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TRAINING AND WATCHKEEPING  
6th session  
Agenda item 12

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## ANY OTHER BUSINESS

### Comprehensive review of the STCW Convention and Code

Submitted by ICS

#### SUMMARY

*Executive summary:* This document outlines some concerns of shipowners and operators regarding the 1978 STCW Convention, as amended, and discusses its next comprehensive review by the Organization

*Strategic direction,  
if applicable:* 1

*Output:* Not applicable

*Action to be taken:* Paragraph 21

*Related document:* STCW/CONF.2/32

#### Introduction

1 The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, was adopted with the objective of promoting safety of life and property at sea and the protection of the marine environment by establishing international standards of training, certification and watchkeeping for seafarers.

2 The 1978 STCW Convention entered into force on 28 April 1984. Amendments thereto were adopted in 1991, 1994, 1995, 1997, 1998, 2004, 2006, 2010, 2014, 2015 and 2016. Major amendments were adopted in 1995 and 2010.

3 The comprehensive review leading to the 1995 amendments resulted from calls by the industry in the early 1990s, led by ICS, to address concerns regarding the standards of seafarers training and certification in some of the new seafarer supply countries that emerged during the 1980s. The 1995 amendments introduced, *inter alia*, the STCW Code with its tables of competence, functions and levels of responsibility, the concept of flag State endorsements attesting the recognition of certificates, and provisions on quality standards.

4 The 2010 amendments (known as the 2010 Manila Amendments) resulted from the confluence of a number of existing work items in the Sub-Committee on Standards of Training and Watchkeeping (STW). These included work on the development of security-related training provisions as a result of adoption of the ISPS Code and standards of training for ratings to replace the ILO Certification of Able Seamen Convention, 1946 (No. 74) with provisions in the STCW Convention and Code. Some new proposals were also considered, including the development of provisions establishing new capacities and certificates (e.g. for electro-technical officers and able seafarers) and new competences (e.g. in use of ECDIS).

5 The Conference of the Parties that adopted the 2010 Manila Amendments also adopted other resolutions, including resolution 15 on "Future amendments and review of the STCW Convention and Code", which:

"RECOMMENDS FURTHER that a comprehensive review of the STCW Convention and Code should, as far as possible, be carried out every ten years to address any inconsistencies identified in the interim; and to ensure that they are up to date with emerging technologies."

6 Recognizing that it is almost 10 years since the adoption of the 2010 Manila Amendments and recalling the positive response when concerns were raised in the early 1990s, ICS considers it necessary to share the concerns of shipowners and operators once again with a view to ensuring that appropriate and timely action is taken by the Organization.

## **Discussion**

7 The STCW Convention is meeting its objective if seafarers holding certificates or documentary evidence issued thereunder are competent to perform the functions required on board ships.

8 Based on feedback from shipowners and operators, ICS is concerned that the STCW Convention is facing a number of challenges in meeting its objective. These challenges can be categorized as related to the content, structure or implementation of the STCW Convention.

### *Content*

9 The feedback provided to ICS by shipowners and operators indicates that:

- .1 companies are identifying areas where seafarers require additional training prior to being assigned to ships to address gaps in competence, even though the gaps should have been covered in training that achieves the minimum standards of competence established by the STCW Convention; and
- .2 companies are finding that some seafarers do not have an appropriate level of competency to serve in the capacities or perform the functions specified on their certificates issued in accordance with the STCW Convention, without additional training or seagoing experience.

10 On the basis of the above feedback, ICS has identified challenges related to the contents of the STCW Convention and Code, such as:

- .1 some of the abilities specified in the standards of competence established in the STCW Code may no longer reflect the abilities required by seafarers now, or in the near future; and

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- .2 some of the minimum requirements to qualify for certification under the STCW Convention may no longer be at a level considered appropriate for seafarers to be competent to perform the functions required now, or in the near future.

### *Structure*

- 11 The feedback provided to ICS by shipowners and operators indicates that:
  - .1 the STCW Convention is seen as an amalgam of disparate requirements developed over time. This has resulted in inconsistencies, the need for interpretations and posed difficulties for harmonized implementation;
  - .2 there is seen to be a reluctance to utilize some of the flexibility afforded by the structure of the STCW Convention and Code (e.g. the functions and levels of responsibility). This is despite the possibilities of flexibility it offers; and
  - .3 the quality, perceived status and nature of the use of IMO model courses is seen as confusing. This has resulted in the need for clarifications (e.g. STCW.7/Circ.24/Rev.1).
- 12 On the basis of the above feedback, ICS has identified challenges related to the structure of the STCW Convention, such as:
  - .1 a holistic review of the structure of the STCW Convention has not been undertaken since the development of the 1995 amendments, meaning there has been no recent assessment to determine whether the structure remains suitable or appropriate;
  - .2 amendments adopted to the STCW Convention and Code over the years, have introduced a significant number of new concepts and requirements without sufficient consideration being given to the ability of the structure to accommodate them and facilitate their implementation; and
  - .3 there is widespread reliance on the IMO model courses to assist with implementation of the STCW Convention, to the extent that the current relationship between the STCW Code and the IMO model courses raises questions as to whether the structure remains suitable or appropriate.

### *Implementation*

- 13 The feedback provided to ICS by shipowners and operators indicates that:
  - .1 there are difficulties experienced and expected related to the timely training and certification of seafarers following amendments to the STCW Convention and Code; and
  - .2 the list provided in MSC.1/Circ.1163, which indicates the Parties confirmed by the Maritime Safety Committee to have communicated information which demonstrates full and complete effect is given to the relevant provisions of the STCW Convention, is not seen by companies as a reliable or useful source of information related to the training and certification of seafarers.

14 On the basis of the feedback, ICS has identified challenges related to implementation of the STCW Convention and Code, such as:

- .1 experience has shown that transitional provisions, on more than one occasion, have not provided sufficient time for all stakeholders concerned to meet their responsibilities and obligations with regard to amendments to the STCW Convention and Code;
- .2 there is insufficient transparency in the communication and consideration of information on implementation required under the STCW Convention; and
- .3 there is insufficient robustness and dynamism with the system of reporting and monitoring of implementation of the STCW Convention.

### **Conclusion**

15 ICS considers that the above feedback and challenges indicate the need to conduct a comprehensive review of the STCW Convention and Code, and recommends this be undertaken with a view to ensuring the STCW Convention can meet its objective.

16 With regards to the timing of the next comprehensive review, ICS recommends that it should be initiated as soon as reasonably practicable, taking into account:

- .1 resolution 15 and the stated recommendation of Parties in 2010 to conduct a comprehensive review of the STCW Convention and Code, as far as possible, every 10 years, which would therefore appear to have been envisaged for 2020 or soon thereafter;
- .2 the impact of the current pace of technological, regulatory and operational developments on requirements for the training of seafarers, and the need for this to be adequately accounted for by the STCW Convention and Code; and
- .3 the fact that a comprehensive review leading to a revision of the STCW Convention is likely to require around ten years to fully come into effect, due to the time it will take to prepare, adopt and enter into force.

17 Some high-level aims and priorities for the next comprehensive review could be to ensure that:

- .1 the STCW Convention delivers seafarers competent to perform the functions required on board ships;
- .2 the STCW Convention continues to provide a set of internationally recognized standards for training and certification of seafarers;
- .3 the STCW Convention is designed to respond or adapt to the pace of technological, regulatory and operational developments;
- .4 reporting and monitoring of implementation of the STCW Convention is appropriately transparent, robust and dynamic; and
- .5 the STCW Convention is structured and organized in a manner facilitating harmonized and consistent implementation.

18 ICS considers that appropriate and timely action by the Organization regarding the STCW Convention is essential to supporting safe, secure, environmentally sound and efficient ship operations. It is foreseen that the next comprehensive review will result in the most critical revision in the history of the STCW Convention. This is because it must secure its role, and that of the Organization, in maintaining international standards of training and certification of seafarers. The availability of a global supply of seafarers to shipowners and operators and the economic mobility of seafarers alike rely on the STCW Convention meeting its objective.

### **Proposal**

19 ICS proposes a preliminary discussion during HTW 6 in order to obtain indications of support in principle, or otherwise, for conducting a comprehensive review of the STCW Convention and Code. Such a discussion could inform the development of a submission of a proposal by interested Member States and international organizations for a new output at a future session of the Maritime Safety Committee.

20 Therefore, ICS proposes that the Sub-Committee:

- .1 notes the concerns of shipowners and operators that the STCW Convention is facing a number of challenges in meeting its objective;
- .2 notes the recommendation of ICS to conduct a comprehensive review of the STCW Convention and Code as soon as reasonably practicable; and
- .3 encourages views to be expressed by Member States and international organizations during a preliminary discussion at HTW 6 regarding the next comprehensive review of the STCW Convention and Code.

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

21 The Sub-Committee is invited to consider the comments provided and the proposal in paragraph 20, and take action as appropriate.

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