

## IMO LEG 112 Meeting Summary

10 April 2025



The 112th session of the IMO Legal Committee (LEG 112) was held 24-28 March 2025 at the IMO headquarters in London, supplemented by hybrid (remote) participation. LISCR participated in the working group on the regulatory scoping exercise in addition to the plenary:

### 2010 HNS Protocol

The International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (the HNS Convention) establishes the principle that the “polluter pays” by ensuring that the shipping and HNS industries provide compensation for those who have suffered loss or damage.

LEG 112 noted that the 2010 HNS Protocol needed only four more ratifications with the required contributing cargo, thus the Convention was significantly closer to its entry into force.

### Fair treatment of seafarers

#### Abandonment of seafarers

The ILO and IMO Secretariats provided a report on the IMO/ILO joint database of abandonment of seafarers for the period from 1 January to 31 December 2024. LEG 112 was also informed that, from 1 January to 20 December 2024, a total of 310 new cases had been reported. LEG 112 noted this alarmingly and significantly surpassing the number of cases reported in any previous year. Of these, 144 cases involved no obligatory financial guarantee.

In the first two months of 2025, a further 63 cases were reported, placing this year on an even more alarming trajectory to surpass the record number of abandonment cases reported in 2024.

LEG 112, among others,

- promoted to Member States and stakeholders the Guidelines on how to deal with seafarer abandonment cases (Resolution LEG.6(110));
- Invited flag States, port States and other relevant stakeholders to improve the accuracy of the information submitted to the IMO/ILO joint database;
- Invited the Sub-Committee on Implementation of IMO Instruments (III) to provide advice and further guidance for;
  - the provision of information on documentary evidence of financial security, its validity period, and the contact information of financial security providers in the PSC Ship Inspection Report; and

- the conduct of a concentrated inspection campaign (CIC) on financial security regarding the 2014 amendments to the MLC 2006.
- requested Member States to:
  - update or provide information on national contact points for cases of abandonment of seafarers;
  - implement the Guidelines on how to deal with seafarer abandonment cases, and in particular to develop national Standard Operating Procedures on how to act in their capacity as flag States, port States and States of which the seafarers are nationals, residents or otherwise domiciled in their territory; and
  - conduct additional information campaigns aimed at raising seafarers' awareness of financial security in case of seafarers' abandonment.

### **Fair treatment of seafarers detained on suspicion of committing crimes**

LEG 112 adopted the *Guidelines on Fair Treatment of Seafarers Detained in Connection with Alleged Crimes*, which were developed by LEG 111 and further reviewed by the ILO–IMO Joint Tripartite Working Group. The resolution identified the roles of the flag State, the State of which the seafarer is a national, port/coastal States, shipowners, as well as seafarers.

The guidelines are based on, and are to be read in line with, the principles, rights, and obligations set out in the *Maritime Labour Convention, 2006*, as amended (MLC, 2006).

## Fraudulent registration and fraudulent registries

### **IMO's voluntary "Development of guidelines or best practices on the registration of ships"**

LEG 112 agreed to include a new output on this matter for the 2026–2027 biennium. No Correspondence Group (CG) was established, so the work will begin at LEG 113 (spring 2026) based on submissions to that session.

### **A regulatory scoping exercise of IMO instruments available for to further develop actions to prevent unlawful operations including substandard ships**

Based on the proposal presented at the meeting, LEG 112 agreed to include new output on this work and established the correspondence group (CG) to work on:

- Developing roadmap;
- Identify the methodology; and
- Conduct the regulatory scoping exercise.

It was confirmed that the work is limited to the instruments that fall under the purview of the IMO.

### **GISIS data errors on ship**

Liberia and another Member State pointed out errors in Global Integrated Shipping Information System (GISIS) data related to falsely flagged ships. LEG 112 noted that the Secretariat was undertaking a revision of GISIS, and that the recommendations made would be taken into consideration.

### **Fraudulent registration case**

There was a report that foreign territories of Member States are being used for fraudulent registration by a fraudulent registry. The submission included ten recommendations. LEG 112 noted the information.

### **Fraudulent seafarers certificate**

LEG 112 noted that MSC 108 had requested input on ways to strengthen cooperation between countries to detect and prevent the use of fraudulent certificates of competency and proficiency for seafarers, and to prosecute those responsible. The aim is to support the Sub-Committee on Human Element, Training and Watchkeeping (HTW) in its review of the STCW Convention and Code.

LEG 112 recalled that the STCW Convention requires countries to penalize fraudulent certification and to cooperate with other countries pursuing such cases.

While supporting efforts to prevent fraud, LEG 112 expressed concern that sharing information on criminal cases may fall outside IMO's role. Instead, it recommended that HTW focus on improving certificate verification, such as through digital solutions.

LEG 112 invited MSC 110 and HTW 12 to consider these views.

## Liability limits

### **Guidelines for Athen convention**

LEG 112 decided that guidance for accepting insurance certificates and insurance companies, financial security providers, and P & I Clubs in relation to the Athens Convention 2002 was not necessary and that a State Party to the Athens Convention 2002 could refer to the guidelines contained in LEG.1/Circ.16 on *Guidelines for Accepting Insurance Certificates and Insurance Companies, Financial Security Providers, and Protection And Indemnity Club (P & I Clubs) for accepting insurance certificates and insurance companies, financial security providers, and protection and indemnity clubs (P & I Clubs) for non-war risks.*

## Maritime Autonomous Surface Ships (MASS)

### **FAL-LEG-MSC MASS Joint Working Group (MASS-JWG)**

LEG 112 recalled that MASS-JWG 3 met from 8 to 10 May 2024. It was noted that the group had no further work to carry out, did not update its work plan, and recommended that a fourth meeting be held only at the request of one of the three Committees, following consultation among the Chairs.

In this regard, among others, the following opinions were expressed:

- the conformity of MASS with UNCLOS, i.e. the application of the freedom of navigation to MASS with greater levels of autonomy, and observance of the principle that ships shall sail under the flag of one State only;
- the need to ensure that MASS are able to provide assistance to human lives in danger at sea within the framework for maritime search and rescue;

- the jurisdictional issues associated with the establishment of remote operations centres (ROCs), and the roles of the flag and host States therein; and
- the need for the existing liability and compensation framework to fully reflect new roles involved in MASS operations.

### Roadmap

LEG 112 agreed to revise its roadmap of the Legal Committee on MASS to align its timeline with the target dates proposed by MSC 109 for adopting the non-mandatory goal-based MASS Code.

## Work of other IMO bodies

### Reporting Requirements for Lost Containers

At its 108th session, the Maritime Safety Committee (MSC 108) requested a review of potential conflicts between SOLAS regulations V/31 and V/32 and the Nairobi International Convention on the Removal of Wrecks, 2007 (Nairobi WRC). LEG 112 concluded that the new SOLAS requirements adopted by resolution MSC.550(108), concerning the loss or observation of freight containers drifting at sea, do not meet the reporting obligations under the Nairobi WRC. LEG 112 advised the Maritime Safety Committee accordingly.

### Electronic certificate

LEG 112 concurrently approved the Joint FAL-LEG-MEPC-MSC guidelines for the use of electronic certificates (FAL-LEG-MEPC-MSC.1/CIR.1) prepared by the Facilitation (FAL) Committee.

## Work programme

### Suitability of IMO liability and compensation regimes with respect to alternative fuels

LEG 112 agreed on the new output (work programme) for completion in 2027.

### Measures to address maritime security threats

After an intense discussion on the scope of the work, LEG 112 agreed on new output for post-biennium discussion.

## Further information

For further information please contact: [imo@liscr.com](mailto:imo@liscr.com)

Annex

**Provisional list of draft resolutions and circulars**

- the Guidelines on fair treatment of seafarers detained in connection with alleged crime
- the Rules of Procedure of the Legal Committee
- the Joint FAL-LEG-MEPC-MSC guidelines for the use of electronic certificates (FAL-LEG-MEPC-MSC.1/CIR.1)