FACILITATION COMMITTEE
40th session
Agenda item 9

GUIDELINES ON THE FACILITATION ASPECTS OF PROTECTING THE MARITIME TRANSPORT NETWORK FROM CYBERTHREATS

Submitted by BIMCO, CIRM, CLIA, IACS, ICS, INTERCARGO, and INTERTANKO,

SUMMARY	
Executive summary:	This document provides comments on the proposals set forward in document FAL 40/9
Strategic direction:	6.1
High-level action:	6.1.1
Output:	6.1.1.2
Action to be taken:	Paragraph 9
Related documents:	FAL 40/9, FAL 40/INF 4,

Introduction

1. This document is submitted in accordance with the provisions of paragraph 6.11.5 of the *Guidelines on the organization and method of work of the Committee (FAL.3/Circ.210)*, and provides comments on the proposal for a framework for the development of cyber risk management (CRM) guidelines for the protection of trade-related information, in document FAL 40/9 submitted by Canada and the United States of America.

Background

2. MSC 95 recalled that FAL 39 and MSC 94 had considered maritime cybersecurity and that FAL 39 had noted that the relevant planned output in the High-level Action Plan (HLAP) for the Organization gave responsibility for maritime security to MSC, and not to the FAL Committee (paragraph 4.4 of MSC 95/22). However, the Council (C 113/D) endorsed a new output for inclusion in the HLAP and priorities for the 2016-2017 biennium under the purview of the FAL Committee, which has now been included as output 6.1.1.2 in the HLAP and priorities for the 2016-2017 biennium (resolution A.1098(29)). Hence, it is understood that FAL 40 will discuss this output on "Guidelines related to facilitation aspects of protecting the maritime transport network from cyber threats".

Discussion

3. The co-sponsors express its appreciation for the submission by Canada and the United States of America. Our document provides general comments and information that are offered to facilitate a discussion and agreement as to the basis on which the Organization will consider the safety of cyber systems on board ships.

4. The co-sponsors can, in principle, see the benefits in a goal of developing a single set of cyber risks management guidelines, as a long term objective, that would address the safety of cyber systems on board ships, including the "trade related information" that is discussed in FAL 40/9. In this regard, it is apparent that such Guidelines will address issues beyond just the facilitation aspects of protecting the maritime transport network from cyber threats. It is noted that the term "facilitation aspects" is understood by the co-sponsors to mean those issues that come under the purview of the FAL Committee, including those of the FAL Convention that simplify and reduce, to a minimum, the formalities, documentary requirements and procedures on the arrival, stay and departure of ships engaged in international voyages.

5. The co-sponsors believe that the 'non-facilitation' aspects of this issue – including any aspects of FAL 40/9 that could be useful in the broader context of securing cyber systems on board ships - would be best discussed in the MSC (and, on matters of technical detail, in its subsidiary bodies).

6. The co-sponsors note that paragraph 8.6.8 of resolution A.1099(29) reaffirms that in considering new initiatives the Organization should take full account of whether adequate industry standards exist or are being developed. In this regard, the co-sponsors hold the view that the industry guidelines on shipboard cybersecurity (as reported in FAL 40/INF.4), which like FAL 40/9 incorporate relevant aspects of the NIST framework, already contain measures that would be appropriate for the protection of trade-related information. To the extent that the Committee believes that changes may be made to the industry guidelines to enhance their ability to address trade-related information, we would welcome such a discussion during FAL 40. Consistent with the suggestion in FAL 40/9, we would also respectfully suggest that the Committee forward any proposed changes to the industry guidelines to MSC 96.

7. In the view of the co-sponsors reducing cyber risks on board ships involves many stakeholders in the shipping industry and the Committee is invited to note the additional initiatives that industry has taken, or is taking, to address the safety of cyber systems:

    .1   the work of a joint BIMCO and CIRM (Comité International Radio-Maritime) working group to develop a standard on Software Maintenance of Shipboard Equipment; and

    .2   the decision taken in December 2015 by the International Association of Classification Societies (IACS), to create an IACS Cyber Systems Panel to lend support and resources to address what has become a key industry issue. It is considered that upgrading the existing IACS Expert Group on Cyber Systems to a full Panel will significantly enhance the ability of classification societies to address cyber system safety concerns; and

    .3   the decision, also taken in December 2015, by a number of industry associations, representing shipowners, ship operators, shipbuilders, insurers and classification societies to establish a cross industry Joint Working Group on Cyber Systems.

8. The Committee is invited to note that the industry guidelines referred to above will be submitted to MSC 96 and that, as appropriate, reports on the other work that industry is engaged in on this very important issue will similarly be reported to MSC.

Action requested of the Committee

9. The Committee is invited to take into account the information and comments provided above, in particular the significant effort that industry has already taken and is engaged in to address the safety of cyber systems, when it considers how it will take forward its work on "Guidelines related to facilitation aspects of protecting the maritime transport network from cyber threats".

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