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ROUTING MEASURES AND SHIP REPORTING SYSTEMS

Amendment (minor) of existing mandatory ship reporting systems in and around the coasts of European coastal States

**Submitted by Austria, Belgium, Bulgaria, Croatia, Cyprus, Czechia, Denmark, Estonia,
Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Latvia, Lithuania,
Luxembourg, Malta, Netherlands (Kingdom of the), Poland, Portugal, Romania,
Slovakia, Slovenia, Spain, Sweden, the European Commission and INTERTANKO**

SUMMARY

<i>Executive summary:</i>	This document contains a proposal for a minor amendment to several existing ship reporting systems, in and around the coasts of European coastal States
<i>Strategic direction, if applicable:</i>	7
<i>Output:</i>	7.22
<i>Action to be taken:</i>	Paragraph 19
<i>Related documents:</i>	Resolutions A.851(20), as amended, and MSC.433(98), as amended; MSC/Circ.1060, as amended; MSC.1/Circ.1608; NCSR 11/INF.8 and LEG 112/6/1

Introduction

1 This document contains a proposal for a minor¹ amendment to several existing reporting systems as indicated in the annex, in and around the coasts of European coastal States. The amendment pertains specifically to the information to be provided under designator X "miscellaneous" only, where information about maritime insurance would be required. The proposal was drafted based on close expert cooperation between the 11 coastal States directly involved, with additional support from other co-sponsoring coastal States, as co-sponsors, benefitting from the information provided, in particular for safety of life at sea, maritime safety and the protection of the marine environment for the sea areas concerned.

¹ MSC.1/Circ.1608, paragraph 3.3.

Summary

2 The proposed minor amendment aims to enhance the ability of coastal States to access critical information, including maritime insurance details, necessary for efficient and enhanced monitoring and management of maritime traffic, for States to be better prepared to protect the marine environment, in particular for areas declared by the Organization as Particularly Sensitive Sea Areas (PSSA). Additionally, the amendment seeks to facilitate electronic ship-to-shore information exchange and automated ship reporting processes as much as possible, and to reduce ships' administrative burdens while improving navigation monitoring by usage of modern technologies and tools (*c.f.* NCSR 11/INF.8 with information about the technical approach). While IMO resolutions establishing Ship Reporting Systems (SRS) define the general principles and procedures for SRS, for Member States of the European Union, information from such reports is exchanged via the Union Maritime Information and Exchange System (SafeSeaNet-SSN), providing vessel traffic monitoring support.

Marine environmental considerations

3 Ship reporting systems are an essential component of safety of life at sea, maritime safety, efficiency and environmental protection. Recent geopolitical conflicts have heightened concerns due to increased transport of dangerous goods, such as oil, exposing European coastlines to a greater risk of maritime accidents and environmental damage. This underscores the importance of robust maritime insurance requirements, as uninsured or inadequately insured vessels pose a severe threat to safety and environmental standards.

4 At its 111th session, the Legal Committee approved the *Guidelines for accepting insurance certificates and insurance companies, financial security providers, and protection and indemnity clubs (P&I Clubs)* (LEG.1/Circ.16) given the increased instances where ships were sailing with inadequate or no insurance. Further, the governing bodies of the International Oil Pollution Compensation (IOPC) Funds, at their November 2024 sessions, adopted a 1992 Fund Resolution and a Supplementary Fund Resolution (N°14 and N°6, respectively), on raising awareness of the risk of uninsured and unsafe ships. The Resolutions urge all States to take the necessary steps to enforce the safety and environmental standards contained in the relevant IMO Conventions and instruments and to enforce the insurance requirements applicable.

5 The International Convention on Civil Liability for Oil Pollution Damage, 1992 (as amended), the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001, and the Nairobi International Convention on the Removal of Wrecks, 2007, require ships to carry Convention insurance certificates issued by the ship's flag State or another State Party to the Convention confirming compliance with the necessary financial security provisions.

6 These Conventions require ships to have adequate insurance coverage and be able to present a Convention certificate of insurance signed by the ship's flag State or another State Party to the Conventions issuing Convention certificates of insurance confirming that the insurance is supported by robust financial backing to ensure coverage for potential (oil spill) damages.

7 The maritime insurance requirements are therefore intrinsically linked with the safety and protection of the marine environment within the overall international safety and pollution prevention regime, as flag States ensuring ships under their flag are meeting the statutory requirements, including insurance, is a prerequisite for transporting cargo, including dangerous or polluting goods. When that is not the case, it not only constitutes a violation of statutory requirements but also disrupts the system, jeopardizing its inherent established balance.

8 Over the past several months, several co-sponsoring States² have requested ships in transit to provide evidence of existence of insurance for maritime claims and civil liability certificates, on a voluntary basis. Alarming, up to as many as 20%-22% of the ships approached failed to provide any information, which is a cause for grave concern.

9 The minor amendment proposed is therefore to require evidence of the existence of insurance for maritime claims, as well as civil liability certificates, that are statutory certificates issued by the flag State and required to be carried on board. This will enhance enforcement and functioning of the safety and protection of the marine environment regime, while preserving the rights of coastal or concerned States to pursue legal avenues for attributing liability or obtaining compensation. Without clear vessel ownership and insurance coverage, these efforts may be undermined, leaving the risk that affected coastal States will bear the burden of addressing damages caused by potential spills.

Developments in technology and needs

10 The maritime community sees notable technological developments in navigation and communication systems, and more advanced technologies are developing rapidly. Automation of ship reporting has taken a big step forward with IMO decisions aiming at simplifying the communication of navigational safety information between ship and shore, and at harmonizing display on ships' bridge equipment. Therefore, the co-sponsors believe that compliance with the provision of information can and should be through automated means in order to reduce the burden on seafarers.

11 Similarly, the information also needs to change. Over the last years, a number of incidents, e.g. with oil tankers, have occurred, and the environmental consequences of such occurrences as well as the costs for clean-up that incur on the affected States in case of pollution and impact to the marine environment (e.g. oil spill) can be severe. In that respect, information on the ships' insurance coverage is considered essential.

Communication and reporting requirements

12 The communication requirements for implementing the new reporting requirement are stable Internet connection enabling 24/7 access to the ship web user interface of the European Union Maritime Information and Exchange system (SafeSeaNet). E-mail as well as normal communication on dedicated radio frequencies should only be used as a last resort.

13 Ships that do not have Internet connection or access to e-mail may be requested to send their insurance certificates by other means available.

14 The relevant insurance information should be submitted as copies by e-mail to the relevant ship reporting system (SRS) as proof of insurance coverage for maritime claims, along with civil liability certificates issued by the flag State, as indicated in the annex, including the name(s) and address(es) of the insurer(s)/guarantor(s), the issuing authority of the Convention certificates of insurance, and the expiration date of the certificate and insurance/security coverages. E-mail or radio should only be used as a last resort.

² Baltic – 413 requests to ships involving some 33 flag States over a 6 months+ time period (19.06.2024 – 12.2.2025) where +- 22% (90 vessels) did not provide requested insurance information. Another area in the Baltic – 445 ships, showed +- 5% (20 vessels) non response over a 3 month time period (11.12.2024-27.2.2025).

The Channel (Dover Strait) – 154 ships over a 3 month period (1.10.2024-31.12.2024) where, on average, there was no receipt of insurance documentation from +-20% of the ships.

15 Since 2009, Directive 2009/20/EC³ on the insurance of shipowners for maritime claims, has required notification of proof of marine insurance for any ship – irrespective of flag – when operating in ports or the territorial sea of EU Member States. For ships, which have previously reported their insurance information and have not changed flag, insurance or insurer since the last EU port call, the reported information will be reused to the extent possible and may, therefore, not be required.

All other requirements

16 Given that this is a minor amendment, all other requirements for the ship reporting systems indicated in the annex remain unchanged.

Proposal

17 The co-sponsors propose to incorporate the following minor amendment of designator X "Miscellaneous" into the ship reporting systems shown in the annex:

- one or more insurance certificates issued by its provider and carried on board the ship, providing evidence of the existence of insurance for maritime claims⁴, as well as civil liability certificates issued in accordance with:
 - o the International Convention on Civil Liability for Oil Pollution Damage, 1992, as amended (1992 Civil Liability Convention);
 - o the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (2001 Bunkers Convention); and
 - o the Nairobi International Convention on the Removal of Wrecks, 2007 (2007 Nairobi WRC).

18 By incorporating these elements into the ship reporting systems, the maritime authorities can more effectively monitor compliance with insurance requirements and ensure that ships entering their waters have the necessary financial coverage for potential pollution incidents including oil pollution. Furthermore, maritime authorities will have the necessary information to request consultation with the State Party, issuing the Convention certificates of insurance, should the maritime authority believe that the insurer named in the Convention certificates of insurance is not financially capable of meeting the obligations imposed by the Conventions, in line with the revised guidelines from the Legal Committee (LEG.1/Circ.16, June 2024).

Action requested of the Sub-Committee

19 The Sub-Committee is invited to consider the proposal in paragraph 17 and to recommend the proposal to the Maritime Safety Committee for adoption with an effective date of implementation of six months after adoption.

³ Directive 2009/20/EC of 23 April 2009 on the insurance of shipowners for maritime claims. O.J. L131/128 of 28.5.2009.

⁴ Article 4 of Directive 2009/20/EC.

ANNEX

DRAFT MSC RESOLUTION

**ADOPTION OF AMENDMENTS TO THE EXISTING
MANDATORY SHIP REPORTING SYSTEMS**

THE MARITIME SAFETY COMMITTEE,

RECALLING Article 28(b) of the Convention on the International Maritime Organization concerning the functions of the Committee,

RECALLING ALSO regulation V/11 of the International Convention for the Safety of Life at Sea, 1974 (SOLAS Convention), in relation to the adoption of mandatory ship reporting systems by the Organization,

RECALLING FURTHER resolution A.858(20) resolving that the function of adopting ship reporting systems shall be performed by the Committee on behalf of the Organization,

TAKING INTO ACCOUNT the guidelines and criteria for ship reporting systems adopted by resolution MSC.433(98) as well as MSC.1/Circ.1608,

HAVING CONSIDERED the recommendations of the Sub-Committee on Navigation, Communications and Search and Rescue at its [...] session,

- 1 ADOPTS, in accordance with SOLAS regulation V/11, the amendments to the existing mandatory ship reporting systems adopted by resolutions MSC.63(67) as amended by MSC.332(90); MSC.73(69); MSC.251(83); MSC.278(85); MSC.63(67) as amended by MSC.162(78); MSC.249(83); MSC.110(73) as amended by MSC.251(83); MSC.52(66) as amended by MSC.127(75) and MSC.251(83); MSC.314(88), and MSC.250(83) as amended by MSC 316 (88) and as set out in the annex;
- 2 DECIDES that the above-mentioned amended mandatory ship reporting system will enter into force on [6 months after adoption];
- 3 REQUESTS the Secretary-General to bring this resolution and its annex to the attention of Contracting Governments to the SOLAS Convention and to Members of the Organization.

ANNEX

AMENDMENT TO EXISTING MANDATORY SHIP REPORTING SYSTEMS BELTREP, BONIFREP, CANREP, COPREP, FINREP, GDANREP, MANCHEREP, OUESSREP, SOUNDREP AND TRANSREP

1 Amended content and format of designator X Miscellaneous

1.1 The following information should be added as the last indent to designator X:

- one or more insurance certificates issued by its provider and carried on board the ship, providing evidence of existence of insurance for maritime claims, as well as civil liability certificates issued in accordance with:
 - o the International Convention on Civil Liability for Oil Pollution Damage, 1992, as amended (1992 Civil Liability Convention);
 - o the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (2001 Bunkers Convention); and
 - o the Nairobi International Convention on the Removal of Wrecks, 2007 (2007 Nairobi WRC)

1.2. The information in 1.1 should be submitted in pdf-format to the e-mail addresses indicated in the table under paragraph 2.1.

2 Relevant ship reporting systems

2.1 The table below gives clear and concise information on the mandatory ship reporting systems to be amended.

Ship Reporting System (SRS)	Countries involved	Resolution to update	Section to update	e-mail:
BELTREP	Denmark	MSC.63(67), amended by MSC.332 (90)	Section 3.4 and Appendix 3	[xxx@xxx]
BONIFREP	France and Italy	MSC.73(69)	Section 3.1 and Appendix 2 section 2	[xxx@xxx]
CANREP	Spain	MSC.251(83)	Section 3.2.1, 5.3, Appendix 2 and Annex 2 section 3	[xxx@xxx]
COPREP	Portugal	MSC.278(85)	Section 3.2	[xxx@xxx]
FINREP	Spain	MSC.63(67), amended by MSC.162(78)	Section 3.2	[xxx@xxx]
GDANREP	Poland	MSC.249(83)	Section 3.2.1	[xxx@xxx]
MANCHEREP	France	MSC.110(73) amended by MSC.251(83)	Section 3.1	[xxx@xxx]
OUESSREP	France	MSC.52(66), amended by MSC.127(75) and MSC.251(83)	Section 3.1 and Summary section 1.4	[xxx@xxx]
SOUNDREP	Denmark and Sweden	MSC.314(88)	Section 3.4 and Appendix 3	[xxx@xxx]
TRANSREP	Iceland	MSC.250(83) amended by MSC.316(88)	Section 3.2	[xxx@xxx]