

IMO LEGAL AFFAIRS COMMITTEE (LEG 109), 21 – 25 MARCH 2022

The IMO Legal Affairs Committee held its 109th Session (LEG 109) remotely from Monday 21st through Friday 25th March 2022. Mrs Gillian Grant (Canada) chaired the meeting assisted by her Vice-Chair, Mr Ivane Abashidze (Georgia), both of whom were re-elected for 2023. Credentials were presented for the meeting by 97 Member States supported by a number of Associate Members and representatives from UN specialized agencies and other entities. In addition, Intergovernmental and Non-Governmental organisations were also present.

WELCOMING ADDRESS BY THE SECRETARY-GENERAL. Mr Kitack Lim, the Secretary-General of IMO welcomed delegates to the 109th session of the IMO Legal Committee. He expressed concern for shipping and seafarers in the area of the Black Sea and Sea of Azov, emphasising that shipping, particularly seafarers, cannot be collateral victims in a political and military crisis, inviting LEG to consider the actions of the IMO Council at its thirty-fifth extraordinary session 10 days ago. He was particularly concerned about the welfare of innocent seafarers who already had been seriously impacted by the COVID-19 pandemic and found themselves again exposed to risk. Indeed, the well-being of nearly 2 million seafarers working on board seagoing ships every day around the world, continued to be his top priority.

Abandonment of seafarers, crew changes and repatriation were the causes of much concern, recalling that the previous session of LEG agreed to develop a set of guidelines for port State authorities on how best to deal with such cases. Subsequent intersessional work on the draft guidelines will be offered to the Committee for consideration.

A joint action group, under the leadership of the ILO, with support from IMO and participation from WHO, ICAO and relevant social partners, will review the impact of the COVID-19 pandemic on the world's transport workers and the global supply chain. Every effort will be made to protect the rights of seafarers and the future of sustainable shipping, in line with this year's World Maritime Theme, "New technologies for greener shipping". With regard to unlawful practices associated with the fraudulent registration and fraudulent registries of ships, resolutions have been developed on measures to prevent fraud and encourage Member States to promote actions for the prevention and suppression of fraud within the maritime sector. He said that two such resolutions were adopted at the 32nd session of the Assembly last December and further encouraged administrations to report information regarding their registries through the GISIS module.

Mr Lim stated that over the last decades the Committee had developed a comprehensive liability and compensation regime. To keep it fit for purpose, the Committee will be developing methodologies to assess the need to amend liability limits and determine the way forward.

On a related subject, consideration will also be given to progress made on the development of a Claims Manual for the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001. This will greatly assist victims of bunker oil pollution damage and speed up the claims process.

The S-G welcomed developments regarding implementation of the 2010 HNS Convention and [once more], encouraged Governments to ratify and bring it into force.

Reminding delegates that at its previous session, the Committee finalised the regulatory scoping exercise of conventions emanating from LEG for the use of MASS, this week several relevant proposals for new outputs will be considered. He believed that IMO should continue to be proactive and take the lead on this matter.

In conclusion, the Secretary-General wished all delegates a productive session.

One Working Group (WG) was formulated as a result of discussion during the meeting and instructed to “finalise guidance on the implications of the situation in the Black Sea and Sea of Azov”. The WG was chaired by Mr. Diego Ramirez (Marshall Islands).

ADOPTION OF THE AGENDA.

The Council at its recent meeting (C/ES.35), requested IMO Committees to consider ways to enhance the efforts of Member States and observer organisations in supporting seafarers and commercial vessels affected by the situation in the Black Sea and Sea of Azov. Such considerations should examine the implications of this situation for the implementation of the Organisation’s instruments, and taking appropriate action, report back to the Council. Given this directive, the Legal Committee decided to add to its agenda, under Item 5 (Advice and guidance in connection with the implementation of IMO instruments), sub-item (a) – “Impact on shipping and seafarers of the situation in the Black sea and Sea of Azov”, more on that further on.

FACILITATION OF THE ENTRY INTO FORCE AND HARMONISED INTERPRETATION OF THE 2010 HNS PROTOCOL.

The Committee recalled that with the entry into force of the Nairobi Wreck Removal Convention on 14 April 2015, the 2010 HNS Convention is the remaining gap in the global framework of liability and compensation conventions. Estonia deposited an instrument of accession to the Protocol in January 2022 bringing the number of Contracting States to six, and four of these have more than 2 million units of gross tonnage each.

The 2010 HNS Protocol needs a further six ratifications with the contributing cargo for its entry into force. In this regard, Belgium and the Netherlands provided information on the progress of adopting national legislation which would permit ratification simultaneously with Germany. France confirmed their objective to ratify in 2023 whilst the Philippines reported being in the final stages of ratification.

Information on a forthcoming virtual workshop on the 2010 HNS Convention.

Canada informed the Committee that it planned a virtual workshop on the 2010 HNS Convention in the second half of 2022, as a follow-up to the two-day workshop held at IMO headquarters in 2018, to assist Member States in their work towards further ratifications of the Protocol.

FAIR TREATMENT OF SEAFARERS.

Provision of financial security in case of abandonment of seafarers, and shipowners’ responsibilities in respect of contractual claims for personal injury to, or death of, seafarers, in light of the progress of amendments to the ILO Maritime Labour Convention, 2006.

The Committee recalled its strong commitment to preserving the rights of seafarers in cases of abandonment and noted that providing accurate information to the IMO/ILO joint database was not only the responsibility of the flag State, but also that of the port State and other parties involved. Indeed, at its 108th session, an intersessional correspondence group was established to further develop practical guidelines for port State and flag State authorities on how to deal with abandonment cases, and submit a report to LEG 109.

Report on the IMO/ILO joint database of abandonment of seafarers, and analysis of incidents of abandonment for the period 1 January to 31 December 2021. The Committee was informed that all cases of abandonment reported after 2004 were recorded on the database that in 2020, the total number of reported cases was 85 and, of these, 43 cases had so far been resolved.

For the calendar year 2021, a total number of 95 new cases had been reported and of these, only 31 had been resolved. Approximately 21 were related to COVID-19, further exacerbating the crew change situation, whilst during the first three months of 2022, a further 30 cases were reported, thus alarmingly surpassing last year's record total of reported cases of abandonment. ITF reported the abandonment of 1,399 seafarers on 94 different vessels during the above period and stated that repatriation continued to be an issue in abandonment cases.

In the ensuing discussion, a great many views were expressed following which the Committee:

- Noted the information provided in documents LEG 109/(4a), 4(b), and 4(a)/2;
- Expressed profound concern regarding the increase in abandonment cases as a result of the COVID-19 pandemic;
- Thanked the IMO Secretariat, the IMO Seafarer Crisis Action Team (SCAT), ILO and ITF for their efforts in attempting to resolve abandonment cases;
- Encouraged discussion relating to solving the problem of repatriating abandoned seafarers;
- Reminded Member States to ratify and effectively implement the relevant international instruments and amendments thereto;
- Highlighted the existence of the IMO/ILO joint database;
- Encouraged Member States to report incidents of abandonment to the database when they occur in their ports or on vessels flying their flag;
- Encouraged Member States to continue liaising with the IMO and ILO Secretariats to ensure adequate and accurate updates on their joint database; and,
- Urged flag and port States to take further action ensuring the presence of financial security, as required by MLC 2006, Standard A2.5.2 and to take appropriate action when financial security is not in place.

Fair treatment of seafarers in the event of a maritime accident. The Committee noted the information contained in document LEG 109/4(b) by ITF highlighting resolution LEG.3(91) on *Guidelines on fair treatment of seafarers in the event of a maritime accident*, which was adopted on 27 April 2006, over 15 years ago. Despite the length of time since its adoption, there continue to be issues of concern regarding the subsequent treatment of seafarers involved.

The Committee noted statements by the Republic of Korea and ITF updating the Committee on the **Stolt Groenland** case, also that by Ukraine, regarding fair treatment of seafarers during armed conflicts, full copy of which will be annexed to the Committee's report.

Fair treatment of seafarers detained on suspicion of committing maritime crimes. It was agreed at the 107th session of LEG to include a new output on this item with a target completion year of 2023. However, although no documents were submitted to this session, Council (C 125) endorsed an MSC proposal to approve in principle, the establishment of a Standing Joint ILO/IMO Working Group to Identify and Address Seafarers' Issues and the Human Element, subject to approval of the Group's method of work by relevant IMO Committees. This was duly approved by the ILO Governing Body, with a first meeting planned to take place during the second half of 2022. In order to progress the work, Chair expressed an urgent need to receive concrete proposals at LEG 110 for due consideration and forwarding to the Joint Tripartite Working Group. In response, the delegation of the Philippines offered to work with Ukraine and other interested parties, on submission of a document advocating the fair treatment of seafarers where maritime crimes are committed.

Guidelines for port State and flag State authorities on how to deal with seafarer abandonment cases. The Committee agreed that, similar to the output on fair treatment of seafarers detained on suspicion of committing maritime crimes, both IMO and ILO would need to be involved in the development of the guidelines for port State and flag State authorities on how to deal with seafarer abandonment cases, as part of the joint ILO-IMO Tripartite Working Group, charged with identifying and addressing seafarers' issues and the human element. The Intersessional Correspondence Group on this matter developed practical guidelines which are set out in document LEG 109/4(d). These were duly discussed, following which the Committee agreed to:

- Endorse the draft guidelines for port State and flag State authorities on how to deal with seafarer abandonment cases;
- Forward the report and the draft guidelines as a base document for consideration and further refinement to the joint ILO-IMO Tripartite Working Group to identify and address seafarers' issues and the human element;
- Consider the final approval of the guidelines at a future session; and,
- Extend the target completion year to 2023.

A document submitted by India (LEG 109/4(d)1) provided information on the difficulties faced by seafarers and Member States in the event of seafarer abandonment. The document also proposed to include distinct information about abandoned seafarers in the IMO/ILO joint database of abandonment of seafarers and to develop a mechanism to facilitate the expeditious exchange of information and response from the authorities of the flag State, the nearest port State and the Member State of which the seafarer is a national. Following a brisk discussion of the issues involved in the proposal, most notable were the reservations expressed regarding the sharing of personal data of abandoned seafarers. With this in mind, the Committee agreed to:

- Note the information provided by India;
- Include information indicating a response from, or action taken by the flag State, port State and Member State of which the seafarer is a national, in the reporting form of the IMO/ILO joint database of abandonment of seafarers;
- Refer the issue of inclusion of the name and CDC (Continuous Discharge Certificate) or SID (Seafarers Identity Document) number of abandoned seafarers to the IMO/ILO Joint Working Group to find solutions and report back to LEG 110; and,
- Encourage Member States to develop a mechanism to provide a rapid response in cases of seafarer abandonment from the perspective of flag State, port State and State of which the seafarer is a national.

ADVICE AND GUIDANCE IN CONNECTION WITH THE IMPLEMENTATION OF IMO INSTRUMENTS.

Unauthorised and unlawful issuance of certificates in respect of ships in the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine, temporarily occupied by the Russian Federation. At its extraordinary meeting, C/ES.35, the Council requested IMO Committees to consider ways to enhance the efforts of Member States and observer organisations in supporting affected seafarers and commercial vessels, also to consider the implications of the situation for the implementation of the Organisation's instruments, taking appropriate action, and reporting back to Council. The Committee noted the intervention by the delegation of Ukraine relating to the documents and also noted the intervention by the delegation of the Russian Federation on this matter. Many delegations then condemned Russia's invasion of Ukraine as a violation of international law and the United Nations Charter, and expressed concerns about the impact of the situation in the Black Sea and Sea of Azov on shipping and seafarers consistent with the decisions of C/ES.35.

Following this, the delegation of France, supported by twenty other Member States, proposed that:

- A specific item be introduced in the agenda of the Legal Committee in order to deal with the impact on shipping and seafarers of the situation in the Black Sea and the Sea of Azov;
- Guidelines on the impact of the situation on insurance certificates be developed;
- A working group be established at this session to develop such guidelines; and,
- A J document [discussion document], containing the proposed guidelines, to be submitted to the Secretariat.

Procedural concerns on the legality of inserting this sub-item in the agenda at this late juncture were expressed by the Russian Federation, but an incisive and penetrating analysis by the Chair proved this to be within the existing rules of the Legal Committee. Indeed, the many delegations who spoke, unanimously gave widespread support towards establishing the proposed working group in addition to the other terms of reference proposed by France et al.

Accordingly, the WG was instructed to finalise the guidance on the implications of the situation in the Black Sea and Sea of Azov on the implementation of the conventions under the purview of the Legal Committee, and in particular on insurance certificates issued pursuant to these conventions. They were also instructed to advise the Committee on the format of such guidance, e.g. resolution, circular, decisions of the Committee etc. Following completion of the Working Groups deliberations, the Legal Committee approved the report in general and approved the draft LEG circular containing guidance on the impact of the situation in the Black Sea and the Sea of Azov on insurance or other financial security certificates.

MEASURES TO PREVENT UNLAWFUL PRACTICES ASSOCIATED WITH THE FRAUDULENT REGISTRATION AND FRAUDULENT REGISTRIES OF SHIPS.

The Committee recalled that, at its last session, it had considered the report of the Correspondence Group on Further Measures to Prevent the Fraudulent Registration and Fraudulent Registries of Ships and agreed with the definitions of fraudulent registration and fraudulent registry, and that a definition of “false documents” should be developed. It was also recalled that the Assembly, at its thirty-second session had adopted resolution A.1162(32) on the matter. LEG 108 established a remote intersessional group to work by correspondence whilst further considering a number of remaining issues and proposals related to fraudulent registration/registries of ships.

Report of the Correspondence Group. The Committee noted that the Group had developed the definition of “false documents” as follows:

“False document”: any document, whether in electronic or paper format, that is:

- Forged or falsified to obtain or issue a ship registration certificate;
- A forged or falsified ship registration certificate; or
- Issued based knowingly on the forged or falsified ship registration certificate.

The Group had also developed the name, objective and terms of reference for the establishment of a study group on issues arising in connection with fraudulent registration/registries and possible measures to prevent them. The IMO Secretariat was requested to coordinate participants including UNCTAD, WMU, IMLI, and other interested parties; and to explore possible funding for the study.

Proposed definition of false documents. The Committee approved the text developed by the CG for “false documents” but agreed the UAE’s proposal that the title should be “forged/false documents”.

Study Group on issues arising in connection with fraudulent registration and fraudulent registries of ships and possible measures to prevent them. The Committee supported, in general, the establishment of the study group, with terms of reference developed by the Correspondence Group. An additional question was included to the effect: “What other international and effective legal sanctions for fraudulent registration, such as criminal punishment and administrative measures, could be imposed?”.

The Committee noted the concerns expressed by delegations that ships using fraudulent certificates are able to trade around the world. Such ships require bunkers, stores, spares and crew supplies but are only able to trade because some networks are facilitating their operation and there are also repercussions for seafarers manning them. Given this, the Committee agreed that the study group should also consider the wider question of how fraudulent certification facilitates such practices, which undermine legitimate world trade.

Remaining matters. The Committee encouraged Member States to provide relevant information on the Continuous Synopsis records in the relevant module of GISIS and to provide information on their ship registries in the Contact Points module.

Information in documents LEG 109/6/1 and LEG 109/6/1/Add.1. These documents comment on the report of the Correspondence Group on Fraudulent Registration and Fraudulent Registries of Ships and provide an update on various related matters since LEG 108. Communications were received from the Governments of the Republic of Zambia, Guyana and Vanuatu on the operations of fraudulent registries, and from INTERTANKO on instances of fake identities of ships. Noting the concerns already raised by some delegations that AIS data is being manipulated and that ships are able to operate transmitting fake data, the Committee agreed to inform the Maritime Safety Committee of these matters with a view to investigating how ships without proper registration are able to obtain MMSI numbers.

MEASURES TO ASSESS THE NEED TO AMEND LIABILITY LIMITS.

Three documents were submitted under this agenda item, one reporting on informal intersessional work, the second proposing establishment of a formal intersessional correspondence group, and the third reporting on the P & I Clubs' consideration of incident data in relation to future proposed methodologies on the development of measures to assess the need to amend liability limits. Having agreed to establish the Correspondence Group, it was however stipulated that the work should be limited to the consideration of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended by the 1996 Protocol, acknowledging that the scope could be extended at a later stage. Noting the concerns that underlying principles still need to be addressed, the Committee agreed to task the correspondence group to further refine principles and policy considerations, with the expectation of forming a working group at LEG 110 to further progress the work. Terms of reference to encompass the above points were issued to the correspondence group and the Secretariat was instructed to:

- Work with the Committee to develop the “experience of incident” reporting procedure; and,
- Contact appropriate international organisations or regional bodies with similar liability regimes requesting advice on the Committees behalf for assessing changes in monetary value and share that information with the Correspondence Group by the end of June 2022.

CLAIMS MANUAL FOR THE INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR BUNKER OIL POLLUTION DAMAGE, 2001.

The Committee recalled that, at its last session, it had agreed to include a new output on the development of a Claims Manual for the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (2001 Bunkers Convention) with a target completion year of 2023.

Intersessional work. The Committee considered document LEG 109/8 (Canada et al) reporting on intersessional progress made on the development of a Claims Manual for the 2001 Bunkers Convention by an informal group, in line with the ten comprehensive directions given at LEG 108. It was acknowledged that the resulting draft text in the document submitted by the group was quite substantive, but that further work is needed. In this regard, the following comments were made during the ensuing discussion:

- The work on the Claims Manual should continue on an intersessional basis, with a view to finalising it for adoption at LEG 110;
- The Claims Manual should be disseminated by means of a LEG circular;
- The Claims Manual is not an interpretation of the 2001 Bunkers Convention;
- The Claims Manual is not intended to delay implementation of the provisions of the 2001 Bunkers Convention but rather should assist courts, victims, owners, insurers and other stakeholders and provide clarity in the case of pollution damage;
- The Manual will assist the Parties to the 2001 Bunkers Convention and those States intending to accede to the Convention;
- There is a value in providing an interpretative guidance to assist in dealing with claims for compensation;
- Although not binding, the manual would represent the views of the Parties to the Convention as to the types of claims that are admissible for compensation;
- Whilst recognizing the relationship between the International Convention on Civil Liability for Oil Pollution Damage (CLC) and the 2001 Bunkers Convention, specific consideration should be given to which aspect of the IOPC Funds Claims Manual should be adopted;
- Liability and compensation for bunker oil pollution damage is a matter of particular concern for vulnerable developing countries, including Small Island Developing States (SIDS) that rely heavily on fisheries, aquaculture and tourism; and,
- The further work envisaged would benefit from broad consultation with stakeholders representing claimants' and environmental interests, as well as academic experts.

Establishment of a remote intersessional group. The Committee established a remote intersessional group under the coordination of Georgia and instructed it to:

- Finalise the text of the Claims Manual for the 2001 Bunkers Convention;
- Determine the method of adopting the Claims Manual and develop a draft instrument for that purpose; and,
- Submit a report to LEG 110, with a view to adoption of the Claims Manual for the 2001 Bunkers Convention by the Committee at that session.

PIRACY AND ARMED ROBBERY AGAINST SHIPS.

The Committee noted the information provided in document LEG 109/9 reporting on developments related to piracy since the 107th session of the Legal Committee. It was recalled that consideration of this item was postponed to LEG 108, however, there was no update provided between the 107th and 108th sessions.

Contact Group on Piracy off the Coast of Somalia (CGPCS). The CGPCS held its twenty-third plenary session on 17 and 18 December 2020, chaired by Kenya, comprising 132 participants from 27 States and 48 regional and international organisations. One of the key outcomes was the validation of the terms of reference for the strategic planning group in preparing a strategic plan for the Contact Group to address the root causes of piracy and maritime security. The twenty-fourth plenary session was scheduled to take place on 26 and 27 January 2022 although the outcome of the meeting does not appear to have been reported.

WORK OF OTHER IMO BODIES.

The Committee noted the outcomes of A 32, C 125, FAL 45, LC 43/LP9, MEPC 76, MEPC 77, MSC 104, and III 7. In particular, the Committee:

- Noted the decisions taken by MSC 104: on the preparation of a priority list of instruments under MSC's remit for which consolidated versions would be most beneficial; on the new MASS output; and, on matters related to seafarers' challenges during the COVID-19 pandemic;
- Noted that MEPC 77 had, in the context of documents concerning the markings of fishing gear, requested the Secretariat to provide legal advice regarding the definition of garbage for fishing gear in MARPOL Annex V;
- Noted the outcomes of LC 43/LP 16, in particular; on progress with the ratification of the 2009 amendment to article 6 of the London Protocol. Also, on matters related to the management of radioactive wastes, requesting legal advice on the issue of scope of the LC/LP, in particular discharges from land-based facilities;
- Noted the outcome of FAL 45 in relation to the regulatory scoping exercise on MASS;
- Noted the outcome of C 125 in relation to the preparation of official consolidated texts of IMO Conventions;
- Noted the outcome of III 7 concerning matters related to the financial security of seafarers in cases of abandonment;
- Approved, subject to concurrent decision by MEPC, MSC and FAL, a joint circular on the *List of certificates and documents required to be carried on board ships*; and,
- Endorsed with respect to the handling of issues related to the abandonment and fair treatment of seafarers, the III Sub-Committee's recommendation on alignment and integration of actions in favour of both seafarers and fishers, recognising that both are often confronted by the same type of problems.

List of priority conventions under the purview of the Legal Committee for which a consolidated version would be most beneficial. The Committee recalled that C 125 had considered a proposal to develop consolidated certified texts of IMO conventions to assist in the Organisation's technical cooperation and capacity-building efforts, so that the texts could be incorporated into the national legislation of Member States. It was also recalled that C 125 had endorsed the recommendation of the Working Group on Council Reform to proceed with the preparation of consolidated versions of IMO conventions, inviting the committees to develop a priority list of conventions for which a consolidated version would be beneficial. Document LEG 109/10/1 submitted by the Secretariat, provided a list of all instruments under the purview of the Legal Committee and indicated those for which a consolidated version would be beneficial, with proposals on the priority to be given to each consideration.

Following discussion, the Committee:

- Endorsed the suggestion by the Secretariat to give high priority to the preparation of an official consolidated text of the Protocol of 1996 to amend the Convention on Limitation of Liability for Maritime Claims, 1976, incorporating the amendments adopted by resolution LEG.5(99) in order to ensure that States accede to the instrument as modified by the amendments;
- Endorsed awarding a high priority to the preparation of a consolidated text of the Convention on Limitation of Liability for Maritime Claims, 1976, as amended by the 1996 Protocol, including the amendments adopted by resolution LEG.5(99) in order to assist States in the implementation of the instrument;
- Instructed the Secretariat to prepare the two above-mentioned consolidated texts for adoption by the Committee at a future session; and,
- Decided that the submission should be made under the standing agenda item on Review of the status of conventions and other treaty instruments emanating from the Legal Committee.

WORK PROGRAMME.

Proposals for new outputs. Three proposals for new outputs were submitted to this session of the Legal Committee:

- One for development of guidance in the proper implementation and application of IMO liability and compensation conventions (LEG 109/13); and,
- Two regarding the development of measures to address Maritime Autonomous Surface Ships (MASS) in the instruments under the purview of LEG (LEG 109/13/1 and LEG 109/13/2).

Development of guidance for the proper implementation and application of IMO liability and compensation conventions. Following an in-depth discussion, the Committee agreed that the development of such guidance is an issue that needs to be addressed by the Legal Committee and expressed its general support for the proposed new output, including it in the 2022-2023 biennial agenda (and later the 2024-2025), with a target completion year of 2024. Canada elected to conduct informal intersessional work, taking into account comments made by the Committee.

Regulation of MASS in the existing regulatory framework under the purview of LEG.

The Committee considered document LEG 109/13/1 (Japan, Russian Federation and UAE) and document LEG 109/13/2 (Canada and the Republic of Korea), both inviting the Committee to add a new output regarding the regulation of MASS in the existing regulatory framework under the purview of LEG. The Chair combined the two proposals whilst noting that the human element would be an important aspect to consider as well as the fact that MASS will operate within the framework of UNCLOS.

In conclusion, the Committee agreed to:

- Include a new output under the work programme on “Measures to address Maritime Autonomous Surface Ships (MASS) in the instruments under the purview of the Legal Committee” with a target completion year of 2025;
- Invite concrete proposals to LEG 110 on the scope of work on the new output and a draft road map to enable a common understanding of the steps to be taken by the Legal Committee; and,
- Include the item in the provisional agenda for LEG 110.

Proposal for a joint MSC-LEG-FAL Working Group on MASS. Following discussion of a proposal by the Chairs of MSC, LEG, and FAL to establish a Joint Working Group (JWG) on MASS to consider common gaps and themes identified during the regulatory scoping exercises conducted by the three Committees, full support was expressed for the proposal within the Committee.

After a pretty lively discussion, the Committee agreed to:

- Approve the establishment of a joint MSC-LEG-FAL Working Group on MASS;
- Approve the terms of reference for the Joint Working Group;
- Approve the inclusion of an additional point in the JWG terms of reference before point 2.1 to read “develop a work plan taking into account the road maps developed and updated by the three Committees”, subject to approval by MSC and FAL;
- Instruct the Secretariat to make the necessary arrangements for the holding of the first meeting of the JWG as soon as possible after C 127 in July 2022, subject to MSC, FAL and the Council’s approval; and,
- Encouraged Member States and observer organisations to submit proposals to the JWG on common issue

DATE OF NEXT MEETING. Although no dates were specified for the next meeting, it was agreed that, in view of the present workload, the session will be held during five meeting days with eight full sessions of interpretation.

End

Captain Paddy McKnight