

Outcomes of MSC96

Submitted by IHB

SUMMARY

Executive Summary: This document provides details of the outcomes of MSC96, which are relevant to WWNWS-SC

Action to be taken: Paragraph 2.

Related documents: MSC96/25 dated 31 May 2016

1. MSC96 was held at IMO Headquarters in London 11 – 20 May 2016. The following items are of relevance to WWNWS-SC:

a. Unsafe Mixed Migration by Sea

The Committee approved the draft of a MSC Circular on *Unsafe Mixed Migration by Sea* (MSC/Circ.896/Rev.2), which provides guidance on actions and a standard reporting format for mariners to provide timely and accurate information on migration incidents and on suspected people smugglers and vessels to the IMO via the Facilitation module in the Global Integrated Shipping Information System (GISIS). The draft will be further reviewed at MSC97 together with any additional information received from IMO Member States on cases including reports of incidents at sea.

b. GMDSS

The MSC endorsed the view that Iridium could become a mobile satellite service provider of the Global Maritime Distress and Safety System (GMDSS) subject to compliance with outstanding issues reported to the 3rd session of the IMO Sub-Committee on Navigation, Communications and Search and Rescue (NCSR) (see Reference B) and successful evaluation reports from the International Mobile Satellite Organization (IMSO). The MSC agreed that the development of new performance standards for ship-borne GMDSS equipment should apply to all providers of new equipment and to current service providers when equipment is updated and upgraded. Meanwhile, systems already under development prior to the implementation of the new generic performance standards would be covered by proposed transition arrangements. The MSC agreed to a new unplanned output to be completed at the next session of NCSR on drafting amendments to SOLAS Chapter IV by removing references to Inmarsat and making the wording generic to accommodate future service providers. It was also agreed that work on related instruments and documents should be progressed at a later stage. The MSC further agreed that the amendments should enter into force on 1 January 2020, provided that they are adopted before 1 July 2018. The Committee approved the outcome of the Detailed Review of the GMDSS and the continuation of the project in developing the Modernization Plan.

c. Routing Measures and Charting

The MSC addressed various matters related to hydrography and nautical charting resulting from the 3rd session of the NCSR (see Reference B). The main items included the approval of corrections to the amendments to the existing traffic separation schemes (TSS) *Off Friesland* (COLREG.2/Circ.66/Corr.1) and corrections to the amendments to the mandatory route for tankers from *North Hinder to the German Bight* (SN.1/Circ.327/Corr.2), and the agreement that these corrections would take immediate effect. Other TSS and routing measures adopted were:

Type	Location	Implementation
To be promulgated via COLREG.2/Circ.68:		
New TSS	<i>Off Southwest Australia</i>	1 December 2016
New TSS	<i>In the Corsica Channel</i>	1 December 2016
Amendment to existing TSS	<i>In the Approaches to Hook of Holland and at North Hinder</i>	1 June 2017
Amendment to existing TSS	<i>At West Hinder</i>	1 June 2017
Amendment to existing TSS	<i>In Bornholmsgat</i>	1 January 2017
To be promulgated via SN.1/Circ.333:		
Two-way routes and precautionary areas	<i>Approaches to the Schelde estuary</i>	1 June 2017
New routing measure	<i>In Windfarm Borssele</i>	1 June 2017
Amendments to existing area to be avoided	<i>Off the coast of Ghana in the Atlantic Ocean</i>	1 December 2016

The Committee approved the recognition of the Galileo European satellite navigation system as part of the Worldwide Radio Navigation System, which would be promulgated via SN.1/Circ.334. The MSC noted the information provided by IMO Member States on incidents involving non-SOLAS vessels in the Polar Regions and requested further submissions and additional data on incidents in preparation for a post-biennial output. Panama drew attention to the inauguration of the expanded Panama Canal and the associated training facility.

d. E-navigation

The Committee agreed to include in the post-biennial agenda (2018-2019) an output - *Develop guidance on definition and harmonization of the format and structure of Maritime Service Portfolios (MSPs)*, for which two sessions were agreed and assigned the NCSR as the coordinating body. The International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA) offered to contribute to the coordination of the work related to the development of MSPs. The MSC welcomed any future input from other international organizations and agreed to the coordination of this work under the scope of the IMO, through the NCSR. The IHO proposed the activation of the IMO-IHO Harmonization Group on Data Modelling (HGDM) established at MSC 90 to progress this output. The MSC agreed to invite the IHO to submit a proposal to MSC or NCSR to activate the HGDM as well as submitting proposals on the frequency of meeting and venues for consideration at a later session of the Committee. The Directing Committee intends to consider this invitation in

liaison with the IHO Hydrographic Services and Standards Committee (HSSC) and its relevant Working Groups.

e. Maritime Cybersecurity

Using the *Guidelines on cybersecurity on board ships* generated by shipping industry stakeholders and information on national regulations provided by China, the Committee developed a draft MSC Circular on *Guidance on Maritime Cyber Risk Management*. It was widely agreed that industry was awaiting such guidance to enable it to start implementing appropriate cyber risk management processes, particularly in the environment of increased use of internet connectivity for ship borne operations and navigation. It was also agreed that the guidelines should be high-level and allow for regular updating to accommodate emerging cyber threats. The MSC approved the draft guidance (MSC.1/Circ.1526) for use as interim MSC Guidelines that would be forwarded to the 41st meeting of the IMO Facilitation Committee (FAL41) for further consideration and finalization with a view to issuing a FAL/MSC Circular.

2. The Sub-Committee is invited to note the information provided and take action as appropriate.

Annex:

A. Extract from MSC96/25.

Measures toward enhancing maritime cybersecurity

4.5 The Committee recalled the relevant decisions of MSC 95 in respect to cybersecurity (MSC 95/22, section 4) and noted the outcomes of FAL 40 (FAL 40/19, paragraphs 9.11 and 9.12) related to the consideration of facilitation aspects of protecting the maritime transport network from cyberthreats.

4.6 In this regard, the Committee had for its consideration the following documents:

- .1 MSC 96/4/1 (ICS, et al.), containing industry *Guidelines on cybersecurity on board ships* developed and supported by BIMCO, CLIA, ICS, INTERCARGO and INTERTANKO in response to the vulnerability of ships to cybersecurity risks;
- .2 MSC 96/4/2 (Canada, et al.), proposing the development of non-mandatory guidelines for cyber risk management aiming to assist in protecting and enhancing the resiliency of cybersystems supporting the safe, secure, and efficient operations of ships;
- .3 MSC 96/4/3 (China), providing information on national regulations published by China and proposals for the development of guidance on maritime cybersecurity;
- .4 MSC 96/4/5 (Austria, et al.), supporting the development of guidance on maritime cybersecurity to assist the implementation of appropriate measures onboard ships to prevent acts of cybercriminality, taking into account the information contained in document MSC 96/INF.4;
- .5 MSC 96/4/6 (CIRM and BIMCO), providing information on the development of an industry standard on software maintenance of shipboard equipment and its cybersecurity aspect; and
- .6 MSC 96/INF.4 (France), providing information on measures aimed at improving cybersecurity on a ship.

4.7 During the ensuing discussions, the following views were expressed:

- .1 with the ever increasing use of software, internet and technologies, the importance of cybersecurity would continue to be a challenge;
- .2 a single set of high-level guidelines should be developed by the Organization taking into account the outcomes of FAL 40, allowing flexibility for the industry to continue to respond in a dynamic way to new and changing forms of cyberthreats and develop appropriate protection measures;
- .3 the draft guidelines set out in document MSC 96/4/2 could be used as the basis for further work, but the guidance should be simplified;
- .4 the guidelines should be a live document and should be regularly updated, taking into account the latest identified cyberthreats;

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- .5 the guidelines should be non-mandatory, user friendly, threat/risk-based, practical, easy to understand and should cover all relevant maritime stakeholders. The guidelines should also ensure that additional administrative burdens are avoided;
 - .6 the guidelines should be developed in cooperation with the industry, taking into account the work of other organizations on cybersecurity, such as ITU and ISO; and
 - .7 a policy decision related to the scope of the guidelines should be taken (i.e. whether to focus on management of cyber risks or solely on cybersecurity).

4.8 After some discussion, the Committee, recognizing the importance of the guidance developed by the industry, agreed to develop high-level and non-mandatory guidelines on cyber risk management with a focus on operational aspects and referred the above-mentioned documents to the Working Group on Maritime Security.

4.9 The Committee also agreed that the guidelines should be practical, easy to use, risk-based and should take into account existing standards and the work done by other organizations.

4.10 The observer from ISO indicated that they intended to complement the work on cybersecurity using the ISO/IEC 27000 series and they would submit a progress report to MSC 97.

Other issues

Issues related to the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine

4.11 The Committee had for its consideration the following documents:

- .1 MSC 96/4/4 (Ukraine), inviting the Committee to consider a draft Assembly resolution on *Safety and security of navigation in maritime areas adjacent to the Autonomous Republic of Crimea and the city of Sevastopol, Ukraine*; and
- .2 MSC 96/4/7 (Russian Federation), commenting on document MSC 96/4/4 and expressing the view that the proposal contained in document MSC 96/4/4 was outside IMO's mandate and should not be considered.

4.12 The Committee noted the information provided in documents MSC 96/4/4 (Ukraine) and MSC 96/4/7 (Russian Federation). The introductory statements made by the Russian Federation and Ukraine are set out in annex 29.

4.13 The majority of the delegations that spoke condemned the illegal annexation of the Autonomous Republic of Crimea and the city of Sevastopol by the Russian Federation and shared the concerns expressed by Ukraine. Furthermore, a number of delegations urged UN Member States to consider non-recognition measures in line with the United Nations General Assembly resolution 68/262 and expressed the view that some aspects of the matter were within the remit of the Organization.

4.14 Statements made by Georgia, the Netherlands and the United States are set out in annex 29.

4.15 However, after some discussion, the Committee agreed that IMO was not the appropriate forum to discuss the matter and that the issue was outside the remit of the Organization.

United Nations verification and inspection mechanism for Yemen

4.16 The Committee noted with appreciation the information contained in document MSC 96/INF.8 (Secretariat) related to the work of the United Nations Verification and Inspection Mechanism for Yemen (UNVIM) established pursuant to United Nations Security Council Resolution 2216 (2015). In addition, the Committee was advised that the UNVIM mechanism was now operational. Interested parties should visit the UNVIM website (<http://www.vimye.org>) to apply for permits to gain permission for commercial shipments to any port not under the direct control of the Government of Yemen (Salif, Mokha, Hudaydah, Nishtun and associated oil terminals). The Yemeni Ministry of Transportation would no longer accept permits for those ports after 5 May 2016. Vessels applying to go to ports under the control of the Government of Yemen (Aden and Mukalla) would need to continue to apply through the Yemeni Ministry of Transportation.

Establishment of the working group

4.17 Having considered the above matters, the Committee established a Working Group on Maritime Security and instructed it, taking into account comments, proposals and decisions made in plenary, to:

- .1 review the information contained in document MSC 96/4, with particular focus on emphasizing its recommendatory nature, and finalize the *Guidance for the development of national maritime security legislation*, for the Committee's approval; and
- .2 consider the information and proposals on maritime cybersecurity, as contained in documents MSC 96/4/1, MSC 96/4/2, MSC 96/4/3, MSC 96/4/5, MSC 96/4/6 and MSC 96/INF.4, and develop high-level guidelines on cyber risk management.

Report of the working group

4.18 Having considered the report of the Working Group (MSC 96/WP.9), the Committee approved it in general and took action as indicated hereunder.

Guidance for the development of national maritime security legislation

4.19 The Committee approved MSC.1/Circ.1525 on *Guidance for the development of national maritime security legislation* and invited Member States willing to use the Guidelines for the development of their own national maritime security legislation, to request technical assistance from the Organization, if so required.

Guidelines on maritime cyber risk management

4.20 The Committee noted, in general, the discussions of the group in relation to maritime cyber risk management and considered whether the draft *Guidelines on maritime cyber risk management* should be approved as Interim MSC Guidelines, at this session, with the understanding that they could be subsequently revoked and superseded by a joint FAL/MSC circular once the work of FAL 41 on facilitation aspects was completed, or be forwarded to MSC 97 for further work, as required.

4.21 The Committee, having noting the views of the majority of the delegations that spoke that there is an urgent need to raise awareness on cyber risk threats and vulnerabilities, approved MSC.1/Circ.1526 on *Interim guidelines on maritime cyber risk management*.

4.22 In doing so, the Committee also noted that Member States and interested international organizations could bring any issues that might be identified with the use of the Interim Guidelines to the attention of MSC 97 under this agenda item.

14 NAVIGATION, COMMUNICATIONS, SEARCH AND RESCUE

URGENT MATTERS EMANATING FROM THE THIRD SESSION OF THE SUB-COMMITTEE

General

14.1 The Committee considered urgent matters emanating from the third session of the Sub-Committee on Navigation, Communications and Search and Rescue (NCSR) (NCSR 3/29 and MSC 96/14) and took action as indicated hereunder.

Corrections to existing routing systems

14.2 The Committee approved COLREG.2/Circ.66/Corr.1 on corrections to the amendments to the existing traffic separation schemes "Off Friesland", and SN.1/Circ.327/Corr.2 on corrections to the amendments to the mandatory route for tankers from North Hinder to the German Bight, and agreed that these corrections would take immediate effect.

Traffic separation schemes (TSSs) and associated measures

14.3 In accordance with resolution A.858(20), the Committee adopted the following establishment of new, and amendments to existing, traffic separation schemes and associated measures:

- .1 establishment of a new traffic separation schemes "Off Southwest Australia";
- .2 establishment of a new traffic separation scheme "In the Corsica Channel";
- .3 amendments to the existing traffic separation scheme "In the Approaches to Hook of Holland and at North Hinder" and associated measures, superseding the existing precautionary areas "In the approaches to Hook of Holland and at North Hinder";
- .4 amendments to the existing traffic separation scheme "At West Hinder"; and
- .5 amendments to the existing traffic separation scheme "In Bornholmsgat",

for dissemination by means of COLREG.2/Circ.67.

Routeing measures other than traffic separation schemes (TSSs)

14.4 In accordance with resolution A.858(20), the Committee adopted the following establishment of new, and amendments to existing, routeing measures other than traffic separation schemes:

- .1 establishment of new two-way routes and precautionary areas "Approaches to the Schelde estuary", superseding the existing precautionary area "In the vicinity of Thornton and Bligh Banks";
- .2 establishment of new routeing measures "In Windfarm Borssele"; and
- .3 amendments to the existing area to be avoided "Off the coast of Ghana in the Atlantic Ocean",

for dissemination by means of SN.1/Circ.333.

Implementation of the adopted routeing measures

14.5 The Committee decided that the new routeing measures detailed in paragraphs 14.3 and 14.4 be implemented as follows:

- .1 routeing measures set out in paragraphs 14.3.1, 14.3.2 and 14.4.3, on 1 December 2016;
- .2 routeing measures set out in paragraph 14.3.5, on 1 January 2017; and
- .3 routeing measures set out in paragraphs 14.3.3, 14.3.4, 14.4.1 and 14.4.2, on 1 June 2017.

Recognition of Galileo as a component of the WWRNS

14.6 Having noted that formal promulgation as required under paragraph 2.2.2 of the annex to resolution A.1046(27) had been received, the Committee recognized the Galileo Global Navigation Satellite System as a component of the World-Wide Radionavigation System, for dissemination by means of SN.1/Circ.334.

Recognition of Iridium mobile satellite system as a GMDSS service provider

14.7 The Committee endorsed the view of the Sub-Committee that Iridium could be incorporated into the GMDSS subject to compliance with outstanding issues, as set out in annex 1 to document NCSR 3/WP.5, with the understanding that the Sub-Committee, based on the evaluation reports from IMSO, would advise the Committee in future on recognition, when the issues identified have been complied with.

Performance standards for shipborne GMDSS equipment to accommodate additional providers of GMDSS satellite services

14.8 The Committee considered the scope of application of the performance standards for ship-borne GMDSS equipment to accommodate additional providers of GMDSS satellite services. Having noted the majority of the delegations who spoke supported that the new performance standards should be generic, the Committee agreed that these performance standards should be applicable to all new equipment, to be approved, of all providers after the effective date. In this context, it was agreed that a transition period would be required for equipment already under development.

Detailed Review of the GMDSS

14.9 The Committee approved, in accordance with the revised Plan of Work (NCSR 1/28, annex 11), the outcome of the Detailed Review of the GMDSS (NCSR 3/29, annex 7) and the continuation of the project in developing the Modernization Plan.

MARINE METEOROLOGICAL MONITORING SURVEY 2016

14.13 The Committee noted that the World Meteorological Organization (WMO) was conducting its Marine Meteorological Monitoring Survey 2016, and had requested the Secretary-General to encourage Member States and international organizations to invite users to participate in the online survey. Accordingly, the Committee urged Member States and international organizations to invite users to participate in the online survey using the address <http://www.wmo.int/MMMS016>.

LAUNCH OF MISSILES WITHOUT GIVING NAVIGATIONAL WARNINGS

14.14 The Committee noted the statement made by the delegation of the Republic of Korea, expressing concern regarding the launch of missiles and GPS jamming by the Democratic People's Republic of Korea without giving navigational warnings, as set out in annex 29.

14.15 The delegations of Australia, France, Japan, the Marshall Islands and the United States also expressed their concerns, supporting the view of the Republic of Korea, as set out in annex 29.

14.16 The Committee noted the response of the delegation of the Democratic People's Republic of Korea, as set out in annex 29.

18 UNSAFE MIXED MIGRATION BY SEA

18.1 The Committee recalled that MSC 95, during a special session on unsafe mixed migration by sea to consider the outcome of the inter-agency High-level meeting, had considered key issues within its competence, including search and rescue and operation of merchant ships in view of the recent development of mass rescue of migrants.

18.2 The Committee recalled that MSC 95 had:

- .1 agreed to place on the agenda of MSC 96 an item on "Unsafe Mixed Migration by Sea";
- .2 invited Member States to make submissions to MSC 96, further elaborating on the issues and suggestions that they raised during MSC 95;
- .3 placed a new output 5.1.2.2 (Measures to protect the safety of persons rescued at sea) on the agenda of NCSR 3 from the 2016-2017 biennium agenda; and
- .4 forwarded the industry-developed guidance on "Large-scale rescue operations at sea: Guidance on ensuring the safety and security of seafarers and rescued persons" issued by ICS to the NCSR Sub-Committee for consideration and instructed NCSR 3 to report back to MSC 96.

18.3 The Committee recalled further that, MSC 95 having considered documents MSC 95/21/10 and Add.1 (Secretariat) on Joint databases IMO/IOM/UNODC on migrant incidents and on suspected smugglers and vessels, the Committee had:

- .1 accepted, as work in progress, the amended reporting format set out in the annex to document MSC 95/21/10/Add.1;
- .2 forwarded MSC/Circ.896/Rev.1 and the revised format to FAL Committee for its consideration from that Committee's point of view with a view to adopting a joint MSC/FAL circular by FAL 40 and MSC 96; and
- .3 invited Member States to bring the amended reporting format to the attention of all parties concerned, and to provide timely and accurate information on migrant incidents and on suspected smugglers and vessels to the Organization via the Facilitation module in GISIS.

18.4 The Committee noted that A 29, following the decisions made by MSC 95 and LEG 102, had approved a new output on "Unsafe Mixed Migration by sea" in the High-level Action Plan of the Organization, allocating MSC, LEG and FAL Committees as parent organs.

18.5 The Committee was informed that, at the invitation of Italy, an Informal Meeting to Review the Legal Framework for the Rescue of Mixed Migrants at Sea was held at IMO Headquarters on 21 September 2015.

18.6 The Committee recalled that the outcome of NCSR 3 on the industry-developed guidance on "Large-scale rescue operations at sea: Guidance on ensuring the safety and security of seafarers and rescued persons" issued by ICS was already considered by the Committee under agenda item 14 (Navigation, communications, search and rescue).

18.7 The Committee noted that no documents had been submitted on this agenda item.

18.8 The Committee was informed on the outcome of FAL 40 on this subject, and specifically that:

- .1 FAL 40 had noted the information on the new inter-agency platform for information sharing on migrant smuggling by sea, and had encouraged Member States to provide timely and accurate information on migrant incidents and on suspected smugglers and vessels to the Organization via the facilitation module in GISIS;
- .2 in considering the request of MSC 95 to review MSC/Circ.896/Rev.1, FAL 40 had agreed that:
 - .1 the non-mandatory nature of the text of the guidelines should be retained;
 - .2 the first paragraph of the annex to the draft revised circular relating to the Convention on transnational organized crime should be deleted;
 - .3 the third paragraph of the annex to the draft revised circular should refer to Member States rather than Contracting Governments;
 - .4 with respect to the reporting format in the appendix to the annex to the draft revised circular, the title of the report should reflect that it is concerned with migrant incidents at sea;

- .5 in the reporting format, it was unclear what the difference was between the information sought in the "Brief description of incident and measures taken" and the "Details of smuggling of migrants by sea" fields. The two fields should be merged; and
- .6 to facilitate future updating, the circular should remain as an MSC circular under the purview of MSC rather than become a joint MSC-FAL circular.

18.9 In light of the foregoing, the Committee instructed the Secretariat to prepare the draft MSC circular, including the aforesaid amendments, for consideration by the Committee with a

18.10 The Committee, having considered document MSC 96/WP.12, approved MSC.1/Circ.896/Rev.2 on *Interim measures for combating unsafe practices associated with the trafficking, smuggling or transport of migrants by sea*.

18.11 The Committee authorized the Secretariat to effect any required editorial amendments which may be found necessary during the preparation of the document and issue the aforesaid circular as MSC.1/Circ.896/Rev.2.

18.12 The delegation of Malta, while welcoming the approval of the above mentioned MSC circular as a significant step forward in addressing the issues related to irregular migration at sea, expressed the following opinions:

- .1 in order to have prompt access to the flag State authorities of ships engaged in unsafe practices associated with the trafficking, smuggling or transport of migrants by sea, it was important for Member States to keep the list of contacts in GISIS updated, as necessary, and that the Secretariat should actively pursue this;
- .2 notwithstanding the positive significance of this MSC circular, it should still be considered as work in progress and, in a future version of the circular, additional consideration should be given to, inter alia, the following:
 - .1 that commercial ships, following instructions of an MRCC, are required to remain in an area pending or during search and rescue operations related to the rescue of persons at sea;
 - .2 operations of transfer of persons at sea between two ships both engaged in the illegal activity; and
 - .3 information to be provided preferably also by ships owned or operated by a Government and used, both on a permanent or an ad hoc basis, in the rescue of persons at sea.

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 - .1 that commercial ships, following instructions of an MRCC, are required to remain in an area pending or during search and rescue operations related to the rescue of persons at sea;
 - .2 operations of transfer of persons at sea between two ships both engaged in the illegal activity; and
 - .3 information to be provided preferably also by ships owned or operated by a Government and used, both on a permanent or an ad hoc basis, in the rescue of persons at sea.

18.13 The Committee instructed the Secretariat to provide, at MSC 97, information on reported cases received from Member States along with information, if any, with regards to interventions related to the SUA Convention on the effectiveness of the reporting information included in the appendix of MSC.1/Circ.896/Rev.2.

18.14 The Committee was informed on the outcome of Symposium on Migration by Sea, held at the World Maritime University in Malmo on 26 and 27 April 2016, that brought together a range of organizations, subject-matter experts and academics to address a range of issues related to mixed migration by sea. Five panels discussed an assessment of migration by sea, human rights in relation to migration, migrants and human trafficking by sea, safety and security aspects of migration by sea, and international law related to liability and insurance.

18.15 The Symposium identified ten critical needs to:

- .1 maintain pressure on the UN to look again at safe refuges for migrants before they embark, to convey asylum seekers and the most vulnerable to safety in proper craft (i.e. ferries), thus removing them from the hands of traffickers and people smugglers;
- .2 recognize the welfare of seafarers who may be traumatized by horrific rescue missions;
- .3 better resource reception facilities, not leaving coastal States to cope with the burdens on their own;
- .4 have more practical and pragmatic asylum policies;
- .5 look more closely at push factors to stop being so squeamish and politically correct about often appallingly bad governance and corruption in countries driving their people away;
- .6 learn from each other and to see the value of bilateral and interagency cooperation at an operational level;

- .7 have more capacity building, technology transfer and help those less capable around the world with what is being learned at sea and ashore in the current crisis;
- .8 have regular briefings and more transparency to dispel rumours, which can travel fast in an era of instant communications and can affect migrant reactions;
- .9 better liaison between Government agencies and shipping companies (as is done by the Information Fusion Centre (IFC) in Singapore), which is clearly useful and might be transferred elsewhere with advantage; and
- .10 provide masters of ships with the maximum amount of support in their rescue missions, from all interests, so that they need have no fears or doubts about their need to intervene.

18.16 The Committee expressed its appreciation to WMU for organizing this important conference. Further details of the Symposium can be found on the WMU website at <http://www.wmu.se/news/symposium>, and presentations can be downloaded from the WMU "Maritime Commons" platform at http://commons.wmu.se/migration_by_sea.

24 ANY OTHER BUSINESS

International Code for Ships Operating in Polar Waters (Polar Code)

24.1 The Committee had for its consideration the following documents:

- .1 MSC 96/24 (New Zealand), providing data on non-SOLAS vessels operating in polar waters and SAR incidents involving non-SOLAS vessels within these waters and the New Zealand non-SOLAS vessels which have operated within Antarctica over the last 10 southern hemisphere summer seasons, as requested by MSC 95;
- .2 MSC 96/24/3 (Iceland), providing data in relation to non-SOLAS vessels operating in polar waters and SAR incidents involving non-SOLAS vessels north of the Arctic Polar Code demarcation line, within the Icelandic search and rescue region (SRR), and the Icelandic non-SOLAS vessels which have operated in Arctic polar waters during a two-year period (2014-2015); and the information on the parties responsible for coordinating all maritime and aviation search and rescue activities in the Icelandic SRR; and

- .3 MSC 96/24/7 (FOEI, et al.), informing vessels operating in polar regions and updating the information previously provided by FOEI and Pacific Environment

24.2 In considering the above documents, the Committee noted the following views expressed during the discussion:

- .1 application of the Polar Code to non-SOLAS ships (phase 2), which should include fishing vessels, should begin without delay to enhance the safety for non-SOLAS ships operating in polar waters;
- .2 the Polar Code should not be applied to fishing vessels until after entry into force of the 2012 Cape Town Agreement, where the requirements of the Code are in line with the Agreement;
- .3 the Polar Code should not be applied to pleasure yachts; and
- .4 while most delegations were of the view that more incident data is needed, particularly for non-SOLAS ships, before the phase 2 work begins, others were of the view that the data submitted so far demonstrated sufficient need to proceed to phase 2 without delay.

24.3 Following the discussion, the Committee noted, with appreciation, the information provided in support of the next phase of the work on the Polar Code and invited Member States and international organizations to submit more information to MSC 97 to facilitate the consideration on the matter, taking into account that a relevant output is already included in the post-biennial agenda of the Committee.