



CONFERENCE OF PARTIES TO THE
INTERNATIONAL CONVENTION ON
STANDARDS OF TRAINING,
CERTIFICATION AND WATCHKEEPING
FOR SEAFARERS, 1978
Agenda item 7

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**CONSIDERATION OF THE DRAFT AMENDMENTS TO THE SEAFARERS'
TRAINING, CERTIFICATION AND WATCHKEEPING (STCW) CODE**

Communication of information

**Submitted by Austria, Belgium, Bulgaria, Cyprus, Czech Republic, Denmark, Estonia,
Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania,
Luxembourg, the Netherlands, Malta, Poland, Portugal, Romania, Slovakia, Slovenia,
Spain, Sweden, the United Kingdom and the European Commission**

SUMMARY

<i>Executive summary:</i>	This document proposes amendments to section A-I/7 regarding the communication of reports on the independent evaluation
<i>Strategic direction:</i>	5
<i>High-level action:</i>	5.2
<i>Planned output:</i>	5.2.2.1
<i>Action to be taken:</i>	Paragraph 8
<i>Related documents:</i>	STW 38/17, annex 11; STW 39/7/11; STW 41/16 and STCW/CONF.2/4

Background

1 The Sub-Committee on Standards of Training and Watchkeeping at its forty-first session (11 to 15 January 2010), (STW 41), considered the draft amended text for section A-I/7, including a provision requesting that the IMO Secretariat makes available the reports of the independent evaluation¹, presently in square brackets, which had been put forward by the co-sponsors of the current submission at STW 39 (document STW 39/7/11).

2 In this context, STW 41 considered also a document submitted by the Secretariat (document STW 41/7/18) providing its evaluation of the consequences this proposal would have for the Organization. In this evaluation, the Secretariat raised some concerns as regards in particular the administrative burden and the cost implications of the proposal, as well a potential weakening of the oversight system established by regulations I/7 and I/8.

¹ Carried out pursuant to regulation I/8, paragraph 2 of the draft text of the revised STCW Convention.

3 During the deliberations at STW 41, some parties concurred with these views, while others supported fully the inclusion of the proposed requirement. Due to the divergence of opinions expressed at this session, the Sub-Committee agreed to retain the proposal in square brackets for a decision to be taken by the Diplomatic Conference. This decision was endorsed by MSC 87.

Discussion and Proposal

4 In view of the concerns raised during STW 41, the co-sponsors reviewed their proposal and adjusted it in order to alleviate any burden this would imply for the Organization. Therefore, they suggest that this same requirement is addressed to the Parties instead of the Organization.

5 With respect to concerns expressed as regards a potential weakening of the oversight system currently in force, the co-sponsors wish to emphasize that the intent of this proposal is not at all to weaken this system but to the contrary to promote fulfilment by the Parties of the requirements of the STCW Convention and this in two ways:

- .1 Bearing in mind that regulation I/10 requests Parties to evaluate compliance with the relevant requirements of the STCW Convention before recognizing certificates issued by another Party, the report on the independent evaluation is a very crucial element for the Parties to comply with this obligation and thus taking this report into consideration would improve this evaluation by acquiring necessary elements to assess compliance before endorsing another Party's certificates; and
- .2 Besides, the proposed requirement will strengthen the monitoring system established on the basis of regulations I/7 and I/8, as this would assist in ensuring better evaluation of compliance conducted by the Parties, as mentioned above, which would in turn contribute raising the overall level of compliance with the minimum requirements of the STCW Convention.

6 The co-sponsors believe therefore that for the sake of safety, security and the protection of the environment, the current revision is an opportunity to improve the implementation of the minimum requirements of the STCW Convention, which should not be missed. For that reason, they urge Parties to consider the importance of this proposal for enhancing the enforcement of the requirements of the Convention.

7 In view of the above, the co-sponsors propose amendments to the relevant provision of section A-I/7, as set out in the annex.

Action requested of Conference

8 The Conference is invited to consider the proposal and decide as appropriate.

ANNEX

PROPOSED AMENDMENTS TO CHAPTER I OF THE STCW CODE

PART A

CHAPTER I

Standards regarding general provisions

Notes: 1) The reference texts are from documents STCW/CONF.2/3 and 2/4.
2) Proposed amendments are shown as underlined and deleted text as ~~striketrough~~.

Section A-I/7 – Communication of information

The last sentence of paragraph 4 shall be amended as follows:

“*4bis* The report of the evaluation is made available by the Parties ~~Organization to the Parties~~ upon request to any other Party.”
