

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 September 2021 to August 2022 (inclusive).

In particular, this report highlights the way in which General Assembly Resolution 76/72 on Oceans and the Law of the Sea has been implemented by referring to the relevant paragraphs of the resolution.

MARITIME SAFETY AND SECURITY

SAFETY AND SECURITY IN THE BLACK SEA AND THE SEA OF AZOV *(paragraphs 118-120 of the UN General Assembly Resolution 76/72 refer)*

In March 2022, the IMO Council met in extraordinary session (C.ES/35) to consider the impacts on shipping and seafarers of the situation in the Black Sea and the Sea of Azov. The Council, among other decisions, requested the IMO committees to consider ways to enhance the efforts of Member States and observer organizations in supporting affected seafarers and commercial ships and consider the implications of this situation for the implementation of the Organization's instruments, take appropriate action and report back to Council.

In response to this request, following-up on the ongoing actions undertaken by the Secretary-General to address the situation of shipping and seafarers in the conflict area, the Maritime Safety Committee (MSC), at its 105th session in April 2022, urged the Secretariat to continue their efforts regarding the establishment of safe maritime corridors and the safe evacuation of seafarers from the affected area as a priority. MSC 105 adopted resolution MSC.495(105) on *Actions to facilitate the urgent evacuation of seafarers from the war zone area in and around the Black Sea and the Sea of Azov as a result of the Russian Federation aggression against Ukraine*.

Since then, the IMO Secretariat has been liaising closely with all key stakeholders in the region to address the safety and security of seafarers and shipping and to work with littoral States to encourage and improve regional information sharing to aid the safety and security of navigation. Moreover, the Secretariat has been facilitating discussions with Ukrainian ports administrations, charities, and the International Labour Organization (ILO) to support port workers and seafarers directly impacted by the crisis.

REQUIREMENTS FOR MARITIME AUTONOMOUS SURFACE SHIPS (MASS) *(paragraphs 118-120 of the UN General Assembly Resolution 76/72 refer)*

MSC finalized the process of assessing the applicability of mandatory instruments under its purview to ships with varying degrees of autonomy in 2021. The MSC identified 4 degrees of autonomy: 1) ship with automated processes and decision support; 2) remotely controlled ship with seafarers on board; 3) remotely controlled ship without seafarers on board; and 4) fully autonomous ship. The following instruments, that relate to the safety of navigation, have been identified as high priority: the Safety of Life at Sea (SOLAS); collision regulations (COLREG); loading and stability (Load Lines); training of seafarers and fishers (STCW, STCW-F); search and rescue (SAR); tonnage measurement (Tonnage); safe transport of containers (CSC); and

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 under a new output on "Measures to address MASS in the instruments under the purview of the Legal Committee" with a target completion year of 2025.

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 126-128 of the UN General Assembly Resolution 76/72 refer)

Following the Ministerial Conference on Fishing Vessel Safety and Illegal, Unreported and Unregulated (IUU) Fishing in Torremolinos, Spain, in October 2019, the Organization continued to take decisive steps to promote the entry into force of the 2012 Cape Town Agreement on fishing vessel safety via regional webinars.

To date, 17 States (Belgium, Congo, Cook Islands, Croatia, Denmark, Finland, France, Germany, Iceland, Kenya, Netherlands, Norway, Peru, Saint Kitts and Nevis, Sao Tome and Principe, South Africa and Spain) have ratified the Agreement, whilst the ratification by 22 States is required for its entry into force. The IMO Secretariat has been informed by several Member States about their efforts towards the ratification of the Agreement to fulfil the entry into force requirements by October 2022, the 10th anniversary of the adoption of the Agreement.

In addition, the International Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F) is currently being comprehensively reviewed by IMO's Sub-Committee on Human Element, Training and Watchkeeping (HTW), in order to align the standards of the Convention with the current state of the fishing industry and the ensure that an effective instrument will address significant challenges in this sector. The revision is expected to incorporate new areas of training, including linkages to sustainable fisheries and management instruments.

SAFETY OF SHIPS IN POLAR WATERS

(paragraph 193 of the UN General Assembly Resolution 76/72 refers)

The IMO Polar Code covers ships' safety and the protection of the marine environment in polar waters. The Code, adopted by the MSC and by the Marine Environment Protection

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.

SAFETY ISSUES RELATING TO THE 2020 SULPHUR LIMIT

(paragraph 239 of the UN General Assembly Resolution 76/72 refer)

IMO has been working with Member States as well as with the industry, including the shipping industry and the bunker supply and refining industry, to identify and mitigate safety issues in relation to the use of oil fuel. Indications suggest that the transition has been smooth with no significant safety issues associated with new blended fuels.

Following its action plan for measures to enhance the safety of ships relating to the use of oil fuel, MSC considered further measures and approved draft amendments to SOLAS chapter II-2 in relation to flashpoint. The amendments would add new definitions and new requirements for ships carrying oil fuel to be provided, prior to bunkering, with a declaration signed and certified by the fuel oil supplier's representative that the oil fuel supplied is in conformity with SOLAS. A bunker delivery note for the fuel delivered to a ship shall contain the flashpoint specified in accordance with standards acceptable to the Organization, or a statement that the flashpoint has been measured at or above 70°C.

In April 2022, MSC 105 also agreed a revised action plan and continues to develop guidelines for sampling procedures, collect information on possible further measures to enhance the safety of ships relating to the use of fuel oil; and consider possible measures related to oil fuel parameters other than flashpoint.

MARITIME SECURITY

(paragraphs 132, 135-139, 141, 144, 147, 150-153, and 157 of the UN General Assembly Resolution 76/72 refer)

IMO continues to emphasise the need for flag States, shipowners and operators to review the maritime security plans for their ships and implement necessary measures, including IMO guidance and industry Best Management Practices to address the heightened security risk to ships from piracy, armed robbery and other illicit acts, and for IMO to support Member States in strengthening maritime, port and ship security through its extensive Global Maritime Security, Djibouti Code of Conduct (DCoC) and West and Central Africa capacity building programmes.

The DCoC Information Sharing Network Strategy and Roadmap developed with support of IMO in November 2021 will enhance these efforts. IMO has also supported the work spearheaded by the DCoC Working Group on Capacity Building Coordination to develop a Regional Capacity Building Coordination matrix, which will promote utilization of synergies, avoid duplication, and ensure better collaboration with donors and implementing partners, leading to a more efficient response to the range of maritime security threats in the region.

IMO also continues to implement multi-year EU funded projects on "Port Security and Safety of Navigation in Eastern and Southern Africa and the Indian Ocean" and "Regional Programme for Maritime Security in the Red Sea Area", jointly with INTERPOL and UNODC.

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 IMO's 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 changed international distress communications from being primarily ship-to-ship to primarily ship-to-shore, the Rescue Coordination Centres (RCCs) playing a major role in the communication and coordination. Both modules are publicly available and can be accessed at: <https://qisis.imo.org>. Additional information on SAR agreements communicated by IMO Member States is also published on IMODOCS as SAR.6 circulars (<https://docs.imo.org/Category.aspx?cid=177>).

PASSENGER SHIP SAFETY

(paragraph 194 of the UN General Assembly Resolution 76/72 refers)

In April 2022, MSC 105 adopted recommendatory *Model Regulations on Domestic Ferry Safety* by resolution MSC.518(105). The model regulations provide framework provisions on domestic ferry safety for incorporation into national law. They cover a range of issues, including certification; manning; safety management; navigation and communications equipment and life-saving appliances. They can be adapted by countries, as necessary, to suit their respective national conditions and requirements.

MARINE ENVIRONMENT

REDUCTION OF GREENHOUSE GAS EMISSIONS FROM SHIPS

(paragraphs 239-240 of the UN General Assembly Resolution 76/72 refer)

Initiation of Revision of the Initial IMO Strategy

In 2018, IMO Member States adopted the Initial IMO Strategy on reduction of GHG emissions from ships (resolution MEPC.304(72)), representing a global framework for Member States and the industry, setting out a vision for shipping decarbonization along with IMO's ambition

to reduce carbon intensity by at least 40% by 2030, pursuing efforts towards 70% by 2050, and to reduce total annual GHG emissions from international shipping by at least 50% by 2050 compared to 2008, working towards phasing them out as soon as possible. The Initial IMO Strategy envisages the 2050 level of ambition as “a point in a pathway of CO₂ emissions reduction consistent with the Paris Agreement temperature goals”.

Since the adoption of its Initial Strategy, IMO has been actively working on transposing the commitments into mandatory requirements that apply to individual ships from all flags to ensure that the levels of ambition are effectively achieved in line with the agreed timelines. As such, IMO’s commitments do not just remain aspirational targets but lay down a binding regulatory framework that applies to the world fleet and is enforced globally, both by the ship’s flag State as well as any port State the ship visits.

IMO’s Marine Environment Protection Committee (MEPC) at its seventy-seventh session (MEPC 77) agreed to initiate the revision of the Initial Strategy, recognizing the need to strengthen the ambition during the revision process. The move came in the wake of the United Nations Climate Change Conference (COP 26), held in Glasgow, United Kingdom, (1-12 November) and in view of the urgency for all sectors to accelerate their efforts to reduce GHG emissions. MEPC 77 agreed that a final draft Revised IMO GHG Strategy would be considered by MEPC 80 (scheduled to meet July 2023), with a view to adoption.

MEPC 78 held its session in June 2022 and had for its consideration a number of concrete proposals and comments related to the revision of the Initial IMO GHG Strategy, including, inter alia, the level of ambition for 2050, intermediate GHG reduction targets, and how to ensure a “just and equitable” transition that addresses the interests of developing States, in particular SIDS and LDCs, often also the most climate vulnerable States. Having made further progress with the discussions towards the revision of the Initial GHG Strategy, MEPC 78 reiterated its commitment to adopt a revised and strengthened IMO GHG Strategy by MEPC 80 (July 2023).

Mandatory measures to cut shipping carbon intensity

In June 2021, IMO [adopted amendments to IMO’s MARPOL Annex VI on reducing the carbon intensity of the global fleet](#). This ‘short-term GHG reduction measure’, composed of mandatory technical and operational requirements, will enter into force in November 2022 and is designed to ensure reducing the carbon intensity of international shipping in 2030 by at least 40%, compared to 2008 levels in accordance with the level of ambition identified in the in 2018 adopted Initial Strategy on the reduction of GHG from ships.

In June 2022, MEPC 78 finalized a set of 12 guidelines supporting the consistent implementation of various elements of the short-term measure (Energy Efficiency Existing Ship Index (EEXI), enhanced Ship Energy Efficiency Plan (SEEMP), Carbon Intensity Indicator (CII) rating). The guidelines include those relating to method of calculation of the EEXI, the revised SEEMP and possible correction factors for CII. The Committee also agreed to draft amendments to MARPOL Annex VI to require additional reporting by flag States to the IMO Ship Fuel Oil Consumption Database (DCS) on the ship’s carbon intensity performance values (EEXI and CII). Meanwhile, the intersessional working group will complete the lessons-learned exercise of the comprehensive impact assessment of the short-term measure, and in particular finalize the review of the [Procedure for assessing impacts on States of candidate measures](#) (MEPC.1/Circ.885), to be approved by MEPC 79 in December 2022.

Consideration of concrete proposals for mid-term measures

In June 2021, MEPC 76 initially considered proposals for mid- and long-term GHG reduction measures for international shipping including different proposals for technical measures as

well as economic measures, such as market-based-measures (MBMS). In order to conduct discussions on these complex matters in a structured manner, the Committee approved a [Work plan](#) which consists of three phases which will entail a number of assessments, prioritization and decision steps, with a view to enable international shipping to further reduce its GHG emissions.

In accordance with Phase I of the Work plan, the intersessional working group considered various proposals for mid-term measures and their initial impact assessments. Following the initial consideration, under Phase II of the Work plan of a "basket of candidate mid-term GHG reduction measures" was developed, integrating both various technical and carbon pricing elements while recognizing the necessary flexibility. The work full focus on assessing the proposed measures, in particular, their (1) feasibility, (2) effectiveness to deliver the long-term levels of ambition and (3) potential impacts on States, in particular developing States, including SIDS and LDCs, with a view to further developing the "basket of candidate mid-term measures".

GHG TC Trust Fund

New pledges were made by Governments to support the work of the IMO in the implementation of the Initial GHG Strategy in developing countries, in particular SIDS and LDCs, through technical cooperation and capacity building by contributions to the [IMO GHG TC Trust Fund](#). These pledges will enhance IMO's work on energy efficiency technology cooperation and demonstration ensuring nobody is left behind in implementing the Initial Strategy. The GHG TC-Trust Fund has funded, inter alia, the Fourth IMO GHG Study 2020, the comprehensive impact assessment of the short-term measure and a new study on maritime transport costs in the Pacific Islands region

Resolution on Black carbon in the Arctic

In November 2021, MEPC 77 adopted a resolution on Black carbon in the Arctic. The resolution urges Member States and ship operators to voluntarily use distillate or other cleaner alternative fuels or methods of propulsion that are safe for ships and could contribute to the reduction of Black Carbon emissions from ships when operating in or near the Arctic. The resolution further encourages Member States to commence addressing the threat to the Arctic from Black Carbon emissions, and report on measures and best practices to reduce Black Carbon emissions from shipping.

Mediterranean Sea Emission Control Area for Sulphur Oxides

In June 2022, MEPC 78 agreed to designate the entire Mediterranean Sea as an emission control area, meaning that ships will - from 2025 - have to comply with more stringent controls on sulphur oxide emissions. In a SO_x-ECA, the limit for sulphur in fuel oil used on board ships is 0.10% mass by mass (m/m), while outside these areas the limit is 0.50% m/m. The associated amendments to MARPOL Annex VI are being considered. The amendments could enter into force in mid-2024, with the new limit taking effect from 2025.

ADDRESSING MARINE PLASTIC LITTER FROM SHIPS

(paragraphs 222, 225, and 229 of the UN General Assembly Resolution 76/72 refer)

Having recognized the ongoing problem of marine plastic pollution, as addressed in MARPOL Annex V, and that further consideration was required as part of a global solution within the framework of ocean governance, in pursuance of the target of Sustainable Development Goal 14 to prevent and significantly reduce marine pollution of all kinds by 2025, IMO continues to make progress on developing the actions agreed within the IMO Action Plan to Address Marine Plastic Litter from Ships (resolution MEPC.310(73)), through the MEPC and its

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 ships' ballast water and requires ships to manage their ballast water to remove, render harmless or avoid the uptake or discharge of aquatic organisms and pathogens within ballast water and sediments. In October 2019, the *Code for Approval of Ballast Water Management Systems* (BWMS Code) became mandatory. The main focus of IMO now is on the effective and uniform implementation and application of the BWM treaty.

In this regard, the MEPC had established the experience-building phase (EBP) associated with the BWM Convention (resolution MEPC.290(71)), in order to carry out a systematic and evidence-based review of the BWM Convention, potentially leading to the development of a package of amendments. Following consideration of the data analysis report on the EBP, the MEPC agreed in principle to develop a BWM Convention Review Plan (CRP) and embarked on a holistic review of the treaty concluding with the approval and adoption of amendments tentatively envisaged for 2026. In addition, on 1 June 2022, amendments to the BWM Convention entered into force, making commissioning testing of ballast water management systems mandatory.

SHIP RECYCLING

(paragraph 242 of the UN General Assembly Resolution 76/72 refers)

IMO continues to encourage States that have not yet done so to consider ratifying or acceding to the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 to facilitate its entry into force.

DUMPING OF WASTE AT SEA

(paragraphs 254-256 of the UN General Assembly Resolution 76/72 refer)

The forty-third Consultative Meeting of Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention) and the sixteenth Meeting of Contracting Parties to the 1996 Protocol to the London Convention, 1972 (London Protocol) were concurrently held by virtual means, from 25 to 29 October 2021 (document LC 43/17 and its addendum).

The governing bodies considered the report of the forty-fourth meeting of the London Convention Scientific Group and the fifteenth meeting of the London Protocol Scientific Group, that were held concurrently by correspondence from 12 to 16 April 2021. The report of the joint session of the Scientific Groups has been issued as document LC/SG 44/16.

In considering the report of the Scientific Groups, the governing bodies agreed that available data indicated that there was sufficient evidence and justification for amending annex 1 to remove sewage sludge from the list of permissible wastes. The governing bodies therefore

invited a Contracting Party or Parties to the London Protocol to propose an amendment to annex 1 of the London Protocol to remove sewage sludge from the list of wastes or other matter that could be considered for dumping. Subsequently, a proposal to amend the London Protocol has been submitted for consideration at the next meeting of the governing bodies, to be held from 3 to 7 October 2022 (document LC 44/10).

The governing bodies also reviewed and approved the report of the thirteenth session of the London Protocol Compliance Group, held from 21 to 22 October 2021 (LC 44/17/Add.1, annex 3), and approved the *Guidelines for selecting sites for the dumping of wastes and other matter at sea and for developing site management and monitoring plans* (LC 44/17/Add.1, annex 2).

The Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP)

The Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP), for which IMO provides the Secretariat services through a dedicated GESAMP Office, held its 48th annual session from 6 to 10 September 2021, by virtual means, hosted by the IAEA. GESAMP reviewed progress by its nine currently active working groups and agreed on the future work programme. In the intersessional period, GESAMP published its 108th report in the Report and Studies series, on the topic of “Sea-based sources of marine litter”. All reports published by GESAMP are available on www.gesamp.org.

FRAUDULENT REGISTRATION

ADDRESSING FRAUDULENT REGISTRATION AND FRAUDULENT REGISTRIES OF SHIPS

(paragraphs 137 and 190 of the UN General Assembly Resolution 76/72 refer)

The IMO Assembly, at its thirty-second session, in December 2021, adopted resolution A.1162(32) on Encouragement of Member States and all relevant stakeholders to promote actions for the prevention and suppression of fraudulent registration and fraudulent registries of ships and other fraudulent acts in the maritime sector.

The resolution encourages Governments to review the provisions in their national law relating to the prevention and suppression of all forms of maritime fraud, having particular regard to, inter alia, the administration of national registries of ships, including requirements for provisional registration, transfer of ownership, nationality, or change of name of ships. Moreover, the resolution urges Governments to take all possible measures of cooperation with each other and with relevant intergovernmental organizations and maritime stakeholders in order to combat maritime fraud, including the exchange of information and reporting the names of ships and registries involved in fraudulent acts.

The IMO Secretariat has improved the IMO [GISIS](https://qisis.imo.org/Public/SHIPS/Default.aspx) module on ship particulars (<https://qisis.imo.org/Public/SHIPS/Default.aspx>) which now includes an option to check ship status by: False Flag, Ship under UN sanction (checked against UN Security Council Sanction List) and Owning/operating entity under UN Sanction (checked against UN Security Council Sanction List).

LIABILITY AND COMPENSATION REGIME

(paragraph 235 and 248 of the UN General Assembly Resolution 76/72 refer)

The IMO Legal Committee developed a unified interpretation on the test for breaking the owner's right to limit liability under IMO liability conventions, to reflect consistent themes and principles highlighting the virtually unbreakable nature of the test.

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 been 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 seafarers' training needs. In addition, any necessary upgrading and alignment of education and training with continuous advancement of the sector must also address progress on ship's efficiency, environmental 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 seafarers' certificates to cope with the challenges faced during exceptional circumstances are key elements of this instrument that contribute to the recruitment and retention of seafarers.

On the other hand, attractive working conditions, contracts, and wages, as well as appropriate seafarers' recreational facilities, amenities, and services, including social connectivity, adapted to meet the special needs of seafarers who must live and work on ships, constitute a fundamental element of a modern and decent work environment. In the context of seafarers' wellbeing, proper manning of ships should also be considered as a vital element that significantly contributes to preventing fatigue, safeguarding seafarers' mental health and the consequent enhancement of maritime safety.

CAPACITY BUILDING

(paragraphs 10 - 19, 30-31 of the UN General Assembly Resolution 76/72 refer)

Although the COVID-19 pandemic has heavily impacted IMO's technical cooperation activities, the Organization adapted its working practices, to continue the delivery of technical assistance to those Member States most in need.

International Maritime Law Institute and World Maritime University

Utilizing the capacity of its two global maritime training institutions, namely, the World Maritime University (WMU) located in Malmo, Sweden and the IMO International Maritime Law Institute (IMLI) based in Malta, despite the Covid-19 pandemic, IMO continued to offer the international maritime community the possibility to access high level post graduate maritime education. The operations of both WMU and IMLI continued virtually uninterrupted since the start of the pandemic. Both training institutions' lectures were carried out remotely via virtual learning and both entities have tried to improve their delivery of course content and interaction with students through various applications to ensure the very best service to their students.

Women in maritime

In December 2021, the IMO Assembly, through resolution A.1170(32), decided to establish 18 May of each year as the "International Day for Women in Maritime"; and invited Member States, the maritime industry, and all others in the maritime endeavour to promote and celebrate the International Day for Women in Maritime in an appropriate and meaningful manner.

MEASURES TO ADDRESS THE CONSEQUENCES OF THE COVID-19 PANDEMIC FOR INTERNATIONAL SHIPPING

(paragraph 129 of the UN General Assembly Resolution 76/72 refers)

Building on the measures reflected in IMO's contribution to the report of 2021, cooperation with UN and other UN agencies during the COVID-19 pandemic, in particular with WHO, ILO and ICAO, has continued. As part of the work with WHO to facilitate access to vaccination of seafarers and vaccination status recognition, the Maritime Safety Committee adopted in May 2021 resolution MSC.490(103) on "Recommended action to prioritize COVID-19 vaccination of seafarers". In order to address the issues faced by seafarers in relation to their access to medical care, IMO, together with other UN agencies, called on Member States to provide access for seafarers to medical care and medical prescriptions during the pandemic.

Throughout the pandemic, IMO has used a multi-pronged approach, which inter alia includes addressing individual cases by the Seafarers Crisis Action Team (SCAT); and policy development by means of guidance on a wide variety of issues such as facilitation of ship crew change, access to medical care and seafarer travel during the COVID-19 pandemic, *Recommended action to prioritize COVID-19 vaccination of seafarers* (MSC.490(103)), *Industry recommended framework of protocols for ensuring safe ship crew changes and travel during the coronavirus (COVID-19) pandemic* (MSC.1/Circ.1636/Rev.1) and *Guidance on seafarers' training and certification for issuing Administrations, flag States and port States during the COVID-19 pandemic* (MSC.1/Circ.1643).

Furthermore, the IMO Assembly at its 32nd session in December 2021 adopted resolution A.1160(32) on *Comprehensive action to address seafarers' challenges during the COVID-19 pandemic*, consolidating issues related to crew change, access to medical care, "key worker" designation and seafarers' prioritization for COVID-19 vaccination.
