

IMO SUB-COMMITTEE ON IMPLEMENTATION OF IMO INSTRUMENTS, 12th SESSION (III 12), 20 - 24 JULY 2026

The IMO Sub-Committee on Implementation of IMO Instruments held its 12th session (III 12) in hybrid session from 22 through 26 July 2026 chaired by Mr. Xie Hui of China. Captain Przemysław Lenard (Poland) was unanimously elected as Vice-Chair at the opening of the session for the calendar year 2026. The session was attended by Members and Associate Members of IMO; representatives from the United Nations Programmes and other entities plus observers from IGOs and NGOs in consultative status. Captain Garry Hallett completed the InterManager delegation.

WELCOMING ADDRESS BY THE IMO SECRETARY-GENERAL.

The IMO Secretary-General, Mr. Arsenio Domingues welcomed delegates to the twelfth session of the III Sub-Committee. Before turning to the work of the session, he once again addressed the situation in the Strait of Hormuz, which remains deeply concerning. He stated that the past evening witnessed another attack on a civilian merchant ship, resulting in a devastating fire in which the crew were forced to abandon ship. Over the past week, recent attacks on shipping in and around the Strait of Hormuz have claimed the lives of at least two seafarers and injured several others. Beyond the Strait of Hormuz, on 17 July 2026, the Tanzania-flagged tanker **ASANA** was hijacked by pirates while transiting eastward through the Gulf of Aden, a situation which is being closely monitored in respect of the safety and well-being of the 22 seafarers on board. The S-G said that he was also aware of reports of continued violence against merchant shipping in the Black Sea and Sea of Azov region recently, which have continued to claim innocent seafarers' lives.

Switching to IMO's World Maritime Day theme for 2026-2027, "From Policy to Practice: Powering Maritime Excellence", he felt that the theme reinforces the importance of the effective and harmonised implementation of IMO instruments; an objective that lies at the heart of III's work. Next, he turned to the meeting agenda, which will consider:

- amendments to three Assembly resolutions concerning matters related to port State control, survey and certification, and obligations under instruments relevant to the IMO Instruments Implementation Code (III Code);
- lessons learned and safety issues identified through the analyses and studies of marine safety investigation reports, including initiatives aimed at enhancing data collection and analysis to support data-driven decision-making and policy development at IMO;
- a review of the Casualty Investigation Code and its associated implementation guidelines, with a view to improving the quality and timeliness of investigations and reports; also,
- the initiation of work on a comprehensive revision of the Guidelines on the implementation of the ISM Code by Administrations and companies, taking into account recommendations arising from various studies and from the joint ILO/IMO Tripartite Working Group.

He felt confident that, under the capable leadership of Mr. Xie Hui of China, and the Secretariat, III 12 will be able to successfully achieve the objectives set for this session.

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ITEMS OF INTEREST TO INTERMANAGERS Items 4 and 13 are of particular interest to Members as can be seen from our speaking notes, attached.

WORKING AND DRAFTING GROUPS.

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

- .1 Working Group on Casualty Investigation (WG 1, agenda items 4 and 5);
- .2 Working Group on Port State Control (WG 2, agenda items 6 and 7);
- .3 Working Group on Survey Guidelines under the HSSC, the Non-exhaustive list of obligations, and Guidance on the ISM Code (WG 3, agenda items 10, 11 and 12);
- .4 Drafting Group on Analysis of Consolidated Audit Summary Reports (DG, agenda items 9 and 17) (Guidelines on provisions left 'to the satisfaction of the Administration (SoA)' or equivalent); and,
- .5 Experts Group on Fishing Vessels (EG, agenda item 14).

1. ADOPTION OF THE AGENDA.

The agenda was duly adopted.

2. DECISIONS OF OTHER IMO BODIES.

General. The Sub-Committee noted the relevant outcomes of MSC 111, MEPC 84, as well as the outcomes of NCSR 12, TC 75, C 134, CCC 11, A 34, SDC 12, PPR 13, HTW 12, SSE 12, FAL 50 and LEG 113 and agreed to take them into account as appropriate.

General statements

Incidents in the Black Sea and Sea of Azov region. The delegation of Ukraine made a statement, drawing attention to an alarming increase in attacks by the Russian Federation against civilian merchant shipping, seafarers, ports and maritime safety infrastructure in the Black Sea, noting that more than 20 Ukrainian and foreign-flagged merchant ships had been damaged in less than two weeks, resulting in multiple fatalities and injuries among seafarers. Emphasis was made that these actions were intended to disrupt the Ukrainian special maritime corridor and constituted attacks against international trade, global supply chains and global food security.

The delegation of the United Republic of Tanzania made a statement reporting an attack on the United Republic of Tanzania-flagged ship **Atlas Bey** on 14 July 2026 near Odesa, Ukraine, which had resulted in the death of one seafarer and injuries to several others.

The delegation of the Russian Federation made a statement expressing concerns regarding an unprecedented escalation of armed violence by Ukraine against civilian shipping in the waters of the Sea of Azov and the Black Sea through the use of unmanned surface vessels and unmanned aerial vehicles.

The delegation of Guinea-Bissau made a statement reporting a missile strike on 19 July 2026 against the Guinea-Bissau-flagged ship **Golden Leo** in the vicinity of Odesa, which resulted in a major fire and casualties among the crew.

Additionally, the delegations of Canada, Norway, Panama, Türkiye, and the observer from the European Commission also made statements, sharing information on recent incidents involving commercial vessels, expressing deep concern over the deteriorating security situation, and calling for the cessation of actions threatening the safety of seafarers in the Black Sea and the Sea of Azov.

Incidents in and around the Strait of Hormuz region. The delegation of the United Arab Emirates made a statement condemning the aggressive Iranian attacks targeting ships transiting the Strait of Hormuz. The delegation noted that the recent Iranian attacks had resulted in the death of one seafarer and injuries to several others, causing severe damage to the ships concerned, and emphasised that the targeting of commercial shipping constituted a flagrant violation of United Nations Security Council resolution 2817 (2026).

The delegation of Oman made a statement reaffirming its commitment to international law and the United Nations Convention on the Law of the Sea (UNCLOS), advising that it would continue cooperating with the Organisation to provide maritime search and rescue (SAR) services to ships and seafarers in distress while transiting the region.

The delegation of the Islamic Republic of Iran made a statement condemning the naval blockade and military aggression carried out by the United States against Iranian ports, coastal areas and maritime safety infrastructure, expressing the view that these acts had fundamentally altered the security and operational conditions governing navigation in the Persian Gulf, the Strait of Hormuz and the Sea of Oman. The delegation referred to the responsibilities assigned to the Islamic Republic of Iran under paragraph 5 of the Islamabad Memorandum of Understanding to facilitate commercial navigation and arrange safe passage through the Strait, noting that vessels proceeding in coordination with the competent Iranian authorities through the designated routes had transited safely. Serious concern was expressed that third parties were pressuring shipowners and operators to disregard the established coordination arrangements and use parallel, unauthorised and unsafe routes. The delegation reaffirmed its commitment to the safe and orderly conduct of maritime navigation and its resolve to safeguard its sovereignty, security, sovereign rights and legitimate interests.

The delegation of the United Arab Emirates made an additional statement in response to the intervention by the Islamic Republic of Iran, expressing the view that their actions in and around the Strait of Hormuz had no basis under international law, and that the Islamic Republic of Iran was in no position to claim that it was acting in defence of maritime safety and security, navigational freedom and environmental protection.

The Sub-Committee also noted statements made by the delegations of Cyprus, Japan, Kuwait and Malta, sharing information on recent attacks against commercial ships, expressing condolences for the affected crews, and emphasising the paramount importance of ensuring the safety of navigation and seafarers in and around the Strait of Hormuz. The delegations also expressed appreciation to Oman for its support in coordinating search and rescue operations in the region.

Statements on the protection of vital lanes. The delegation of Ireland, speaking on behalf of the Member States of the European Union and the European Commission, made a statement, reaffirming unwavering support for the independence, sovereignty, and territorial integrity of Ukraine, expressing strong support for the decisions adopted by C 137 regarding protection of vital shipping lanes in the Strait of Hormuz, whilst emphasising the importance of establishing a framework to guarantee safe passage. Support was expressed by India and Poland whilst the latter also expressed deep concern regarding the safety and environmental risks posed by the growing presence of shadow fleet vessels operating under fraudulent registrations, particularly in the Baltic Sea, and welcoming recent measures taken by the Organisation concerning ship registration and insurance reporting.

The observer from ITF made a statement condemning the escalation of attacks against merchant vessels which placed innocent seafarers in the line of conflict following which the delegations of Australia, Georgia, Liberia and the United Kingdom also made statements. These shared information on recent attacks against commercial vessels across multiple regions, condemning the ongoing disruption of navigation, and emphasising the critical need to restore and maintain maritime security, navigational rights, and the safety of seafarers in the Black Sea, the Sea of Azov and the Strait of Hormuz.

In commending the Secretary-General's initiatives and efforts in relation to the ongoing threats to commercial shipping in the Black Sea and the Sea of Azov, as well as in and around the Strait of Hormuz, in particular his continued emphasis on the safety and well-being of seafarers, the Sub-Committee invited the Secretary-General to continue his efforts in this regard.

3 CONSIDERATION AND ANALYSIS OF REPORTS ON ALLEGED INADEQUACY OF PORT RECEPTION FACILITIES.

Annual enforcement reports on port reception facilities for 2024 and 2025. The Sub-Committee recalled that compliance with the discharge requirements of MARPOL depend largely on the availability of adequate port reception facilities (PRFs), especially within Special Areas, and that each Party to MARPOL must notify the Organisation, for transmission to the port State concerned, of all cases where the facilities are alleged to be inadequate. It was also recalled that the format for reporting alleged inadequacies of PRFs is set out in appendix 1 of the Consolidated guidance for port reception facility providers and users (MEPC.1/Circ.834/Rev.1), and that the actual reporting of alleged inadequacies is executed directly by flag States through a dedicated module in GISIS, following which, the concerned port State receives a notification of the alleged inadequacy.

Document III 12/3 (Secretariat), provides a summary of 13 reports on alleged inadequacy of PRFs for 2025 submitted by four Parties to MARPOL and a comparison with the results of the 2024 annual enforcement report. Parties to MARPOL were urged to strengthen mandatory reporting through effective provision or data update under GISISs PRF module.

4 LESSONS LEARNED AND SAFETY ISSUES IDENTIFIED FROM THE ANALYSIS OF MARINE SAFETY INVESTIGATION REPORTS

Background. The Sub-Committee recalled that III 11 had established the Correspondence Group on Analysis of Marine Safety Investigation Reports to continue its work intersessionally. The subsequent CG report was approved in general and its recommendations passed to WG1 for scrutiny.

MCI module enhancements on GISIS. The Sub-Committee noted that any potential enhancements to the Marine Casualties and Incidents (MCI) module, including addressing the actions requested by III 10 and upcoming relevant sessions, would need to be considered in light of the broader work being carried out under the ongoing GISIS review and data management project, as well as the forthcoming revision of the *Revised harmonised reporting procedures* (MSC-MEPC.3/Circ.4/Rev.1) under a new post-biennial output approved by MSC 111. Measures to enhance the quality of data contained in GISIS were also suggested.

Lessons learned and safety issues raised from marine casualties.

Safety issues identified relevant to the ISM Code. The Sub-Committee considered document III 12/4/3 (United States), presenting safety issues identified by the United States National Transportation Safety Board (NTSB) in its investigation into the **MV Dali** marine casualty, relevant to the implementation of the ISM Code. The Sub-Committee recalled that MSC 110 had noted that implementation was the key challenge regarding the effectiveness of the ISM Code and had supported, as a first step, a comprehensive review and revision of the guidelines on implementation before considering any possible review of the ISM Code itself. During discussion, the following views were expressed:

- .1 the proposal to evolve maritime safety management from a predominantly reactive approach to a proactive, predictive and data-driven one was supported;
- .2 the use of objective performance indicators and data-driven trend analysis evaluation tools could significantly enhance the ability of companies and Administrations to identify systemic risks and prevent incidents before they occurred;
- .3 exploring safety management principles reflected in the International Civil Aviation Organization (ICAO) framework as potential inspiration for strengthening the ISM Code was supported; and, therefore, document III 12/4/3 should be referred to WG 1 for further consideration;

.4 the ISM Code in its current form already allows for proactive safety management, including through near-miss reporting and maintenance records, but the primary challenge lies in effective implementation rather than regulatory amendments;

.5 any strengthening of predictive and data-driven elements should be considered under the ongoing revision of the *Revised guidelines for the operational implementation of the International Safety Management (ISM) Code* by companies, rather than through amendments to the ISM Code itself; and,

.6 any future enhancements must remain practical, evidence-based and proportionate so that they do not create unnecessary and rigid regulatory and financial burdens, particularly for companies and Administrations in developing countries.

Lessons learned for improving the proper operation and effectiveness of BNWAS.

The Sub-Committee considered document III 12/4/5 (China), presenting safety issues identified in China's investigation into the collision between the container ship **SITC Danang** and the fishing vessel **Yue Nan Ao Yu 36062** with respect to the improper use of the Bridge Navigational Watch Alarm System (BNWAS). Following discussion, WG 1 was instructed to consider the document and make any due recommendations.

Data analysis of marine casualties and incidents:

Passenger and container ship casualty analysis. Three documents were submitted by the Secretariat, each of which were passed to WG 1 for consideration

Accidents related to enclosed spaces and falls on board ships. Regarding accidents related to enclosed spaces and falls on board ships, the Sub-Committee considered the following documents:

.1 III 12/4/4 (InterManager), providing observations, information and analysis on accidents within enclosed spaces and falls on board ships;

.2 III 12/INF.17 (InterManager), providing information and analysis on enclosed-space accidents attributable to asphyxiation or poisoning only, on board ships between 1996 and May 2026; also,

.3 III 12/INF.18 (InterManager), providing information and analysis on fall accidents on board ships between 2012 and May 2026.

During discussion, the Sub-Committee noted, with appreciation, the depth of the analysis and the continued efforts to address these safety issues. In considering the submissions, the following points were made:

.1 timely, accurate and comprehensive casualty reporting is fundamental, and Member States were encouraged to make prompt initial notifications and upload

investigation reports to the GISIS Marine Casualties and Incidents (MCI) module to avoid significant delays and facilitate rapid dissemination of lessons learned;

.2 the continuing high number of fatalities among senior officers and experienced crew is of serious concern and views were expressed suggesting that current regulations should be supplemented with a stronger focus on behavioural competencies, leadership and human element initiatives;

.3 the development of consistent indicators and a centralised database for casualty and near-miss data was supported in principle, provided that the scope, data quality, confidentiality and reporting burden are carefully assessed through a practical and phased approach; and,

4 practical implementation tools, such as "toolbox talks" and standardised training modules, could assist maritime Administrations, training institutions, crew and the shipping industry in effectively applying lessons learned.

WG 1 was instructed to further consider all three InterManager documents.

Establishment of Working Group on Casualty Investigation (WG 1). Suitable terms of reference were issued to WG 1 and following compilation of its report, the Sub-Committee approved it in general, and in particular:

.1 approved the draft III.3 circular on Lessons Learned from marine casualties; and requested the Secretariat to continue promoting the Lessons Learned via social media platforms and to distribute the selected Lessons Learned via the new format of visual representations;

2 approved the draft III.3 circular on analysis of incidents of ruptured high-pressure cylinders; and noted the discussion of the Group thereon;

.3 agreed the draft new output proposal for fire standards for cargo handling spaces of specialised self-unloading bulk carriers, with a view to consideration by MSC 112;

.4 agreed the draft new output proposal for addressing risks involved with wearing inflatable lifejackets, with a view to consideration by MSC 112;

.5 with respect to the analysis of individual marine safety investigation reports and observations on the quality of the reports:

.1 approved, and authorised, the release of analysis in the GISIS MCI module;

.2 requested the Secretariat to take into account the Group's observations when developing technical cooperation activities; and,

.3 approved the draft III.3 circular on observations regarding the quality of marine safety investigation reports;

.6 noted the Group's discussion on the safety issue involving **MV Dali** and the need for further consideration intersessionally;

.7 noted the Group's discussion on the safety lessons learned on BNWAS and the need for further consideration intersessionally; and,

.8 noted the Group's discussion on the studies on passenger and container ship casualties; and requested the Secretariat to ensure that the views of the Group are reflected in the studies prior to their release on the IMO public website.

5 REVIEW OF THE CASUALTY INVESTIGATION CODE AND THE ASSOCIATED IMPLEMENTATION GUIDELINES (RESOLUTION A.1075(28))

Background. The Sub-Committee recalled that MSC 110 had agreed to include in the biennial agenda of the III Sub-Committee for the 2026-2027 biennium and the provisional agenda for this session an output on "Review of the Casualty Investigation Code and the associated implementation Guidelines (resolution A.1075(28))", with a target completion year of 2028. The III Sub-Committee was assigned as the associated organ and was tasked to keep the scope of the output focused mainly on addressing the quality and timeliness of investigations and reports.

Two documents were submitted, III 12/5 (Australia et al.), providing proposals for the review of the Casualty Investigation Code and the associated Guidelines to assist investigators in the implementation of the Code; and, III 12/5/1 (MAIIF), presenting the outcome of a review of the Code, concluding that while the CIC largely remains fit for purpose, there are several areas that could be amended to improve its application and better achieve its objectives.

During the ensuing discussion, views were expressed that:

.1 the review of the CIC and its associated Guidelines should primarily focus on improving the quality and timeliness of marine safety investigations and investigation reports;

.2 the fundamental objective of the CIC, namely to prevent future casualties rather than to apportion blame or determine liability, must be preserved, ensuring that investigations remain independent, objective and safety-focused;

.3 the revised CIC should remain a high-level and flexible instrument capable of implementation under different national legal and institutional systems, particularly regarding the provisions on the collection, protection and confidentiality of evidence;

.4 specific proposals, including renaming "causal factor" as "contributing factor", formally defining "safety issue", introducing a new chapter on safety issues and

actions, and clarifying the distinction between "marine occurrence", "marine casualty" and "marine incident", were supported;

.5 due consideration should be given to the capacities and resources of developing States, emphasising the need for appropriate investigator training, specialist expertise, capacity development and technical cooperation to support the effective implementation of the CIC;

6 the transfer of fundamental investigation principles from the recommendatory part to the mandatory part of the CIC should be considered selectively, ensuring that recommended practices should not become mandatory unless a clear need and practical benefit has been demonstrated;

.7 the revised provisions should remain compatible with the national legal frameworks of Member States; and,

.8 documents III 12/5 and III 12/5/1 provide a sound basis for the review and should be referred to WG 1 for further consideration.

Report of Working Group 1. The Sub-Committee noted the Group's discussion on the review of the Casualty Investigation Code and the associated implementation Guidelines (resolution A.1075(28)); and encouraged nomination of experts to participate in the correspondence group to address the discussions that took place within the Group and in plenary and re-established the CG on Casualty Investigation under the agreed ToRs.

6 MEASURES TO HARMONISE PORT STATE CONTROL (PSC) ACTIVITIES AND PROCEDURES WORLDWIDE

Background. The Sub-Committee recalled that III 11 had finalised the draft amendments to the Procedures for Port State Control, 2023 (resolution A.1185(33)). These amendments had been subsequently adopted by the Assembly at its thirty-fourth session as resolution A.1206(34) on Procedures for Port State Control, 2025. It was also recalled that III 11 had invited all PSC regimes to continue submitting their annual reports to the Sub-Committee in the agreed format, also that the Secretariat had been requested to continue providing progress reports on PSC regimes, and had invited them to continue providing information on the performance of flag Administrations and recognised organisations (ROs).

Analysis of PSC activities, practices and statistics. Having considered documents III 12/6 and III 12/INF.12 (Secretariat), providing updated detailed information on recent developments in PSC regimes based on the progress report provided by them, including basic statistics and data on inspections and detentions, the Sub-Committee noted the information provided and requested the Secretariat to continue providing information on progress reports on PSC regimes.

Summary of recent activities by the PSC regimes. The Sub-Committee noted the information provided in the following documents:

- .1 presenting a summary of activities and a summary of statistical reports for 2025 of the respective PSC regimes: III 12/INF.23 (Abuja MoU), III 12/INF.22 (Black Sea MoU), III 12/INF.4 (Caribbean MoU), III 12/INF.26 (Indian Ocean MoU), III 12/INF.15 (Mediterranean MoU), III 12/INF.24 (Paris MoU), III 12/INF.11 (Riyadh MoU), III 12/INF.14 (Tokyo MoU), III 12/INF.16 (Viña del Mar Agreement); and,
- .2 III 12/INF.27 (IACS), presenting the report on a study examining the emergency power supply of ships.

The Sub-Committee expressed its appreciation to the Abuja, Black Sea, Caribbean, Indian Ocean, Mediterranean, Paris, Riyadh and Tokyo MoUs, as well as the Viña del Mar Agreement, for the comprehensive information provided in their annual reports on recent PSC activities and the results of concentrated inspection campaigns (CICs). All PSC regimes were invited to continue submitting concise annual reports to the Sub-Committee.

Performance of flag Administrations and recognised organisations. With respect to the performance of flag Administrations and recognised organisations, the Sub-Committee noted with appreciation the information contained in document III 12/INF.25 (Paris MoU and Tokyo MoU), identifying flag Administrations underperforming in the Paris MoU and Tokyo MoU regions.

Guidelines and procedures for port State control

Relevant decisions by other IMO bodies. The Sub-Committee recalled that III 11 had agreed on the need to evolve the PSC module into an overarching PSC database with web services and to report the outcome to MSC and MEPC for further guidance, requesting the Secretariat to develop a project document and identify the associated development, implementation and operational costs for consideration by the parent Committees and the Council. It was noted that the Secretariat is indeed developing a project document for submission to MEPC 85 and MSC 112 and that, subject to consideration by the Committees, the project document will subsequently be submitted to C 139, as appropriate.

Means of escape from spaces below the bulkhead deck. SDC 12 concluded that concerning escape arrangements from the lower part of machinery spaces, no safety issues had been demonstrated resulting from the application of the existing regulations. This was subsequently endorsed by MSC 111 which consequently approved MSC.1/Circ.1689/Rev.1 on *Escape arrangements from the lower part of machinery spaces*

PSC Guidelines on the ISM Code and certification of seafarers, manning and hours of rest. The Sub-Committee recalled that III 11, having considered the PSC Guidelines in relation to the ISM Code and certification of seafarers, manning and hours of rest, had concluded that PSC authorities are not responsible for establishing minimum manning requirements, nor for the port State control officers (PSCOs) to assess the adequacy of safe manning documents issued by flag States. The Sub-Committee also recalled that MSC 111, having noted the outcome of III 11 on this matter, had instructed the HTW Sub-Committee to take into account the outcome of the discussions at III 11 when carrying out its ongoing work on

the output on "Scoping exercise and enhancement of the effectiveness of provisions on fatigue and seafarers' hours of work and rest".

Updates on telecommunication submarine cable resilience. The Sub-Committee recognised the importance of protecting critical maritime infrastructure and concluded that inspection of the stowage and securing of anchors did not fall within the scope of the existing mandatory IMO instruments and procedures relevant to port State control, inviting MSC 112 to note the conclusion of the Sub-Committee.

Proposed amendments to Procedures for PSC

Guidance for PSC officers on inspection for ships' machinery and maintenance.

Following discussion, the Sub-Committee agreed to establish the Working Group on Port State Control (WG 2) and instructed it to further consider and develop guidelines for port State control officers on enhanced machinery and maintenance inspections, based on documents III 12/6/1 and III 12/INF.21, and advise the Sub-Committee accordingly.

Qualifications of PSC officers. Regarding qualifications of PSCOs, the Sub-Committee considered document III 12/6/2 (Marshall Islands), proposing amendments to section 1.9 of the IMO Procedures for Port State Control, 2025 (A.1206(34)), regarding the qualifications of PSCOs. Following discussion, the Sub-Committee agreed to instruct WG 2 to further consider the document for advice and appropriate action.

New requirements relevant to PSC activities. The Sub-Committee instructed WG 2 to update the list of instruments relevant to port State control procedures, set out in appendix 21 of the Procedures for Port State Control, 2025 (resolution A.1206(34)), taking into account relevant parts of documents III 12/10/1 and III 12/INF.2.

Report of the Working Group on Port State Control (WG 2). Having established the WG on Port State Control, the Sub-Committee approved its subsequent report in general, and in particular:

.1 noted the progress made with respect to the qualifications of PSCOs and the guidelines for PSCOs on enhanced machinery and maintenance inspections;

.2 agreed the draft appendix 21 to the Procedures for Port State Control, 2025 (resolution A.1206(34)), with a view to completion of the full set of amendments to the Procedures at the next session; and,

.3 agreed to establish a correspondence group on port State control under the proposed draft terms of reference.

7 DEVELOPMENT OF AN ENTRANT TRAINING MANUAL FOR PSC PERSONNEL

The Sub-Committee recalled that III 11 had included the item in the provisional agenda for this session, having validated the draft revised Model Course 3.09 on Port State Control

and noted that III 8 had agreed that output 6.10 on "Development of an entrant training manual for PSC personnel" should be developed on completion of IMO model course 3.09.

Principles and framework for the entrant training manual for PSC personnel.

Although no new documents were submitted under this agenda item, the Sub-Committee considered the principles and draft framework for the entrant training manual for PSC personnel proposed in document III 8/6. In discussion, the view was expressed that the training manual had the potential to support the harmonised implementation of port State control procedures worldwide, enhance PSCO competence, and contribute to greater consistency in inspection practices across PSC regimes. Also, the development of the training manual is closely linked with the outcomes of discussions under agenda item 6 (Measures to harmonise port State control (PSC) activities and procedures worldwide), in particular regarding the qualifications and competencies of PSCOs as raised in document III 12/6/2 (Marshall Islands). The draft framework in document III 8/6 was supported as a basis for the development of the training manual and WG 2 was instructed to use it in developing the draft framework and content of the entrant training manual for PSC personnel.

Report of Working Group 2. Having considered the relevant part of the report of the Working Group with respect to the development of an entrant training manual for PSC personnel, the Sub-Committee:

- .1 agreed with the draft framework of the entrant training manual for PSCO, with a view to being used as a basis for the development of the manual; and,
- .2 concurred with the Group's recommendation not to continue the work for the entrant training manual for PSCO intersessionally by correspondence group, noting that relevant submissions are expected at the next session.

8 IDENTIFIED ISSUES RELATING TO THE IMPLEMENTATION OF IMO INSTRUMENTS FROM THE ANALYSIS OF DATA

Background. The Sub-Committee agreed to consider documents III 12/4/2 (Secretariat), III 12/4/4 (InterManager), III 12/INF.8 and III 12/INF.9 (Secretariat), III 12/INF.13 (INTERCARGO), III 12/INF.17 and III 12/INF.18 (InterManager), in conjunction with the report of the Correspondence Group on Analysis of Marine Safety Investigation Reports in relation to the process to support data driven decision-making and policy development by IMO organs (III 12/4 (Canada)), under agenda item 4 (Lessons learned and safety issues identified from the analysis of marine safety investigation reports).

During the ensuing discussion, the observer from the Nautical Institute informed the Sub-Committee of ongoing work to use artificial intelligence, including large language models to extract information from marine safety investigation reports, and highlighted the difficulties encountered in downloading such reports in bulk from GISIS. The observer emphasised that improved access to casualty investigation reports could support the extraction and wider dissemination of safety lessons.

The Sub-Committee invited Member States, international organisations and the Secretariat to continue submitting their analyses of various data sets, including, but not limited to, Member State audit, marine casualty investigation, port reception facilities and port State control, under this agenda item, as well as proposals on the way forward in relation to effective use of analysis in support of the regulatory work of IMO and policy development.

Updates on the GISIS enhancement project. The Sub-Committee noted that, following the completion of phase 1 and consideration by C 137 of progress in the implementation of phase 2 of the GISIS enhancement project:

- .1 part 1 of phase 2, comprising the development of a new analytical data model, Power BI integration, a centralised alerting and messaging system, and an AI-powered chatbot for GISIS and IMODOC, was progressing;
- .2 part 2 will cover the modernisation and standardisation of the GISIS user interface and improvements in data-entry compliance; and,
- .3 Member States were invited to consider making voluntary contributions to fund part 2, set out in the resource mobilisation note circulated by the Secretariat as Circular Letter No.5204.

Member States were invited to increase the level of reporting under the relevant GISIS modules to assist in ensuring the completeness and accuracy of data, as a basis for meaningful analysis.

9 ANALYSIS OF CONSOLIDATED AUDIT SUMMARY REPORTS

Background. The Sub-Committee recalled that, since the commencement of mandatory audits of the Member States under the IMO Member State Audit Scheme (IMSAS) in February 2016, 168 audits have been conducted. The first cycle of the IMSAS, originally scheduled for completion in December 2025, were finalised in June 2026, following completion of the remaining audits.

Analysis of nine consolidated audit summary reports (CASRs). Document III 12/9 (Secretariat), contained the summary of the analysis of nine consolidated audit summary reports (CASRs) under the IMSAS from 112 audits conducted between 2016 and 2024 whilst document III 12/WP.6 (Chair), provided the draft outcome of the analysis of the nine CASRs, in line with the established process for the review of the analysis of CASRs.

During the ensuing discussion, broad support was expressed for the analysis of the nine CASRs and for its use in identifying recurrent implementation difficulties, underlying root causes and related capacity development and technical assistance needs, addressing effectiveness and appropriateness of identified provisions and sharing best practices. The importance of maintaining the link between the outcome of the analysis and the relevant technical cooperation programmes was also emphasised.

Methodology used for analysis of CASRs. The Secretariat was requested to continue refining and enhancing the methodology for the analysis of CASRs for audits conducted during the second cycle for consideration by the Member States, taking into account the comments made, and the implementation of the new thematic approach of the Integrated Technical Cooperation Programme (ITCP).

Provisions left "to the satisfaction of the Administration" or equivalent in the mandatory IMO instruments. Following consideration, the Sub-Committee agreed to establish a correspondence group (CG) on the development of a comprehensive list of provisions left "to the satisfaction of the Administration" or equivalent, and corresponding guidance, with a view to submitting its report to III 13, and instructed the DG to develop relevant draft terms of reference for the CG.

IMSAS audit coverage in respect of port State control officer qualification and oversight. Regarding IMSAS audit coverage in respect of port State control officer (PSCO) qualification and oversight, the Sub-Committee considered document III 12/9/2 (IUMI et al.), inviting the Sub-Committee to consider whether the existing IMSAS audit treatment of PSCO qualification and oversight could be clarified and applied more consistently within the current framework. Following discussion, the Sub-Committee:

- .1 agreed that no amendment to the IMSAS framework, audit standard or audit-related documentation and guidance should be pursued at this stage;
- .2 recognised the need to strengthen technical cooperation and capacity-development activities regarding PSCO qualification, training and the effective administration and oversight of national PSC programmes;
- 3 invited interested Member States and international organisations wishing to pursue amendments to the relevant audit-related documentation and guidance, particularly the III Code Implementation Guidance, to submit an appropriate proposal for a new output to the Maritime Safety Committee; and,
- .4 invited interested Member States and international organisations wishing to pursue the consideration of specific PSC issues related to inspection or detention to submit relevant proposals to III 13 under the agenda item on measures to harmonise PSC activities and procedures worldwide.

Report of the Drafting Group on Analysis of Consolidated Audit Summary Reports (CASRs). Having approved the report of the Drafting Group, in general, the Sub-Committee:

- .1 agreed with the format and content of the overall feedback on the analysis of nine CASRs to be provided to MSC 112 and MEPC 85 for reporting back to the Council; and invited individual Member States to use the study as a means to assess areas within their own maritime administrations, either when preparing for the audit, or as a general review of their internal arrangements;

.2 invited MSC 112 and MEPC 85 to endorse the outcome of the analysis of the nine CASRs, which identified the five main areas of recurrent findings and observations identified by the sections of the III Code and their detailed specific related issues;

.3 invited MSC 112 and MEPC 85 to endorse the outcome of the analysis of the most recurrent references recorded against specific provisions of the applicable IMO instruments, which identifies the lack of their effective implementation; and note the related implementation issues;

.4 invited MSC 112 and MEPC 85 to concur with the four main areas of root causes for the shortfall in the effective implementation and enforcement of the mandatory IMO instruments and the audit standard, including the specific issues/difficulties under each area;

.5 invited MSC 112 and MEPC 85, to:

.1 note the proposed areas where assistance could be provided to Member States and refer to TC 77 to review current technical assistance programmes, with a view to informing the Council on the outcome of its consideration;

.2 refer the implementation challenges associated with STCW 1978, regulation VIII/1 (provisions related to fitness for duty) to TC 77;

.6 requested the Secretariat to continue the analysis of future CASRs for audits conducted during the first audit cycle using the established consolidated methodology;

.7 requested the Secretariat to continue refining and enhancing the methodology, and encouraged Member States to submit relevant proposals for the analysis of CASRs for audits conducted during the second cycle, taking into account the implementation of the new thematic approach of the Integrated Technical Cooperation Programme (ITCP) and including, but not limited to, the continuity of data analysis with respect to the root causes identified during the first audit cycle;

.8 agreed with the proposed terms of reference for the CG on the Development of a Comprehensive List of Provisions Left "to the Satisfaction of the Administration" or Equivalent and Corresponding Guidance; and,

.9 invited MSC 112 and MEPC 85 to provide a report to the appropriate session of the Council on the outcome of their consideration of the nine CASRs, based on decisions to be made by MSC 112 and MEPC 85 pursuant to the feedback provided by III 12.

10 UPDATED SURVEY GUIDELINES UNDER THE HARMONISED SYSTEM OF SURVEY AND CERTIFICATION (HSSC)

Background. The Sub-Committee recalled that A 34 had adopted resolution A.1207(34) on Survey Guidelines under the Harmonised System of Survey and Certification (HSSC), 2025, which included those amendments to the relevant IMO regulations that entered into force up to and including 31 December 2025. It was also recalled that III 11 had established a CG on Survey Guidelines under the HSSC and the Non-exhaustive List of Obligations to, inter alia, continue updating the Survey Guidelines (resolution A.1207(34)) to include the requirements deriving from amendments to relevant IMO instruments entering into force up to and including 31 December 2027, with a view to submission of draft amendments, as finalised in a consolidated form, for adoption at A 35.

Report of the Correspondence Group. The Sub-Committee considered the relevant part of document III 12/10 (India), containing the report of the CG on the Survey Guidelines under the HSSC and the Non-exhaustive List of Obligations, and having approved it in general, took action as set out in the ensuing paragraphs.

Draft amendments to the 2025 Survey Guidelines under the HSSC. The Sub-Committee considered the draft amendments to the Survey Guidelines under the HSSC, deriving from the amendments to the relevant mandatory instruments due to enter into force up to and including 31 December 2027, with a view to submission in a consolidated form to A 35 for its consideration and adoption as appropriate. In this context, the Sub-Committee also considered document III 12/10/1 (Secretariat), providing information on relevant new requirements adopted by MEPC 83, MSC 110 and A 34 in order to facilitate the identification of those requirements that may necessitate appropriate amendments to the 2025 Survey Guidelines (resolution A.1207(34)); also, III 12/INF.2 (Secretariat), containing the list of new relevant requirements.

Following discussion, the Sub-Committee:

- 1 noted the draft amendments to the Survey Guidelines and the status of development of the draft amendments;
- .2 requested the Secretariat to prepare and add a new table to the list of new relevant requirements in order to capture those instruments that had recently met the requirements for entry into force, for further consideration; and,
- .3 established the Working Group on Survey Guidelines under the HSSC, the Non-exhaustive List of Obligations, and Guidance on the ISM Code (WG 3); and instructed it to:
 - .1 review and continue to develop draft amendments to the Survey Guidelines under the HSSC, 2025 (resolution A.1207(34)), based on part A of annex 1 to document III 12/10, and taking into account documents III 12/10/1 and III 12/INF.2 for finalisation at the next session, with a view to submission, in a consolidated form, to A 35 for adoption; and,

.2 review and continue to update those items which have not been dealt with so far and left for further development of amendments to the Survey Guidelines, with a view to maintaining the status of such items for future amendments, based on annex 2 to document III 12/10 and taking into account part B of annex 1 to document III 12/10.

Survey guidelines for pilot transfer arrangements. The Sub-Committee considered the proposed options for developing draft amendments to the 2025 Survey Guidelines emanating from amendments to SOLAS regulation V/23 on pilot transfer arrangements adopted by resolution MSC.572(110) and the Performance standards for pilot transfer arrangements adopted by resolution MSC.576(110), as set out in part B of annex 1 to document III 12/10. Following discussion, the Sub-Committee agreed to instruct WG 3 to further consider option 2 for incorporating detailed survey items for pilot transfer arrangements (III 12/10, annex 1, part B), based on document III 12/10/3.

Amendments to MSC/Circ.1140 – MEPC/Circ.424 on Transfer of ships between States. The Sub-Committee considered the proposed draft amendments to MSC/Circ.1140-MEPC/Circ.424 on *Transfer of ships between States*, as set out in annex 3 to document III 12/10. The Sub-Committee noted the discussion of the CG in regard to issues pertaining to broader legal implications of stateless or abandoned ships, including questions concerning the role of former flag States and the jurisdiction of port States, and whether these matters should be referred to the Legal Committee. In this respect, the delegation of the Russian Federation made a statement indicating that deletion of a ship from the national register would be considered an extreme, exceptional measure, which should be applied only after the flag State has exhausted all other available means to achieve compliance.

Following discussion, the Sub-Committee, having considered that the scope of revisions was limited to the communication of information between flag States, as instructed by MSC 110, agreed to instruct WG 3 to further consider and finalise the draft amendments to MSC/Circ.1140-MEPC/Circ.424, based on annex 3 to document III 12/10, together with an associated draft MSC-MEPC circular revoking the existing circulars, with a view to concurrent approval by MEPC 85 and MSC 112. The Sub-Committee also agreed to invite MSC 112 to refer the broader legal implications of stateless or abandoned ships, including questions concerning the role of former flag States and the jurisdiction of port States, to an appropriate session of the LEG Committee for further consideration.

Coding system for remote survey eligibility in the Survey Guidelines. The Sub-Committee considered the development of a coding system for remote survey eligibility. Following discussion, the Sub-Committee, having noted that proceeding with the initial coding system or with the revised approach in the form of a structured methodology would require further analysis by experts, instructed WG 3 to further consider the development of a tabular format of a new column in the Survey Guidelines and advise the Sub-Committee on the best way forward for development of the system, indicating the eligibility of remote survey for each survey item, taking into account annexes 4 and 5 to document III 12/10.

Review of the list of certificates and documents required to be carried on board ships. The Sub-Committee agreed that it would instruct WG 3 to finalise draft amendments to the *List of certificates and documents required to be carried on board ships, 2022*, together with a draft associated circular cover, based on document III 12/10/2, with a view to concurrent approval by MEPC 85, MSC 112, LEG 114 and FAL 51.

Decisions of other IMO bodies

Development of survey guidelines for the Hong Kong Convention. The Sub-Committee recalled that MEPC 84 had noted the agreement of III 11 that, in light of the Hong Kong Convention's entry into force, survey guidelines for the Convention need to be developed, taking into account the 2012 Guidelines for the survey and certification of ships under the Hong Kong Convention (resolution MEPC.222(64)), and incorporated into the Survey Guidelines under the HSSC. In the absence of proposals submitted to this session, the Sub-Committee instructed WG 3 to consider the development of survey guidelines for the Hong Kong Convention, taking into account resolution MEPC.222(64), with a view to incorporation into the Survey Guidelines under HSSC, finalising at III 13.

Draft amendments to SOLAS regulation II-2/10.7.3.1 (water mist lances). The Sub-Committee noted that SSE 12 had finalised draft amendments to SOLAS regulation II-2/10.7.3.1 (water mist lances) and associated guidelines and invited SSE 13 to note that the inclusion of relevant verification steps in the Survey Guidelines under the HSSC would be considered after the adoption of the amendments, as appropriate.

Telecommunication submarine cable resilience. The Sub-Committee recalled that MSC 111, having considered document MSC 111/21/1 (Secretariat), providing an update on the ITU initiatives related to telecommunication submarine cable resilience, had instructed this session to consider recommendation 8. Having assessed that this could be addressed under the existing continuous output 7.27 on Updated Survey Guidelines under the Harmonised System of Survey and Certification (HSSC), MSC 112 was invited to note the view of the Sub-Committee; and, instructed WG 3 to consider recommendation 8 when finalising draft amendments to the Survey Guidelines under the HSSC deriving from the adoption of SOLAS regulation II-1/3-13, bearing in mind the principle that survey items should be linked to mandatory requirements.

Revision of the Interim Explanatory Notes (MSC.1/Circ.1369). The Sub-Committee recalled that SDC 12 had agreed to the draft Explanatory Notes for safe return to port and orderly evacuation and abandonment after a fire or flooding casualty, and the associated draft MSC circular, with a view to approval at MSC 111. In this context, SDC 12 had agreed to provide the revised Explanatory Notes, and the list in paragraph 13 of document SDC 12/3/Rev.1, to the HTW and III Sub-Committees, inviting them to consider whether existing instruments under their remit needed to be amended in relation to this matter. MSC 111 approved the Explanatory Notes for safe return to port and orderly evacuation and abandonment after a fire or flooding casualty, with a revised title, which introduced amendments and additions on system operability, steering and propulsion redundancy, documentation and verification requirements, and provided improved criteria for which systems must support evacuation and abandonment or "remain operational" after a fire or

flooding casualty. Accordingly, the Sub-Committee agreed to refer the matter to WG 3 to consider, if time permitted, the need to amend the Survey Guidelines under the HSSC in the context of the revised Explanatory Notes (MSC.1/Circ.1369/Rev.1), to ensure the harmonised and uniform implementation of the SOLAS regulations for safe return to port; and if necessary, to develop relevant amendments to the Survey Guidelines.

Report of the Working Group on Survey Guidelines under the HSSC, the Non-exhaustive List of Obligations, and Guidance on the ISM Code. Having considered the relevant part of the Working Group report on Survey Guidelines under the HSSC, the Non-exhaustive List of Obligations, and Guidance on the ISM Code (III 12/WP.5) with respect to the Survey Guidelines under the HSSC, the Sub-Committee:

- .1 agreed the draft amendments to the Survey Guidelines under the Harmonised System of Survey and Certification (HSSC), 2025 (resolution A.1207(34)) deriving from the amendments to the relevant mandatory IMO instruments entering into force up to and including 31 December 2027, with a view to submission, in a consolidated form, to A 35 for adoption;
- .2 noted that the Group reviewed and updated the list of amendments to mandatory instruments not yet included in the Survey Guidelines under the HSSC, with a view to maintaining the status of the mandatory items for future amendments to the Survey Guidelines under the HSSC;
- .3 noted the outcome of the review of those items which have not been dealt with so far and left for further development of amendments to the Survey Guidelines, in accordance with the four-year cycle of entry into force of amendments to SOLAS 1974 and related mandatory instruments;
- .4 noted the proposed amendments to the Survey Guidelines related to pilot transfer arrangements, based on option 2, with a view to incorporating these amendments in the Survey Guidelines under the HSSC, when appropriate;
- .5 agreed draft amendments to MSC/Circ.1140-MEPC/Circ.424, together with an associated draft MSC-MEPC.2 circular, with a view to concurrent approval by MEPC 85 and MSC 112;
- .6 endorsed the Group's view on the item-level remote survey eligibility coding contained in annex 4 to document III 12/10 for incorporation into the Survey Guidelines under the HSSC and the development and placement of the necessary clarification texts for the descriptors "Y", "N", and "C";
- .7 agreed the text of the proposed amendments to FAL.2/Circ.133-MEPC.1/Circ.902-MSC.1/Circ.1646-LEG.2/Circ.4 on *List of certificates and documents required to be carried on board ships, 2022*, and associated draft circular cover, with a view to concurrent approval by MEPC 85, MSC 112, LEG 114 and FAL 51, as appropriate;

8 concurred with the Group's recommendation that a CG be tasked to develop survey guidelines for the Hong Kong Convention, taking into account resolution MEPC.222(64), with a view to incorporation into the Survey Guidelines and finalisation at III 13;

.9 endorsed the Group's recommendation that no amendments to the Survey Guidelines are deemed necessary in relation to recommendation 8 as set out in paragraph 4.2 of document MSC 111/21/1, and advise MSC 112, as appropriate;

.10 concurred with the Group's recommendation that a CG be tasked to consider the need to amend the Survey Guidelines under the HSSC in the context of the revised Explanatory Notes (MSC.1/Circ.1369/Rev.1) to ensure harmonised and uniform implementation of the SOLAS regulations for safe return to port, and propose amendments to the Survey Guidelines, if necessary;

11 NON-EXHAUSTIVE LIST OF OBLIGATIONS UNDER INSTRUMENTS RELEVANT TO THE IMO INSTRUMENTS IMPLEMENTATION CODE (III CODE)

Background. The Sub-Committee recalled that III 11 had finalised and approved the draft 2025 Non-exhaustive list of obligations under instruments relevant to the III Code, which was subsequently submitted to, and adopted by, the Assembly at its thirty-fourth session as resolution A.1208(34). It was also recalled that III 11 established a CG on the Survey Guidelines under the HSSC and the Non-exhaustive List of Obligations, to, inter alia, continue to develop draft amendments to the 2025 Non-exhaustive list of obligations, and to conduct a comprehensive review of the List, in preparation for the second cycle of audits under the IMO Member State Audit Scheme.

Report of the Correspondence Group. The Sub-Committee had for its consideration the relevant part of document III 12/10 (India), containing the report of the CG. Having approved it in general, the Sub-Committee discussed:

- Draft amendments to the 2025 Non-exhaustive list of obligations;
- Comprehensive review of the 2025 Non-exhaustive list of obligations;
- Extension to scope of the review concerning the Non-exhaustive list of obligations; and,
- Further instructions to the Working Group on Survey Guidelines under the HSSC, the Non-exhaustive List of Obligations, and Guidance on the ISM Code.

Report of WG 3. In considering the aspects related to this agenda item, the Sub-Committee:

.1 agreed the draft amendments to the 2025 Non-exhaustive list of obligations under instruments relevant to the IMO Instrument Implementation Code (resolution A.1208(34)), with a view to finalisation at III 13 and subsequent adoption at A 35;

.2 noted that the Group had considered those items which have not yet been dealt with and left for further development, amendments to the NEL with a view to maintaining the status of the items for future amendments; and,

.3 noted the progress made on the comprehensive review of the NEL, based on annexes 8 and 9 to document III 12/10, with a view to the CG further developing the list, and finalising it prior to III 13.

12 COMPREHENSIVE REVISION OF THE GUIDELINES ON THE IMPLEMENTATION OF THE ISM CODE BY ADMINISTRATIONS AND COMPANIES

Background. The Sub-Committee recalled that MSC 110 had agreed to include in the biennial agenda of the III Sub-Committee for the 2026-2027 biennium and the provisional agenda for this session an output on "Comprehensive revision of the guidelines on the implementation of the ISM Code by Administrations and companies", with a target completion year of 2028, assigning the III Sub-Committee as the coordinating organ, in association with the HTW Sub-Committee, and invited MEPC 84 to become a parent organ in this output. It was also recalled that MSC 110 had agreed to address elements identified by the Joint ILO/IMO Tripartite Working Group on Seafarers' Issues and the Human Element (JTWG), relevant recommendations of the study and previous analyses and proposals, and had instructed the Sub-Committee to take into account further recommendations emanating from the JTWG and the study when progressing this work.

With respect to revision of the guidelines on implementation by Administrations (resolution A.1188(33)). Three documents were submitted:

.1 III 12/12 (ICS), proposing revisions to the *2023 Guidelines on implementation of the International Safety Management (ISM) Code by Administrations* (resolution A.1188(33)) to improve the overall implementation of the ISM Code;

.2 III 12/12/3 (Norway) (relevant part), providing comments on the proposals submitted in document III 12/12; and,

.3 III 12/12/2 (China), proposing revisions to resolution A.1188(33) based on the development of Digital Safety Management Systems (DSMS) in shipping companies, with a view to improving guidance on ISM audits related to DSMS.

With respect to revision of the guidelines on operational implementation of the ISM Code by companies (MSC-MEPC.7/Circ.8).

.4 III 12/12/1 (ICS), containing proposals to further revise the Revised guidelines for the operational implementation of the International Safety Management (ISM) Code by companies (MSC-MEPC.7/Circ.8) to improve the overall implementation of the ISM Code; and,

.5 III 12/12/3 (remaining part), providing comments on the proposals submitted in document III 12/12/1.

Following a lengthy discussion, the Sub-Committee instructed WG 3 to further consider documents III 12/12, III 12/12/1, III 12/12/2 and III 12/12/3, with a view to preparing draft amendments to the implementation guidelines by Administrations (resolution A.1188(33)) and by companies (MSC-MEPC.7/Circ.8).

Report of the Working Group. Having considered the relevant part of the report of WG 3 with respect to the comprehensive revision of the guidelines on implementation of the ISM Code by Administrations and companies, the Sub-Committee took decisions as follows:

- .1 concurred with the Group's recommendation that a correspondence group be tasked to undertake the comprehensive revision of the guidelines on the implementation of the ISM Code by Administrations and companies, in accordance with the proposed road map; and,
- .2 concurred with the Group's recommendation that CGs on matters related to Survey Guidelines, comprehensive revision of the guidelines on the implementation of the ISM Code, and the Non-exhaustive list of obligations, be established under the draft terms of reference as proposed.

13 UNIFIED INTERPRETATION OF PROVISIONS OF IMO SAFETY, SECURITY, ENVIRONMENT, FACILITATION, LIABILITY AND COMPENSATION RELATED CONVENTIONS

Unified interpretation of resolution MSC.581(110) regarding CO₂ monitoring. The Sub-Committee considered document III 12/13 (INTERTANKO), containing a proposal for clarification regarding the application of resolution MSC.581(110) on Revised recommendations for entering enclosed spaces aboard ships with respect to CO₂ monitoring in the cargo spaces of 'tankers', including a proposed unified interpretation (UI) of the resolution for tanker operations.

The Sub-Committee recalled that in accordance with paragraph 5.11 of the Organisation and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies (MSC-MEPC.1/Circ.5/Rev.7), subsidiary bodies should avoid developing unified interpretations of guidelines. In cases where the existing text of guidelines is vague and therefore needs modification, the subsidiary body concerned should amend the guidelines accordingly, in lieu of developing a unified interpretation. In such a case, Member States or subsidiary bodies might, for this situation, wish to consider a submission of a single-session output to the parent Committee for the assignment of a new output to amend the guidelines.

The Sub-Committee also recalled that in accordance with the established safeguards in paragraphs 4.44 and 4.45 of the Organisation and method of work of the Committees, in cases where the development of a UI is not appropriate, submission of a proposal for a new output might be required.

During discussion, the following views were expressed:

.1 These recommendations apply to all types of ships and are intended to complement national laws or regulations, accepted standards or particular procedures which might exist for specific types of shipping operations.

.2 Further clarification would be beneficial to confirm that resolution MSC.581(110) should be applied on a risk-based approach, with atmospheric testing, including CO₂ monitoring, determined by the hazards identified through risk assessment. Such clarification would promote consistent and harmonised implementation by the Administrations and port State control authorities and help avoid inconsistent enforcement practices.

.3 Notwithstanding the view expressed in sub-para 2 above, the proposed clarification could alter the scope or application of the recommendations without following the established safeguards in the Committees' method of work, and might introduce unnecessary complexity or weaken the safety objectives of the resolution. Furthermore, the resolution is already sufficiently clear, as it established a risk-based approach, and, therefore, no additional clarification is necessary.

.4 Unified interpretations are intended for mandatory provisions, and any concerns regarding the application of resolution MSC.581(110) would be more appropriately addressed through amendments developed by the competent technical IMO organs under a new output accepted by the Maritime Safety Committee, rather than through the development of a unified interpretation by the III Sub-Committee.

.5 Any future consideration of the issue should not diminish safety for seafarers or undermine the objective of reducing enclosed-space fatalities, and any changes should be supported by technical evidence and maintain a high level of safety.

.6 Monitoring requirements should reflect the actual risks associated with the space, cargo and operation concerned, while ensuring that the overall safety objectives of the resolution are maintained.

In this respect, the observer from IPTA made a statement, emphasising the importance of promoting safe entry into enclosed spaces to prevent seafarer fatalities and highlighting concerns that inconsistent implementation of resolution MSC.581(110) could undermine its effective application.

Following these considerations, and taking into account the views expressed, the Sub-Committee:

.1 agreed that the proposed UI of the non-mandatory resolution MSC.581(110) is not in line with the provisions of the Committees' method of work; and,

.2 invited INTERTANKO, interested Member States and international organisations to submit to the Maritime Safety Committee a proposal for a relevant new output to revise resolution MSC.581(110), instead of developing a UI.

14 COOPERATE WITH THE UNITED NATIONS ON MATTERS OF MUTUAL INTEREST, AS WELL AS PROVIDE RELEVANT INPUT/GUIDANCE – REVIEW THE DRAFT GUIDELINES FOR THE SEAWORTHINESS AND SAFETY INSPECTION OF SMALL FISHING VESSELS AND ASSOCIATED INSPECTION CHECKLIST

It is not intended to cover this item in detail, suffice it to record that the Experts Group convened, and in response to the report of their meeting, the Sub-Committee approved it in general and, in particular, agreed to the draft revised guidelines for the seaworthiness and safety inspection of small fishing vessels and safety inspection checklists for small fishing vessels, with a view to approval by MSC 112, and subsequent dissemination as a joint publication by FAO and IMO.

15 BIENNIAL AGENDA AND PROVISIONAL AGENDA FOR III 13

Background. The Sub-Committee recalled that MEPC 84 and MSC 111 had concurrently approved the biennial agenda of the Sub-Committee for the 2026-2027 biennium and the proposed provisional agenda for this session. It was further recalled that MSC 111 had agreed to include in its post-biennial agenda an output on "Revision of MSC-MEPC.3/Circ.4/Rev.1 on casualty-related matters in the context of reports on marine casualties and incidents", with two sessions required to complete the work, assigning the III Sub-Committee as the associated organ.

Biennial status report for the 2026-2027 biennium. Taking into account the progress made at the session, the Sub-Committee prepared the Sub-Committee's biennial status report for the 2026-2027 biennium and the outputs on the post-biennial agenda of the Committee assigned to the Sub-Committee.

Proposed provisional agenda for III 13. The Sub-Committee prepared its proposed III 13 provisional agenda for consideration by MEPC 85 and MSC 112.

Consideration of the outcome of III 13. Owing to the tentative schedule of III 13 and bearing in mind that III 13 might be expected to finalise draft Assembly resolutions, in particular on matters related to PSC, the Survey Guidelines under the HSSC and the Non-exhaustive list of obligations, the Sub-Committee invited the Committees to authorise III 13 to report the outcome of its work on matters that would require the adoption of draft Assembly resolutions to A 35 directly.

16 ELECTION OF CHAIR AND VICE-CHAIR FOR 2027

In accordance with the Rules of Procedure of the Maritime Safety Committee and the Marine Environment Protection Committee, the Sub-Committee unanimously re-elected Mr. Xie Hui (China) as Chair, and Captain Przemysław Lenard (Poland) as Vice-Chair, both for 2027.

17 ANY OTHER BUSINESS

Shipping Industry Flag State Performance Table (2025-2026). The Sub-Committee noted the information provided in document III 12/INF.6 (ICS), containing information about the latest edition of the Shipping Industry Flag State Performance Table (2025-2026), which recorded for the first time the state of implementation of the corrective action plans established by Member States after their IMSAS audits, based on the information submitted to the Council at its 134th session.

18 REPORT TO THE COMMITTEES

A draft report of the session (III 12/WP.1) was prepared for the Sub-Committee by the Secretariat for consideration. Following plenary examination for editorial corrections and textual improvements, the final version will be submitted to MSC 112 and MEPC 85 for approval.

End

Captain Paddy McKnight