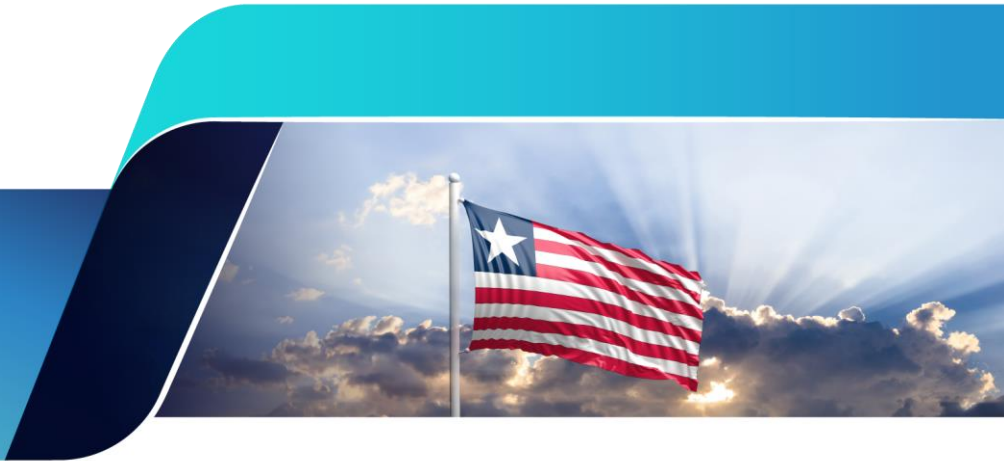


# IMO FAL 48

## Meeting Summary

April 29, 2024



The 48<sup>th</sup> meeting of the Facilitation Committee (FAL 48) was held 8-12 April 2024 at the IMO headquarters in London, supplemented by hybrid (online) participation.

LISCR participated in the following groups in addition to the plenary:

Group	Subject (Agenda)
Working Group 1	Facilitation Instruments
Working Group 2	Electronic Business
Working Group 3	Other facilitation subjects

### Opening

Many delegations expressed concern over the safety and welfare of seafarers, freedom of navigation, threats to the marine environment and stability of the global supply chain resulting from the attacks by Houthi rebels on commercial ships in the Red Sea and the Gulf of Aden.

### Decisions of other bodies

#### Ongoing military conflict between the Russian Federation and Ukraine

Following the adoption of Assembly Resolution A.1183(33) on *Impact of the Russian armed invasion of Ukraine on international shipping*, and listening to the various opinions expressed during the meeting, FAL 48, among others:

- noted the situation with grave concerns and also commended the efforts of Ukraine in restoring free navigation for commercial vessels heading to and from Ukrainian ports via the special maritime corridor established in its sovereign waters in the Black Sea; and
- agreed to keep the heading "Ongoing military conflict between the Russian Federation and Ukraine and its effects on international shipping and seafarers" under this agenda item.

### FAL Convention

FAL 48 agreed to address amendments to the FAL Convention in relation to the Maritime Autonomous Surface Ships (MASS) at the next session.

### Explanatory Manual to the FAL Convention

The correspondence group (CG) presented its report, which addressed updates needed since the approval of the last Explanatory Manual given in FAL.3/Circ.215. The work included, among others:

- Illicit activities (Section 1D);
- Maritime corruption (Section 1E);
- Stowaway (Section 4); and
- Public health and quarantine, including sanitary measures for animals and plants (Section 6).

In reviewing the work undertaken by the CG, FAL 48 agreed to include "Ship Sanitation Control Exemption Certificate or Ship Sanitation Control Certificate or extension as set forth by the International Health Regulations" in the IMO Compendium.

FAL 48 also agreed to revisit reporting procedures when a stowaway is found onboard in a future meeting.

Subsequently, FAL 48 approved the revision of the Explanatory Manual to the FAL Convention.

### Maritime Single Window

FAL 46 had approved a revised version of the Guidelines for setting up a maritime single window (MSW Guidelines) (FAL.5/Circ.42/Rev.2), and FAL 47 further revised the guidelines by FAL.5/Circ.42/Rev.3, and there were several documents submitted to FAL 48 under this agenda item.

#### Survey on digitalization

Industry NGOs submitted the report of the survey, which was conducted to obtain a better understanding of how ships perceive the current state of digitalization within ports. While the survey revealed that not all ports were ready for a digital maritime single window, it also recognized that the ships were not yet equipped for digital communication. Information exchange still relied on paper submissions, taking, on average, over three hours to prepare for a port call.

FAL 48 noted that the information provided in the document was very broad and could also be discussed in other IMO bodies.

### IMO Compendium on Facilitation and Electronic Business, including additional e-business solutions

The IMO Compendium is the standard data set needed for ship-port data exchange. The FAL 43 held in 2019 had agreed to move the future maintenance of the compendium from the World Custom Organization (WCO) to the IMO. There is the partnership agreement between the IMO, the WCO and the United Nations Economic Commission for Europe (UNECE) and International Organization for Standardization (ISO).

FAL 48, having reviewed the submission papers and opinions expressed, reviewed the following:

- Additional data on BWM Convention in accordance with *Guidance on ballast water record-keeping and reporting* (BWM.2/Circ.80);

- Noon data report, which includes additional information needed for commercial contracts, and developed user guidelines of the noon data reporting;
- Inclusion of the data set on the Ship Energy Efficiency Management Plan (SEEMP);
- Inclusion of "delivery bill for mail consignment" as described in the Acts of the Universal Postal Union, the Universal Postal Convention and its Regulations currently in force; and
- "Ship Sanitation Control Exemption Certificate or Ship Sanitation Control Certificate or extension as set forth by the International Health Regulations".

FAL 48 included the following in the revised version of the compendium, which will revoke FAL.5/Circ.51 upon circulation. The Expert Group on Data Harmonization (EGDH) will further review the rest:

- Additional data elements on crew information and vehicle details;
- Inclusion of the data relevant to just-in-time arrival; and
- Other data sets.

### Port community system

A Port Community System (PCS) is a neutral and collaborative digital platform that facilitates the intelligent and secure exchange of information between public and private stakeholders involved in port and terminal operations.

FAL 48 approved *the Guidelines on Port Community Systems (PCS)*, which are aimed at public authorities and administrations responsible for the development or modification of Single Window (SW) and PCS environments. These guidelines also target Contracting Governments and encourage them to introduce SW and PCS environments.

### MASS

FAL 46 had approved FAL.5/Circ.49 on *Outcome of the regulatory scoping exercise and gap analysis of FAL Convention with respect to MASS*. At FAL 48, the committee approved the outcome of the 2<sup>nd</sup> Joint Working Group on MASS, including the role of human master, operational arrangements of remote operation centres (ROCs), and others, in principle, subject to further discussion.

#### Network governance

FAL 48 acknowledged the submission by Liberia and the co-sponsor, which outlined the efforts of the Intersessional Working Group of the Maritime Safety Committee (MSC). It was agreed to defer discussion on the connectivity of Maritime Autonomous Surface Ships (MASS) until MSC begins its deliberations.

#### Roadmap

FAL 48 updated the roadmap of amending the FAL Convention on MASS, taking into account the development at other IMO Bodies. It aims at adoption of relevant amendments to the FAL Convention at FAL 51 scheduled for spring 2027.

## Prevention and suppression of the smuggling of wildlife

### Updates of the IMO guidelines

FAL 48 recalled that FAL 47 approved *the Guidelines for the prevention and suppression of the smuggling of wildlife on ships engaged in international maritime traffic* (FAL 5/Circ. 50). The Guidelines were intended to complement international instruments and recommendations issued by various bodies, for example, the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) Secretariat, the WCO, the United Nations and the International Tropical Timber Organization in order to assist those engaged in the facilitation of international maritime traffic to prevent and suppress smuggling of wildlife on ships.

FAL 48 adopted the FAL resolution to revise the *Guidelines for the prevention and suppression of the smuggling of wildlife on ships engaged in international maritime traffic*. Key changes are:

- Insertion to the link to the industry guidelines, and incorporated development in the other United Nations bodies. It also includes;
- Recommendation on maritime single window and other associated port systems;
- Encourage the implementation of prevailing national legal framework on retention of transactional data;
- Encourage the use of cargo screening tools to facilitate the detection of suspicious consignments;
- Encourage capacity building on the use of cargo screening tools; and
- Encourage networking with relevant professional associations to facilitate sharing of information and best practices on prevention and reporting of illegal wildlife trade activities.

## Unsafe mixed migration by sea

FAL 48 noted the work of the United Nations Inter-agency group on protection of refugees and migrants moving by sea.

Liberia informed FAL 48 that Liberia, together with the co-sponsor, submitted a document proposing a joint MSC-FAL circular on the handling of deceased persons among rescued migrants. The outcome of the consideration of the proposal by MSC 108 would be considered by FAL 49 scheduled for March 2025.

## Persons rescued at sea and stowaway

FAL 48 noted that, since the date of the launch of the Inter-agency platform for information-sharing on migrant smuggling by sea in the Global Integrated Shipping Information System (GISIS) on 6 July 2015, only 34 incidents had been entered in the database. Having noted the low level of reporting of migrant incidents at sea and on suspected smugglers and vessels, as requested by *the Interim measures for combating unsafe practices associated with the trafficking, smuggling or transport of migrants by sea* (MSC.1/Circ.896/Rev.2), FAL 48 encouraged Member States to provide and update the information included in the appendix via the Inter-agency platform for information-sharing on migrant smuggling by sea in GISIS.

## Work programme

### IMO Strategy on digitalization

Liberia, together with other co-sponsors, pointed out that digitalization is a crucial component of decarbonization because it has the potential to significantly enhance efficiency in ship design, ship operation, and port operation and proposed a new work programme (output).

FAL 48 agreed to include, in the 2024- 2025 biennial agenda of the FAL Committee and the provisional agenda for FAL 49, an output on "Development of a comprehensive strategy on maritime digitalization", with a target completion year of 2027, inviting MSC and MEPC to become associated organs.

### Passenger information

A Member State and an Intergovernmental Organization (IGO) proposed a new output to include declarations for Advance Passenger Information (API) and Booking and Reservation Information (BRI)/Passenger Name Record (PNR) for cruise ships and other maritime means of transport in the FAL Convention in cooperation with the IMO and the WCO.

FAL 48 agreed to include, in the 2024-2025 biennial agenda of the FAL Committee and the provisional agenda for FAL 49, an output on "Amendments to the FAL Convention to introduce mandatory reporting of API and BRI/PNR for maritime transport", with a target completion year of 2025.

### Guidelines on the use of electronic certificates

FAL 48 agreed to further review the current FAL.5/Circ.39/Rev.2 on *Guidelines for the use of electronic certificates* as a joint FAL-LEG-MEPC-MSC Circular. The work is limited to certificates only, as there are many existing guidelines on other electronic documentation, such as electronic record books, etc.

### Other new work programme

#### 2024-2025 biennium

- Further amendments to the Revised guidelines for the prevention and suppression of the smuggling of drugs, psychotropic substances and precursor chemicals on ships engaged in international maritime traffic (resolutions FAL.9(34) and MSC.228(82));
- Amendments to the FAL Convention to review the provisions of a key worker during a public health emergency of international concern;
- Revision of the Guidelines on minimum training and education for mooring personnel (FAL.6/Circ.11/Rev.1); and
- Revision of the Guidelines on maritime cyber risk management (MSC-FAL.1/Circ.3/Rev.2) and identification of next steps to enhance maritime cybersecurity.

#### Post biennium

- Development of guidelines for harmonizing the date format of various certificates issued under IMO instruments.

Further information

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

## Annex

### List of outcomes

- The revision of the Explanatory Manual to the FAL Convention
- The revised version of the compendium
- FAL resolution to revise Guidelines for the prevention and suppression of the smuggling of wildlife on ships engaged in international maritime traffic