEPC 53, on the study by the Swedish Maritime Administration concerning collisions and groundings in which sleep and fatigue had been identified as a major contributing factor.

8.7 The Sub-Committee recalled that a proposal for a new work programme item on review of resolution A.890(21) on “Principles on safe manning”, as amended by resolution A.955(23)
based partly on the findings of this study, had been submitted to MSC 81 by the United Kingdom et al (see paragraph 7.22).

8.8 The Sub-Committee, in light of the research by the Republic of Korea and the study by the Netherlands, requested MSC 81 to extend the target completion date to 2007 (see agenda item 15).

9 DEVELOPMENT OF TRAINING REQUIREMENTS FOR THE CONTROL AND MANAGEMENT OF SHIP'S BALLAST WATER AND SEDIMENTS

9.1 The Sub-Committee recalled that MSC 71 (MSC 71/23, paragraph 20.55) had included the development of training requirements for ballast water management as an item in the Sub-Committee’s work programme.

9.2 The Sub-Committee also recalled that MSC 78 had changed the title of this work programme item to “development of training requirements for the control and management of ship’s ballast water and sediments” and had extended its target completion date to 2007.

9.3 The Sub-Committee further recalled that STW 36 had agreed that it would be appropriate to develop voluntary guidance in the form of a model course for shipboard ballast water management and had accepted the offer from India to develop this model course at no cost to the Organization.

9.4 The Sub-Committee finally recalled that STW 36 also had agreed to refer the proposal for the development of the model course for Port Ballast Water Management officer to the Facilitation Committee for its advice on the need thereof.

9.5 The Sub-Committee noted that FAL 32 had considered the above request of STW 36 and agreed that there was a need to develop such a course. FAL 32 had also agreed that it did not foresee, in relation to the provisions of the Ballast Water Management Convention, any need for the development of any mandatory training requirements for shore-based personnel or port officials.

9.6 India (STW 37/9/1) advised the Sub-Committee on the progress made so far in the development of the model courses for shipboard ballast water management and port ballast water management officers. They had, in co-ordination with 14 countries, so far finalized the course outline and framework for these model courses. They expected that the draft model courses would be completed in the near future and submitted to the Secretariat for circulation to the validation panel with a view to validation by the Sub-Committee.

9.7 The ICS observer offered to assist India in the further development of the model courses.

9.8 The Sub-Committee noted the information provided by Ukraine (STW 37/9/2) on educational training courses on Ballast Water Management for educational maritime institutes developed and approved by them. The delegation of Ukraine offered to provide electronic copies of their training programme to any interested delegations.

10 DEVELOPMENT OF COMPETENCES FOR RATINGS

10.1 The Sub-Committee recalled that MSC 79 had considered the outcome of the ILO Preparatory Technical Conference and had instructed STW 36 to consider the issue and the possible implications arising from standards for training related to ratings being regulated by the Organization, and to suggest the best way forward to MSC 80.
10.2 The Sub-Committee further recalled that STW 36 had agreed that:

.1 there was a need for ILO to consider the legal status of those countries that had ratified ILO Convention No.74;

.2 there was a need to provide for transitional arrangements for seafarers holding certificates issued under the provision of ILO Convention No.74;

.3 the term ‘able seamen’ needed to be retained as it had implications within the ILO regulatory framework, in particular to basic wage recommendations;

.4 the proposed standards to be developed should include both deck and engine-room ratings, with a possibility of also addressing general purpose ratings;

.5 the proposed standards should follow the structure of the present STCW Convention namely:

   .1 competence;
   .2 knowledge, understanding and proficiency;
   .3 methods of demonstrating competence; and
   .4 criteria for evaluating competence,

and had invited the Committee to endorse this decision and to instruct the Secretariat to inform ILO accordingly. To facilitate the development of competence for ratings, STW 36 had also established a correspondence group, under the co-ordination of the United Kingdom, to continue the work intersessionally.

10.3 The Sub-Committee noted that MSC 80 had endorsed the decisions of STW 36 relating to the development of competence for ratings and had instructed the Secretariat to inform ILO accordingly.

10.4 The Sub-Committee further noted the response received from ILO (STW 37/10/2) relating to the decisions of STW 36, endorsed by MSC 80.

10.5 The Sub-Committee having considered the report of the correspondence group (STW 37/10) in general, referred it for detailed consideration to the working group to be established on training matters.

10.6 The Sub-Committee noted that the United States (STW 37/10/1), after having participated in the correspondence group and in order to assist the Sub-Committee in its discussions, had, developed tables of competence for Deck Rating Grade I and Engine Room Rating Grade I with the assistance of various industry experts. The Sub-Committee agreed that this should be considered in detail by the above working group.

10.7 The delegation of the Islamic Republic of Iran expressed the opinion that the standards to be developed should use existing terminology rather than introducing new terms Grade I and II. According to that delegation, the functions proposed in document STW 37/10/1 were not in line with the functions in the STCW Convention and it was appropriate to use the same functions as contained in the STCW Convention.
10.8 The delegation of the Republic of Korea agreed that the proposed standards for ratings should include a two-stage structure, provisions for general purpose rating, transitional arrangements for existing seafarers, sea service requirements, knowledge, understanding and proficiency tables and advanced fire-fighting training.

10.9 The delegation of the United Kingdom, supported by others, stated that while the information provided by the United States was useful, it was still premature to finalize tables of competence before agreeing on the regulatory requirements.

10.10 The delegations of Singapore and the Bahamas expressed the opinion that the standards to be developed should be pragmatic, consistent with the responsibilities of the able seafarer and should not impose too many onerous training requirements. The working group should develop minimum standards rather than ideal standards.

10.11 The delegation of Japan stated that competence could be developed only after agreeing on a definition and identifying the tasks for the able seafarer. In their view, the competences proposed to be developed should not exceed the requirements of ILO Convention No.74, and this should not include for example, requirements for a course in advanced fire-fighting. Furthermore, the tables of competence proposed by the United States were too detailed and contained items which they considered irrelevant for the purpose of the STCW Convention.

10.12 The delegation of Greece supported the proposal made by the correspondence group and the United Kingdom and stated that there should not be any additional requirements for existing seafarers or for safe manning.

10.13 The ISF observer concurred with the views expressed by Japan and also expressed the opinion that the tasks and duties for the able seafarer needed to be identified along with transitional requirements for existing seafarers, while developing competences for ratings, and that national Administrations should be free to set the number of ratings on board.

10.14 The delegations of India, Belgium and Brazil indicated that the tables of competence proposed by the United States were at this stage too detailed and contained a number of inconsistencies.

10.15 The delegation of the United States expressed the opinion that the correspondence group had agreed to continue its work after the initial report had been submitted, however as this did not happen, they had developed the tables of competence which could form the basis for discussion. They supported the proposal by Japan that the definition and tasks for able seafarer should be agreed upon before proceeding further.

10.16 The Sub-Committee agreed that at this stage the working group should continue to develop competences for ratings bearing in mind that the work on this item was not due to be completed at this session.

Establishment of Working Group

10.17 The Sub-Committee established a working group to consider training matters under the chairmanship of Capt. M.A. Shahba (Islamic Republic of Iran) with the following terms of reference:
Taking into account the comments and decisions made in the plenary, the Working Group should:

.1 further develop competences for ratings on the basis of the proposals contained in the report of the correspondence group (STW 37/10) along with the information contained in documents STW 37/10/1 and STW 37/10/2;

.2 consider whether it is necessary to re-establish the Correspondence Group and, if so, prepare draft terms of reference for the group; and

.3 submit its report to the plenary on Thursday, 26 January 2006.

Report of the working group

10.18 On receipt of the report of the working group (STW 37/WP.3), the Sub-Committee took action as summarized in the ensuing paragraphs.

10.19 The Sub-Committee agreed with the proposal of the correspondence group to adopt a two-stage grading structure while developing competences for ratings without using the terms Grades 1 and 2, as follows:

.1 entry point as trainee as defined by paragraph 1 of existing regulations II/4 and III/4;

.2 deck and engine-room watchkeeping rating, as defined by existing regulations II/4 and III/4 respectively; and

.3 able seafarer and motorman as defined by the proposed new regulations II/5 and III/5 respectively.

10.20 The Sub-Committee agreed that the proposed new grades of able seafarer and motorman should be trained and certificated in accordance with the requirements of existing regulations II/4 and III/4 respectively, prior to being certificated in the proposed new grades. In this context, the Sub-Committee agreed that it was necessary to strengthen the requirements of chapters II and III by the inclusion of new draft regulations II/5 and III/5 for able seafarer and motorman respectively to reflect the proposed new grading structure.

10.21 The Sub-Committee also agreed that the existing requirements in regulations II/4 and III/4 were appropriate for deck and engine-room watchkeeping rating, and that in doing so, there was also no need to address the issue of new entrants/trainees, since paragraph 1 of existing regulations II/4 and III/4 already provided for trainee ratings on board ship.

10.22 The delegation of Greece expressed the view that a seafarer certified according to either regulations II/4-III/4 or proposed regulations II/5-III/5 should be considered to satisfy the safe Manning requirements for ratings.

10.23 Some delegations were of the view that in order to provide flexibility, it was appropriate to explore the possibility of developing competences for General Purpose (GP) ratings. The Sub-Committee therefore agreed that the proposed correspondence group should be tasked to consider the need for the development of training and certification requirements for General Purpose (GP) ratings and prepare such requirements, if deemed necessary.
10.24 The Sub-Committee considered in detail the qualification requirements for the proposed new grading structure and agreed that the able seafarer should have proficiency in survival craft and rescue boats only but not in advanced fire-fighting while the motorman would not require training in either.

Definitions

10.25 The Sub-Committee agreed that it was necessary to develop definitions for the terms ‘able seafarer’ and ‘motorman’ for inclusion in the STCW Convention to reflect the proposed new ratings grading structure taking into consideration the definition in the ILO Certification of Able Seamen Convention, 1946 (C74). Accordingly, the Sub-Committee prepared the following definitions for ‘able seafarer’ and ‘motorman’:

1. **Able seafarer** means a rating qualified in accordance with the provisions of regulation II/5 of the Convention.

2. **Motorman** means a rating qualified in accordance with the provisions of regulation III/5 of the Convention.

10.26 In this context, the Sub-Committee also agreed that the proposed correspondence group should also explore the possibility of resolving the gender issue relating to the term ‘motorman’.

Sea service requirements

Able seafarer

10.27 The Sub-Committee discussed in detail the actual seagoing service required for certification as an able seafarer and agreed that it should be not less than 18 months or, not less that 12 months with completion of approved training.

Motorman

10.28 The Sub-Committee discussed in detail the actual seagoing service required for certification as a motorman. While the majority of delegations were of the view that it should be not less than 12 months or not less than 6 months with completion of approved training, some delegations were of the view that it should be not less than 9 months or not less than 6 months with completion of approved training. The Sub-Committee agreed the actual seagoing service required for certification as a motorman should be not less than 12 months or not less than 6 months with completion of approved training.

10.29 A number of delegations were of the view that candidates for certification should be required to provide evidence of having achieved the required standards of competence in the form of documentation such as a Training Record Book. The Sub-Committee was of the view that appropriate guidance should be provided in part B of the Code.

Certification and transitional provisions

10.30 The Sub-Committee considered in detail the mandatory minimum requirements for certification of ratings as able seafarer, and as motorman in a manned engine-room or designated to perform duties in a periodically unmanned engine-room, to reflect the proposed new grading structure for ratings and also agreed that appropriate transitional arrangements should be put in
place so that existing seafarers certified in accordance with the provisions of the
ILO Certification of Able Seamen Convention 1946 (C74) are not at a disadvantage.

10.31 Accordingly, the Sub-Committee prepared draft regulations II/5 (able seafarer) and III/5
(motorman) providing mandatory minimum requirements for certification of ratings as able
seafarer and as motorman in a manned engine-room or designated to perform duties in a
periodically unmanned engine-room, which included transitional provisions.

10.32 The observer of ICFTU expressed the view that in the proposed regulations II/5 and III/5
the burden of training was on the seafarer, whereas in ILO Convention on certification of Able
Seamen, 1946 (C74) this was the responsibility of the Administration. He also expressed
concern that the proposed regulations II/5 and III/5 did not require evidence of achievement of
the required standard of competence to be recorded and expressed the view that this should be
included in the proposed regulations and not only as guidance in part B of the Code and the
correspondence group should be tasked to consider this issue.

Tables of Competence

10.33 The Sub-Committee agreed that it was necessary to develop the competences; knowledge,
understanding and proficiencies; the methods for demonstrating competence; and the criteria for
evaluation in accordance with the existing format of the STCW Code to reflect the proposed new
grades of able seafarer and motorman.

10.34 The Sub-Committee considered the appropriate competences for able seafarer and
motorman in document STW 37/10/1 (United States), agreed that it provided the underpinning
information to develop appropriate competences, and prepared preliminary tables of competence
to be further developed by the proposed correspondence group.

Correspondence group

10.35 The Sub-Committee agreed to re-establish the correspondence group, under the
co-ordination of the United Kingdom*, for development of competences for ratings excluding the
ship’s cook, with the following terms of reference:

The correspondence group, taking into account the deliberation and decisions of STW 37
should:

.1 develop appropriate tables of competence for ‘able seafarer’ and ‘motorman’
taking into account the proposed draft regulations II/5 and III/5 and the draft
tables of competence;

* Co-ordinator:
Capt. Roger Towner
Chief Examiner
Head of Seafarer Training and Certification Branch
Maritime and Coastguard Agency (MCA)
Bay 1/19, Spring Place
105 Commercial Road
Southampton SO15 1EG
Tel:  +44 (0)23 8032 9238
Fax:  +44 (0)23 8032 9252
E-Mail: roger.towner@mcga.gov.uk
.2 prepare the text of a grandfather clause for inclusion in the proposed regulations II/5 and III/5 respectively;

.3 taking into account regulations I/6 and I/8, clarify that the proposed regulations II/5 and III/5 requires on-board training to be approved and documented, and the criteria for reduction in sea service;

.4 consider the need to address training and certification issues related to General Purpose Ratings and, if so, develop: a definition for General Purpose Ratings; appropriate training requirements; associated amendments, if necessary; and advise the Sub-Committee as appropriate; and

.5 should explore the possibility of resolving the gender issue relating to the term ‘motorman’;

.6 submit a report to STW 38.

10.36 The Sub-Committee agreed in principle the proposed structured grading system for ratings, the draft amendments to chapters II and III (new requirements for able seafarer and motorman) and noted the progress made in developing the competency tables for the new requirements for able seafarer and motorman. The Sub-Committee also agreed to re-establish the correspondence group with its approved terms of reference to further develop competences for ratings.

10.37 The Sub-Committee invited the Committee to note the progress made towards the development of competences for ratings.

11 CASUALTY ANALYSIS

11.1 The Sub-Committee recalled that MSC 77 had agreed to retain the item on “Casualty analysis” in the work programme of the Sub-Committee.

11.2 The Sub-Committee further recalled that MSC 80, having been informed of the activities of the Inter-Industry Working Group (IIWG) established to study the reported incidents of explosions on chemical and product carriers, had invited the IIWG to submit its interim report to STW 37, under its relevant continuous work programme items relating to the analysis of casualties.

11.3 The Sub-Committee finally noted that no casualty analysis report had been forwarded by the FSI Sub-Committee for consideration.

11.4 The Sub-Committee noted the information provided by ICS (STW 37/11) that the IIWG, having considered the various casualties for which data was made available, had agreed that, in view of the complexity of the casualties and the time taken to complete the investigations, it was premature to make interim recommendations to the relevant sub-committees. ICS advised the Sub-Committee that the IIWG would be making a full report along with its recommendations to MSC 81.

11.5 The delegation of Norway, supported by the United Kingdom, expressed concern that very few Member States had provided the casualty investigation reports on incidents identified by the IIWG related to explosions on product and chemical tankers. They strongly urged flag States to provide this information to the IIWG at their earliest convenience.
11.6 The delegation of the Bahamas informed the Sub-Committee of one incident identified by the IIWG related to a Bahamian ship. As this incident took place in Italy, it was subject to a judicial investigation and hence there was no access to the data related to the incident. Furthermore, on completion of the judicial investigation, the report and the data was in Italian and had to be translated before conducting any further investigation in a flag State capacity. At the present moment, the matter was being investigated and its report would be forwarded to the IIWG shortly.

11.7 The delegation of Venezuela informed the Sub-Committee that they had commenced work relating to technical research on different substances being carried on ships and requested IMO’s assistance by progressing the matter further at MSC 81 with a view to include new specifications in the BC Code.

11.8 The observer of IUMI offered their assistance to the IIWG to investigate the matter further.

12 REVALIDATION OF GMDSS OPERATOR’S CERTIFICATE

12.1 The Sub-Committee recalled that MSC 78, noting the concern of COMSAR 8 on the performance of GMDSS operator’s certificate holders on board ships, had instructed the STW Sub-Committee to further consider revalidation matters in line with the existing provisions of the STCW Code (MSC 78/26, paragraph 16.30).

12.2 The Sub-Committee also recalled that STW 36 had noted that the request of COMSAR 8 and the statistical evidence provided by Norway, supported by anecdotal evidence from Germany and the United Kingdom, indicated that there was a problem related to the performance of GMDSS operator’s certificate holders; and had invited Member Governments, intergovernmental organizations and non-governmental organizations to submit results of data available, and proposals to address this issue including the effectiveness of the methodology of revalidation used by Member States.

12.3 The Sub-Committee finally recalled that STW 36 had invited the Committee to add a new work programme item ‘Performance of GMDSS operator’s certificate holders’ as a new work programme item and include it in the agenda for STW 37.

12.4 The Sub-Committee noted that COMSAR 9, noting the above request of STW 36 had invited the Committee to change the title to ‘Revalidation of GMDSS operator’s certificate’. MSC 80 had concurred with the recommendations of both STW 36 and COMSAR 9 and had added a corresponding new work programme item with a target completion date of 2007 and included it in the agenda for STW 37.

12.5 ISF (STW 37/12) expressed the opinion that no change was needed with regard to GMDSS certificate revalidation and that ongoing training through normal use and drills on board was the best way to ensure that competency was maintained.

12.6 India (STW 37/12/1) expressed the opinion, noting the discussions at STW 33 and STW 36, that it was not appropriate to propose re-examination of GMDSS certificate holders under the provisions of the STCW Convention, as these certificates had been issued under the provisions of the Radio regulations. In order to address the problem, and since maritime Administrations issued STCW endorsement for GMDDS certificates, they proposed a short refresher course for revalidation of STCW endorsement to cover the operational aspects of
GMDSS equipment on board ships, including the use of new technology such as Fleet 77, Mini-M, AIS, Long-Range AIS, SSA, VDR, etc.

12.7 Norway (STW 37/12/2) informed the Sub-Committee that radio surveys had revealed that navigators holding GMDSS radio operator’s certificates were not sufficiently familiar with the technical and operational distress and safety procedures for the radio equipment on board the ships they were serving. The surveys also indicated that the maintenance of reserve source of energy had not been conducted properly which resulted in inadequate performance of the radio installation. Furthermore, many operators lacked the knowledge on how to avoid transmitting false distress alerts. Norway stated that the STCW Code table A-IV/2 provided the various competences needed for GMDSS operators and included communications during SAR and emergencies. During the five-year validity period of the certificate, most radio operators gained little or very limited experience on communications related to SAR and emergencies. Therefore, in Norway’s view, options listed in section A-I/11 of the STCW Code were not sufficient to establish adequate competence for communication during SAR and emergencies. In Norway’s view the most simple and effective way to establish whether or not a radio operator continued to have adequate competence regarding all types of radio communication was through a limited test once every five years.

12.8 The delegation of the United Kingdom expressed the view that limited testing as an answer to the problems identified by Norway was not appropriate. In their opinion, it was essential that radio operators should have adequate familiarization with the equipment on board the vessel, mandated through the ship’s Safety Management System and imposed by rigorous port State control.

12.9 The delegation of Ukraine informed the Sub-Committee that they were already conducting refresher and updating courses for radio operators before revalidating the certificates and proposed such revalidation as mandatory every five years.

12.10 The delegation of the United States, agreeing with the issues identified by Norway, supported the proposal for the development of a refresher training and expressed the view that a further study was required to establish the modalities for such a course.

12.11 Many delegations supported the view expressed by the United Kingdom and agreed that the basic lack of skills identified by Norway could be addressed through proper familiarization of the seafarer with the equipment on board within the provisions of the ISM Code and rigorous port State control inspections. They also agreed that as such, there was no need to amend the STCW Convention. In this context, they also suggested that it would be appropriate to issue an MSC circular on familiarization of the seafarers with the equipment on board.

12.12 The delegation of the Republic of Korea, agreeing with the proposal for a short refresher course proposed by India, expressed concern that the measures proposed by Norway would require competent radio operators also to undergo testing every five years and hence would be an unnecessary burden on them. As an alternative they suggested to develop an MSC circular urging each Administration to review its present system of GMDSS training and certification to ensure its effectiveness and for the next five years flag State and port State inspectors to carry out a concentrated campaign for GMDSS radio operators, and only those who are found to be lacking the necessary skills to either undergo a refresher course or an approved re-examination depending on the Administration’s discretion.

12.13 The delegation of Germany, supported by many others, expressed the view that in order to ensure that seafarers were familiar with the equipment on board, there was an urgent need to
standardize the GMDSS equipment on board ships along with operational procedures. In this context, they also indicated that these issues should be brought to the attention of the World Radio Conference (WRC) scheduled to take place in 2007.

12.14 The ICFTU observer stated that the proposed training course would create a burden on the seafarer, as they would have to undergo these courses during their normal leave. He supported the proposal for familiarization with the equipment on board.

12.15 The delegation of Japan did not support the proposal by Norway as STW 33 had already agreed that no amendment was required to the Convention and that it would create a conflict with requirements for deck and engine departments. Furthermore, in their opinion there was no need for any mandatory requirements for certificate renewal.

12.16 The Sub-Committee agreed that there was a real skills problems associated with GMDSS operators and that the long-term solution could be addressed through standardization of equipment and operating procedures. In this context, the Sub-Committee agreed to invite COMSAR 10 to include this in the IMO liaison statement to WRC 2007. As an immediate solution, the Sub-Committee prepared an MSC circular on promoting and verifying continued familiarization of GMDSS operators on board ships, as set out in annex 4 and invited the Committee to approve it.

12.17 The Sub-Committee agreed, as the work thereon had been completed, to invite the Committee to delete this item from its work programme (see agenda item 15).

13 AMENDMENT TO THE STCW CONVENTION CHAPTER III

13.1 The Sub-Committee noted that MSC 80 had agreed to include in the Sub-Committee’s work programme and provisional agenda for STW 37 a high priority item on “Amendment to the STCW Convention chapter III” with a target completion date of 2007, and referred document MSC 80/21/9 (India and Vanuatu) to the Sub-Committee for consideration of the annexed draft amendments in context of the new item.

13.2 India and Vanuatu (MSC 80/21/9) advised the Sub-Committee of a significant omission in chapter III of the STCW Convention which, unlike chapter II did not include any reference to exemptions available for vessels engaged on near coastal voyages and accordingly proposed an amendment to correct this inconsistency.

13.3 The delegation of Greece, supported by others, expressed the opinion that the proposal could create confusion and suggested that a similar provision like the one presently existing in regulation II/3 under the heading of “exemptions” with an upper limit of 3,000 kW, would be the way forward.

13.4 The delegation of the United States, supported by Norway, drew the attention of the Sub-Committee to the fact that any amendments would likely create further inconsistencies and suggested that, to prevent any further complications, the entire Convention should be reviewed for the purpose of identifying and resolving any such inconsistencies.

13.5 The Sub-Committee initially agreed that it would be appropriate to develop the proposed amendments similar to the one presently existing in regulation II/3. However, after further consideration of this issue, this decision was later reversed (paragraphs 13.8 to 13.12).
Working Group

13.6 The Sub-Committee agreed to refer the proposal to the working group established on training matters for detailed consideration and instructed it, taking into account the comments and decisions made in the plenary, to prepare draft amendments to chapter III of the STCW Convention on the basis of the proposal contained in document MSC 80/21/9.

Report of the working group

13.7 On receipt of the report of the working group (STW 37/WP.3), the Sub-Committee took action as summarized in the ensuing paragraphs.

13.8 The Sub-Committee noted that the regulations in chapter III of the Convention (Engine department), unlike chapter II (Master and deck department), did not include any reference to exemptions available for vessels engaged on near-coastal voyages, although such exemptions are present in its associated STCW Code.

13.9 The Sub-Committee further noted that regulation II/3 covered seafarers on board vessels engaged on unlimited and near-coastal voyages and as such the exemption found in paragraph 7 affected vessels less than 500 gross tonnage operating in both those areas. The Sub-Committee also noted that engine-room watchkeeping and operational practices remained substantially unchanged with respect to the vessel’s trading area and that chapter III already provides for a variance in requirements for near-coastal voyages. The Sub-Committee agreed, therefore, that the intended purpose of the proposal in document MSC 80/21/9 was considered to be inconsistent with the provisions present in chapter III.

13.10 The Sub-Committee therefore agreed that it would not be appropriate to include new requirements in chapter III. Accordingly, the delegation of Vanuatu agreed not to pursue their proposal to amend chapter III.

13.11 The Sub-Committee recalled that at MSC 78, when discussing the Committee’s method of work relating to the consideration of proposals for new work programme items, the Chairman of the Maritime Safety Committee clarified that the objective of the Committee when discussing these proposals was to decide, based upon justification provided by Member Governments in accordance with the Guidelines on the organization and method of work, whether the new item should or should not be included in the sub-committee’s work programme. A decision to include a new item in a sub-committee’s work programme did not mean that the Committee agreed with the technical aspects of the proposal. If the Committee decided to include the item in a sub-committee’s work programme, detailed consideration of the technical aspects of the proposal and the development of appropriate requirements and recommendations should be left to the sub-committee concerned.

13.12 In light of the deliberations of the Sub-Committee in paragraphs 13.8 to 13.11 and the decision of MSC 78, the Sub-Committee decided that no further action was necessary with regard to this agenda item and that it should be deleted from the Sub-Committee’s work programme subject to the Committee’s endorsement of the decision (see agenda item 15).

14 REVIEW OF OPERATIONAL AND TRAINING REQUIREMENTS FOR THE REVISION OF THE INTACT STABILITY CODE

14.1 The Sub-Committee recalled that MSC 80 had agreed, as requested by SLF 47, to include in the Sub-Committee’s work programme and provisional agenda for STW 37, a new high
priority item on “Review of the operational and training requirements for the revision of the Intact Stability Code”, with a target completion date of 2006.

14.2 The Sub-Committee noted that SLF 48 had agreed that Part B, chapter 5 (Operational provisions against capsizing) of the draft revised Intact Stability Code should be referred to the STW Sub-Committee for its review and comments from an operational perspective and for possible use in its development of relevant guidelines relating to training of seafarers (SLF 48/21, paragraph 4.20).

14.3 The Sub-Committee undertook the above review and agreed that:

.1 MSC/Circ.707 provided guidance to the master for avoiding dangerous situations in following and quartering seas. In section 4, paragraph 4.1, reference was made by a footnote to the Code on Intact Stability for All Types of Ships covered by IMO instruments; SLF 49 might consider updating and reviewing these guidelines after the revision of the Intact Stability Code (Code);

.2 a similar reference was made in MSC/Circ.745 – Guidelines for the preparation of Cargo Securing Manual and it might also be necessary to update this circular after the revision of the Code;

.3 MSC/Circ.1143 provided guidance on early assessment of hull damage and the possible need for abandonment of bulk carriers; SLF 49 might also consider making a reference to this guidance and, if necessary, to update it after the revision of the Code; and

.4 under the function: Controlling the operation of ship and care for persons on board in tables A-II/2 and A-III/2 of the STCW Code for competence – control trim, stability and stress, the candidate was required to have a knowledge of IMO recommendations concerning stability; hence, it would be appropriate to make a reference to this Code by a footnote to the STCW Code.

14.4 The Sub-Committee, noting that the Code was still recommendatory, agreed that it would be appropriate to use the word ‘should’ instead of ‘shall’ in the last line of paragraph 5.3.7 in chapter 5.

14.5 The delegation of the Bahamas expressed the opinion that since certain parts of the proposed guidance were meant for the fishing industry, it would be appropriate to separate them out from the draft Code for easy use of fishing vessel personnel.

14.6 The delegation of the United Kingdom informed the Sub-Committee that the proposed revision of the Intact Stability Code was a consolidation of all guidance on stability issued by the Organization and that it would be inappropriate at this stage to recommend a separate guidance for fishing vessel personnel. This view was accepted by the Sub-Committee.

14.7 The Sub-Committee invited the Committee to endorse the above view and comments and instruct the Secretariat to convey them to SLF 49.

14.8 The Sub-Committee invited the Committee to delete this item from its work programme (see agenda item 15), as the work thereon has been completed.
15 WORK PROGRAMME AND AGENDA FOR STW 38

Terms of reference of the Sub-Committee

15.1 The Sub-Committee recalled that MSC 76 had instructed the Sub-Committees to review and update, as necessary, their own terms of reference and to prepare updated terms of reference for consideration by MSC 78 and MEPC 50 (MSC 76/23, paragraph 19.6).

15.2 The Sub-Committee also recalled that STW 34 had instructed the Secretariat to prepare the provisional terms of reference in consultation with the Chairman, and that STW 35 had reviewed the revised terms of reference and had invited MSC 78 to approve the revised terms of reference (STW 35/19, annex 10).

15.3 The Sub-Committee finally recalled that, due to lack of time, MSC 78 had deferred the consideration of the terms of reference for all sub-committees to MSC 79. MSC 79 had instructed the Secretariat, in consultation with the respective sub-committee Chairmen, to revise the terms of reference of the sub-committees taking into account the points agreed by the 2004 Chairmen’s Meeting, the views of the MEPC and its own views (MSC 79/23, paragraphs 19.12 to 19.14), for final consideration and approval by MSC 80 and MEPC 53.

15.4 The Sub-Committee noted (STW 37/2, annex 2 and STW 37/2/2) that MSC 80 and MEPC 53 had approved the revised terms of reference and agreed that:

1. in compliance with the Chairmen’s meeting’s earlier recommendation that the mandate to the sub-committees should include explicit references to marine environment issues (MSC 78/WP.9, paragraph 5.2), the phrase “including the role of such measures in the protection of the marine environment” should be inserted in an appropriate place in the terms of reference of all sub-committees; and

2. the sub-committees should periodically review their terms of reference to ensure that they accurately reflected the work being carried out.

The terms of reference of the Sub-Committee, as approved by the Committees, are set out in annex 5.

Work programme and agenda for STW 38

15.5 Taking into account the progress made at the current session and the provisions of the agenda management procedure contained in paragraphs 3.11 to 3.23 of the Guidelines on the organization and method of work (MSC/Circ.1099 – MEPC/Circ.405), the Sub-Committee revised its work programme (STW 37/WP.1) based on that approved by MSC 80 (STW 37/2, annex 1) and invited the Committee to approve the draft revised work programme and provisional agenda for STW 38, set out in annex 6.

15.6 In light of the remarks made by the Secretary-General in his opening address and notwithstanding the endorsement of the draft work programme and agenda for STW 38, also noting the need for urgent consideration to provide properly trained personnel to man the rapidly growing LNG fleet and the various comments made during the deliberations of the Sub-Committee under several agenda items, the Chairman advised the Sub-Committee that within the existing work programme and those new items being proposed to MSC 81 for consideration, the Convention and the Code would need to be amended to include:
- Security provisions in chapters II and III;
- Development of standards of competence for ratings;
- Competence standards for tankers, including LNG carriers in chapter V;
- Review of the STCW Code requirements regarding demonstration of competence in chapter VI;
- Review of alternative certification in chapter VII; and
- Criteria for safe manning and inclusion of rest provisions in chapter VIII.

15.7 The majority of the delegations, noting the above, agreed in principle that these amendments should be developed concurrently and that there was a need to undertake a comprehensive review of the STCW Convention and Code.

15.8 The delegation of the United States, supported by others, while agreeing in principle to a review of the Convention, stated that such a review should be limited to resolving inconsistencies identified and agreed by the Sub-Committee and limited to ensuring that requirements developed by the Sub-Committee, since the adoption of the 1995 amendments, were properly inserted in the Convention. They also stated that in order to properly address this issue, there should be a wider participation with a realistic time-frame.

15.9 The delegation of the Russian Federation, supported by others, expressed the view that while a review of some parts of the Convention was necessary, it would be appropriate if it was done after a preliminary analysis had been carried out.

15.10 The Sub-Committee, noting the above views and having considered in-depth the need for a comprehensive review, decided to prepare a draft proposal to the Committee in order to provide full justification to the Committee to undertake such a review of the STCW Convention and Code.

15.11 On receipt of the draft justification prepared by the Chairman in co-operation with the Secretariat (STW 37/WP.8), the Sub-Committee took action as summarized in the ensuing paragraphs.

15.12 The delegation of the United States stated that in view of the earlier deliberations on this issue, it was necessary, first, to define the scope of the review and in doing so, to restrict it to the present on-going work and the identified inconsistencies within the STCW Convention and the STCW Code. They also suggested that this should be carried out within a realistic timeline and with the wider participation of Member Governments. This view was supported by a number of delegations including the delegations of Japan and the Bahamas who expressed the view that before submitting a proposal to the Committee, it was necessary to deliberate on the issue in-depth at the next session.

15.13 The delegation of the Russian Federation stated that it was necessary to prepare a preliminary analysis and evaluate the areas for an immediate review and thereafter to leave it to the Committee to decide on the priority.

15.14 The delegation of the United Kingdom, supported by others while agreeing with the views expressed by the United States, indicated that in case the matter was deferred to the next session of the Sub-Committee, then the decision on this issue would be delayed by about two years. They indicated that the list of areas identified in paragraph 2.3 of document STW 37/WP.8 should be used as an illustrative list of issues to be reviewed in the STCW Convention and Code.
15.15 The delegation of Germany supported by others agreed that there was a need to carry out a comprehensive review, as set out in annex of document STW 37/WP.8.

15.16 The Secretary-General advised that, in his opening remarks, he had invited the Sub-Committee, to consider whether in view of the fact that more than 10 years had passed since the last review of the Convention, which had been amended four times, since then, perhaps the time had come to give some preliminary consideration to any need for another comprehensive review of the Convention to ensure that it meets, from its perspective, the new challenges facing the shipping industry today and in the years to come. The Secretary-General reaffirmed that before undertaking a revision it was necessary to review the STCW Convention and the Code, in order to identify the areas that needed revision and to assign the priority accordingly, without delaying the current development of amendments in the priority areas. He reminded the Sub-Committee that normally a new work programme item is proposed by a Member State in accordance with the Organization’s Guidelines and methods of work for the Committees. However, the same could be proposed by the Sub-Committee by providing full justification for inclusion of a new work programme item. Finally he mentioned that there were at this moment two areas of priority: Security and training for personnel manning LNG tankers.

15.17 Having noted the above views and having considered in-depth the draft justification, the Sub-Committee endorsed it, as amended, and invited the Committee to consider the proposal, as set out in annex 7, and add a new item to its work programme and agenda for STW 38 “Comprehensive review of the STCW Convention and the STCW Code” with a target completion date of [2008] and also to instruct the Sub-Committee to define first in detail the issues to be reviewed and advise the Committee accordingly, before embarking on the actual work.

Arrangements for the next session

15.18 The Sub-Committee noted that its thirty-eighth session had been tentatively scheduled to take place from 22 to 26 January 2007.

16 ELECTION OF CHAIRMAN AND VICE-CHAIRMAN FOR 2007

16.1 In accordance with the Rules of Procedure of the Maritime Safety Committee, the Sub-Committee unanimously re-elected Rear Admiral Peter Brady (Jamaica), as Chairman and Mr. A.H. Kayssi (Lebanon), as Vice-Chairman for the year 2007.

17 ANY OTHER BUSINESS

Review of the STCW Code requirements for demonstration of competence

17.1 The Sub-Committee recalled that STW 36, as instructed by MSC 78, had considered the need for a review of the STCW chapter VI requirements and, noting that this was a complex issue and required further discussion, decided to advise MSC 80 that more time was needed to provide appropriate advice and accordingly invited Member Governments, intergovernmental and non-governmental organizations to submit comments and proposals thereon to STW 37.

17.2 The Sub-Committee noted that MSC 80 had considered a proposal by Norway (MSC 80/21/3) to conduct a systematic review of all requirements regarding the demonstration of competence in chapter VI of the STCW Code and had noted that STW 36 had invited comments and proposals for further discussion at STW 37. After considerable discussion, MSC 80 had instructed STW 37 to consider the need for the review of the STCW Code chapter VI requirements and advise MSC 81 accordingly.
17.3 ISF (STW 37/17/1) expressed the opinion that there was no need to review or change the training requirements, as refresher training was not required under the STCW Convention, chapter VI, and would lead to an unnecessary burden on seafarers and inflexible restriction on shipowners abilities to maintain a well trained crew. Furthermore, ISF believed that proper compliance of the ISM Code was the best way to ensure good training levels.

17.4 The Philippines (STW 37/17/2) stated that they could agree to a review of the STCW Code chapter VI, but objected to any amendment to part A of the STCW Code. The findings and conclusions should be reflected in part B of the STCW Code as guidance to Administrations. In the Philippines’ view, the assessment conducted in accordance with the provisions of regulation I/6 was the critical factor in determining competence. Therefore, any attempt to require mandatory refresher courses without regard to their necessity would create negative results and place an unnecessary burden on Administrations to regulate training institutions conducting these refresher courses, as well as a financial burden on seafarers. The Philippines, therefore, suggested as a first step to identify the particular items in column 3 of the tables in chapter VI of the STCW Code which may necessitate attendance at a short refresher course. In order to avoid any possible conflict with the provisions under regulation I/11 of the STCW Code, the Philippines also noted that the following course of action might be pursued:

1. develop appropriate guidance under section B-I/14 of the STCW Code on the responsibilities of shipping companies, for the companies to provide in-house training or arrange the necessary refresher course for the crew before being assigned to shipboard duties; and

2. develop appropriate guidance under the various sections of chapter VI of part B of the Code defining the responsibilities of the Administration to ensure that:
   1. syllabi for the short refresher courses are available;
   2. companies take measures to ensure that crew assigned to shipboard duties are fit to perform their designated responsibilities under chapter VI of the STCW Convention; and
   3. companies develop and implement appropriate policies and procedures embodied in the quality standard system.

17.5 The United States (STW 37/17/4) expressed the opinion that there was no need to conduct a systematic review of the chapter VI requirements regarding demonstration of competence. In the United States’ view, the existing requirements were clear and concise and provided the necessary flexibility for Administrations to determine the means by which the seafarer provided evidence of having achieved the required standard of competence; hence there was no need to amend the existing text in chapter VI of the STCW Code. The United States stated that in accordance with chapter VI of the STCW Code a seafarer was required to provide evidence of having achieved the required standard of competence within the previous five years. In the United States’ opinion, the conflicting information available in the Code, specifically between chapter VI and table B-I/11, might have caused some confusion and accordingly proposed amendments to table B-I/11 of the STCW Code.

17.6 Norway (STW 37/17/5) stated that many aspects related to demonstration of competence, as required by chapter VI of the STCW Code, could be taken care of on the ship itself by “on the job training” and “periodic on-board training and drills”, as required by various provisions of the
SOLAS Convention. However, in Norway’s view, the requirements for certain aspects of fire-fighting training could not be complied with by training on the ship itself, without creating severe dangers to the ship and its crew. Commenting on the submission of ISF (STW 37/17/1), Norway did not agree with the views expressed by ISF; whereas commenting on the submission by the Philippines (STW 37/17/2), Norway concurred with the views expressed in that document, in particular, the proposed first step to identify those items in chapter VI of the STCW Code where training cannot be conducted on board.

17.7 The delegation of Japan expressed the view that mandatory refresher training would create an additional burden and that it was necessary to maintain flexibility without mandatory requirements. However, they agreed that short refresher courses which were not covered by the ISM Code were the way forward. This could be done through an MSC circular. Furthermore, while they understood the ISF position, some action was necessary since the STCW Convention covered vessels which did not come under the purview of the ISM Code. They also stated that there was no need to amend table B-I/11, as proposed by the United States as they found no inconsistencies.

17.8 The delegation of the United Kingdom, noting the concerns expressed by Norway that certain training could not be carried out during routine service at sea, agreed that ISF and the Philippines had provided a practical way forward. However, it was necessary to identify the areas where realistic training could not be carried out on board and demonstrate a compelling need before embarking on the possible course of action proposed by the Philippines. The majority of delegations supported this view.

17.9 A number of delegations supported the proposal by the United States to amend table B-I/11 of the STCW Code. A small number of delegations did not support this proposal.

17.10 The Sub-Committee agreed that at this stage, it was necessary to first identify the areas in chapter VI of the STCW Code where training cannot be conducted on board, before embarking on the possible course of action proposed by the Philippines. Bearing in mind the instructions of MSC 80 (see paragraph 17.2) and the above debate, the Sub-Committee agreed to invite the Committee to add a new item “Identification of areas in chapter VI of the STCW Code where training cannot be conducted on board” to its work programme and agenda for STW 38.

17.11 In the context of agenda item 5 (Passenger ship safety) related to the refresher fire-fighting course, the Sub-Committee agreed that this would be one of the areas where realistic training could not be carried out on board. After all areas in chapter VI had been identified, the Sub-Committee would propose a further course of action (see paragraph 5.11).

Information on simulators available for use in maritime training

17.12 Dominica (STW 37/17/3) proposed that since many simulators at the existing training institutions may have been replaced or new simulators might have been installed at other training institutions, it was appropriate to update the information on availability on simulators training circulated as MSC/Circ.633, MSC/Circ.721 and MSC/Circ.852.

17.13 The Sub-Committee agreed that there was a need for Member Governments to provide the Secretariat with updated information in order to compile a new circular containing information on simulators and decided to prepare an appropriate draft MSC circular.
17.14 Having considered the draft MSC circular (STW 37/WP.5) relating to information on simulators available for use in maritime training, the Sub-Committee endorsed it, as set out in annex 8, and invited the Committee to approve it.

**Dispensations issued under article VIII of the STCW Convention**

17.15 The Sub-Committee considered and noted the information (STW 37/17) on the submissions made by the Parties in accordance with the article VIII of the STCW Convention on the dispensations granted by them in the year 2004.

**LNG Shipping Competency Standards and information about the urgent shortage of qualified officers in LNG shipping**

17.16 SIGTTO (STW 37/INF.2) informed the Sub-Committee that it had developed training and certification standards for seafarers serving on board LNG tankers.

17.17 The Republic of Korea (STW 37/INF.6) highlighted the remarkable safety record of the LNG industry and also the unprecedented rise in orders for new LNG tankers, resulting in a lack of well trained and qualified officers to man them. Furthermore, the Republic of Korea highlighted the steps taken in this respect by SIGTTO, International Association of Maritime Universities (IAMU) and the Arab Academy for Science, Technology and Maritime Transport (AASTMT). In addition, the Korea Maritime University in co-operation with the Asian region IAMU member universities had established an Asian LNG Training Centre (ALTC).

17.18 The Sub-Committee noted with appreciation the information provided by the Republic of Korea and SIGTTO.

17.19 The delegation of Liberia informed the Sub-Committee that in view of the urgent need for adequately trained and qualified personnel required to man the growing worldwide LNG tanker fleet, there was a compelling need to develop LNG competency and training standards. Accordingly, they had proposed a new work programme item for the Sub-Committee to MSC 81.

17.20 Since this was an issue of paramount importance relating to the adequate manning of LNG tankers in future this matter was readdressed by the Sub-Committee under item 15 (Work programme and agenda for STW 38) when considering the need for a comprehensive review of the STCW Convention and Code (see paragraphs 15.6 to 15.17).

**BIMCO/ISF Manpower 2005 update**

17.21 The Sub-Committee noted with appreciation the information provided by ISF (STW 37/INF.3) on the updated BIMCO/ISF manpower study.

**Expressions of sympathy**

17.22 The Sub-Committee, having been informed of the passing of Mr. Otto Dijxhoorn, who had served the Organization for a number of years, in particular in his capacity as Head of the STCW and Human Element Section, requested the delegation of the Netherlands to convey the Sub-Committee’s condolences and sympathy to the family and friends of Mr. Otto Dijxhoorn.
Expressions of appreciation

17.23 The Sub-Committee expressed appreciation to the following delegates, who had recently relinquished their duties, retired or were transferred to other duties, for their invaluable contribution to its work and wished them a long and happy retirement or, as the case might be, every success in their new duties:

.1 Mr. Tom Allan, Chairman MSC (United Kingdom) on retirement;
.2 Mr. Trygve Scheel (Norway) on retirement;
.3 Captain Luis Fernando Resano (Brazil) on return home;
.4 Commander Carlos Rios Varela (Chile) on return home;
.5 Captain (HCG) N. Nesteroulis (Greece) on return home;
.6 Mr. Mathew Lee (Singapore) on return home;
.7 Mr. Hu Jinglu, (People's Republic of China) on return home;
.8 Captain Eduardo Castro Rivas (Argentina) on return home; and
.9 Mr. Simon Milne (United Kingdom) on transfer.

18 ACTION REQUESTED OF THE COMMITTEE

18.1 The Committee, at its eighty-first session, is invited to:

.1 seek the concurrence of the Council to include the nationality of the individual holding a fraudulent certificate in the reporting format (paragraph 4.3);

.2 instruct the Joint MSC/MEPC Working Group on Human Element to consider the need for guidelines for abandonment of ship alongside in port, under ISM provisions at its next session (paragraph 5.12);

.3 approve the draft STCW.6 circular on amendments to Part B of the STCW Code on guidance on familiarization and training for seafarers serving on board ships fitted with free-fall lifeboats (paragraph 6.15 and annex 1);

.4 bearing in mind the preliminary list of provisions of the STCW Convention (and of the STCW Code) which need to be reviewed so as to include therein appropriate security-related provisions developed by the Sub-Committee, authorize the Sub-Committee to start developing appropriate amendments, on the understanding that the Sub-Committee will have the flexibility to include, at any stage, any other related issues which transpired as a result of discussions (paragraphs 7.36 to 7.38 and annex 2);

.5 taking into account the divergence of opinion within the Sub-Committee on the approach to be taken for incorporating into the STCW Convention (and the STCW Code) provisions for addressing the security-related training for shipboard personnel other than the ship security officer, instruct the Sub-Committee thereon, as well as, on the nature, extent and level of training required (paragraphs 7.44 to 7.46, 7.48, 7.49 and 7.51.2);

.6 consider the issue of granting dispensation for ship security officers, and, if necessary, to incorporate appropriate provisions in the draft amendments relating to the requirements for the issue of certificates of proficiency for ship security officers (paragraphs 7.52 and 7.53);
7 approve the draft MSC circular on guidelines on training and certification for port facility security officers (paragraph 7.55 and annex 3);

8 note the progress made towards the development of competences for ratings (paragraphs 10.18 to 10.37);

9 approve the draft MSC circular on promoting and verifying continued familiarization of GMDSS operators on board ships (paragraph 12.16 and annex 4);

10 endorse the decision of the Sub-Committee in advising COMSAR 10 to include the issue of standardization of GMDSS equipment and operating procedures in the IMO liaison statement to WRC 2007 (paragraph 12.16);

11 endorse the decision of the Sub-Committee that there was no need to amend chapter III of the STCW Code (paragraphs 13.8 to 13.12);

12 endorse the views and comments of the Sub-Committee relating to chapter 5 of the revised draft of the Intact Stability Code and instruct the Secretariat to convey them to SLF 49 (paragraphs 14.3 to 14.7);

13 approve the draft revised work programme and provisional agenda for STW 38 (paragraph 15.5 and annex 6);

14 consider the proposal, with full justification, for approval of a new item on the Sub-Committee’s work programme and agenda for STW 38 on “Comprehensive review of the STCW Convention and the STCW Code” and instruct the Sub-Committee to first define in detail the issues to be reviewed, and advise the Committee accordingly, before embarking on the actual work (paragraphs 15.6 to 15.17 and annex 7);

15 bearing in mind the instructions of MSC 80 to the Sub-Committee and its deliberations on the need for a systematic review of the STCW Code chapter VI, approve a new item on “Identification of areas in chapter VI of the STCW Code where training cannot be conducted on board” on the Sub-Committee’s work programme and agenda for STW 38 (paragraphs 17.1 to 17.10);

16 approve draft MSC circular relating to information on simulators available for use in maritime training (paragraph 17.14 and annex 8); and

17 approve the report in general.

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ANNEX 1

DRAFT STCW.6 CIRCULAR

AMENDMENTS TO PART B OF THE SEAFARERS’ TRAINING,
CERTIFICATION AND WATCHKEEPING (STCW) CODE

1 The Maritime Safety Committee, [at its eighty-first session (10 to 19 May 2006)],
adopted amendments to part B of the STCW Code as follows:

Section B-I/14

Guidance regarding responsibilities of companies and recommended responsibilities of masters
and crew members

2 In section B-I/14, the following text is inserted at the end of the existing paragraph 1:

“Companies should also ensure that:

.1 all seafarers on a ship fitted with free-fall lifeboats should receive
familiarization training in boarding and launching procedures
for such lifeboats.

.2 prior to joining a ship, seafarers assigned as operating crew
of free-fall lifeboats should have undergone appropriate
training in boarding, launching and recovering
of such lifeboats including participation on at
least one occasion in a free-fall launch.”

3 STCW Parties and all others concerned are invited to note the above and take action as
appropriate.

***
ANNEX 2

PRELIMINARY LIST OF THE PROVISIONS OF THE STCW CONVENTION WHICH NEED TO BE EXAMINED IN RELATION TO THE INCLUSION THEREIN OF APPROPRIATE SECURITY-RELATED PROVISIONS

Preamble+
Article I(2)+ – General obligations under the Convention
Article VIII+ – Dispensations
Article IX+ – Equivalents

Regulation‡ I/1* – Definitions and clarifications
Regulation‡ I/4 – Control procedures
Regulation‡ I/5.1 – National provisions
Regulation‡ I/11.5* – Revalidation of certificates
Regulation‡ I/12* – Simulators
Regulations‡ I/13.2, I/13.3 and I/13.8 – Conduct of trials
Regulation‡ I/14.1.5 – Responsibilities of companies

Regulation VI/1 – Mandatory minimum requirements for familiarization, basic safety and instruction for all seafarers **
[Regulation VI/6 – Mandatory minimum requirements for shipboard personnel for specific security duties and responsibilities]**

Regulation‡ VIII/2 – Watchkeeping arrangements and principles to be observed on board

Explanatory Notes:

+ In accordance with the provisions of STCW article XII(1)(a)(vi) any amendment to an article shall be deemed to have been accepted on the date on which it is accepted by two thirds of the Parties.

‡ The corresponding provisions of parts A and B of the STCW Code would need to be examined with a view to establishing whether any consequential amendments would be required.

* Possible consequential amendments might be required.

** Subject to the further consideration of the issue by the Committee (see paragraph 27 of the report).
GUIDELINES ON TRAINING AND CERTIFICATION
FOR PORT FACILITY SECURITY OFFICERS

1 The Maritime Safety Committee (the Committee), at its eightieth session (11 to 20 May 2005), when approving MSC/Circ.1154 on Guidelines on training and certification for company security officers, instructed the Sub-Committee on Standards of Training and Watchkeeping (STW Sub-Committee) to develop similar guidelines on training and certification requirements for port facility security officers.

2 The STW Sub-Committee, at its thirty-seventh session (23 to 27 January 2006), developed and the Committee, at its [eighty-first session (10 to 19 May 2006)], approved the Guidelines on training and certification requirements for port facility security officers (the Guidelines), as set out in the annex.

3 SOLAS Contracting Governments are invited to bring the Guidelines to the attention of all parties concerned with matters addressed therein.

4 SOLAS Contracting Governments, international organizations and non-governmental organizations with consultative status which encounter difficulties with the implementation of the Guidelines should bring, at the earliest opportunity, the matter to the attention of the Committee for consideration of the issues involved and decision on the actions to be taken.
ANNEX

GUIDELINES ON TRAINING AND CERTIFICATION
FOR PORT FACILITY SECURITY OFFICERS

1 Every person designated as a Port facility security officer (PFSO) should be able to demonstrate competence to undertake the tasks, duties and responsibilities listed in column 1 of the annex to this Circular.

2 The level of knowledge of the subjects listed in column 2 of the annex should be sufficient to enable the person to act as the designated PFSO.

3 In addition, a PFSO should, within the provisions of the national legislation, actively facilitate shore leave for ship’s personnel or personnel changes, as well as access of visitors to the ship including representatives of seafarers’ welfare and labour organizations*.

4 Persons who have satisfactorily completed an approved course based on IMO Model Course 3.21 on Port facility security officer, or who have attended a course based on the attached knowledge, understanding and proficiency (KUP), should be considered to have met the training requirements for service as a PFSO.

5 Practical experience relating to knowledge, understanding and proficiency gained after 1 January 2004 may be taken into account in demonstrating competence.

6 As many of the training objectives in IMO Model Courses 3.19, 3.20 and 3.21 are common to SSO, CSO and PFSO and many of the KUPs in the competence tables are similarly common, SOLAS Contracting Governments should therefore take them into account when setting criteria for the re-training and assessment of those SSOs and CSOs moving toward PFSO qualifications.

7 Those completing PFSO training which meets the criteria set by the SOLAS Contracting Government within whose territory they will work, should be provided with documentary evidence to this effect.

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* For further details see 2002 SOLAS Conference resolution 11 on Human element related aspects and shore leave for seafarers, MSC/Circ.1112 on Shore leave and access to ships under the ISPS Code and the FAL Convention.
### KNOWLEDGE, UNDERSTANDING AND PROFICIENCIES (KUPs) RELEVANT TO THE PORT FACILITY SECURITY OFFICER

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<td>Competence</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Develop, maintain and supervise the implementation of a port facility security plan</td>
<td>Knowledge of international maritime security policy and responsibilities of Governments, Companies and designated persons.</td>
<td>Assessment of evidence obtained from approved training or examination.</td>
<td>Procedures and actions are in accordance with the principles established by SOLAS chapter XI-2 and the ISPS Code.</td>
</tr>
<tr>
<td></td>
<td>Knowledge of the purpose for and the elements that make up a port facility security plan, related procedures and maintenance of records.</td>
<td></td>
<td>Legislative requirements relating to security are correctly identified.</td>
</tr>
<tr>
<td></td>
<td>Knowledge of procedures to be employed in developing, maintaining and supervising the implementation, and the submission for approval, of a port facility security plan.</td>
<td></td>
<td>Procedures achieve a state of readiness to respond to changes in security levels.</td>
</tr>
<tr>
<td></td>
<td>Knowledge of the procedures for the initial and subsequent verification of the port facility’s compliance.</td>
<td></td>
<td>Communications within the port facility security officer’s (PFSO’s) area of responsibility are clear and understood.</td>
</tr>
<tr>
<td></td>
<td>Knowledge of security levels and the consequential security measures and procedures aboard ship and in the port facility environment.</td>
<td></td>
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<tr>
<td>Column 1</td>
<td>Column 2</td>
<td>Column 3</td>
<td>Column 4</td>
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</tr>
<tr>
<td>Competence</td>
<td>Knowledge, understanding and proficiency</td>
<td>Methods for demonstrating competence</td>
<td>Criteria for evaluating competence</td>
</tr>
<tr>
<td>Assess security risk, threat, and vulnerability</td>
<td>Knowledge of the procedures, instructions, and guidance for responding to ship security alerts.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Working knowledge of maritime security terms and definitions (SOLAS chapter XI-2 and ISPS Code).</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Knowledge of risk assessment and assessment tools.</td>
<td>Assessment of evidence obtained from approved training or examination.</td>
<td>Procedures and actions are in accordance with the principles established by SOLAS chapter XI-2 and the ISPS Code.</td>
</tr>
<tr>
<td></td>
<td>Knowledge of security assessment documentation, including the Declaration of Security.</td>
<td></td>
<td>Procedures achieve a state of readiness to respond to changes in security levels.</td>
</tr>
<tr>
<td></td>
<td>Knowledge of techniques used to circumvent security measures.</td>
<td></td>
<td>Communications within the PFSO’s area of responsibility are clear and understood.</td>
</tr>
<tr>
<td></td>
<td>Knowledge enabling recognition, on a non-discriminatory basis, of persons posing potential security risks.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Knowledge enabling recognition of weapons, dangerous substances, and devices and awareness of the damage they can cause.</td>
<td></td>
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<tr>
<td></td>
<td>Knowledge of crowd management and control techniques, where appropriate.</td>
<td></td>
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<tr>
<td></td>
<td>Knowledge in handling sensitive security related information and security related communications.</td>
<td></td>
<td></td>
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<tr>
<td></td>
<td>Knowledge of methods for implementing and co-ordinating searches.</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Knowledge of the methods for physical searches and non-intrusive inspections.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Undertake regular inspections of the port facility to ensure that appropriate security measures are implemented and maintained</td>
<td>Knowledge of the requirements for designating and monitoring restricted areas.</td>
<td>Assessment of evidence obtained from approved training or examination.</td>
<td>Procedures and actions are in accordance with the principles established by SOLAS chapter XI-2 and the ISPS Code.</td>
</tr>
<tr>
<td></td>
<td>Knowledge of controlling access to the port facility and to restricted areas in the port facility.</td>
<td></td>
<td>Procedures achieve a state of readiness to respond to changes in security levels.</td>
</tr>
<tr>
<td></td>
<td>Knowledge of methods for effective monitoring of the port facility and areas surrounding the port facility.</td>
<td></td>
<td>Communications within the PFSO’s area of responsibility are clear and understood.</td>
</tr>
<tr>
<td></td>
<td>Knowledge of methods for controlling the embarkation and disembarkation of persons and their effects aboard ships, including the confirmation of identity when requested by the Ship Security Officer.</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Column 1</td>
<td>Column 2</td>
<td>Column 3</td>
<td>Column 4</td>
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<td>-----------------------------------------------</td>
</tr>
<tr>
<td>Competence</td>
<td>Knowledge, understanding and proficiency</td>
<td>Methods for demonstrating competence</td>
<td>Criteria for evaluating competence</td>
</tr>
<tr>
<td></td>
<td>Knowledge of security aspects relating to the handling of cargo and ship’s stores and co-ordinating these aspects with relevant Ship Security Officers.</td>
<td>Assessment of evidence obtained from approved training or examination.</td>
<td>Procedures and actions are in accordance with the principles established by SOLAS chapter XI-2 and the ISPS Code.</td>
</tr>
<tr>
<td>Ensure that security equipment and systems, if any, are properly operated, tested and calibrated</td>
<td>Knowledge of the various types of security equipment and systems and their limitations. Knowledge of the methods for testing, calibrating, and maintaining security systems and equipment.</td>
<td>Assessment of evidence obtained from approved training or examination.</td>
<td>Procedures and actions are in accordance with the principles established by SOLAS chapter XI-2 and the ISPS Code.</td>
</tr>
<tr>
<td>Encourage security awareness and vigilance</td>
<td>Knowledge of training, drill and exercise requirements under relevant conventions and codes. Knowledge of the methods for enhancing security awareness and vigilance. Knowledge of the methods for assessing the effectiveness of drills and exercises. Knowledge of instruction techniques for security training and education.</td>
<td>Assessment of evidence obtained from approved training or examination.</td>
<td>Procedures and actions are in accordance with the principles established by SOLAS chapter XI-2 and the ISPS Code. Communications within the PFSO’s area of responsibility are clear and understood.</td>
</tr>
</tbody>
</table>

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ANNEX 4

DRAFT MSC CIRCULAR

PROMOTING AND VERIFYING CONTINUED FAMILIARIZATION OF GMDSS OPERATORS ON BOARD SHIPS

1 The Maritime Safety Committee, at its [eighty-first session (10 to 19 May 2006)], following the proposals made by the Sub-Committee on Standards of Training and Watchkeeping at its thirty-seventh session, approved the recommendations concerning promoting and verifying continued familiarization of GMDSS operators on board ships, set out in the attached annex.

2 Member Governments are invited to bring the annexed recommendations to the attention of all parties concerned for consideration and action, as appropriate.
ANNEX

PROMOTING AND VERIFYING CONTINUED FAMILIARIZATION OF GMDSS OPERATORS ON BOARD SHIPS

1 There has been concern that many GMDSS operators on board ships have a lack of familiarization regarding operational performance during Distress, Urgency and Safety communications, as well as with simple technical elements, which is vital for the safety of life at sea.

2 Taking into account the above concerns, it is recommended that:

   .1 the ship’s safety management system should provide for all personnel who may be required to operate the GMDSS equipment to receive familiarization and ship-specific training, on joining the ship, and at appropriate intervals thereafter;

   .2 familiarization, drills and onboard training of the GMDSS equipment should allow GMDSS operators to demonstrate their familiarization at any time;

   .3 such familiarization should be verified during flag State inspections or port State control; and

   .4 if such verification turns out to be negative, the Company should take appropriate measures according to the flag State Administration requirements.

***
ANNEX 5

TERMS OF REFERENCE OF THE SUB-COMMITTEE

1 Under the direct instructions of the Maritime Safety Committee and as may be requested by the Marine Environment Protection Committee, the Sub-Committee on Standards of Training and Watchkeeping (STW) will consider matters related to the following subjects, including the development of any necessary amendments to relevant conventions and other mandatory and non-mandatory instruments, as well as the preparation of new mandatory and non-mandatory instruments, guidelines and recommendations taking into account the role of such measures in the protection of the marine environment, for consideration by the Committees, as appropriate:

.1 minimum international standards for training and certification of seafarers;
.2 principles of safe watchkeeping;
.3 minimum international standards for training and certification of fishing vessel personnel;
.4 maritime safety, security, and environmental protection culture in all ship operations;
.5 review of the principles of safe manning of ships and training issues related to the human element taking into account technological, organizational, and social developments;
.6 promotion of awareness of lessons learnt from the analysis of accident and incident reports and information;
.7 review, updating and revision of IMO model courses;
.8 co-ordination with relevant UN bodies, IGOs and NGOs on international standards related to the training and certification of seafarers;
.9 revision/development of relevant guidelines relating to training of seafarers issues, such as maritime safety, security, and protection of the marine environment; and
.10 any other relevant issues referred to it by the Maritime Safety Committee, the Marine Environment Protection Committee and their subsidiary bodies as authorized or directed by these Committees.

2 The conventions and other mandatory instruments referred to above include, as a minimum:

.1 1978 STCW Convention;
.2 1995 STCW-F Convention;
.3 1974 SOLAS Convention, (as appropriate) and the 1988 Protocol relating thereto;
4 MARPOL 73/78 (as appropriate);

.5 1977 Torremolinos International Convention for the Safety of Fishing Vessels, as modified by the 1993 Protocol relating thereto; and

.6 STCW Code.

3 The non-mandatory instruments, which the Sub-Committee may be called upon to review, include, as a minimum:

.1 Code for the Construction and Equipment of Mobile Offshore Drilling Units (MODU Code); and

.2 Principles of Safe Manning.
## ANNEX 6

### DRAFT REVISED WORK PROGRAMME AND PROVISIONAL AGENDA FOR STW 38

**Sub-Committee on Standards of Training and Watchkeeping (STW)**

<table>
<thead>
<tr>
<th>Target completion date/number of sessions needed for completion</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td>Validation of model training courses Continuous</td>
<td>STW 31/17, paragraph 14.4; STW 35/19; STW 37/18, section 3</td>
</tr>
<tr>
<td>Casualty analysis (co-ordinated by FSI) Continuous</td>
<td>MSC 70/23, paragraphs 9.17 and 20.4; MSC 77/26, paragraphs 18.10 and 23.40.2; STW 37/18, section 11</td>
</tr>
<tr>
<td>Unlawful practices associated with certificates of competency Continuous</td>
<td>MSC 71/23, paragraph 20.55.2; STW 35/19, section 5; STW 36/17; STW 37/18, section 4</td>
</tr>
<tr>
<td>Passenger ship safety 2006</td>
<td>MSC 74/24, paragraph 21.4; STW 36/17; STW 37/18, section 5</td>
</tr>
<tr>
<td>Measures to prevent accidents with lifeboats (co-ordinated by DE) 2007</td>
<td>MSC 74/24, paragraph 21.34; STW 36/17, section 7</td>
</tr>
<tr>
<td>Measures to enhance maritime security 2006 2007</td>
<td>MSC 75/24, paragraphs 22.9 and 22.45; STW 36/17, sections 8 and 13; STW 37/18, section 7</td>
</tr>
<tr>
<td>Education and training requirements for fatigue prevention, mitigation and management 2006 2007</td>
<td>MSC 75/24, paragraph 22.48; STW 36/17, section 9; STW 37/18, section 8</td>
</tr>
</tbody>
</table>

**Notes:**

1. “H” means a high priority item and “L” means a low priority item. However, within the high and low priority groups, items have not been listed in any order of priority.

2. Items printed in bold letters have been selected for the provisional agenda for STW 38.
Sub-Committee on Standards of Training and Watchkeeping (STW) (continued)

<table>
<thead>
<tr>
<th>Target completion date/number of sessions needed for completion</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>H.6</strong> Development of training requirements for the control and management of ships’ ballast water and sediments</td>
<td>2007</td>
</tr>
<tr>
<td><strong>H.5</strong> Development of competences for ratings</td>
<td>2007</td>
</tr>
<tr>
<td><strong>H.7</strong> Revalidation of GMDSS operator’s certificate</td>
<td>2007</td>
</tr>
<tr>
<td><strong>H.9</strong> Amendment to the STCW Convention chapter III</td>
<td>2007</td>
</tr>
<tr>
<td><strong>H.7</strong> Identification of areas in chapter VI of the STCW Code where training cannot be conducted on board</td>
<td>2 sessions</td>
</tr>
<tr>
<td><strong>H.8</strong> Comprehensive review of the STCW Convention and the STCW Code</td>
<td>[2008]</td>
</tr>
<tr>
<td><strong>H.10</strong> Review of operational and training requirements for the revision of the Intact Stability Code</td>
<td>2006</td>
</tr>
<tr>
<td><strong>L.1</strong> Review of the implementation of STCW chapter VII</td>
<td>2 sessions</td>
</tr>
<tr>
<td><strong>L.2</strong> Clarification of the STCW-F Convention provisions and follow-up action to the associated Conference resolutions</td>
<td>2 sessions</td>
</tr>
</tbody>
</table>
PROVISIONAL AGENDA FOR STW 38*

Opening of the session

1 Adoption of the agenda
2 Decisions of other IMO bodies
3 Validation of model training courses
4 Unlawful practices associated with certificates of competency
5 Passenger ship safety
6 Measures to enhance maritime security
7 Education and training requirements for fatigue prevention, mitigation and management
8 Development of training requirements for the control and management of ship’s ballast water and sediments
9 Development of competences for ratings
10 Casualty analysis

[11 Identification of areas in chapter VI of the STCW Code where training cannot be conducted on board]

[12 Comprehensive review of the STCW Convention and the STCW Code]

13 Work programme and agenda for STW 39
14 Election of Chairman and Vice-Chairman for 2008
15 Any other business
16 Report to the Maritime Safety Committee

***

* Agenda item numbers do not necessarily indicate priority.
ANNEX 7

JUSTIFICATION FOR A PROPOSED NEW WORK PROGRAMME ITEM ON A COMPREHENSIVE REVIEW OF THE STCW CONVENTION AND THE STCW CODE
(in accordance with MSC/Circ.1099 – MEPC/Circ.405)

1 Scope of the proposal

In considering the remarks made by the Secretary-General in his opening address on the need for a preliminary consideration of another comprehensive review of the STCW Convention, the Sub-Committee, after an in-depth discussion, agreed that it was indeed necessary and timely to undertake such a review of the STCW Convention and the STCW Code with a view to consolidating the various changes, additions and modifications including the removal of any anomalies that could arise. This would ensure that the Convention meets the new challenges facing the shipping industry including, but not limited to, rapid technological advances today and in the years to come.

2 Analysis of the issues involved, having regards to the costs to the maritime industry and global legislative burdens

.1 Within its existing work programme, the Sub-Committee:

.1 has been tasked to develop standards relating to ratings;

.2 has identified that the STCW Convention and resolution A.890(21) – Principles of Safe Manning – needed to be reviewed and amended to include security related provisions;

.3 is identifying areas in chapter VI of the STCW Code where training cannot be conducted on board; and

.4 as per the 1995 STCW Conference resolution 7, the review of implementation of STCW chapter VII.

.2 The Sub-Committee noted that, at its eighty-first session, the Maritime Safety Committee will consider:

.1 in light of the MAIB reports related to collisions and groundings, a proposal from the United Kingdom et al for a new item in the Sub-Committee’s work programme to review resolution A.890(21) on Principles of Safe Manning;

.2 with the possible future inclusion of ECDIS as a carriage requirement in SOLAS, a proposal from Denmark and Norway for a new item in the Sub-Committee’s work programme on “ECDIS training and familiarization”;

.3 a proposal from Liberia for a new item in the Sub-Committee’s work programme on development of standards of competence for seafarers serving on LNG tankers. In this context, it may be noted that during the revision of the STCW Convention in 1995, the standards in chapter V
related to tankers had not been addressed. The main reason for this was that the original 1978 Convention had adopted amendments relating to tankers just a few years earlier and hence Member Governments were reluctant to revise the requirements so soon. In case the proposal from Liberia is accepted by the Committee, then standards related to all types of tankers would also needed to be addressed; and

in the light of the number of incidents and serious maritime casualties under the influence of alcohol, a proposal from Germany et al for a new item in the Sub-Committee’s work programme to include mandatory alcohol limits during watchkeeping in the STCW Convention.

The Sub-Committee noted that in light of the foregoing, the following illustrative list of issues to be reviewed in the Convention and Code included:

1. security provisions;
2. development of competence for ratings;
3. the review of ‘near coastal voyage’;
4. competence standards for tankers, including LNG carriers;
5. demonstration of competence;
6. the review of alternative certification in chapter VII; and
7. the criteria for safe manning and inclusion of rest provisions.

This being the case, the Sub-Committee also agreed that it would be appropriate at this stage to also harmonize the various inconsistencies that may arise during the review, and taking into account new and innovative training methodologies including, but not limited to, the use of simulator in training and e-learning.

The Sub-Committee further agreed that, taking into account the experience gained after the 1995 revision and a number of subsequent amendments, it would be more pragmatic to ensure that the resulting amendments were developed concurrently and therefore a comprehensive review of the STCW Convention and Code should be undertaken.

3 Compelling need

Since the 1995 revision of the STCW Convention more than 10 years have passed, it has been amended four times so far and is likely to be amended further over the medium-term to include issues relating to maritime security, training for personnel on LNG tankers and ratings training. The new work programme items for the Sub-Committee proposed for MSC 81 will also lead to a number of potential amendments to the Convention and the Code. While developing these amendments, it is absolutely necessary to ensure that they are in harmony with each other and do not adversely affect, or conflict with, any other part of the Convention or the Code taking into account new and innovative training methodologies including, but not limited to, the use of simulator in training and e-learning.
Benefits

Administrations, training institutions, shipowners and seafarers will benefit from the proposed comprehensive review as follows:

.1 Administrations would need to amend laws, decrees and regulations relating to training and certification requirements only once, instead of several times, thereby saving legislative time and reducing administrative burden;

.2 training institutions would need to revise their curriculum only once to meet these requirements resulting in more time being available for training;

.3 shipowners would have the benefit of planning the training of its crew in a holistic manner, rather than in a piece meal process leading to saving of time and money; and

.4 seafarers normally have to undertake the new training requirements during their leave period after a long spell on board. It would be beneficial for them to undertake these requirements in a single phase rather than every time they are on leave.

4 Priority and target completion date

This matter should have high priority since there is benefit for all sectors of the industry. It is expected that the review could be completed by [the end of 2008] with a proposed entry into force date of [1 January 2010].

5 Specific indication of action required

The Committee is invited to consider the aforementioned information and decide on including a new item on Comprehensive review of the STCW Convention and the STCW Code in the work programme of the Sub-Committee and the agenda of STW 38 with a target completion date of [2008] and to instruct the Sub-Committee to first define in detail the issues to be reviewed and advise the Committee accordingly, before embarking on the actual work.

***
1 The Maritime Safety Committee, at its sixty-third session (16 to 25 May 1994), instructed the Secretariat to compile, from the replies received in response to MSC/Circ.567/Rev.1 (Information Required on Simulators available for use in maritime training), a list of maritime training institutions equipped with simulators, to provide a source of information on availability of such training for use by administrations, shipowners and others. The first list was circulated by MSC/Circ.633 and subsequent information by MSC/Circ.721 and MSC/Circ.852.

2 The Sub-Committee on Standards of Training and Watchkeeping (STW), at its thirty-seventh session (23 to 27 January 2006), noting that many simulators at existing training institutions may have been replaced and new simulators may have been installed at other training institutions, agreed that it was necessary to update the information at an early date.

3 The Maritime Safety Committee, at its [eighty-first session (10 to 19 May 2006)], endorsed the corresponding request by the Sub-Committee and urged Member Governments to provide the information on the availability of simulators in their training institutions in the format set out in the annex, at an early date, to enable the Secretariat to compile an updated circular.
ANNEX

Information on simulators available for use in maritime training

Information required is as follows:

1  **Location of the maritime training simulator and contact information**

   - Country: ____________________________
   - Location: ____________________________
   - Mailing address: ______________________
   - Telephone:_______________ Telefax: _______________ E-mail: _______________
   - Contact person:_______________________

2  **Bridge Training Facility**

   - Type: ____________________________
   - Date of Manufacture: ____________________________
   - Number: ____________________________
   - Description: ____________________________
   - Number of Lecturers: ____________________________
   - Number of Students simultaneously: ____________________________
   - Visual System:
     - Day   [    ]
     - Night […….]
   - Field of View: (degrees)
     - Horizontal _____________
     - Vertical _____________
   - Sound   [    ]
   - Engine Vibration   [    ]
   - No. of Own Ships: ______________
   - No. of Targets: ______________
   - NAVAIDS (radar, GPS, AIS, etc.): _________________________
   - Communications Equipment (GMDSS, VHF, etc.): ____________
   - How Built: ____________________________
   - Other information: ____________________________
   - Cost to Students: ____________________________
3 **Engine Room Training Facility**

- Type (Diesel) (Steam) (Slow or Medium Speed): _______________________
- Date of Manufacture: ______________________
- Number: ________________________________
- Description: ____________________________
- Number of Lecturers: ____________________
- Number of Students simultaneously: _________
- Engine Room: ___________________________
- Control Room: ___________________________
- Remote Monitoring: ______________________
- Auxiliaries: _____________________________
- Electrical Panel: _________________________
- Auxiliary Panels: _________________________
- Ballast Panels: __________________________
- Piping System: ___________________________
- Boiler: _________________________________
- Auxiliary Generators: _____________________
- Other information: _______________________
- Cost to Student: _________________________

4 **Other simulator training facilities**

- Type: _________________________________
- Stability: _____________________________
- GMDSS: ______________________________
- Cargo Handling: ______________________
- Liquid Cargo: _________________________
- Ballast management: ___________________
- Fishing Simulator: _____________________
- VTS: _________________________________
- Other simulators: ______________________
In each case indicate:

- Date of manufacture: __________________________
- Number of Lecturers: _______________________
- Number of Students simultaneously: __________
- Cost to Student: ____________________________

5 General

- Language(s) in which training is conducted: ________________________________
- Related teaching aids and documentation available to (e.g. books, notes, video recordings, etc.): _____________________________________________
- Language of teaching aids/documentation: ________________________________
- Can the simulator be used for problem solving exercises: _________________
- Can the simulator be used for training in emergency situations: ______________
- Does the simulator provide a review of the trainees performance on completion of the exercise: _________________________________
- Is the simulator training open to student from other countries: ______________
  if so, cost per student: _____________________________________________
- Any additional information: ____________________________________________

_________