

**CONTRIBUTION OF THE INTERNATIONAL MARITIME ORGANIZATION TO THE UN
SECRETARY- GENERAL'S REPORT ON OCEANS AND THE LAW OF THE SEA
(UNGA resolution 76/72)**

PRELIMINARY CONSIDERATIONS

Pursuant to the request made by the Under-Secretary-General for Legal Affairs and United Nations Legal Counsel, in a letter dated 11 April 2022, this contribution focuses on main developments on ocean issues and the law of the sea within the areas of competence of IMO between

special trade passenger ship instruments (SPACE STP, STP). Following the conclusion of the regulatory scoping exercise, MSC agreed to develop a goal-based instrument to regulate the operation of MASS, with a target completion year of 2025 and to this aim approved a *Road map containing a work plan for developing a goal-based Code for MASS*.

The Legal Committee issued the outcome of the regulatory scoping exercise of conventions under its purview with respect to MASS in July 2021. The document provides an overview of the extent to which the existing regulatory framework emanating from the Legal Committee might require amending or interpreting to address MASS operations. Based on the outcome of the regulatory scoping exercise, the Legal Committee agreed to continue further discussion

Furthermore, the Facilitation Committee in May 2022 approved the outcome of the regulatory scoping exercise and gap analysis of the Convention on Facilitation of International Maritime Traffic with respect to MASS and agreed to continue its discussions on MASS under a new output entitled "Measures to address MASS in the instruments under the purview of the Facilitation Committee", with a target completion year of 2025.

Recognizing the need to coordinate the work on MASS, the three Committees agreed to establish a Joint MSC-LEG-FAL Working Group on MASS as a cross-cutting mechanism to address the common issues identified, e.g., whether to amend the definition for MASS and degrees of autonomy agreed at previous meetings; consider the meaning and role of the master, crew, responsible person, remote operator and remote control station/centre in the context of MASS.

SAFETY OF FISHING VESSELS AND IUU FISHING

(paragraphs 126

Committee (MEPC) is mandatory under both the SOLAS and MARPOL Conventions. Both Committees have been developing further mandatory provisions and non-mandatory guidelines for ships operating in Arctic and Antarctic waters. Furthermore, the application of Polar Code to ships which do not fall under the scope of the SOLAS Convention is being considered.

To improve radiocommunication in polar waters, new amendments to SOLAS Convention were adopted and will enter into force on 1 January 2024 (resolution MSC.496(105)). The amendments relate to the modernization of the Global Maritime Distress and Safety System (GMDSS), which includes distress, safety and urgency communications in polar waters

With respect to piracy and armed robbery in the Gulf of Guinea, the IMO Assembly, in December 2021, adopted resolution A.1159(32) on *Prevention and suppression of piracy, armed robbery against ships and illicit maritime activity in the Gulf of Guinea*, updating resolution A.1069(28). The resolution calls upon Member States to assist in efforts to mitigate piracy in the Gulf of Guinea and to consider making financial contributions to West and Central Africa Trust Fund in this regard.

IMO remains fully engaged in facilitating and supporting the Inter-Regional Coordination Centre (ICC) to progress the implementation and to assess the requirement for a revision of the Yaoundé Code of Conduct framework. In addition, IMO has continued to assist in the implementation of the Multinational Maritime Coordination Centre (MMCC) Zone F MoU to promote maritime safety and security within Zone F and beyond.

SEARCH AND RESCUE

(paragraphs 180-182 of the UN General Assembly Resolution 76/72 refer)

As part of its Global Integrated Shipping Information System (GISIS), IMO maintains a module on Global Search and Rescue (SAR) Plan. This module contains information on the availability of maritime SAR services, including information on the delimitation of established maritime SAR regions, based on information provided by IMO Member States.

The Global SAR Plan module is also complemented by the Global Maritime Distress and Safety System Master plan of shore-based facilities (GMDSS Master Plan), which provides information on shore-based communication support needed for the safety of maritime navigation and to respond to distress calls wherever the distressed person may be.

The GMDSS Master Plan is based on both satellite and terrestrial radio services and has

subsidiary bodies. The aim of the IMO Action Plan is to enhance existing IMO regulations and introduce new supporting measures to reduce marine plastic litter from ships.

In November 2021, IMO adopted its Strategy to address marine plastic litter from ships (resolution MEPC.341(77)). The objective of this Strategy is to guide the implementation of the Action Plan to best achieve the outcomes of the Action Plan, by the establishment of a timeline and identification of appropriate modalities.

BALLAST WATER MANAGEMENT TREATY IMPLEMENTATION

(paragraphs 235-238 of the UN General Assembly Resolution 76/72 refer)

The *International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004* (BWM Convention), entered into force in September 2017. As of June 2022, it has been ratified by 91 countries, representing 92.23% of world merchant shipping tonnage. The BWM Convention aims to stop the spread of potentially invasive aquatic species in ship ballast water and requires ships to manage their ballast water to remove, render harmless or avoid the uptake or discharge of aquatic organisms and harmless or

At the Assembly in December 2021, the respective States Parties to liability conventions adopted resolutions A.1163(32) and A.1164(32) on Interpretation of Article 4 of the Convention on Limitation of Liability for Maritime Claims, 1976, and resolution A.1165(32) on Interpretation of Article 6 of the Protocol of 1992 to amend the International Convention on Civil Liability for Oil Pollution Damage, 1969 amending Article v(2) of the International Convention on Civil Liability for Oil Pollution Damage, 1969.

The Legal Committee continued to encourage Member States to consider becoming parties to the 2010 Protocol to the 1996 International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea.

WELLBEING OF SEAFARERS

(paragraphs 121- 124, 129, 135, 139 and 193 of the UN General Assembly Resolution 76/72 refer)

In 2021 a record 95 of new abandonment cases have be reported to the IMO/ILO joint database of abandonment of seafarers. In March 2022, the Legal Committee expressed profound concern regarding the increase in abandonment cases as a result of the COVID-19 pandemic. Repatriation of abandoned seafarers remains an issue and Member States were encouraged to ratify and effectively implement the relevant international instruments to address the problem. Flag and port States were urged to take further action to ensure the financial security in cases of abandonment. *The Legal Committee also endorsed Guidelines for port State and flag State authorities on how to deal with seafarer abandonment cases.*

Maritime education and training should be at the leading edge in terms of quality and development to respond to the needs of a modern shipping sector. The ongoing work on MASS will significantly lead the way to ascertain future In addition, any necessary upgrading and alignment of education and training with continuous

protection, and climate change as part of the work to comprehensively review the STCW Convention and Code, which was agreed to be undertaken in the coming years by the MSC in April 2022. Matters such as the effective implementation of the STCW Convention, facilitation of mandatory seagoing service requirements for certification of seafarers, assurance of quality of onboard training, and introduction of flexibility for revalidation of

