Revision of IMO Resolution A.857(20) Guidelines for Vessel Traffic Services

Seminar Report

26 -27 June 2019
IALA Headquarters
Saint-Germain-en-Laye, France

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Seminar Secretary

27 June 2019

Report of the IALA Seminar on the Revision of IMO Resolution A.857(20) Guidelines for Vessel Traffic Services

1. EXECUTIVE SUMMARY

IALA hosted a seminar on the revision of IMO Resolution A.857(20) Guidelines for Vessel Traffic Services from 26 to 27 June 2019. The seminar was held at IALA Headquarters attended by stakeholders with an interest in Vessel Traffic Services (VTS).

The seminar was attended by 77 participants, representing 25 countries and 7 Sister organisations. A full list of participants can be found in Annex C.

The seminar was structured with presentations on relevant topics followed by open discussions covering the key issues to address in the revision. The presentations are available at - https://www.iala-aism.org/meetings/seminar-on-imo-resolution-a-85720-for-vts/.

The aims of the seminar were to:

I.   Inform stakeholders about the revised resolution being prepared by the VTS Committee for submission to NCSR7;

II.   Provide the opportunity to broaden engagement in preparing a revised resolution, particularly with IMO Member States and international organizations who may not have been involved in the preparation of the submission of a new output proposal (MSC 99/20/3); and

III.   Ensure stakeholder views are considered in finalising the draft revision to be submitted to NCSR 7.

The seminar sought to harvest participant's views and were collated (Annex A) for consideration by the Correspondence Group in preparing its final report and draft revision for input to the VTS Committee meeting in October (VTS47).

This report including the output document will be forwarded to the IALA Correspondance Group and VTS 47 to note for future development.

Key outcomes were:

- The seminar achieved its aims by collating all comments from participants which will be considered by the Correspondance Group and forwarded to the VTS Committee;

- The seminar successfully engaged and informed those who may not have been involved in the preparation of the submission of a new output proposal (MSC 99/20/3) (approximately 40% of participants);

- That participants concluded that the new draft resolution was concise and mature;

- The revision is less prescriptive in line with a modern approach, more suitable for a rapidly changing world, references IALA VTS standards, avoids previous ambiguity and is a forward-looking document;

- That 96% of participants agreed that the concept of types of service (INS, TOS and NAS) was confusing and unnecessary;

- There is no need to distinguish between port and coastal VTS;

- That the draft resolution was positively received with wide ranging support at the seminar; and

- That participants were urged to contact the IALA Secretariat if they wished to co-sponsor the submission to IMO NCSR 7.

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IALA Seminar on the Revision of IMO Resolution A.857(20) Guidelines for Vessel Traffic Services

2. INTRODUCTION

IMO Maritime Safety Committee, at its 99th session in 2018, agreed to include in its post-biennial agenda an output on "Revision of the Guidelines for vessel traffic services (Resolution A.857(20))", assigning the task to the Navigation, Communication and Search and Rescue (NCSR) Sub-Committee as the coordinating organ.

IALA, through the expertise of the VTS Committee, is taking a coordinating role in the update and is preparing a revised resolution for consideration by the IMO. The VTS Committee, through the efforts of its Correspondence Group, has made significant progress in preparing a draft revision of the resolution.

Specifically, the draft has been prepared in a manner that addresses the key areas as identified in the submission to the IMO for the revision of the resolution (MSC 99/20/3) that contribute to the broad interpretation and debate regarding VTS and which require clarification or update. These are:

• The role of the competent authority/VTS authority;

• Changing traditional boundaries;

• VTS and future developments;

• The Types of Service (Information Service, Traffic Organization Service and Navigational Assistance Service);

• The use of result-oriented instructions;

• VTS qualifications, training and certification;

• The recognition of IALA Standards relating to VTS; and

• Various administrative amendments.

The goal of the seminar was to assist the VTS Committee in the finalisation of a draft revision of the Guidelines for vessel traffic services (resolution A.857(20)) that provides a clear and concise framework to operate vessel traffic services globally in a harmonised manner. The draft revision will be submitted to NCSR7 in October for its consideration during the 2019-2020 biennium.

The aim of the seminar was to:

I.   Inform stakeholders about the revised resolution being prepared by the VTS Committee for submission to NCSR7;

II.   Provide the opportunity to broaden engagement in preparing a revised resolution, particularly with IMO Member States and international organizations who may not have been involved in the preparation of the submission of a new output proposal (MSC 99/20/3); and

III. Ensure stakeholder views are considered in finalising the draft revision to be submitted to NCSR 7.

The seminar sought to harvest participant's views which were collated (Annex A) for consideration by the Correspondence Group in preparing its final report and draft revision for input to the VTS Committee meeting in October (VTS47).

This report, including the output document, will be forwarded to the IALA Correspondance Group and VTS 47 to note for future development. The draft resolution will be finalised at VTS47 (September 2019) for submission to IMO for its consideration at NCSR7 during the 2019-2020 biennium.

Documents and presentations are available at - https://www.iala-aism.org/meetings/seminar-on-imo-resolution-a-85720-for-vts/.

3.   OVERALL PROGRAMME

The technical programme can be found in Annex B.

4.   SLIDO

Slido, an audience interaction tool for meetings, events and conferences was used to fully engage seminar participants and collate their comments. The application offers interactive Q&A and live polls, during the course of the seminar there were two polls conducted and the results are listed below:

What type of organization are you representing at this seminar?

54 responses

(Contracting) Government - 7 %

Competent authority - 22 %

Competent authority - legally appointed with authority to regulate VTS - 9 %

VTS authority - 4 %

VTS authority - legally appointed by the Government or the competent authority to operate a VTS - 20 %

Other - 37 %

Are you satisfied with deleting INS, TOS and NAS?

56 responses

Yes - 96 %

No - 4 %

5.   SESSION 1 – OPENING AND SETTING THE SCENE

5.1   Welcome and Opening Address

Monica Sundklev, VTS Committee Chair, welcomed participants and introduced the session.

The following statement on the IALA General Data Protection Policy was made read out by the Chair:

IALA needs to comply with the General Data Protection Regulations of the European Union. In the report of this meeting, IALA will include a list of participants. Any participant who doesn't agree on this should contact the Committee Secretary as soon as possible, thank you.

5.1.1   IALA Secretary-General's Opening Address

IALA Secretary-General, Francis Zachariae, welcomed all participants to Saint-Germain-en-Laye. He affirmed that both the project and the seminar are very important for safety of navigation and for IALA.

He went on to state that when IALA succeeds in submitting a draft resolution, Guideline for VTS to the IMO almost immediately after the VTS Committee later this year, IALA will have achieved at least 2 major tasks

for the future. The first being the agreement of almost 200 delegates from all around the world in the draft Convention that will eventually change the status of IALA to an IGO and the second is the new Guideline for VTS that will change the future for VTS all over the world. The two are very related. As an IGO there will be more focus on coastal State responsibilities and VTS is a core coastal State responsibility.

This work is part of the VTS Strategy Paper, approved by Council at its 60th session in May 2015 paving the way for the VTS Committee to prepare a submission to the IMO for an unplanned output proposal to review resolution A.857(20) on Guidelines for Vessel Traffic Service. The output was agreed by the MSC in IMO in 2018 and the task for IALA was to produce a draft resolution for consideration by the IMO in 2020. This is of course an ambitious and complicated task to accomplish, but as you can see from the progress report to this meeting there are excellent results and a realistic roadmap for the future process.

Mr. Zachariae praised the VTS Committee's significant progress in preparing a draft revision of the resolution, through the efforts of its Correspondence Group. Thirty-one Committee participants from twenty organizations, representing Competent Authorities, VTS Authorities, sister organizations and industrial members, have participated in the Correspondence Group (via teleconference) since its formation in June 2018.

The Secretary-General thanked all participants, and especially Neil Trainor and AMSA for taking a leading role in this work. Without these efforts IALA would not have achieved the progress it has.

The draft has been prepared in a manner that addresses the key areas as identified in the submission to the IMO for the revision of the resolution (MSC 99/20/3) that contribute to the broad interpretation and debate regarding VTS and which require clarification or update. These are:

• The role of the competent authority/VTS authority;

• Changing traditional boundaries;

• VTS and future developments;

• The Types of Service (Information Service, Traffic Organization Service and Navigational Assistance Service);

• The use of result-oriented instructions;

• VTS qualifications, training and certification;

• The recognition of IALA Standards relating to VTS; and

• Various administrative amendments.

IALA is of the view that this is now a relatively mature document and will be finalised at VTS47 (September 2019) for submission to the IMO for its consideration at NCSR7 during the 2019-2020 biennium.

Of great importance is the road map and next steps. We need to ensure support from participants Authorities to the Submission that will be coordinated from the Secretariat. He hoped for support from many Member States and from our Sister Organizations.

5.2 Setting the Scene – Experiences Gained from the Current Resolution

5.2.1 Giving Effect to the Current Resolution in Australia

Thomas Southall delivered a presentation submitted by Neil Trainor of AMSA regarding the experiences that Australia have had as a competent authority using the current resolution. Highlights of the presentation included:

• A snapshot of VTS in Australia;

• The regulatory framework of VTS in Australia;

• The need for a revision of the current resolution including:

  o A.857(20) is not concise;

- o A.857(20) is overly prescriptive; and
- o A.857(20) is out of date.

- Each of the key issues in submission MSC99/20/3 was described and how the current draft addresses them was discussed; and

- That the draft resolution:
  - o Provides a clear regulatory structure;
  - o Is future proof; and
  - o Is not confusing to stakeholders.

5.2.2 Vessel Traffic Services in Finland

Sari Talja, VTS Finland, delivered a presentation on VTS in Finland and the draft resolution. Highlights included:

- The establishment of VTS in Finland;

- The regulatory framework around VTS in Finland;

- The benefits of the draft resolution including:
  - o The removal of separate services;
  - o The recognition of VTS cooperating with other elements of the maritime environment; and
  - o The recognition of effective data exchange as an integral part of VTS operations in the future.

- The recent restructure of VTS in Finland.

General discussion highlighted that there is no operational difference between port and coastal VTS.

5.2.3 Seven Thoughts on the Draft VTS Resolution in Spain

Carlos Fernandez Salinas, SASEMAR, delivered a presentation on the current draft resolution and the status of VTS in Spain. Highlights included:

- The background and success in recent years of applying the IALA VTS standards in Spain, particularly the implementation of Recommendation R0103 on training and certification and related VTS model courses.

- Seven observations of the draft resolution:
  - o Should SAR be recognized as a possible function of VTS?;
  - o No differentiation between coastal and port VTS;
  - o No distinction between an information service (INS), traffic organization service (TOS) or a navigational assistance service (NAS);
  - o That there is less reference to VTS personnel, implementation, equipment, procedures and allied services – particularly pilots;
  - o Use of simple English must be employed to reduce confusion to readers;
  - o That the current draft is concise; and
  - o The new draft will have the consequence of increasing the safety of life at sea, the efficiency of traffic flow and the environmental protection.

6.   SESSION 2 – PRESENTATIONS BY KEY STAKEHOLDERS

6.1   Expectations and Best Practices Related to VTS

6.1.1   Expectations and Best Practice of VTS – International Harbour Masters Association (IHMA)

Barry Goldman presented the views of the IHMA regarding their expectations and best practices of VTS. Highlights included:

- The revision of resolution A.857 (20) is arguably the most important issue currently under consideration by IALA;

- There is a need to rationalise and restructure the future resolution to ensure that the message it sends out is clear and that it is limited to high level principles on which more detailed guidance can be developed in subordinate IALA documentation;

- The draft identifies the roles of all authorities, from governments at the top to VTS providers and mariners at the operational end in a clear and concise single section and is limited to high-level principles;

- The existing concept of Types of Service as discrete services for which provision is optional has been one of the most significant causes of misinterpretation, misunderstanding, and lack of international harmonisation. The three current "Types of Service" are all functions of any VTS and, should therefore be declared by any VTS in accordance with the current resolution. The concept of optional Types of Service must cease as it either is a VTS or not a VTS;

- The inclusion of vague terms like result-oriented need to be removed to prevent confusion;

- The existing advice provided by IALA in Guideline 1071 on VTS beyond territorial seas seems to be entirely adequate and there is not considered to be any need for any fundamental changes in the new resolution that might result in the establishment of a VTS for purposes other than those for which provision is already made;

- Regarding future technologies to avoid the same failings of excessive detail as in the current resolution, the principle that will best futureproof the document is to ensure that the language in the resolution does not exclude potential developments and avoids the inclusion of speculative detail;

- There is a need to give much greater focus on IALA documentation and to give prominence to the key role IALA now plays in setting VTS standards; and

- The current draft is only 7 pages including the initial 2-page rehearsal this should result in a much improved and focussed document that will remove all the current shortcomings and form a robust basis to take VTS forward into the future.

6.1.2   International Maritime Pilots' Association (IMPA) Views on the Draft Resolution

Captain Jean-Philippe Casanova, Senior Vice-President of IMPA, gave an address to the seminar on the views on the draft resolution from the pilot's perspective. Highlights included:

- IMPA offered its support to this current project of IALA to revise IMO resolution A.857(20) concerning VTS;

- It is recognised that pilots are consumers of information from many sources including the information that a VTS can provide. VTS has the potential and the tools to be able to support safe navigation and hence IMPA's interest and contribution to this project and all previous IMO resolutions on VTS;

- IMPA supports IALA's approach to this revision with less prescription - more in line with a modern approach;

- The draft resolution is more suitable for a rapidly changing world, references IALA VTS standards, is concise and avoids previous ambiguity; and

- IMPA believes that the draft is a forward-looking document and commends it to the industry.

6.1.3 Review of IMO Resolution A.857(20) on Guidelines for VTS by the Legal Advisory Panel (LAP)

Christina Schneider, chair of the IALA LAP, presented the observations of the IALA Legal Advisory Panel on the draft resolution. Highlights included:

- That the draft resolution was now a mature document recognising the work that the Correspondance Group had carried out;

- There is no mandatory use of VTS outside the territorial waters according to SOLAS Chapter V Reg. 12 (3) and UNCLOS, however, any voluntary use shall be encouraged recognising that a high percentage of ships already participate on a voluntary basis;

- Article 5.2 - From a legal point of view it should be clear to VTS authorities/providers and participating ships what the VTS will do to fulfil its task/purpose, this should include the right to give instructions which has the strongest legal impact on a ships master. LAP suggests including at least the general measures a VTS will deliver such as information, advice, instruction or similar wording;

- Article 5.2 – LAP believes that the wording of "transit of ships" is too restricted as ships staying within the VTS area are not included and suggests using a phrase incorporating navigation or movement etc;

- Article 5.3 - LAP believes that in the case of a VTS giving an instruction to a ship the authority/provider expects compliance with the instruction with the only exception being a contradiction with safety on board which is already included in article 6.1 "final decisions remain with the master on board". LAP suggests a clarification in the introductory sentence of article 5.3 or the deletion of this part;

- Article 4.4 – LAP believes that "participating ships" should be clarified (e.g. by definition or a separate Article) in order to make the role of VTS and participating ships as clear as possible; and

- Article 6.1 – LAP believes that by strengthening the wording in this section by including the word "final" the general principle that the last decision will remain with the master will be emphasized.

6.2 Status of the Proposed Revision to the Resolution

Trond Ski, Chair of VTS Committee Working Group 1, presented to seminar participants the status of the proposed revision to the resolution. He explained the background to the task acknowledging that the task was first discussed around 2002. Mr Ski went on to highlight milestones in the task such as the MSC 99 submission and the road map that lay ahead. This included:

- The Correspondance Group continuing its work preparing a draft for VTS 47;

- The draft to be finalised at VTS 47; and

- Submission to IMO NCSR 7 and then subsequently to the Maritime Safety Committee and Assembly if successful.

7. SESSION 3 – KEY AREAS AND PANEL DISCUSSIONS

A panel session, chaired by Monica Sundklev, on the key areas identified in MSC99/20/3 that contribute to the broad interpretation and debate regarding VTS which require clarification or update was conducted.

Each key area was introduced by a member of the panel and then an open discussion was facilitated in order to harvest comments from participants. The key areas and facilitators were:

- Role of the Competent authority/VTS authority – Monica Sundklev;

- Changing traditional boundaries – Pieter Paap;

- Recognition of IALA Standards - Monica Sundklev;

- Types of Service (Information Service, Traffic Organization Service and Navigational Assistance Service) – Trond Ski;

- Result-oriented instructions - Trond Ski;

- VTS qualifications, training and certification – Stefan Priem;

- VTS and future developments - Monica Sundklev;

- Administrative amendments - Monica Sundklev.

A table of comments harvested from seminar participants can be found in Annex B.

8. SOCIAL EVENTS

A cocktail dînatoire was hosted by IALA at the Mercure Hotel in Saint-Germain-en-Laye on the 26 June. The weather was very pleasant and provided the perfect backdrop for a collaborative evening between all participants.

9. CLOSING THE SEMINAR

9.1 Seminar Results, Conclusions and Next Steps

Trond Ski, Chair of VTS Committee Working Group 1, asserted that the aims of the seminar had been met. Approximately sixty comments had been taken and recorded by rapporteurs Audrey Guinault and Heidi Clevett for the VTS Committee to take into consideration further. The Correspondance Group would convene again shortly to finalise its input to VTS 47 and all participants are welcome to join by emailing Thomas Southall, Secretary of the Correspondance Group (tom.southall@iala-aism.org) and Neil Trainor, Chair of the Correspondance Group (neil.trainor@amsa.gov.au).

Osamu Marumoto, IMO delegate to the seminar, then made a presentation on the background of IMO and the process that the draft resolution will undertake once it is submitted to NCSR 7.

9.2 Closing Remarks

Monica Sundklev, Chair of the VTS Committee, expressed gratitude to the seminar participants acknowledging that their comments would benefit the draft resolution and the work of the VTS Committee. The Chair went on to state that the submission to IMO NCSR 7 needs to be supported by Member States and Sister Organizations and urged participants to contact the IALA Secretariat if they wished to co-sponsor the submission.

The IALA Secretary-General thanked everyone for attending the seminar and expressed his delight that so many countries and organizations had participated and that the event had achieved its aims in informing and engaging stakeholders to collect their comments to the benefit of the submission to IMO.

He went on to assert that it is important to have this process and that the document is getting better with every stage. Furthermore, he emphasized the importance of participants expressing their wish to co-sponsor the submission to the IALA Secretariat should they wish to do so. Finally, Mr. Zachariae wished a safe journey home to all and closed the seminar.

ANNEX A.   TABLE OF SEMINAR PARTICIPANTS COMMENTS

Overall Comments	
Source	**Comments / Questions**
The Nautical Institute	Will the new resolution be resilient enough to deal with an increase of Coastal VTS and the subsequent potential communication difficulties with non-piloted vessels?
IFSMA	The draft is very beneficial owing to its current recognition of the ships master's role and responsibilities, this should remain in future development of the draft.
IALA LAP Chair	Presented the LAP findings and described the draft as mature.
IMPA	IMPA supports IALA's approach to this revision with less prescription and therefore more in line with modern thinking. IMPA believes this makes the revision more suitable for a rapidly changing world. It references IALA VTS standards, it's concise and critically, avoids previous ambiguity.
SASEMAR (Spain)	It is positive that the draft resolution is very concise as opposed to its predecessor. Overall the objectives of the draft resolution are very clear, however, caution must be taken to ensure that the words used do not confuse non-native English speakers. There is a general lack of references to key stakeholders such as pilots within the draft resolution. Has the case of autonomous vessels been contemplated?
Malaysia	Should the new resolution specify the types of equipment a VTS should have? From the mariner's perspective they should know what the VTS has at their disposal. Reference: IALA V-119 Implementation of Vessel Traffic Services IALA G1111 Preparation of operational and technical performance requirements for VTS systems
France	Remove footnotes in the draft resolution.

MSC99/20/3 **Key areas as identified by the co-sponsors that contribute to the broad interpretation and debate regarding VTS and which require clarification or update:**	Comments / Questions
.1 Role of Competent Authority / VTS Authority – The current resolution is overly prescriptive on the responsibilities of the Competent Authority and VTS Authority. It does not recognize that circumstances may differ due to international/national law, geographical characteristics, traffic density/diversity, accessibility and environmental conditions.	TST (Japan) – we would like to confirm that the term "competent authority" should include a local government or local public entity which is responsible for a local port/harbour?
.2 Changing traditional boundaries – Coastal States are increasingly providing VTS beyond territorial seas (e.g. in the approach to ports) as a means to ensure the safety, security and efficiency of navigation and the protection of the marine environment in a domain with increasingly diverse utilization of space. Whilst SOLAS regulation V/12 (Safety of navigation) states clearly that VTS may only be made mandatory within territorial waters, the resolution is silent on the many ways that a VTS might contribute to the safety of vessel traffic and the protection of the environment beyond territorial waters or in international straits, without being mandatory.	MITAGS (USA) – Taken from US regulations -"Note: Although regulatory jurisdiction is limited to the navigable waters of the United States, certain vessels will be encouraged or may be required, as a condition of port entry, to report beyond this area to facilitate traffic management within the VTS area'. Reference - IALA G1071 Establishment of a Vessel Traffic Service beyond territorial seas
.3 VTS and future developments – The current resolution does not provide a framework to accommodate new trends, such as the development, adoption and implementation of Maritime Service Portfolios, e-navigation and other evolving instruments aimed at the facilitation of safe, secure and efficient maritime traffic and trade.	
.4 Types of service (INS, TOS and NAS) – The guidance provided in the existing resolution regarding the services rendered by a VTS is subjective and open to broad interpretation and debate. Of major concern amongst authorities is that these services are not being declared or delivered globally in a consistent manner. This is causing confusion to stakeholders, most significantly to masters of vessels navigating in different VTS areas, and to VTS operators delivering the service from their respective VTS Centres. As	Seminar poll result (54 votes) - Are you satisfied with deleting INS, TOS and NAS? Yes - 96% No - 4% A participant who voted no anonymously explained – 'I indicated no, because our organization is fully oriented to the division of the three services, this will entail the complete revision of the national rules'

a result, there is significant potential for misunderstandings which, in turn, could reduce the intended effectiveness of VTS as an important risk mitigation measure to maritime traffic.	
.5 **Result-oriented instructions** – Experience shows that the guidance provided in the existing resolution regarding the provision of result-oriented instructions is causing confusion and is open to differing interpretation. This uncertainty makes it difficult to reach agreement on training guidance. More significantly, there is clear evidence that some VTS operators feel severely restricted in their ability to provide navigational assistance to vessels standing into danger.	MITAGS (USA) - I agree Results originated instructions may be removed from the IMO document; however, I feel it should be retained within IALA guidelines concerning advice.

IHMA – agree that this should not be in the draft resolution. The text in the old resolution does not make sense. Air Traffic Control communication is a good example of crisp and clear communication. |
| .6 **VTS qualifications, training and certification** – In the absence of any approved guidance on recruitment, qualifications and training for VTS Operators, detailed training guidance has been set out in annex 2 to the resolution. IALA has subsequently refined, developed and expanded this text to include guidance on qualification and certification at a range of levels. The structure and terminology used within annex 2 to the resolution is now either in conflict with, or constraining the necessary continued development of modern IALA training recommendations, guidelines and model courses. | MITAGS (USA) - the new resolution should include a requirement for "continuing education." The draft resolution is stagnant.

BIMCO - we mentioned mariners getting confused with different services. How about including VTS training in the STCW training for mariners?

IMO – noting the comments to delete some footnotes referring the IALA standard and directly and explicitly list them in the main text, offered the word of caution that the current text of SOLAS V/12.3 specifies that VTS shall follow the guidelines developed by IMO. This means that, recognizing the excellent initiative and work done by IALA for the development of guidelines, IMO cannot lose the IMO guidelines "developed by IMO". If the revised resolution were to lose the complete annex 2 on qualification and training, some element of guidelines on training should be retained, and for this purpose, it may not be possible to directly refer to the IALA training standard in the main text of the resolution. A footnote, referring to IALA standard would solve this problem. |
| .7 Recognition of **IALA Standards** relating to VTS – While the existing resolution makes reference to the IALA VTS Manual it does not refer to the suite of IALA guidance relating to VTS (recommendations, guidelines and model courses) which are now available. The IALA VTS Manual is only updated every 4 years whereas IALA Recommendations and Guidelines are kept under continuous review. Further, the guidance and terminology contained within the existing resolution is limiting and complicating the | Tokyo Keiki Inc. (Japan) - If we read 8. IALA STANDARDS, it can be read that IALA standards are only about VTS. The role of IALA Standards in relation to this resolution should be defined. |

Draft Resolution (Post VTS46)	Comments
development and modernization of IALA guidance in a range of areas.	
.8 **Administrative amendments** – The resolution refers to a number of instruments which are now incorrect, obsolete or no longer in place and require updating. The document would also benefit from overall rationalization and restructuring.	Italian Coastguard – The resolution should provide the regulatory bridge between SOLAS and IALA Standards. Should there be more on the risk assessment process to establish a VTS?
ANNEX	**GUIDELINES FOR VESSEL TRAFFIC SERVICES**
Draft Resolution (Post VTS46)	**Comments**
1 INTRODUCTION	
1.1 These Guidelines are associated with the International Convention for the Safety of Life at Sea, 1974 (SOLAS) regulation V/12 and should be complied with when planning, implementing and operating a vessel traffic service under national law.	SASEMAR (Spain) - The information on implementation of a VTS should be expanded upon in the resolution as there is insufficient guidance to new VTS'. The current resolution had much more text regarding this.
1.1 IMO, in its role in regulating the planning, implementation and operation of vessel traffic services, is responsible for providing guidance on its establishment, operation, qualification and training. This includes a leadership role in providing a forum and framework for cooperation among Governments to facilitate the consistent and harmonized delivery of vessel traffic services worldwide.	
3.1 IALA is recognized as an important contributor to IMO's role and responsibilities relating to vessel traffic services.	
3.1 In complying with these Guidelines Governments should take account of applicable IMO instruments and refer to the relevant international guidance prepared and published by appropriate international organizations[1].	
2 DEFINITIONS AND CLARIFICATIONS	
The following terms are used in connection with a vessel traffic service:	
2.1 *Vessel traffic* service (VTS) means a service implemented by a Government with the capability to interact with vessel traffic and respond to developing situations within a vessel traffic service area to improve the safety and efficiency of navigation, safety of	

life at sea and to support the protection of the environment.	
2.2 *Competent authority* means the authority made legally responsible by the Government for vessel traffic services.	Canada – there may still be ambiguity using the terms 'competent authority' and 'VTS provider'. This should be clarified.
2.3 *VTS provider* means the organization or entity legally empowered by the Government or Competent authority for the provision of a vessel traffic service.	SASEMAR (Spain) – SASEMAR supports the new name and definition of a VTS provider.
2.4 *VTS area* means the delineated, formally declared area for which the vessel traffic service provider is legally empowered to deliver a vessel traffic service.	
2.5 *VTS personnel* means persons performing tasks associated with vessel traffic services, trained in vessel traffic service operations and holding qualifications as appropriate.	
2.6 *Allied services* mean services, other than a vessel traffic service, supporting vessel traffic.	
3 REGULATORY AND LEGAL FRAMEWORK	
3.1 Under the general provisions of treaty law and of IMO conventions, Contracting Governments are responsible for promulgating laws and regulations and for taking all other steps.	
3.2 Vessel traffic services are recognized internationally as a navigational safety measure through SOLAS regulation V/12.	
3.3 The establishment of a VTS is dependent on national law and factors such as the volume of traffic and degree of risk, and geographic, and environmental conditions.	SASEMAR (Spain) - This is such a short reference compared to the previous resolution. People may query why the distinction between port and coastal VTS has now been erased.
3.4 A VTS may be established beyond the territorial seas of a coastal State on the basis of voluntary participation. Such a VTS may be established in association with an IMO adopted ships' routeing system or mandatory ship reporting system, in accordance with SOLAS regulations V/102 and V/113, respectively.	IAIN - Suggest that "territorial waters" should read "claimed territorial waters or economic zones". Suggest a note to the effect that provision of VTS does not impact on sovereignty over those waters.
4 RESPONSIBILITIES	
4.1 Contracting Governments	

4.1.1 The Contracting Government should:	
.1 promulgate laws and regulations to establish a legal basis for VTS that gives effect to international law and SOLAS regulation V/12;	
.2 appoint and authorize a competent authority for VTS;	
.3 take appropriate action against a ship flying its flag that is reported not to have complied with the provisions of a VTS; and	
.4 take account of future technical and other developments recognized by the Organization relating to VTS.	The Netherlands – technological developments are so rapid that the IMO may not recognize them for a long time. Suggest the text is amended in order to not tie it to IMO recognition. France – this point does not add value to the resolution, this is already covered under section 8. IALA Standards. Norway - this point enhances the resolution. It should be retained. IALA Lap Chair – this point enhances the resolution. MITAGS (USA) – care must be taken to not isolate those VTSs who may not have access to new technology.
4.2 Competent authority for VTS	
4.2.1 The competent authority should:	
.1 establish a regulatory framework for establishing and operating VTSs in accordance with relevant international conventions and IMO instruments, IALA standards and national law;	Canada – The phrase 'establish a regulatory framework' is better than the previous text that read 'legally appointed'.
.2 authorize a VTS provider to operate a VTS within a delineated VTS area in accordance with national and international law;	
.3 ensure that VTS training and certification is accredited and approved in accordance with	

	the standards acceptable to the Organization[4]; and	
.4	establish a compliance and enforcement framework with respect to violations of VTS regulatory requirements.	
4.3	**VTS provider**	China MSA – Operational and emergency procedures should be made by VTS providers and there should be a reference to this in this section. Anonymous - there is no reference for VTS provider regarding training in 4.3.1 and 4.3.4 it should also refer to IALA standards.
The competent authority should:		
.1	ensure the VTS conforms with national law and the regulatory framework set by the competent authority for VTS;	
.2	set operational objectives for the VTS that are consistent with improving the safety and efficiency of vessel traffic and protection of the environment. The objectives set should be routinely evaluated to demonstrate they are being achieved;	
.3	ensure that appropriate equipment, systems and facilities are provided;	
.4	ensure that VTS personnel are appropriately trained and qualified; and	China MSA – the words 'sufficiently staffed' should be added to this text.
.5	ensure that information regarding the requirements and procedures of the VTS are promulgated in appropriate nautical publications.	
4.4	**Participating ships**	
Participating ships in a VTS area should:		
.1	provide information required by the VTS;	
.2	take into account advice provided by the VTS; and	
.3	comply with the provisions and instructions given to the ship by the VTS unless contradictory	BIMCO - vessels are asked to comply unless contradictory safety reasons exist. At times there could

	safety reasons exist. Masters may be required to report on their actions should they decide to disregard any instruction, advice or request given by a VTS.	be security or environmental protection reasons as well. IHMA - Agree with BIMCO but on the principle of less is more let's just drop safety and say, "vessels are asked to comply unless contradictory reasons exist". IFSMA – should this section say that masters are responsible for the safe navigation and manoeuvring of the ship before we go on to saying they may be required to report on their actions.
5	**PURPOSE OF A VTS**	
	5.1 The purpose of vessel traffic services is to contribute to safety of life at sea, safety and efficiency of navigation and the protection of the marine environment.	
	5.2 To achieve its purpose, a VTS should manage the safe and efficient transit of ships within the VTS area and mitigate the development of unsafe situations through:	
.1	The provision of timely and relevant information on factors that may influence the ship's transit and to assist on-board decision making. This may include:	
	.1 position, identity, intention and movements of ships;	
	.2 Maritime Safety Information;	
	.3 limitations of ships in the VTS area that may impose restrictions on the navigation of other ships (e.g. manoeuvrability), or any other potential hindrances;	
	.4 other information such as reporting formalities and ISPS details; and	
	.5 support to, and cooperation with, allied services.	
.2	The monitoring and management of traffic to	

		ensure the safety and efficiency of ship movements. This may include:		
		.1	forward planning and organizing ship movements;	IHMA – suggestion to delete .3 as .1, .2 and .3 are very similar.
		.2	organizing the allocation of space;	
		.3	forward planning of ship movements;	
		.4	establishing a system of traffic clearances or sailing plans, or both;	
		.5	providing route advice; and	
		.6	ensuring compliance with and enforcement of regulatory provisions for which they are empowered.	
	.3	Responding to developing unsafe situations to assist the decision-making process on board. This may include:		
		.1	a ship unsure of its route or position;	
		.2	a ship deviating from the route;	
		.3	a ship requiring guidance to an anchoring position;	
		.4	a ship that has defects or deficiencies, such as navigation or manoeuvring equipment failure;	
		.5	severe meteorological conditions (e.g. low visibility, strong winds);	
		.6	a ship at risk of grounding or collision; and	

.7 emergency response or support to emergency services.	SASEMAR (Spain) - VTS Authorities that provide search and rescue services may require more clarification on this paragraph. Leonardo s.p.a (Italy) - Should SAR be a function of a VTS? France – France has joint MRCC and VTS and dedicated people for both, we are also declared as Maritime Assistance Service, which works to have this kind of combined centre.
6 GENERAL PRINCIPLES	
6.1 Decisions concerning the navigation and the manoeuvring of the ship remain with the master. Nothing in these Guidelines changes the master's responsibility for all aspects of the operation of the ship.	IFSMA – If the role of the Master is to be removed from Para 6, then it must be included in Para 4.4, Participating Ships. SASEMAR (Spain) - If the decision remains with the Master then this could make interaction between the VTS and ship difficult in terms of providing advice or instruction. IALA LAP Chair – In Germany it is an obligation to follow a VTS instruction. The final decision sits with the master but they would have to have a good reason to not comply and it would be difficult to argue legally should an incident occur.
6.2 VTS communications should be timely, clear, concise, not open to misinterpretation and made in accordance with the standards adopted by the Organization.	
6.3 VTS communications should take into account bridge resource management principles.	China MSA – The VTS operator should have the same situational awareness but will not have the capability to take into account bridge resource management. The word 'should' could be removed in order to relieve the burden on the VTS operator or suggest combining 6.2 and 6.3. IHMA - Does reference to VTS communications taking account of BRM add anything to this document? Suggest it be deleted. Italian Coastguard - is this a procedure or general principle and is it necessary to have it here?
6.4 VTS operates within a comprehensive environment in which ships,	

ports, allied services and other organizations fulfil their respective roles, as appropriate.	
6.5 Effective data exchange and information sharing between participants is fundamental to the overall operational efficiency and safety.	
7 **QUALIFICATIONS AND TRAINING**	
7.1 A major factor in the operation of a VTS is the standard of competence of its VTS personnel. IMO is responsible for the international standards for VTS qualifications and training.	Italian Coastguard – potential confusion between IALA standards and IMO standards. IHMA – change this to reflect IALA standards on training exist. China MSA – change the second sentence to reference IALA standards alone and not IMO.
7.2 It is recommended that Governments use the standards for training and certification of VTS personnel acceptable to the Organization[6].	TST Corporation (Japan) - In some cases, a Classification Society conducts qualification procedure for VTS personnel on behalf of a government. Even now ClassNK uses the V-103 series and relevant documents for training and certification of VTS personnel (local port/harbour) acceptable to IALA. Reference - IALA G1014 Accreditation and Approval Process for VTS Training.
8 **IALA STANDARDS**	
8.1 To achieve worldwide harmonization of VTS, IALA publishes standards and associated recommendations, guidelines and model courses specifically related to the establishment and operation of VTS.	
8.2 IALA standards[7] provide the framework for coastal States to harmonize VTS worldwide and these are suitable for direct use and citation by parties with an interest in VTS.	China MSA – suggest delete 'coastal'. The inclusion of this word may prevent states with only inland waterways from using the resolution. The footnote should be brought into the main text in 8.1.

ANNEX B.   TECHNICAL PROGRAMME

DAY 1 – Wednesday, 26 June 2019

Time	Activity	
1000 – 1200	**Seminar Management Meeting**	
1100 – 1300	**Registration**	
1300 – 1430	**Session 1 – Opening and setting the scene**	**Chair: Monica Sundklev, VTS Committee Chair**
1300 – 1315	Welcome and opening address	Francis Zachariae, IALA Secretary-General
1315 – 1415	Setting the scene – experiences gained from the current resolution	Competent Authorities and VTS Authorities
1415 – 1430	Question Time	
1430 – 1500	Coffee break	
1500 – 1700	**Session 2 – Presentations by key stakeholders**	**Chair: Monica Sundklev**
1500 – 1600	Expectations and best practices related to VTS	Invited key stakeholders
1600 – 1615	Question Time	
1615 – 1655	Status of the proposed revision to the resolution	Trond Ski, VTS Committee WG1 Chair
1655 – 1700	Summary of day 1	Chair and IALA secretariat
1700	Close	
Evening event 1930 onwards	**Cocktail Dînatoire** Venue: Mercure Hotel Dress code: Smart Casual	

DAY 2 – Thursday, 27 June 2019

Time	Activity	
0900-1300	**Session 3 – Key areas and panel discussions** **(Including coffee break at a suitable time)**	**Chair: Monica Sundklev**
	A panel session with explanation on how to addresses the key issues identified in the submission (MSC99/20/3): • Role of the Competent Authority/VTS Authority • Changing traditional boundaries • Recognition of IALA Standards • Types of Service (Information Service, Traffic Organization Service and Navigational Assistance Service) • Result-oriented instructions • VTS qualifications, training and certification • VTS and future developments • Administrative amendments Note: Each session will be followed by an open discussion.	Invited expert panel
1300-1430	**Lunch**	
1430-1530	Continue panel session	See above
1530-1600	**Coffee break**	
1600-1640	Seminar results, conclusions and next steps	Trond Ski, VTS Committee WG1 Chair
1640-1650	Closing remarks	Monica Sundklev, VTS Committee Chair
1650-1700	Closing the seminar	Francis Zachariae, IALA Secretary-General

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