IMO FAL 47
Meeting Summary

March 29, 2023

LIBERIAN REGISTRY

The 47th session of the IMO's Facilitation Committee (FAL 47) was held 13-17 March 2023 at the IMO HQ in London, supplemented by hybrid (online) participation.

Among others, LISCR participated in the following groups in addition to the plenary:

Group	Subject
WG 2	Working Group on FAL MASS
WG 3	Working Group on Electronic Business

The Black Sea and the Sea of Azov

The IMO Secretary-General pointed out that the renewal of the Black Sea Grain Initiative on 18 March 2023 was essential, and he remained very concerned about the impact of the conflict on shipping and in particular, on innocent seafarers. He confirmed that he would redouble his own efforts to contribute to a solution acceptable to all involved.

FAL 47 condemned the Russian Federation and expressed grave concerns over the impact of the Russian Federation's war against Ukraine on the freedom of international navigation in the northern part of the Black Sea, the Sea of Azov and the Kerch Strait, safety and wellbeing of seafarers and commercial vessels. FAL 47 also urged the parties of the Black Sea Grain Initiative to automatically renew it after 18 March 2023 and to expand its scope in terms of adding new types of cargo and ports in Mykolaiv and Kherson regions, to make possible the safe evacuation of other stranded ships and seafarers remaining in the Black Sea region.

Adoption of Amendments to the FAL Convention

FAL 47 adopted the amendments on the national facilitation committee, which is expected to enter into force on 1 October 2024.

Review and update of the Explanatory Manual to the FAL Convention

As a consequence of the adoption of the amendments to the Annex to the FAL Convention (resolution FAL.14(46)), FAL 47 worked on the updates of the Explanatory Manual, and in general, no substantial changes were introduced. Further review of the substantially revised section will be undertaken by the correspondence group (CG).

On Stowaway (Section 4), the following changes were inserted:

- The expeditious disembarkation of stowaways is a key factor in resolving stowaway cases;
- Reference to the GISIS module on stowaway; and
- Information on declaration or intention of stowaway (to be refugee or asylum seeker) was removed from the manual as it was included in the standard.

With regard to the public health safety and quarantine (Section 6), a new note regarding lesson learned from COVID-19, corresponding to the amendments to the standard, were inserted to pay due attention to the crew changes, repatriation and key worker status.

Electronic data exchange

Maritime Single window (MSW) concept

Maritime Single Window is a single point of contact for port entry/clearance through machine-to-machine digital communication. There were submissions for supporting smooth implementation of the single window systems mandated by the FAL Convention, which will enter into force on 1 January 2024.

Following the discussion in the dedicated working group, FAL 47 adopted a resolution on *recommended actions to*

accelerate the implementation of maritime single window systems.

With regard to the proposal on the amendments *Guidelines for setting up a maritime single window* (FAL.5/Circ.42/Rev.3) for introducing an interactive function to support just-in-time arrival, FAL 47 agreed to insert "provide a function to feedback information from the MSW to the ships/agents" in the section on conceptual architecture.

FAL 47 also noted implementation of national single window systems by Member States.

IMO Compendium

The IMO Compendium is the standard data set needed for ship-port data exchange and is used by software developers.

FAL 47 agreed on the report of the sixth and seventh meetings of the Expert Group on Data Harmonization in general and other submissions. Key changes were, among others:

- ECDIS and IHO related issues;
- Just-in-time arrival;
- Arrival reporting on ballast water;
- Waste delivery receipt;
- Verified Gross Mass (VGM) of containers; and
- Advance passenger information.

FAL 47 approved the revised version as a new FAL circular which revokes FAL.5/Circ.45.

FAL 47 also conveyed the above update, in relation to the information on ballast water and waste delivery to the attention of the Marine Environment Protection Committee (MEPC).

However, one industry NGO strongly argued that the VGM requirements go beyond the SOLAS requirement. To that comment, the chair of the working group responded that the IMO compendium were voluntary guidelines.

FAL 47 also noted that a questionnaire for a possible extension of the IMO numbering scheme from the current seven digits to eight digits was ongoing through Circular Letter No.4690.

E-navigation

FAL 47 finalized the revised description of Maritime Service (MS4 – Port Support Services). A Port Support Service (PSS) is defined as a digital service in support of a ship calling at a port. It provides information necessary to organize and support the port call. PSS may relay information from related nautical, vessel or cargo Services and may incorporate other services if the respective

Maritime Service (MS) is not available at a port.

The change will assist implementation of MSC.467(101) on *Guidance on the definition and harmonization of the format and structure of maritime services in the context of e-navigation*.

Operational port call data

FAL 47 reviewed the report of the correspondence group and finalized FAL the Circular on *Guidelines for harmonized communication and electronic exchange of operational data for port calls*.

These Guidelines are intended to provide guidance to the implementation of an electronic and automated exchange of operational data between a ship and a port.

Port Community Systems

A Port Community System (PCS) is a neutral and open electronic platform enabling intelligent and secure exchange of information between public and private stakeholders.

FAL 47 agreed that:

- it was important that the PCS guidelines clarify the scope and role of PCS in relation to the MSW;
- it was not the focus of the PCS guidelines to address how to set up a PCS but the guidelines would provide some baseline information;
- the guidelines on PCS were complementary to the existing MSW Guidelines and therefore it was important to avoid duplication and ensure alignment between the two guidelines; and
- addressing the interoperability of the MSW and PCS in the guidelines was essential to enable the principle of "reporting once only".

FAL 47 agreed to work on the guidelines by the CG.

Electronic certificates of seafarers

The IMO Secretariat provided information about the draft guidelines on the use of electronic certificates of seafarers and the request of MSC 106 to FAL 47 to consider whether there may be any discrepancies with the guidelines on electronic certificates.

FAL 47 was of the view that:

- there were no discrepancies in general in the common sections but different wording was used at times between FAL.5/Circ.39/Rev.2 and the guidelines developed by the HTW Sub-Committee;
- the terminology of the HTW draft guidelines was more up to date since the FAL guidelines had been developed much earlier;
- HTW Guidelines had additional sections on security assurance, data form, physical location and privacy

due to the nature of seafarers' certificates and to the requirements of the STCW Convention; and

- the requirement to shipowners, operators and crew on ships to control all electronic certificates through the safety management system (ISM Code) had not been included in the HTW Guidelines despite that the ISM Company was also responsible for the correct manning of their ships.

FAL agreed that the Organization would benefit from having one single set of guidelines for all certificates, which would be easier to maintain and update, and further agreed to propose to MSC a joint MSC-FAL circular on Guidelines for the use of electronic certificates for all the certificates of instruments under the purview of FAL and MSC.

FAL 47 decided to inform other relevant committees of the above decision.

e-certificate data exchange pilot project

FAL 47 noted that Member States undertook e-certificate data exchange pilot project which enabled the interoperability between National Maritime Single Windows of China and Singapore, realized the exchange of 25 types of ship certificates data, and facilitated the port clearance and port State control (PSC) inspection.

FAL 47 encouraged other Member States to use the IMO Compendium for projects on electronic data exchange and report back to the Committee.

Security related issues

Unsafe mixed migration by sea

In 2021, UNHCR launched an initiative to re-constitute the Inter-Agency Group on Safety of Life at Sea, to discuss, plan and execute coordinated joint action and advocacy to support the prevention of dangerous journeys at sea, SAR activities, and safe disembarkation. EOSG, ICS, ILO, IMO, IOM, OHCHR, OLA and UNODC have been invited to participate in the Group.

FAL 47 noted that MSC 106 had adopted resolution MSC.528(106) on *Recommended cooperation to ensure the safety of life at sea, the rescue of persons in distress at sea and the safe disembarkation of survivors.*

While no document was submitted to this session, FAL 47 decided to keep this agenda item for the next meeting.

Persons rescued at sea and stowaways

FAL 47 noted that in 2022, 64 stowaway cases were reported to the IMO, and the number of stowaways reported was 131.

FAL 47 recalled resolution A.1074(28) on *Notification and*

circulation through the Global Integrated Shipping Information System (GISIS) and urged Member States and international organizations to provide timely and accurate information on stowaway cases to the Organization, making use of the GISIS module in accordance with Standard 4.7.1 of the FAL Convention.

Wildlife trafficking

There was a submission paper that provided a summary of the Maritime Stakeholder Workshop to Detect and Investigate Wildlife Trafficking in International Maritime Supply Chains, organized by Thailand on 6 and 7 December 2022. The workshop presented feedback on the Guidelines for the prevention and suppression of the smuggling of wildlife on ships engaged in international maritime traffic (FAL.5/Circ.50).

With a view to allowing further discussion on the Guidelines at the next meeting, FAL 47 agreed to extend the target completion year.

Missile launches

Strong concerns were expressed regarding the unnoticed missile launch in the Far East despite of the UN Security Council resolutions.

Maritime Autonomous Surface Ships (MASS)

The FAL Committee undertook the regulatory scoping exercise (FAL FAL.5/Circ.49 on *Outcome of the regulatory scoping exercise and gap analysis of the FAL Convention with respect to maritime autonomous ships (FAL RSE)*, and now drafting concrete amendments to the FAL Convention.

In this regard, FAL 47 considered the outcome of the first session of the MSC-LEG-FAL Joint Working Group on Maritime Autonomous Surface Ships (MASS), and reviewed the FAL Convention, including the recent amendments adopted by resolution FAL.14(46).

A Member State provided a proposal for the establishment of a working group to consider developing a road map on MASS related to the FAL Convention and to further address MASS issues related to sharing of information and connectivity across MASS, ports and remote-control station/centres and the need for its inclusion as part of the common gaps within the Joint Working Group (MSC-LEG-FAL JWG) on MASS. It also proposes to conduct a seminar on implications, challenges and opportunities of MASS and its operations for ports.

FAL 47 concluded that there is no barrier in the FAL Convention for accommodating both manned and unmanned MASS, however, FAL 47 was clear that even unmanned MASS has to take care of a stowaway, once found onboard, in accordance with the provision of the FAL

Convention.

FAL 47 developed the roadmap of their work on MASS toward 2026.

FAL 47 also identified the following issues to be addressed by the MASS Joint Working group:

- the roles and responsibilities of the master and crew;
- the roles and responsibilities of the remote operator;
- definitions/terminology of MASS;
- certificates and other documents;
- sharing of information; and
- connectivity, cybersecurity and remotely controlled operations.

The IMO Secretariat was instructed to bring these concerns to the attention of the MASS Joint Working Group.

Training of mooring personnel

FAL 47 noted concerns over the low response to the survey questionnaire related to the application of FAL.6/Circ.11/Rev.1 on *Guidelines on minimum training and education for mooring personnel*.

IMO strategy on digitalization

An industry NGO raised the importance of digitalization and its inclusion in the strategic plan of the Organization. It suggested that a specific IMO strategy on digitalization should be developed for the IMO. This new strategy would help to ensure consistency between the current challenges relating to MASS, maritime single window, e-navigation and many other digital initiatives, and would give a strong signal internally as well as externally by showing a clear direction of the priorities regarding digitalization by the IMO.

FAL 47 agreed to inform the Intersessional Working Group on the Strategic Plan (ISWG-SP), to be held from 2 to 5 May 2023, about the discussion. FAL 47 also invited interested Member States and international organizations to submit proposals for a new output to the next session on this issue.

FURTHER INFORMATION

For further information please contact: imo@liscr.com

PROVISIONAL LIST OF DRAFT RESOLUTIONS AND CIRCULARS

- Amendments to the FAL Convention on the national facilitation committee
- Resolution on *Recommended actions to accelerate the implementation of maritime single window systems*
- Amendment to the *Guidelines for setting up a maritime single window* (FAL.5/Circ. 42/Rev.3)
- FAL Circular on IMO compendium on facilitation and electronic business
- FAL Circular on Guidelines for harmonized communication and electronic exchange of operational data for port calls.