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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union

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Subject:	COMMISSION STAFF WORKING DOCUMENT Union submission to the 10th session of the International Maritime Organization's Sub-Committee on Navigation, Communications and Search and Rescue commenting on the report of the 18th meeting of the Joint IMO/ITU Experts Group

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Delegations will find attached document SWD(2023) 53 final.

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Brussels, 1.3.2023  
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**COMMISSION STAFF WORKING DOCUMENT**

**Union submission to the 10th session of the International Maritime Organization's Sub-Committee on Navigation, Communications and Search and Rescue commenting on the report of the 18th meeting of the Joint IMO/ITU Experts Group**

## **Union submission to the 10<sup>th</sup> session of the International Maritime Organization's Sub-Committee on Navigation, Communications and Search and Rescue commenting on the report of the 18th meeting of the Joint IMO/ITU Experts Group**

### **PURPOSE**

This Staff Working Document contains a draft Union submission to the International Maritime Organization's (IMO) 10<sup>th</sup> Sub-Committee on Navigation, Communications and Search and Rescue (NCSR 10). The IMO has indicatively scheduled NCSR 10 from 10 to 19 May 2023

The draft submission provides comments on the report of the 18<sup>th</sup> meeting of the Joint IMO/ITU Experts Group. The Joint IMO/ITU Experts Group invited interested Member States to submit proposals in reaction to a liaison statement by ITU-R WP 5B on Digital Selective Calling (DSC) alarms and Bridge Alert Management (BAM).

### **EU COMPETENCE**

Navigation is listed as an item in Section 4 of Commission Implementing Regulation 2022/1157<sup>1</sup>. The Implementing Regulation concerns design, construction and performance requirements and testing standards for marine equipment. It is based on the empowerment of the Commission to indicate, through implementing acts, the design, construction and performance requirements for marine equipment falling within the scope of Directive 2014/90/EU on marine equipment<sup>2</sup>, in accordance with Article 35(2) thereof.

In light of all of the above, the present draft Union submission falls under EU exclusive competence.<sup>3</sup> This Staff Working Document is presented to establish an EU position on the matter and to transmit the document to the IMO prior to the required deadline of 21 March 2023.

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<sup>1</sup> OJ L 180, 6.7.2022, p. 1

<sup>2</sup> OJ L 257, 28.8.2014, p. 146

<sup>3</sup> An EU position under Article 218(9) TFEU is to be established in due time should the IMO Maritime Safety Committee eventually be called upon to adopt an act having legal effects as regards the subject matter of the said draft Union submission. The concept of '*acts having legal effects*' includes acts that have legal effects by virtue of the rules of international law governing the body in question. It also includes instruments that do not have a binding effect under international law, but that are '*capable of decisively influencing the content of the legislation adopted by the EU legislature*' (Case C-399/12 Germany v Council (OIV), ECLI:EU:C:2014:2258, paragraphs 61-64). The present submission, however, does not produce legal effects and thus the procedure for Article 218(9) TFEU is not applied.

## RESPONSE TO MATTERS RELATED TO THE ITU-R STUDY GROUPS AND ITU WORLD RADIOCOMMUNICATION CONFERENCE

### Comments on document NCSR 10/12

Submitted by Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, the Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden and the European Commission, acting jointly in the interest of the European Union

#### SUMMARY

*Executive summary:* This document provides comments on the report of the 18<sup>th</sup> meeting of the Joint IMO/ITU Experts Group. It follows the invitation of the Joint IMO/ITU Experts Group to interested Member States to submit proposals in reaction to a liaison statement by ITU-R WP 5B on Digital Selective Calling (DSC) alarms and Bridge Alert Management (BAM).

*Strategic direction, if applicable:* SD 2

*Output:* 2.1

*Action to be taken:* Paragraph 15

*Related documents:* NCSR 10/12, IMO/ITU EG 18/2/3, ITU-R 5B/TEMP/293, MSC.302(87), IEC 62923 series, ETSI EN 300 338-7

#### Introduction

1 IMO/ITU EG 18 (5 to 9 December 2022) had a preliminary consideration of a liaison statement from ITU-R WP 5B (ITU-R 5B/TEMP/293) on Digital Selective Calling alarms and Bridge Alert Management. After consideration, IMO/ITU EG 18 invited interested Member States and international organizations to submit relevant proposals for consideration at NCSR 10 (paragraph 3.8 of the Annex to NCSR 10/12 refers). This document answers to this invitation.

#### Discussion

2 The co-sponsors note that the Organization has developed Resolution MSC.302(87) on *performance standards for bridge alert management* after identifying the need to harmonize alert management, in order to enable the bridge team to devote full attention to the safe operation of the ship and to immediately identify any alert situation requiring action to maintain the safe operation of the ship.

3 Resolution MSC.302(87) also specifies that unnecessary distraction of the bridge team by redundant and superfluous audible and visual alarm announcements should be avoided and that the cognitive load on the operator should be reduced by minimizing the information presented to which is necessary to assess the situation.

4 As is customary, MSC.302(87) has been further implemented through standardization, i.e. in standards IEC 62923-1, IEC 62923-2, IEC 61162-1 and the standards for individual shipboard equipment.

5 On the basis of the above considerations, the co-sponsors support ITU's view in its liaison statement that the integration of the communication equipment into the BAM has to be supported to harmonize the bridge procedures.

6 At the same time ITU in its liaison statement expresses the view that, as the distress and urgency alarms are triggered from outside of own vessel, these alarms do not fall within the definition of BAM as defined by MSC.302(87) with the argument that the BAM system is only dealing with the safety of the own vessel. Consequently, ITU invites the Organization to confirm that the GMDSS distress and urgency alarms are outside of the BAM. The co-sponsors do not concur with this view.

7 Resolution MSC.302(87) states in paragraph 3.7 of its Annex that the performance standards apply to all alerts presented on and transferred to the bridge, while defining an alert in its Appendix 1 as 'announcing abnormal situations and conditions requiring attention' and clarifying that 'An alert provides information about a defined state change in connection with information about how to announce this event in a defined way to the system and the operator'. The origin or cause of the alert seems not relevant as IMO seeks to improve the situation for mariners disturbed by alerts presented on or transferred to the bridge.

8 In this respect the co-sponsors would like to highlight a possible confusion of terminology of the word "alarm", and notes in this respect that there is a difference between the GMDSS distress or urgency alarm (in DSC a message exchanged equipment-to-equipment) and a BAM alert (message from the DSC equipment to the mariner) announcing the reception of a GMDSS distress or urgency alarm.

9 Resolution MSC.302(87) furthermore states that in case of conflicting alert management requirements it supersedes all existing IMO requirements. This includes for example the distress and urgency alarm requirements in A.803(19), A.804(19) and A.806(19) regarding communication equipment containing DSC. The co-sponsors therefore conclude that the BAM concept is equally applicable to the distress and urgency alarms in DSC communication equipment.

10 The co-sponsors are of the view that the BAM concept in MSC.302(87) and IEC 62923 series needs to be applied for the safety of shipping. For standardization it is important that all alerts, including those announcing the reception of distress and urgency alarms, are included in the BAM concept, otherwise the goal set by the Organization will not be met. Excluding distress and urgency alarms in DSC communication equipment from the BAM concept would unintentionally open the door for the exclusion of other alerts, as theoretically for many alerts included in the BAM concept it can be argued that they have an origin or cause outside the own ship.

11 The ITU liaison statement further reflects the view that partial BAM functionality should be applicable, such as the temporary silencing function and the transfer of the alarm to the Central Alert Management (CAM) system. This seems to be in contradiction with the suggested exclusion of these alarms from the BAM concept. Once alarms are excluded from the BAM concept, MSC.302(87) is not applicable and it should not be possible to confuse

other sounds ('audible indication's' according to IEC 62923-1) with BAM alerts. Once MSC.302(87) applies, all requirements thereof and of the related IEC 62923 series should be implemented.

12 Bearing in mind that ITU's liaison statement refers to the Central Alert Management (CAM) system, it is noted that Resolution MSC.302(87) requires that alert messages should be completed with aids (information) for decision making, if practicable, thus elaborating on the signal GMDSS "Distress (or Urgency) alarm received". ETSI EN 300 338-7 shows that for distress and urgency alerts it is practicable to show information for decision making, so that the mariner is capable of making an informed decision as to when and how to address the alert. The BAM alert remains on display, both at the CAM system and the DSC equipment, until the message has been read on the DSC equipment. This is regarded to be a better alternative compared to a continuous prominent sound causing many mariners to only press the 'read button' in order to stop the sound.

13 The ITU liaison statement also suggests that alarm sounds as defined in ITU-R M.493 have been modified in ETSI EN 300 338-7. The co-sponsors are of the view that ETSI EN 300 338-7 Table A.1 fully accommodates the original ITU intent of a recognizable single-purpose alert sound, merely with a limitation of the duration of the audible signal. This seems to be in line with IEC PAS 62923-101 – *Bridge alert management - Guideline on implementation*. Since the ITU liaison statement suggests that "silencing of Distress and Urgency alarms might be beneficial for bridge procedures", which recognizes the possible danger of redundant and superfluous alarm announcements on the bridge, the co-sponsors conclude that the limitation of the duration of the audible signal should be acceptable.

### **Proposal**

14 It is proposed that the subcommittee sends a liaison statement back to ITU containing the clarification as contained in the above paragraphs and requesting them to adjust their standards to implement the Bridge Alert Management concept consistent with IEC PAS 62923-101 as reflected in ETSI EN 300 338-7, and inviting IEC to note and take into account this information.

### **Action requested**

15 The Sub-Committee is invited to consider the comments and proposal contained in this document and take action, as appropriate.