SUB-COMMITTEE ON IMPLEMENTATION
OF IMO INSTRUMENTS
9th session
Agenda item 4

III 9/4/5
26 May 2023
Original: ENGLISH

Pre-session public release: ⊠

LESSONS LEARNED AND SAFETY ISSUES IDENTIFIED FROM THE ANALYSIS OF MARINE SAFETY INVESTIGATION REPORTS

Information on a proposal for a new output to amend the Casualty Investigation Code

Submitted by INTERCARGO, BIMCO, INTERMANAGER, IUMI and International Group of P&I Clubs

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Introduction

1   This document is submitted in accordance with the *Organization and method of work of the Maritime Safety Committee and Marine Environment Protection Committee and their subsidiary bodies* (MSC-MEPC.1/Circ.5/Rev.4) and comments on the *Code of the international standards and recommended practices for a safety investigation into a marine casualty or marine incident* (Casualty Investigation Code) (resolution MSC.255 (84)).

Background

2   SOLAS regulation I/21 requires Administrations to conduct a safety investigation of any casualty of their ships and also that any pertinent information arising from such investigations should be made available to IMO.

3   In order to assist Administrations with carrying out investigations, the Maritime Safety Committee adopted the Code of the international standards and recommended practices for a safety investigation into a marine casualty or marine incident (Casualty Investigation Code) (resolution MSC.255 (84)), which became mandatory under SOLAS regulation XI-1/6. The Casualty Investigation Code consists of three parts: part I related to the general provisions; part II related to the mandatory standards; and part III related to the recommended practices. SOLAS regulation XI-1/6 states that "the provisions of parts I and II of the Casualty Investigation Code shall be fully complied with".

4   Part II, chapter 6, paragraph 6.1, of the Casualty Investigation Code states that "A marine safety investigation shall be conducted into every very serious marine casualty". The Code defines a very serious marine casualty as "a marine casualty involving the total loss of the ship or a death or a severe damage to the environment."

5   Part II, chapter 14, paragraph 14.1, states that "The marine safety investigating State(s) shall submit the final version of a marine safety investigation report to the Organization for every marine safety investigation conducted into a very serious marine casualty". While both SOLAS and the Casualty Investigation Code stipulate that an investigation shall be carried out, there is no mandatory defined time frame for the investigation to be carried out and the findings made available to IMO. The recommendatory part III of the Code states in chapter 25, paragraph 25.1 that "Marine safety investigation reports from a marine safety investigation should be completed as quickly as practicable".

6   As of the end of January 2020, only 24 of the 39 bulk carrier losses have had investigation reports made available on the Global Integrated Shipping Information System (GISIS), representing a reporting rate of 61.5% with an average time of 32 months between the incident and when the report becomes available.[1] Based on this reporting time and the need for reports to be made available in a timely manner so that lessons can be learned for safety improvement, the co-sponsors and others submitted a document to III 7 (III 7/4/5 on Proposal for a new output to amend the Casualty Investigation Code, submitted by BIMCO et al.), proposing that the Casualty Investigation Code be amended so that there is a mandatory time limit between an incident and the report being uploaded to GISIS. The Sub-Committee did not agree to a mandated time frame to be included in the Code.

Discussion

7   INTERCARGO's Bulk Carrier Casualty Report, providing information on bulk carrier losses[2] over a rolling 10-year period, is published and made publicly available every year and is submitted to the Sub-Committee for its information.

8   This year, the Bulk Carrier Casualty Report[3] covers the period 2013 to 2022 and, as with previous editions contains, along with other information, data on the time taken between a serious casualty and the report being made available on GISIS.

Table 1

Year	No. of Bulk Carrier Losses	Reported in GISIS	Average Report time (Months)	Shortest Reporting Time (Months)	Longest Reporting Time (Months)
2013	6	6	32	10	72
2014	2	1	28	28	28
2015	5	3	28.5	7	42
2016	3	3	20.5	14	33
2017	2	2	34.5	25	44
2018	1	1	37	37	37
2019	1	1	27	27	27
2020	2	2	16.5	12	21
2021	2	0	N/A	N/A	N/A
2022	2	0	N/A	N/A	N/A

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[1]   III 7/INF.33 on Bulk Carrier Casualty Report 2011-2020 – Submitted by INTERCARGO.

[2]   Bulk Carriers of 10,000 dwt and above.

[3]   III 9/INF.10 on Bulk Carrier Casualty Report 2013-2022.

9   Table 1 provides information taken from this year's Bulk Carrier Casualty Report. The first point of interest is that out of the 26 very serious casualties that occurred from January 2013 to December 2022, only 19 investigation reports are available, which equates to a reporting rate of 73%.

10   With regards to reporting time, for those reports that are available, the shortest time that a report has been uploaded to GISIS is 7 months, while the longest time is 72 months. The average reporting time for 2013 to 2022 is approximately 28 months which is an improvement compared to the 32 months for the years 2011 to 2020.

11   While improvements to reporting times and reporting rates are commendable, it is the co-sponsors' opinion that further work needs to be done. Table 1 clearly shows that accident reports are still missing from as far back as 2014 and 2015. Missing reports and lengthy reporting times do not facilitate safety improvements through lessons learned.

12   Although the Sub-Committee at its seventh session did not agree to a prescribed time frame for reports being available, there was support for a facility in GISIS Marine Casualty and Incidents (MCI) module to provide the status of an investigation. Furthermore, the Sub-Committee requested the Secretariat to take action on this in the new taxonomy of the MCI module and report back to the Sub-Committee (III 7/17 paragraphs 4.31.4 to 4.32).

13   Due to the critical nature of improving the safety of life at sea and of protecting the environment, the importance of lessons learned cannot be overstated. Without accurate investigation reports being made available in a timely manner, key improvements to safety-related requirements may come too late or not at all.

Proposals

14   The co-sponsors look forward to the new investigation status facility within GISIS, which will provide clarity for interested stakeholders on the progress of marine investigations. However, this function would only serve a purpose if it were used. On the basis of the discussion, there appears to be a need to facilitate timely completion of casualty investigations, which is why the co-sponsors suggest the Casualty Investigation Code should be amended so that providing an investigation status is mandatory. Additionally, the status should be reported within a defined time period and then updated on regular defined time periods such as every six months. To ease any administrative burden on the investigating State, such updates need only be simple statements such as investigation started or investigation in the analysis stage.

15   In this regard, the co-sponsors plan to submit a proposal for a new output to MSC 108 and invite any interested Member States and organizations to participate in the planned submission in order to prepare suitable amendments.

Action requested of the Sub-Committee

16   The Sub-Committee is invited to consider the information provided in in this document and take action as appropriate.

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