

IMO SUB-COMMITTEE ON HUMAN ELEMENT, TRAINING AND WATCHKEEPING (HTW 9) 6 – 10 FEBRUARY 2023

The IMO Sub-Committee on Human Element, Training and Watchkeeping held its 9th Session (HTW 9) in hybrid format (physical/virtual) from Monday 6 through Friday 10 February 2023 under the Chairmanship of Mr. Haakon Storhaug (Norway) and his Vice-chair, Mr. Rafael Cigaruiста (Panama). The session was attended by delegations from Member States, Associate Members of IMO, representatives from United Nations and specialised agencies, and Observers from inter-governmental and non-governmental organisations in consultative status.

Three Working Groups (WG) and one Drafting Group (DG) were formed and chaired as follows:

- WG 1 Comprehensive Review of the 1995 STCW-F Convention, Mr. A. Gudmundsson (PEW).
- WG 2 Comprehensive Review of the 1978 STCW Convention and Code, Captain Zheng Yi (Singapore).
- WG 3 Implementation of the STCW Convention, Mr. L. Harden, (United States)
- DG 1 Validated Model Training Courses, Captain V. Mohla (GlobalMET).

OPENING REMARKS BY THE IMO SECRETARY-GENERAL.

The IMO Secretary-General, Mr Kitack Lim, welcomed delegates to the ninth session of the HTW Sub-Committee and extended sincere condolences to the Syrian Arab Republic and Türkiye in respect of the earthquake that has caused the loss of so many lives and severe damage to infrastructure. On behalf of the IMO membership, the Secretariat and himself, he expressed deepest sympathies to the families and loved ones of the victims, as well as those who remain missing.

He went on to speak of this year's World Maritime theme: "MARPOL at 50 - Our commitment goes on" which will provide an opportunity for the maritime community to highlight the relevance and importance of the MARPOL treaty now and into the future. It also reflects the Organisation's long history of protecting the environment from the impact of shipping via a robust regulatory framework and emphasises the IMO's ongoing commitment to address climate change issues.

In this regard, he highlighted the importance of addressing the challenges emanating from the decarbonisation of shipping, including re-skilling and re-educating seafarers and other marine personnel to ensure a smooth transition into a new era of maritime transport.

Turning to the agenda for this session, he recalled that the Maritime Safety Committee had agreed to commence work on a comprehensive review of the STCW Convention and Code. This will allow STW to address, among other related matters, the needs emanating from ongoing developments in terms of technology, digitalisation, new fuels, and development of necessary seafarer skills. A road map for the work will be constructed for the Committee's approval before commencing the development of draft amendments.

However, a top priority for this session is the review, as instructed by MSC 105, of the development and finalisation of STCW training provisions to address the very concerning issue of bullying and harassment on board ships, including sexual assault and sexual harassment. He also urged completion of the comprehensive review on the 1995 STCW-F Convention at this session.

Some issues raised at HTW 8, will again be addressed, such as consequential amendments emanating from the recent GMDSS modernisation as well as the draft guidelines on medical examination of fishing vessel personnel, which will be finalised jointly with ILO in 2024.

Enhancement to the communication of information scheme of the STCW Convention will include the possible development of a dynamic list of compliant Parties, for the effective implementation of relevant STCW provisions, based on the draft non-mandatory provisions developed for the purpose.

Other relevant and important matters on the agenda for the session include the validation of 10 model courses; measures to ensure the quality of onboard training; also, measures to facilitate mandatory seagoing service as required by the STCW Convention.

In closing his welcoming address, Mr Lim extended his best wishes to all delegates for a productive session.

DECISIONS OF OTHER IMO BODIES.

Impact of the Russian Federation's aggression against Ukraine on the functioning of the system of maritime education and training institutions in Ukraine. The Sub-Committee noted the information provided by the Secretariat on the status of seafarers in the Black Sea and the Sea of Azov and also noted the establishment of an emergency task force led by the Secretariat, to continue the dialogue with relevant parties, to help resolve the situation of seafarers and ships in the Black Sea and the Sea of Azov.

The Sub-Committee considered document HTW 9/2/3 (Ukraine), drawing attention to adverse impacts of the Russian Federation's aggression against Ukraine on the functioning of the system of maritime education and training in Ukraine, including the issuance of certificates of competency and seafarers' identity documents in certain parts of Ukraine's regions temporarily occupied by the Russian Federation.

In this regard, the Sub-Committee noted statements of support made by a large number of delegations, in excess of 40 IMO Member States.

The Sub-Committee further noted a statement made by the delegation of the Russian Federation, and following consideration, the Sub-Committee:

- Reiterated the decisions taken by the Council, at its thirty-fifth extraordinary session;
- Reiterated the content of resolutions 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* and MSC.519(106) on *Member States' obligations in connection with search and rescue services under the SOLAS and SAR Conventions in the context of armed conflicts*;
- Underscored the importance of preserving the integrity and functions of the maritime education and training system in Ukraine, including the delivery of training, by training institutions, and the issuance of lawful seafarers' certificates and documents; and,
- Invited interested Member States and international organisations to submit proposals to MSC 107 for further consideration and possible development of guidance to address the matters raised by Ukraine in paragraph 17.4 of document HTW 9/2/3, as appropriate.

VALIDATED MODEL TRAINING COURSES.

General. The Sub-Committee noted that MSC 106 and MEPC 79 had approved the revised Guidelines for the development, review and validation of model courses providing new appendices 4 and 5 on action verb taxonomy for model courses and guidance on learning outcomes.

E-learning courses. It was recalled that, HTW 6 concluded that conversion of STCW model courses into e-learning model courses would:

- change the current approach and goal of model courses, as they are not courses ready to be delivered, instead, they are tools assisting Member States and other stakeholders to develop detailed training programmes; and,
- require careful consideration of any accountability implications for the subsequent assessment of competence, training quality and independent evaluation relating to such training material in accordance with the STCW Convention.

The Sub-Committee noted that the aforementioned implications affect all model courses, with the exception of accountability implications related to the independent evaluations, which affect only STCW model courses and, therefore, model courses should not generally be converted into e-learning training material.

Validation of model courses. Owing to circumstances related to the COVID-19 pandemic, consideration of a number of model courses was deferred from both HTW 7 and HTW 8, to HTW 9. All of these courses have subsequently been considered during meetings of three intersessional drafting groups prior to the meeting of HTW 9.

Reports of the intersessional virtual drafting groups. Having approved the reports of the three intersessional drafting groups, the Sub-Committee validated new model courses on *Passenger Safety, Cargo Safety and Hull Integrity Training*; and, *Engine-room Resource Management*.

The following revised model courses were also validated:

- 1.22 Bridge Resource Management.
- 2.03 Advanced Training in Fire Fighting.
- 3.25 Security Awareness Training for All Port Facility Personnel.
- 3.26 Security Training for Seafarers with Designated Security Duties.
- 3.27 Security Awareness Training for All Seafarers.

Report of the Drafting Group on Model courses. Having established the Group and issued it with appropriate terms of reference, the Sub-Committee approved its subsequent report in general, and in particular:

Validated draft revised model courses on:

- 1.23 Proficiency in survival craft and rescue boats other than fast rescue boats.
- 1.24 Proficiency in fast rescue boats.
- 1.20 Fire prevention and fire fighting.

Endorsed the Group's recommendation to consider the matter related to method for demonstrating competence in fighting and extinguishing fires, during the comprehensive review of the STCW Convention; and,

Approved the draft terms of reference for revision of the following model courses:

- 3.20 Company Security Officer.
- 3.21 Port Facility Security Officer.
- 3.23 Actions to be Taken to Prevent Acts of Piracy and Armed Robbery.
- 1.25 General Operator's Certificate (GOC) for the GMDSS.
- 1.26 Restricted Operator's Certificate (ROC) for the GMDSS.

Model courses planned for validation by HTW 10. The Sub-Committee recalled that HTW 8 had endorsed the revision of the following two model courses with a view to validation at HTW 10:

1.32 Operational Use of Integrated Bridge Systems Including Integrated Navigational Systems.

1.35 Liquefied Petroleum Gas (LPG) Tanker Cargo and Ballast Handling Simulator.

Model courses planned for HTW 11. The Sub-Committee endorsed the following model courses to be revised for validation by HTW 11:

3.20 Company Security Officer.

3.21 Port Facility Security Officer.

3.23 Actions to Be Taken to Prevent Acts of Piracy and Armed Robbery.

ROLE OF THE HUMAN ELEMENT.

Holistic approach on the human element. The Sub-Committee recalled that A 32 had included a specific strategic direction on the human element in the Revised Strategic Plan for the Organization for the six-year period 2018 to 2023 (resolution A.1149(32)). Subsequently, MSC 105 invited all relevant IMO bodies to assess their respective involvement in the human element within their remit and report back to the Committee with a view to devising an outline for an holistic approach on the human element.

Joint ILO/IMO Tripartite Working Group to identify and address seafarers' issues and the human element. Following endorsement by C 125 of the establishment of a joint ILO/IMO Tripartite Working Group to Identify and Address Seafarers' Issues and the Human Element (JTWG), the 343rd session of the ILO Governing Body approved its establishment in November 2021. The first meeting of the JTWG, which will consider the guidelines for port State and flag State authorities on how to deal with seafarer abandonment cases has already been held, and a second meeting on the issue of fair treatment of seafarers detained on suspicion of committing maritime crimes is expected to take place in 2024. The Sub-Committee also noted that, having recognized the need for joint action with ILO to tackle bullying and harassment, instructed the JTWG to consider bullying and harassment in the maritime sector. This will include sexual assault and sexual harassment, taking into account information submitted by interested parties, with a view to providing recommendations for future steps. These will include the development of legislation, mechanisms and policies, and the launching of awareness campaigns by relevant stakeholders, aimed at reporting and addressing such matters, subject to endorsement by the IMO Council.

The Sub-Committee also noted that, at the first meeting of the JTWG which took place from 13 to 15 December 2022, agreement had been reached on the guidelines for seafarer abandonment, and that the outcome of the meeting would be reported to the ILO Governing Body, also to the IMO Legal Committee at LEG 110 next month.

It was also noted that the second meeting of the JTWG is scheduled to take place at the end of 2023, when it is expected to consider the issue of bullying and harassment in the maritime sector, including sexual assault and sexual harassment (SASH).

REPORTS ON UNLAWFUL PRACTICES ASSOCIATED WITH CERTIFICATES OF COMPETENCY.

General. It was recalled that, following much concern in reports from Member States on the proliferation of fraudulent certificates of competency and endorsements, MSC 71 approved a circular on Fraudulent certificates of competency (MSC/Circ.900) and A 21 adopted resolution A.892(21) on *Unlawful practices associated with certificates of competency and endorsements*. STW 43, STW 44 and HTW 1, noting the large number of fraudulent certificates reported by Parties, had all urged Member States and international organizations to submit proposals on a strategy to address the problems associated with fraudulent certificates of competency.

Reports on fraudulent certificates. The Sub-Committee noted information provided by several Member States on the ever-increasing challenges related to fraudulent certificates and the actions taken to address them in accordance with STCW regulation I/5. It was further noted that some Member States, for completeness, had provided information on certificates and documents that were beyond the capacities provided in the STCW Convention, such as on ship's cook certificates, seafarers' identity documents and medical certificates. In considering the increasing challenges, including the use of electronic means by responsible authorities and the consequent hacking of systems, the Sub-Committee averred that this should be confronted by the maritime industry as a whole and the response coordinated among all Member States involved. In this connection, the need for continuous and transparent communication between flag States and port States is paramount.

Strategy to address the problems associated with fraudulent certificates. The Sub-Committee reiterated the need for Member States and international organisations to submit proposals on a strategy to address the problems associated with fraudulent certificates of competence.

Certificate verification facility. The Sub-Committee invited Member States to provide the Secretariat with updated information, which would be included in the "Certificate Verification" facility accessible on the IMO website, in order to facilitate and respond in a timely manner to requests for verification of certificates.

IMPLEMENTATION OF THE STCW CONVENTION.

General. The Sub-Committee recalled that, following agreement with MSC 102, matters on the "Implementation of the STCW Convention" will be given priority. HTW 7 took relevant action and endorsed the action plan for enhancing the communication of information system under the provisions of the 1978 STCW Convention based on identified gaps. The Sub-Committee also recalled that HTW 8 had considered the report of the Correspondence Group and other documents received and, having established a Working Group to consider the matter further:

1. endorsed the view of the Working Group, established at that session, concerning the issues identified to be considered at the next comprehensive review of the STCW Convention;
2. endorsed the Working Group's view that the issue of additional resources for the Secretariat to cope with the growing relevance of the human element and increased workload emanating from the future implementation of the draft streamlined guidance and the draft procedures should be considered holistically once these provisions have been finalised; and,
3. re-established the Correspondence Group on the Implementation of the STCW Convention, under the coordination of the United States, and had instructed it to submit a report to this session.

Enhancement of the communication of information process. Four documents on this item were considered, one of which provided the report of the Correspondence Group, and during the ensuing discussion, the following views were expressed:

- Guidelines to support the effective implementation by STCW Parties of the communication of information requirements in the Convention would be necessary;
- Guidelines supporting the communication of information process should be streamlined, simple, transparent and fully in line with the requirements of the Convention;
- Enhancement of the communication of information process should be incorporated in the output on "Comprehensive review of the STCW Convention and Code", where an in-depth analysis of relevant provisions could be undertaken;
- Lessons learned from IMSAS should be taken into account when revising relevant provisions in the Convention; and,
- Work could be conducted at this session in order to address specific matters, such as the dynamic "white list" or the difficulties Parties were facing to give full and complete effect to the provisions of the Convention, taking into account the need to align the proposed draft provisions with the requirements of the Convention.

Following discussion, the Sub-Committee invited MSC to agree with the inclusion of this work in the output on "Comprehensive review of the 1978 STCW Convention and Code", and to delete this output from the Sub-Committee's biennial agenda. Interested Member States and international organisations were invited to submit relevant proposals to a future session of the Sub-Committee.

Criteria for the determination of the appropriateness and effectiveness of STCW regulations I/7 and I/8. After consideration, the Sub-Committee agreed that the ongoing work and decisions made under this output were in line with the Committee's instruction emanating from the analysis conducted by the III Sub-Committee and that any additional

work would also take account of any relevant information contained in appendix 5 to annex 4 to document III 7/17, as necessary, and to report this outcome to the Committee.

Non-exhaustive list of obligations and the auditable areas subject to IMSAS in relation to the STCW Convention and Code. The Sub-Committee concurred with the view of III 8 that, in line with the purpose of the Non-exhaustive list of obligations as a supporting tool for the implementation of IMSAS and its related requirements under the 1978 STCW Convention, the Non-exhaustive list of obligations should be limited to the areas subject to audit in accordance with section A-I/16 of the STCW Code, and to report this outcome to the Committee.

COMPREHENSIVE REVIEW OF THE 1978 STCW CONVENTION AND CODE.

General. The Sub-Committee noted that, having recognized the need for joint action with ILO to tackle bullying and harassment in the maritime sector, including sexual assault and sexual harassment (SASH), with the objective of ensuring a safe workplace for seafarers, as well as having considered a proposal for a new output and related documents, MSC 105 had:

- Confirmed that the Joint ILO/IMO Tripartite Working Group (JTWG) should consider the development of training provisions addressing bullying and harassment in the maritime sector, including SASH, within its new terms of reference;
- Agreed to include in the biennial agenda of the HTW Sub-Committee for 2022-2023 and the provisional agenda for HTW 9 an output on "Comprehensive review of the 1978 STCW Convention and Code", with a target completion year of 2026;
- Instructed the Sub-Committee to develop and finalise, as a matter of priority, STCW training provisions addressing bullying and harassment in the maritime sector, including SASH, as part of the new output on "Comprehensive review of the 1978 STCW Convention and Code", taking into account the work to be done in coordination with JTWG; and,
- Instructed the Sub-Committee to start with a preliminary assessment of the scope of the work to be conducted, identifying specific areas to be reviewed, and preparing a road map for approval by the Committee before initiating the development of draft amendments.

STCW provisions on bullying and harassment in the maritime sector, including sexual assault and sexual harassment (SASH). The Sub-Committee had for its consideration, three documents:

- HTW 9/7/1 United States) proposing mandatory training provisions in the STCW Code to address the prevention, awareness, bystander intervention, reporting and response to bullying and harassment including SASH;

- HTW 9/7/5 (Republic of Korea), raising the necessity of introducing seafarers' human rights training including bullying and SASH prevention in the STCW Code; and,
- HTW 9/7/8 (Bahamas et al), containing proposed training provisions under the STCW Code, in particular table A-VI/1-4, addressing bullying and harassment in the maritime sector, including SASH, as a matter of priority; the outcome of a review of the standards regarding master and officers in the deck department in the context of psychological safety; and, an offer (by Domenica) to carry out the revision of Model Course 1.21 on Personal Safety and Social Responsibility to address psychological safety, bullying and SASH in the maritime sector.

During the subsequent discussion in which a great many differing views were expressed as follows, all three documents were referred to WG 2 for comment and advice:

- All seafarers should be safe and secure in their working environment, taking into account that bullying and harassment, including SASH, is not an issue which concerns only females, but a problem across all genders;
- Nationality is a factor to be taken into account;
- Cultural differences should be understood and recognized;
- Seafarers should receive training on these matters, including that on human rights;
- The inclusion of new competencies for all seafarers relating to bullying and harassment, including SASH, should be prioritised at this session forming the legal basis for a revision of Model Course 1.21;
- Careful consideration should be given to the use of terminology, which is accurate and recognized in the context of human rights regulations, and new terms should not be created;
- ITF and ICS have published Guidance on Eliminating Shipboard Harassment and Bullying, which could serve as a basis for any training provisions to be included in the STCW Convention and Code;
- Taking into account that short-term educational interventions might not be able to change attitude and behavior, consideration should be given, at a later stage, to the need for amending the ISM Code to require companies to address bullying and harassment, including SASH, under their Safety Management Systems, as well as other instruments such as the FAL Convention; and,
- In order to have the amendments adopted at MSC 108 (May 2024), the amendments need to be approved at MSC 107 (June 2023), noting that JTWG, which is scheduled to be held at the end of 2023 is planned to consider this matter.

In this connection, MSC 107 should be requested to authorise JTWG to send their comments directly to MSC 108. Another option would be to have the comments of JTWG considered at HTW 10 (February 2024), after which HTW 10 would report to MSC 108.

Preliminary assessment of the scope of the work to be conducted, identifying specific areas to be reviewed, and preparation of a road map. The Sub-Committee had for its consideration, a total of ten documents. During the ensuing discussion, a wide range of views were expressed as follows:

- The priority at this session should be to prepare aims and principles and a preliminary assessment of the scope of the work to be conducted, identifying specific areas to be reviewed, noting that the development of a road map could be deferred to an intersessional correspondence group;
- This work should follow a two-phase approach, comprising a structured comprehensive review of the STCW Convention and Code and the preparation of proposals for revision, as necessary, to address the issues identified during the comprehensive review;
- A comprehensive review of the entire Convention should be conducted; the structure of the Convention should be preserved, as in its previous review; the current provisions and standards should not be downgraded; and administrative burdens for Administrations and training institutions should be avoided;
- Whilst some delegations opposed revising and amending articles of the Convention due to the application of the explicit acceptance procedure, the severe delay this would cause in the implementation of the revised Convention and the need to identify the need for these amendments; other delegations highlighted the need to address existing ambiguities and to update some provisions in the articles in order to avoid implementation problems for administrations and the industry;
- Whilst some delegations were of the view that consideration of MASS, and alternative fuels and related technologies in the review would be premature, given the early stages of work in other IMO bodies, others highlighted the requirement that the Convention and Code should enable seafarers to be qualified for service on ships using new technologies especially in the environmental field, which entails keeping relevant developments in mind as part of the comprehensive review;
- Provisions on Dynamic Positioning (or DP) operator certification should not be moved from part B (V/f) to part A of the STCW Code; and,
- There is a need to learn from previous mistakes during reviews of the Convention, in particular the problems related to implementation following the last review.

It was subsequently agreed that the priority at this session would be to prepare aims and principles and a preliminary assessment of the scope of the work to be conducted, identifying specific areas to be reviewed. Also, input from Member States and

international organisations on lessons learned from previous reviews of the Convention in terms of implementation would be useful whilst all relevant documents were referred to WG 2 for consideration.

Establishment of the Working Group on the Comprehensive Review of the 1978 STCW Convention and Code. The Sub-Committee issued appropriate terms of reference informing the work of WG 2 and having considered the report of the Group, approved it in general and in particular:

- Noted the Group's discussion and support to develop and include a standalone competence relating to psychological safety within section A-VI/1 and table A-VI/1-4 during the comprehensive review of the STCW Convention and Code;
- Agreed the draft amendments to table A-VI/1-4 of the STCW Code to prevent and respond to bullying and harassment, including SASH;
- Endorsed the Group's agreement to add a reference to the MLC provisions on bullying and harassment and to align the language when revising Model Course 1.21 on Personal Safety and Social Responsibility;
- Endorsed the Group's agreement to give more detailed consideration concerning the evidence of maintaining the standard of competence on prevention and response to bullying and harassment, including SASH during the process of the comprehensive review of the STCW Convention and Code;
- Agreed the proposed workflow to approve and adopt the draft amendments to table A-VI/1-4 of the STCW Code;
- Agreed the aims and principles to guide the review of the STCW Convention and Code;
- Established a correspondence group on the review of the STCW Convention and Code; and,
- Approved the draft terms of reference prepared by the Group.

COMPREHENSIVE REVIEW OF THE 1978 STCW-F CONVENTION.

Given that this item does not impinge directly on the radar of InterManager Members, it is proposed not to cover it in this brief report. However, in the event that any details are required, please ask.

DEVELOPMENT OF MEASURES TO ENSURE QUALITY OF ONBOARD TRAINING AS PART OF THE MANDATORY SEAGOING SERVICE REQUIRED BY THE STCW CONVENTION.

General. The Sub-Committee recalled that, following consideration, HTW 8 had established the Correspondence Group on Maritime Training, under the coordination of the

Russian Federation, and instructed it, taking into account the comments made and decisions taken at that session, as well as documents HTW 7/10/1 and HTW 7/10/2 (HTW 8/16, paragraph 10.6), to:

- Prepare a work plan to develop measures regarding the assurance of quality of onboard training required by the STCW Convention, including identification of expected goals, effectiveness and consequences of any measures to be adopted; and,
- Consider the proposals for the development of non-mandatory provisions relating to the quality of onboard training, as set out in documents HTW 7/10/1 and HTW 7/10/2, and advise the Sub-Committee, accordingly.

Report of the Correspondence Group and related documents. The Sub-Committee had three documents for consideration, HTW 9/9 (Russian Federation) reporting on the CG, also HTW 9/9/1 & HTW 9/9/2 (Islamic Republic of Iran). Following discussion, the Sub-Committee:

- Invited the Maritime Safety Committee to agree with the inclusion of this work in the output on "Comprehensive review of the 1978 STCW Convention and Code", and to delete the output from the Sub-Committee's biennial agenda;
- Agreed that consideration of this matter in future should include all documents submitted under the agenda item, i.e. HTW 7/10 (Georgia et al.), HTW 7/10/1 (Georgia et al.), HTW 7/10/2 (Japan), HTW 9/9/1 (Islamic Republic of Iran) and HTW 9/9/2 (Islamic Republic of Iran); and,
- Invited interested Member States and international organisations to submit relevant proposals to a future session of the Sub-Committee.

DEVELOPMENT OF MEASURES TO FACILITATE MANDATORY SEAGOING SERVICE REQUIRED UNDER THE STCW CONVENTION.

General. The Sub-Committee recalled that, in order to identify the difficulties faced by Member States to implement STCW mandatory seagoing service provisions, HTW 8 had instructed the Correspondence Group on Maritime Training to collate information on the actual practices for satisfying mandatory seagoing service requirements and identify any problems in relation to practices and possible solutions, classified as short- and long-term measures.

Report of the Correspondence Group and related documents. The Sub-Committee had for its consideration, two documents. The first, HTW 9/9 (Russian Federation), providing the relevant part of the CG report on Maritime Training, which considered general goals and possible measures to facilitate mandatory seagoing service provisions required by the STCW Convention, as well as possible consequences of these measures.

The second, HTW 9/10 (India), providing information and suggestions for the development of measures to facilitate and rationalise mandatory seagoing service for prospective officers in charge of a navigational or engineering watch, as well as electro-technical officers.

During the ensuing discussion, the following views were expressed:

- The opportunities for seagoing service (or "training berths") should be considered side-by-side with the demand and actual availability on board ships;
- Facilitation of mandatory seagoing service is a flag State responsibility and any measures adopted should provide flexibility;
- A general mandatory requirement for a minimum number of candidates for certification on board ships would not be feasible and would have manning implications, which should not be addressed in the context of the STCW Convention;
- Setting equivalent arrangements for the seagoing service by (full-mission) simulator training should be carefully considered in the light of the availability and state of advanced technologies. This would take into account the importance of the experience on board, including familiarisation with systems, equipment, watchkeeping, real environment, severe weather conditions and other circumstances and conditions; T
- The reasons behind the shortage of seafarers should be determined, which might be linked with the decrease in the number of young people wishing to join the seafaring profession. Indeed, several countries are implementing programmes at national level to promote the profession; and,
- Further work is still necessary, which could take place within the framework of the comprehensive review output pertaining to the STCW Convention and Code.

Completion of this output. Following discussion, the Sub-Committee:

1. Invited the Maritime Safety Committee to agree with the inclusion of this work in the output on "Comprehensive review of the 1978 STCW Convention and Code", and to delete the output from HTW's biennial agenda;
2. Encouraged Member States to adopt policies to promote and facilitate access to mandatory seagoing service for the certification of seafarers in accordance with the STCW Convention; and,
3. Invited interested Member States and international organizations to submit relevant proposals to a future session of the Sub-Committee.

DEVELOPMENT OF TRAINING PROVISIONS FOR SEAFARERS RELATED TO THE BWM CONVENTION.

General. The Sub-Committee recalled that HTW 8, having noted many diverging views at that session, expressed the need for a unified approach in preparation of amendments to the STCW Code. Given that an output on the comprehensive review of the STCW Convention had not yet been agreed, had invited interested Member States and international organisations to submit relevant proposals to this session, with a view to finalising the work on this output, taking into account the comments made at that session, as well as documents HTW 7/12 (China and ICS) and HTW 7/12/1 (Japan).

Completion of the output. Having noted the lack of documents submitted to this session, the Sub-Committee agreed that relevant amendments to the STCW Convention dealing with ballast water management should be developed as part of the comprehensive review of the Convention. Thus the Marine Environment Protection Committee was invited to agree with the inclusion of this work in the output on "Comprehensive review of the 1978 STCW Convention and Code"; and to delete this output from its biennial agenda, once it has been incorporated into the work plan for the review.

BIENNIAL STATUS REPORT AND PROVISIONAL AGENDA FOR HTW 10.

Biennial status report for the 2022-2023 biennium. Taking into account the progress made at this session, the Sub-Committee prepared its biennial status report for the 2022-2023 biennium for consideration by MSC 107. In this context, it was noted that, at this session:

1. Work on output 6.12 (Comprehensive review of the 1995 STCW-F Convention) has been completed.
2. Work on continuous output 1.32 (Implementation of the STCW Convention), as well as outputs 6.5 (Development of measures to facilitate mandatory seagoing service required under the STCW Convention), 6.6 (Development of measures to ensure quality of onboard training as part of the mandatory seagoing service required by the STCW Convention) and 6.11 (Development of training provisions for seafarers related to the BWM Convention) have been proposed for inclusion in output 6.17 on Comprehensive review of the 1978 STCW Convention and Code.

Proposed provisional agenda for HTW 10. Taking into account the progress made at this session, the Sub-Committee prepared the HTW 10 proposed provisional agenda for approval by MSC 107.

ANY OTHER BUSINESS.

Draft guidelines on the use of electronic certificates for seafarers. The Sub-Committee recalled that HTW 8 had agreed draft guidelines on the use of electronic certificates of seafarers, and an associated draft MSC circular, to MSC 107 for approval, in conjunction with the adoption of amendments related to the STCW Convention and Code.

The Sub-Committee noted that:

1. MSC 106 had approved the draft amendments to STCW regulations I/1 and I/2, and related draft amendments to section A-I/2 of the STCW Code, and requested the Secretary-General to circulate them with a view to adoption at MSC 107.

2. In connection with these amendments, MSC 106 had considered document MSC 106/10/2 (Cook Islands et al.), proposing modifications to the draft guidelines on the use of electronic certificates, to be considered at MSC 107 for approval, clarifying the responsibilities of the parties involved in cases of recognition of certificates (STCW regulation I/10), including the addition of a definition of the term "Administration".

3. Following discussion and having agreed that the proposed modifications needed detailed consideration, MSC 106 referred the draft guidelines, together with document MSC 106/10/2 and the comments made at that session, to this session of the Sub-Committee for further consideration and advice to MSC 107.

Following consideration of this proposal, as set out in document HTW 9/WP.6, and having noted very little support for the amendments therein and the need to have the guidelines finalised when the related draft amendments to STCW regulations I/1 and I/2 are expected to be adopted at MSC 107, the Sub-Committee agreed to refer the draft guidelines to the Maritime Safety Committee as initially submitted to MSC 106.

In line with the decisions of MSC 106, the Sub-Committee referred the draft guidelines to FAL 47 (which meets from 13 -17 March 2023) to verify consistency with the Guidelines on the use of electronic certificates.

Carriage for use of HFO as fuel by ships in Arctic Waters. The Sub-Committee recalled that HTW 8 had been invited by PPR 8 to review section 7 (Familiarisation, training and drills) of the draft guidelines on mitigation measures to reduce risks of use and carriage for use of heavy fuel oil (HFO) as fuel by ships in Arctic waters, with a view to advising PPR 9. In considering the relevant sections of the draft guidelines, had noted views expressed that section(s) contained duplicative provisions both in the context of the Polar Code and the STCW Code and could even go beyond the scope of the latter. It was subsequently agreed to postpone consideration of the matter to HTW 9 and invited interested Member States and international organizations to submit relevant documents to this session, taking into account the comments made at that session.

Following consideration of this matter, and noting the importance of finalising this work, the Sub-Committee referred relevant sections of the draft guidelines to the Working Group on the Implementation of the STCW Convention for further consideration and advice, taking into account the annex to document HTW 8/WP.3, in which the relevant provisions had been reproduced.

Report of WG 3 on Implementation of the STCW Convention. The Sub-Committee approved the report of WG 3 in general, and in particular:

- Noted the discussion of the Group concerning the terms "Ship operators" and "Maritime Administrations" in the titles of sections I and II, respectively, of the draft guidelines, advising PPR 10 accordingly for consideration; and,
- Agreed the proposed amendments to the provisions for familiarisation, training and drills in sections I and II of the draft guidelines for referral to PPR 10.

Man overboard from fishing vessels. Information on this item is available, if required.

Experience with hybrid meetings. The Sub-Committee, as requested by the Council, discussed the experience and views of delegations about the use of hybrid capabilities. In this regard, the Sub-Committee noted the overall satisfaction expressed by many delegations on the use of the hybrid meeting system at this session, complementing the in-person meeting, and expressed appreciation to the Secretariat for the preparation and implementation of the hybrid facilities.

DATE OF NEXT MEETING. HTW 10 is scheduled from 5 through 9 February 2024.

End

Captain Paddy McKnight