

Ismael Cobos

Deputy Director, Operational Safety and
Human Element

Maritime Safety Division

International Maritime Organization

IMO Marine Casualty Investigation

The background of the slide features a faded, light blue image of a maritime and aviation scene. On the right, a large passenger airplane is shown in flight. In the center, a ship is docked at a pier, with several silhouetted figures standing nearby. To the left of the ship, a control tower is visible. The overall aesthetic is professional and related to transportation safety.

Seminario

Los modelos de investigación de accidentes e incidentes en los modos del transporte: profesionales, operadores, administración, usuarios y víctimas
4 y 5 de mayo – Congreso de los Diputados

IMO's Framework on Casualty Investigation

- Importance of reporting
- Mandatory instruments
- Non-mandatory instruments
- III & Sub-subsidiary bodies
- Available reporting tool

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The importance of marine casualty investigation and reporting to IMO



MS' obligations

- To fulfil international requirements (UNCLOS, IMO instruments such as SOLAS, Load lines, MARPOL, CIC and III Code)

Casualty investigation reports

- To be analyzed in accordance with the terms of reference of the III Sub-Committee (including evaluation on the quality of the reports)

III Sub-Committee

- To identify potential safety issues in way of trends or recurring contributing factors and gather Lessons Learned
- To refer safety issues to relevant IMO sub-committees/committees for consideration and action

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Regulatory Framework

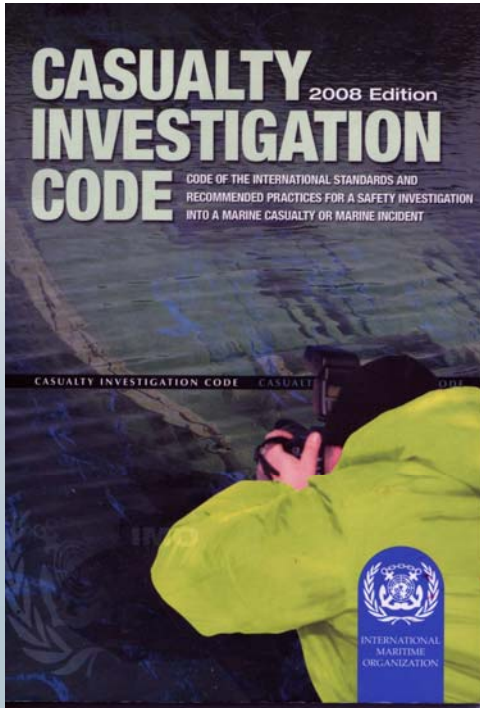
Mandatory instruments:

- UNCLOS article 94.7
- SOLAS regulations I/21 and XI-1/6
- MARPOL articles 8 and 12
- Load Lines article 23
- Casualty Investigation Code (parts I and II)
- III Code (especially paragraphs 38 to 41)

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- **Code for the International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident**

(Casualty Investigation Code)
Resolution MSC.255(84)

adopted on 16 May 2008

- Was given effect by MSC.257 (84) which creates SOLAS XI-1/6.
- **Entered into force in 2010**

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Main intent and purpose of the requirement on marine casualty investigation

1. not to apportion liability or blame
2. prevent future repetitions
3. separate and independent of other investigations
4. right for the Coastal State to investigate

Importance at national level

1. Marine safety investigation authority

1. Provide detailed contact information to IMO (through “Contact points” Module of GISIS)

2. Notification

1. Flag State to notify any substantially interested State (SIS) for occurrence (high sea or exclusive economic zone)
2. Flag State, coastal State, shall notify each other as well as other SIS (territorial sea)

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3. **Requirement to investigate on 'very serious' marine casualties**

1. Marine safety investigation shall be conducted into every very serious marine casualty
2. Flag State of a ship involved in a very serious marine casualty is responsible for ensuring the conduct of the safety investigation

4. **Agreement with another substantially interested state**

1. Flag State and SIS shall consult to seek agreement on which State would be investigating States according to Chapter 7 of the Casualty Investigation Code
2. This is not limiting the rights of States to conduct their own separate marine safety investigation

5. **Powers of an investigation**

1. Ensure that their national laws provide investigator(s) carrying out a marine safety investigation with the ability to board a ship, interview the master and crew and any other person involved, and acquire evidential material for the purposes of a marine safety investigation

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6. Cooperation

1. All substantially interested States shall co-operate with the marine safety investigating State(s) to the extent practicable

7. Investigations not to be subjected to external direction (impartial and objective)

1. The marine safety investigation shall be able to report on the results of a marine safety investigation without direction or interference from any persons or organizations who may be affected by its outcome.

8. Obtaining evidence from seafarers

1. Seafarers shall be informed of the nature of the investigation.
2. Seafarers shall be allowed access to legal advice

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9. Reporting

1. 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.
2. For marine casualties and marine incidents, if a report is produced which contains information which may prevent or lessen the seriousness of marine casualties or marine incidents in the future, the final version shall be submitted to the Organization.

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Non-mandatory instruments:

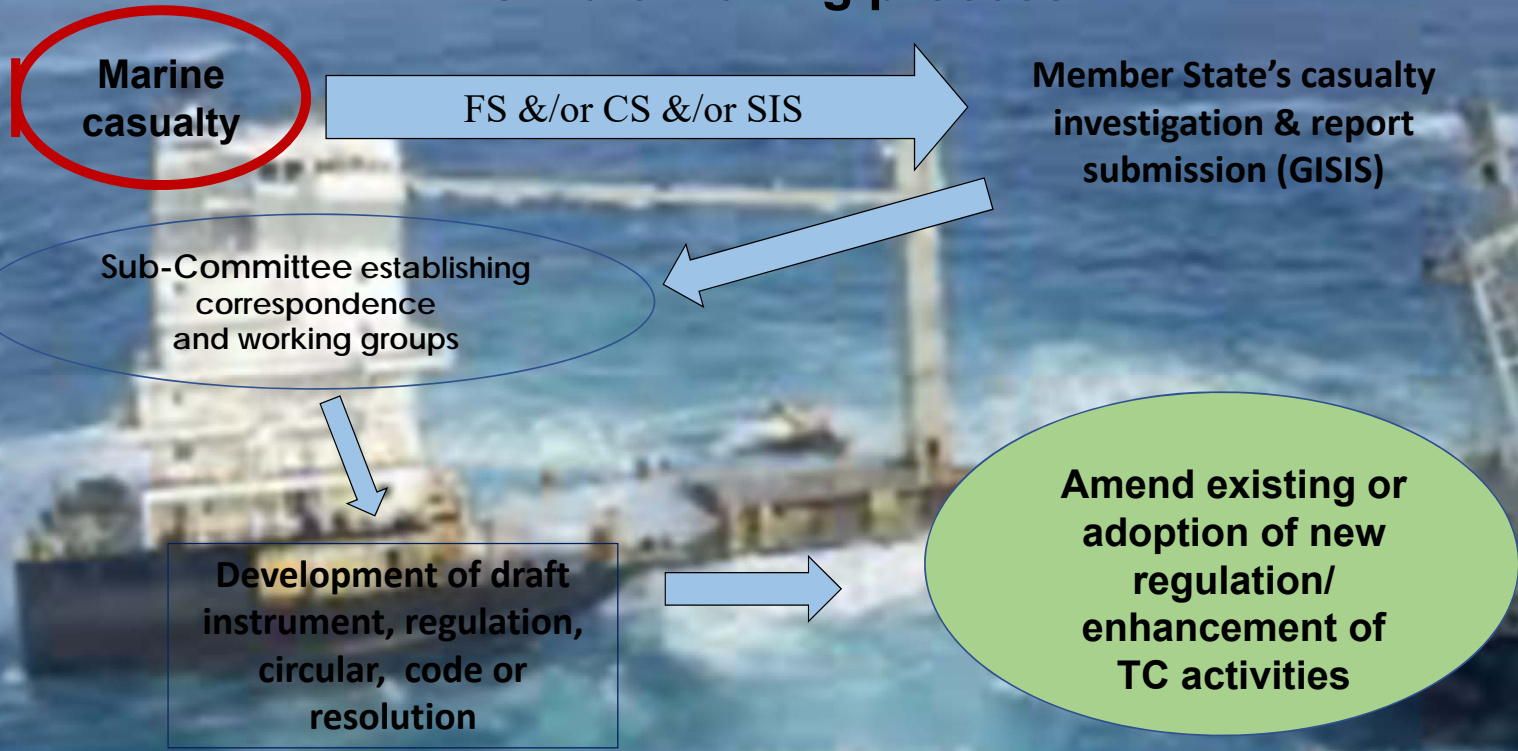
- Casualty Investigation Code (part III – Recommended practices)
- MSC-MEPC.3/Circ.4/Rev.1 on Revised harmonized reporting procedures – Reports required under SOLAS regulations I/21 and XI-1/6, and MARPOL, articles 8 and 12
- Notification and circulation through the Global Integrated Shipping Information System (GISIS) (res. A.1074(28))
- Guidelines to assist investigators in the implementation of the Casualty Investigation Code (res. A.1075(28))
- Guidelines on fair treatment of seafarers in the event of a marine accident (res.A.987(24) and res.A.1056(27))

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IMO Rule making process



Marine casualty

FS &/or CS &/or SIS

Member State's casualty investigation & report submission (GISIS)

Sub-Committee establishing correspondence and working groups

Development of draft instrument, regulation, circular, code or resolution

Amend existing or adoption of new regulation/enhancement of TC activities

Role in the rule making process

IMPLEMENTATION OF IMO INSTRUMENTS (III)

Strategy plan for the Organization

Ensure regulatory effectiveness

Output 7.4

Lessons learned and safety issues identified from the analysis of marine safety investigation reports

The current casualty analysis process

CG & WG

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IMO International Maritime Organization Global Integrated Shipping Information System Feedback | Log out

Members Area China / Home Go to Public Area

Welcome to the Members Area

Find module by keyword

Reporting Requirements Dashboard
Status and completeness of information in CIRIS received from IMO members.

Maritime Security
Information communicated under the provisions of SOLAS chapter XI-2 and the ISPS Code.

ERO Contact Points
Contact lists of competent authorities and authorized organizations relating to ERO matters.

Marine Casualties and Incidents
Data on marine casualties and incidents, as defined by circulars MSC-MEPC.3/Circ.3.

Port Reception Facilities
Data on the available port reception facilities for the reception of ship-generated waste.

Port State Control
Information communicated under the provisions of SOLAS resolution 1/19, 2002, as amended, and the 2002 Code of Practice for Port State Control Inspections.

Ship and Company Particulars
Ship identification and particulars.

Authorized Inspection Entities
List of authorized inspection entities, competent authorities and authorized organizations relating to ERO matters.

Recognized Organizations
List of recognized organizations authorized by Member States under MSC/Circ.1010.

Marine Casualties and Incidents 2
Data on marine casualties and incidents, as defined by circulars MSC-MEPC.3/Circ.4.

Status of Treaties
Status of ratification of IMO conventions, including global tonnage figures.

Facilitation of International Maritime Traffic
Information on clearance facilities, E-Addresses of Governmental Authorities and communication channels for the IMO and ICSG Community.

MCI2

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Data Exchange protocols

For the European Commission and the
Member States

Information on maritime safety
Facilitate cooperation

Connected to the module on marine
casualties and incidents for electronic
data transfer in order to avoid duplication
of reporting



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Thank you for listening

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