

SUB-COMMITTEE ON HUMAN ELEMENT,  
TRAINING AND WATCHKEEPING  
6th session  
Agenda item 12

HTW 6/12/5  
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## ANY OTHER BUSINESS

### Comments on document HTW 6/12/3

#### Submitted by IAMU

#### SUMMARY

<i>Executive summary:</i>	This document provides comments on document HTW 6/12/3 (ICS) outlining industry concerns about the STCW Convention and Code, and proposes using a systematic approach for the upcoming new comprehensive review of the 1978 STCW Convention, as amended
<i>Strategic direction, if applicable:</i>	1
<i>Output:</i>	Not applicable
<i>Action to be taken:</i>	Paragraph 13
<i>Related document:</i>	STCW/CONF.2/32

#### Introduction

1 This document is submitted in accordance with the provisions of paragraph 6.12.5 of the *Organization and method of work of the Maritime Safety Committee and the Marine Environmental Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.1) and provides comments on document HTW 6/12/3 (ICS).

2 The building of newer, more technically sophisticated ships and port systems to meet the increased demand for seaborne trade, along with new IMO requirements for regulating safety, security and protection of the environment will demand, more than ever, well trained and educated personnel both on board and ashore. Viewed in this light, it is easy to see why sustainable development needs a sustainable maritime transportation system and why sustainable shipping needs sustainable and high-calibre manpower supply, which is impossible to accomplish without using a systematic approach to organizational changes at international level, known as management-of-change principles. It is recognized that human resources and human element are of utmost importance for the development of a sustainable and effective maritime transportation system.

**Discussion**

3 The IAMU, as an association of maritime universities that provides Maritime Education and Training (MET), understands that the statement by ICS was based on feedback from shipowners and operators and that the STCW Convention is facing a number of challenges in meeting its objectives.

4 Reflecting the concern expressed by ICS in paragraph 9 of document HTW 6/12/3 and according to IAMU's vision, Onboard Training (OBT) for the issuance of the Certificate of Competency (CoC), due to its exclusive significance for quality of prospective officers, entails a high level of safety at sea, security and protection of the marine environment. These points should be highlighted among all the other types of training on board the ship.

5 Bearing in mind the importance of conducting a comprehensive review of the 1978 STCW Convention, as amended, it is appropriate and timely to clearly address these activities together to solve the challenges, inconsistencies and gaps through mutual collaboration of the MET institutions, supported by maritime Administrations and the industry, under the clear and direct leadership of IMO.

6 Being in line with ICS' concerns, IAMU can agree that the practice of identification by companies of the areas where seafarers require additional training prior to being assigned to ships to address gaps in competence could hardly be considered as normal.

7 This is also not normal, because this training, both theoretical and practical, must be obtained prior to the issuance of the CoC of the prospective officer. This may be directly as a result of the lack of an appropriate and adequate context in the Convention and Code; inadequate implementation of STCW provisions; or because the existing provisions require a clearer interpretation. A CoC at hand should be the confident evidence of seafarer's high competence.

8 The difficulty in the implementation of some regulations appears due to the lack of unified, clear and common terminology and also due to a not always justified excessive flexibility of some available wording open for an extremely wide interpretation, which does not only hinder their implementation, but sometimes also helps to ignore them. The above also relates to STCW regulation I/8 (Quality standards), which is to work effectively in the frame of the Convention and Code. All of this erects barriers to regulations that prevent their effective use on a national level as the components of an integrated legal system.

9 IAMU believes that the level of flexibility of wording in the Convention and Code can be very subtle and important conceptually, but the level of flexibility should not allow stakeholders to incorrectly interpret the provisions and make it possible to not comply with these provisions and violate the principles of effective training on board.

10 IAMU agrees that the logical structure of the Convention, including the language and definitions should be improved. The STCW Convention cannot but include terms and definitions, such as trainee and other related definitions, which support the mechanisms for providing the different types of training, especially those related to regulations II/1, III/1 and III/6.

11 The IAMU can support ICS' concerns regarding the information provided in circulars MSC.1/Circ.1163. There is a strong reason to believe that the effectiveness of quality standards systems and independent evaluation mechanisms to comply with the STCW provisions as per STCW regulations I/7 and I/8, raise serious concerns due to its insufficient structuration and clarity.

## **Proposal**

12 IAMU believes that a new stage for the comprehensive review of the 1978 STCW Convention, as amended, is to be based on a structured and systematic methodology, aimed at enhancing maritime safety, security and the protection of the marine environment, by including the following principle into the terms of reference of the Sub-Committee:

"STCW standards should create an observable, controllable, effective and stable system, which would be consistent with other applicable IMO instruments and constitute an integrated whole with a logical framework of these instruments and be based on common cross-related functional terminology, particularly including those related to on-board training in accordance with requirements of STCW regulations II/1, III/1, III/6 and the ISM Code."

## **Action requested of the Sub-Committee**

13 The Sub-Committee is invited to consider the comments provided and the proposal in paragraph 12, and take action as appropriate.

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