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SUB-COMMITTEE ON STANDARDS OF
TRAINING AND WATCHKEEPING
34th session
Agenda item 4

STW 34/4/5
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FOLLOW-UP ACTION TO THE 1995 STCW CONFERENCE

Procedures for updating the list of confirmed STCW Parties

Submitted by Denmark

SUMMARY

<i>Executive summary:</i>	This submission proposes procedures for updating the list of confirmed STCW Parties.
<i>Action to be taken:</i>	Paragraph 12
<i>Related documents:</i>	STW 33/5/4, MSC 75/9/3, MSC/Circ.997, MSC 75/24, paragraphs 9.9-9.11, STW 33/17, paragraphs 5.8-5.12, STW 34/4

Background

1 Denmark submitted a paper for STW 33 (STW 33/5/4) containing a possible solution for updating the list of confirmed STCW Parties – the so-called “white list”. Such a solution could be to amend MSC/Circ.997 to include procedures for dealing with all other reporting than the initial reports covered by MSC/Circ.796/Rev.1 and to provide guidance on the implementation of the principle of a completely refreshed “white list” at fixed five-year intervals, on which a Party who is on an existing “white list” may not appear because of failure to demonstrate compliance during the preceding five-year period.

2 At STW 33, the Sub-Committee concluded (STW 33/17, paragraph 5.12) that it was necessary to seek the guidance of the Maritime Safety Committee before considering the issue further.

3 At its seventy-fifth session, the Committee (MSC 75/24, paragraph 9.11) agreed that five-yearly updates of the “white list” should be adopted and instructed the Sub-Committee to prepare the procedures necessary for a regular updating of the list and to consider whether it was necessary to amend the STCW Convention or the STCW Code to adopt these procedures.

Proposal for an updating procedure

4 The Secretariat has presented a very valuable analysis of the procedures in document STW 34/4, which also includes a constructive proposal.

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5 The intention of the requirement for the communication of information contained in regulation I/7 of the STCW Convention is to confirm that full and complete effect is given to the provisions of the Convention, which includes information relating to the evaluation required by regulation I/8.

6 According to MSC/Circ.997 the Secretary-General, taking into account the views expressed by the competent persons, shall submit a timely report to the Maritime Safety Committee when the information received from the competent persons confirms that “full and complete effect” is given to the provisions of regulation I/8 of the STCW Convention and section A-I/7, paragraph 4, of the STCW Code. The Maritime Safety Committee, having received the reports of the Secretary-General, shall at the earliest possible opportunity identify the Parties who have satisfied the requirements of regulation I/8 of the STCW Convention and section A-I/7, paragraph 4, of the STCW Code.

7 Denmark appreciates the proposal by the Secretariat, which would result in combining the outcomes of the two processes, i.e. under regulation I/7 and under regulation I/8, in one MSC Circular and thus provide a single updated list.

8 However, the different dates for the different reports may cause some confusion and the general idea of a regular five-yearly updating of the “white list” at fixed intervals may be lost.

9 Denmark therefore proposes that the regular updating based on the reports of independent evaluations should start on an agreed date for all Parties, including Parties with an entry into force date after 1 February 1997, and should continue at fixed intervals of five years. As decided by the Maritime Safety Committee, the reports of independent evaluations should be submitted by 1 February 2004, except for Parties with an entry into force date after 1 February 1997, who shall submit the report within 6 years and 6 months from that date.

10 With respect to the decisions mentioned in paragraph 9, a possible date for all Parties, including those with an entry into force date after 1 February 1997, to submit their second reports of independent evaluations could be 1 February 2009, after which date the Maritime Safety Committee, having received the reports of the Secretary-General, at the earliest possible opportunity could identify the Parties who have satisfied the requirements of regulation I/8 of the STCW Convention and section A-I/7, paragraph 4, of the STCW Code and then the list could be regularly updated at five-years intervals in the future.

11 If the proposals contained in paragraphs 9 and 10 are accepted, there seems to be no need for amendments to the STCW Convention or the STCW Code

Action requested of the Sub-Committee

12 The Sub-Committee is invited to consider the above comments and decide as appropriate.