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COVER NOTE

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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 International Maritime Organization's 108th Maritime Safety Committee proposing a new output regarding the improvement and harmonization of the bridge alert management (BAM)

Delegations will find attached document SWD(2024) 19 final.

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COMMISSION STAFF WORKING DOCUMENT

Union submission to the International Maritime Organization's 108th Maritime Safety Committee proposing a new output regarding the improvement and harmonization of the bridge alert management (BAM)

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PURPOSE

This Staff Working Document contains a draft Union submission to the International Maritime Organization's (IMO) 108th Maritime Safety Committee (MSC 108). The IMO has scheduled MSC 108 from 15 to 24 May 2024.

The draft submission proposes the establishment of a new output regarding the improvement and harmonization of the bridge alert management (BAM). The Sub-Committee on Navigation, Communications and Search and Rescue (NCSR), at its 10th session, noted diverging views on the existing regulatory situation relating to the BAM and GMDSS radiocommunication equipment. Therefore, the NCSR Sub-Committee invited interested member states and international organizations to submit relevant proposals for a new output to the Maritime Safety Committee.

EU COMPETENCE

Navigation equipment is listed in Section 4 of Commission Implementing Regulation (EU) 2023/1667¹. Navigation equipment to be installed on board vessels is required to be compliant with Bridge Alert Management (BAM) according to IEC 62923-1 and 2 which is included in the Annex of the Implementing Regulation. The Implementing Regulation contains 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 as well as the testing standards for marine equipment falling within the scope of Directive 2014/90/EU on marine equipment², in accordance with Article 35(2) thereof. The IEC 62923-1 and -2 standards on BAM were published in 2018 and added to the list of applicable testing standards for most navigation- and radio-communication equipment in the third Implementing Regulation (EU) 2019/1397, which was published in September 2019. The last date for installation of equipment on board an EU ship that has not been tested for compliance to the BAM standards was 29 August 2021.

In light of all of the above, the present draft Union submission falls under EU exclusive competence, pursuant to article 3(2) TFEU as the new output regarding the improvement and harmonization of the bridge alert management (BAM), once adopted, risks affecting or altering Union legislation and in particular Commission Implementing Regulation (EU) 2023/1667³. 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 13 February 2024.

¹ OJ L 215, 31.8.2023, p. 1

² OJ L 257, 28.8.2014, p. 146

³ 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.

WORK PROGRAMME

Proposal for a new output regarding the improvement and harmonization of the bridge alert management (BAM)

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

SUMMARY

Executive summary: The Sub-Committee on Navigation, Communications and Search and Rescue (NCSR), at its 10th session, noted diverging views on the existing regulatory situation relating to the bridge alert management (BAM) and GMDSS radiocommunication equipment. Therefore, the NCSR Sub-Committee invited interested member states and international organizations to submit relevant proposals for a new output to the Committee. This document proposes to consider an improvement and harmonisation of the bridge alert management (BAM). The output is expected to achieve a thorough investigation of possible improvements of BAM, amendments of relevant standards and, if applicable, the revision of other relevant IMO instruments.

Strategic direction, if applicable: 2

Output: 2.1

Action to be taken: Paragraph 20

Related documents: Resolution MSC.302(87), resolution A.1021(26), NCSR 10/12/4, NCSR 10/22, NCSR 10/WP.5, resolution MSC.431(98), resolution MSC.434(98), resolution MSC.508(105), resolution MSC.511(105), resolution MSC.512(105) and resolution MSC.517(105)

Introduction

1 This document is submitted in accordance with the provisions of the Organization and method of work of the Maritime Safety Committee and the Marine Environment Protection Committee and their subsidiary bodies (MSC-MEPC.1/Circ.5/Rev.5) on the submission of proposals for new outputs. This document proposes to consider an improvement of the bridge alert management (BAM).

IMO's objectives

2 Having recognized the need to harmonize the priority, classification, handling, distribution and presentation of alerts, 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, the Organization has adopted performance standards for the bridge alert management (resolution MSC.302(87)) in 2010.

3 At the same time, the Organization noted that further guidance on the presentation of alerts is provided in the Code on Alerts and Indicators, (resolution A.1021(26)) which is intended to provide general design guidance and to promote uniformity of type, location and priority for alerts and indicators.

Need

4 The NCSR Sub-Committee, at its 10th session, has considered a liaison statement from ITU-R WP 5B, seeking clarification from IMO on whether the performance standards for bridge alert management (resolution MSC.302(87)) covered distress and urgency alarms received by GMDSS equipment. The Sub-Committee agreed that a new output was not required in order to elaborate a response to ITU on this matter.

5 However, during the ensuing discussion of the Sub-Committee, views were expressed indicating that the purpose of BAM was to identify any actions requiring attention in response to events that emanated from the ship itself and that distress alerts received from other ships were not considered to be associated with it. Another view was expressed that the definition of alert in resolution MSC.302(87) did not specify whether the situation was related to the safety of its own ship, and that excluding certain alarms from BAM, as requested in ITU's liaison statement, would create an inconsistent alert management experience for the officer of the navigational watch. However, some confusion was caused due to the provisions set out in resolutions MSC.302(87), MSC.511(105) and MSC.512(105), which should be clarified in order to provide certainty for the equipment manufacturing industry and avoid delays in the development of relevant test standards for GMDSS radiocommunication equipment.

6 Therefore, some delegations to the Sub-Committee were of the view that this was a complex matter and that would require a new output. As a consequence, the Sub-Committee invited interested Member States and international organizations to submit relevant proposals for a new output to the Committee.

Analysis of the issue

7 During the discussion of the Sub-Committee, diverging views with regard to embedding the concept of BAM in GMDSS radio equipment were noted. Some delegations advocated the view that the notification to the seafarer for a received GMDSS distress or urgency call should be improved through effective use of BAM in order to reduce the cognitive load and distraction to the seafarer, taking into account human element implications. Other delegations were of the view that such alarms were outside the scope of BAM.

8 Recalling the provisions in resolutions MSC.431(98), MSC.508(105) MSC.511(105), MSC.512(105) and MSC.517 (105) for a BAM interface on the related equipment, it is noted that the reference to resolution MSC.302(87) was made without further additional guidance with regard to GMDSS alerts.

9 Further it is noted that in the elaborations and considerations during the development of the BAM and the Code on Alerts and Indicators, the procedures and alarms of the GMDSS had not been taken into consideration.

10 In addition it is noted that ship earth stations complying with resolution MSC.434(98) should be capable of indicating warnings and cautions according to BAM-defined classification, even though such requirement, including BAM interface, was not included in the performance standards for Inmarsat C ship earth stations (i.e. resolution MSC.513(105)).

Analyses of the implications

11 In the light of diverging views, as described in the previous paragraphs, it appears that a thorough investigation of the current situation is worthwhile, aiming at improvement and further harmonization of the BAM, if possible. Such harmonization may also have benefit in the interpretation of the implementation of BAM into GMDSS equipment within industry standards.

12 Without such thorough investigation of the current situation relating to BAM, the existing inconsistencies would be ignored.

13 A checklist for identifying administrative requirements is contained in annex 1.

Benefits

14 A more consistent alert management regulation could further improve the safety on the bridge.

Industry standards

15 Several standards containing a reference to BAM are in existence:

- .1 IEC 62923-1;
- .2 IEC 62923-2;.
- .3 IEC 61097-3 : 2017
- .4 IEC 61097-4 : 2012+AMD1:2016
- .5. IEC 61097-6 : 2005+AMD2:2019
- .6 IEC 62940 :2016
- .7 ETSI 301 338-7

Output

16 This output is expected to achieve the following:

- .1 a thorough investigation of the possible improvement of the BAM, and, if feasibility has been demonstrated and after approval by the Committee;
- .2 amendments of all performance standards concerned, including a consistent interpretation and implementation within GMDSS communication equipment, if possible, and, if applicable;
- .3 revision of other relevant IMO instruments.

17 It is proposed that the title of the new output be "Investigation of the possible improvement of the current situation relating to the bridge alert management (BAM) and GMDSS radiocommunication equipment".

Human element

18 A checklist for considering human element issues by IMO bodies is provided in annex 2.

Urgency

19 A consistent alert management is a key element of maritime safety. As inconsistencies may already exist, the Organization should act immediately.

Action requested of the Committee

20 The Committee is invited to include in its biennial agenda a new output, as described in paragraphs 16 and 17, and to add it to the agenda of the next NCSR Sub-Committee (NCSR 12).

ANNEX 1

CHECKLIST FOR IDENTIFYING ADMINISTRATIVE REQUIREMENTS

This checklist should be used when preparing the analysis of implications required in submissions of proposals for inclusion of outputs. For the purpose of this analysis, the term "administrative requirement" is defined in accordance with resolution A.1043(27), as an obligation arising from a mandatory IMO instrument to provide or retain information or data.

Instructions:

- (A) If the answer to any of the questions below is **YES**, the Member State proposing an output should provide supporting details on whether the requirements are likely to involve start-up and/or ongoing costs. The Member State should also give a brief description of the requirement and, if possible, provide recommendations for further work, e.g. would it be possible to combine the activity with an existing requirement?
- (B) If the proposal for the output does not contain such an activity, answer **NR** (Not required).
- (C) For any administrative requirement, full consideration should be given to electronic means of fulfilling the requirement in order to alleviate administrative burdens.

1. Notification and reporting? Reporting certain events before or after the event has taken place, e.g. notification of voyage, statistical reporting for IMO Members	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
Description of administrative requirement(s) and method of fulfilling it: (if the answer is yes)		
2. Record-keeping? Keeping statutory documents up to date, e.g. records of accidents, records of cargo, records of inspections, records of education	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
Description of administrative requirement(s) and method of fulfilling it: (if the answer is yes)		
3. Publication and documentation? Producing documents for third parties, e.g. warning signs, registration displays, publication of results of testing	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
Description of administrative requirement(s) and method of fulfilling it: (if the answer is yes)		
4. Permits or applications? Applying for and maintaining permission to operate, e.g. certificates, classification society costs	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
Description of administrative requirement(s) and method of fulfilling it: (if the answer is yes)		
5. Other identified requirements?	NR	Yes <input type="checkbox"/> Start-up <input type="checkbox"/> Ongoing
Description of administrative requirement(s) and method of fulfilling it: (if the answer is yes)		

ANNEX 2

CHECKLIST FOR CONSIDERING AND ADDRESSING THE HUMAN ELEMENT

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
	Workload		Other relevant references may be added Strike out references that are not relevant	If answer to question is "yes" identify considerations. If answer is "no" make proper justification	Identify how human element considerations should be addressed in the output
1	Does the "output" affect workload?				
1.1	On board, especially in the already intensive phases of the voyage and port operations to:		Revised guidelines for the operational implementation of the International Safety Management (ISM) Code by Companies (MSC-MEPC.7/Circ.8) Guidelines on fatigue (MSC.1/Circ.1598) Principles of minimum safe manning (Resolution A.1047(27)) Guidelines for the investigation of accidents where fatigue may have been an issue (MSC/Circ.621)		
1.1.1	Operations including navigation, cargo and engineering	Yes	Code of alerts and Indicators (Resolution A.1021(26)) Performance Standards for	During development of the bridge alert management and the Code on Alerts and Indicators, the procedures and alarms of the	An inconsistent alert management regime may create an inconsistent alert management experience for

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
			<p>Bridge Alert Management (Resolution MSC.302(87))</p> <p>Performance Standards for enhanced group call (EGC) equipment (Resolution MSC.306(87))</p> <p>Performance Standards for a ship earth station for use in the GMDSS (Resolution MSC.434(98))</p> <p>Performance Standards for the reception of maritime Safety Information and Rescue Related Information (Resolution MSC.508(105))</p> <p>Performance Standards for shipborne VHF Radio Installations capable of voice communication and Digital selective calling (Resolution MSC.511(105))</p> <p>Performance Standards for shipborne MF and MF/HF Radio Installations capable of voice communication and Digital selective calling and reception of maritime Safety Information and Rescue Related Information (Resolution MSC.512(105))</p>	<p>GMDSS had not been taken into consideration. Therefore, the interpretations and implementations of the performance standards for GMDSS equipment are unspecific and are leading to inconsistent interpretations of industry test standards.</p>	<p>the officer of the navigational watch. As this would be detrimental to navigational safety, the output is aiming at the removal of any inconsistencies.</p>

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
			<p>Performance Standards for Inmarsat-C ship earth stations capable of transmitting and receiving direct-printing communication (Resolution MSC.513(105))</p> <p>Performance Standards for shipborne integrated communication system in the global maritime and safety system (GMDSS) (Resolution MSC.517(105))</p>		
1.1.2	Maintenance of the ships structure and its equipment	No		Not applicable	
1.1.3	Onboard administration in support of the ships' management systems	No		Not applicable	
1.1.4	Onboard administration related to regulation involving flag States, classification societies, port State and other bodies such as charterers and port authorities	No		Not applicable	
1.1.5	Increased workload or time pressure on personnel if involved in implementation of changes prior to the implementation date	No		Not applicable	
1.2	Ashore, in a manner that would affect the ships operation to:				
1.2.1	Companies' administration	No		Not applicable	

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
1.2.2	Flag State, port State and classification societies administration such that certification and other processes are compromised or delayed	No		Not applicable	

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
	Decision-making		Other relevant references may be added Strike out references that are not relevant	If answer to question is "yes" identify considerations. If answer is "no" make proper justification	Identify how human element considerations should be addressed in the output
2	Does the "output" impact decision-making on board the ship?				
2.1	By confusion with existing requirements and regulations	No	See 1.1.1	During development of the bridge alert management and the Code on Alerts and Indicators, the procedures and alarms of the GMDSS had not been taken into consideration. Therefore, the interpretations and implementations of the performance standards for GMDSS equipment are unspecific and are leading to an inconsistent alert management experience for the officer of the navigational watch. As this would be detrimental to navigational safety, the output is aiming at the removal of any inconsistencies.	The new output should start a thorough investigation of the possible improvement of MSC 302(87) in respect to GMDSS equipment. If feasibility has been demonstrated, and after approval by the Committee; the relevant IMO performance standards and instruments should be amended, aiming at the removal of any inconsistencies in order to avoid an inconsistent alert management experience for the officer of the navigational watch.
2.2	By changing responsibilities as laid out in the ISM Code	No		The proposed output does not request changing responsibilities as laid out in the ISM Code	
2.3	By creating complexity in its implementation and/or in the safety management systems	No		The proposed output does not creating complexity in its implementation and/or in the safety management systems	

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
2.4	By requiring increased mental effort, such as the need to find, transform and analyse data or result in the need to make judgements based on incomplete information	No		The proposed output does not requiring increased mental effort, such as the need to find, transform and analyse data or result in the need to make judgements based on incomplete information	
2.5	By limiting the time available to establish situational awareness, decide, communicate (possibly across time zones) or check	No		The proposed output does not add additional burden on the OOW by limiting the time available to establish situational awareness, decide, communicate (possibly across time zones) or check	
2.6	By increasing reliance on judgement and administrative controls to manage major risks such as oil spills and collisions	No		The proposed output is not involved in any judgement and administrative controls to manage major risks such as oil spills and collisions	

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
	Living and Working Environment		Other relevant references may be added Strike out references that are not relevant	If answer to question is "yes" identify considerations. If answer is "no" make proper justification	Identify how human element considerations should be addressed in the output
3	Does the "output" affect the living and working environment?		Guidelines on the basic elements of a shipboard occupational health and safety programme (MSC-MEPC.2/Circ.3)		

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
			Guidelines on fatigue (MSC.1/Circ.1598)		
3.1	By interfering with existing arrangements for abandonment, fire-fighting and other emergency plans or procedures	No		The proposed output does not interfere with existing arrangements for abandonment, fire-fighting and other emergency plans or procedures	
3.2	By introducing new materials that could create an explosion, fire, environmental or occupational health risk	No		Not applicable	
3.3	By introducing new high energy sources such as high-voltage, high pressure fluids	No		Not applicable	
3.4	By affecting access or egress and causing lack of ventilation in working spaces	No		Not applicable	
3.5	By affecting the habitability of accommodation spaces due to noise, vibration, temperatures, dust and other contaminants	No		Not applicable	
Operation and Maintenance			Other relevant references may be added Strike out references that are not relevant	If answer to question is "yes" identify considerations. If answer is "no" make proper justification	Identify how human element considerations should be addressed in the output
4	Does the "output" affect the operation and maintenance of the ship, its structure or systems and equipment?		Revised guidelines for the operational implementation of the International Safety Management (ISM) Code by Companies (MSC-MEPC.7/Circ.8) Guidelines for bridge equipment and systems, their arrangement and integration (BES)		

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
			(SN.1/Circ.288) Principles of minimum safe manning (Resolution A.1047(27)) Issues to be considered when introducing new technology on board ships (MSC/Circ.1091) Guideline on software quality assurance and human-centred design for e-navigation (MSC.1/Circ.1512) Guidelines for the standardization of user interface design for navigation equipment (MSC.1/Circ.1609)		
4.1	By introducing equipment that the user may find difficult to operate or maintain or may be unreliable	No		Not applicable	
4.2	By introducing new and/or novel technology, or technology that changes the role of the person	No		Not applicable	
4.3	By introducing requirements for new competencies and roles	No		Not applicable	
4.4	By overloading existing infrastructure such as power generation and ventilation systems	No		Not applicable	

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
4.5	By poor integration with existing systems and controls	No		Not applicable	
4.6	By introducing new and unfamiliar operations/procedures	Yes	See.1.1.1	See 1.1.1	See 1.1.1
4.7	By introducing new and unfamiliar operating interfaces?	No		Not applicable	
4.8	By introducing risks to the ship during any modifications required prior to the implementation date of the output	No		Not applicable	

	1 Question	2 Yes/ No	3 IMO References	4 Considerations	5 Instructions
	Measures to address the human element		Other relevant references may be added Strike out references that are not relevant	If answer to question is "yes" identify considerations. If answer is "no" make proper justification	Identify how human element considerations should be addressed in the output
5	Does the "output" require changes to:		Shipboard technical operating and maintenance manuals (MSC.1/Circ.1253) Revised guidelines for the operational implementation of the International Safety Management (ISM) Code by Companies (MSC-MEPC.7/Circ.8)		
5.1	Training	No		Not applicable	
5.2	Practical skill development and competences	No		Not applicable	
5.3	Operating, management and/or maintenance procedures	No		Not applicable	
5.4	Information/manuals for operation and maintenance	No		Not applicable	
5.5	Spares outfit	No		Not applicable	
5.6	Occupational safety requirements including guarding and PPE	No		Not applicable	
5.7	Shore support	No		Not applicable	