THE PACIFIC COMMUNITY

FIFTH PACIFIC REGIONAL ENERGY AND TRANSPORT MINISTERS' MEETING
Port Vila, Vanuatu, 8 – 12 May 2023

TD 05: SAFETY OF NAVIGATION IN THE PACIFIC ISLANDS REGION
[Submitted by Pacific Community]

Purpose

1.   The purpose of this paper is to inform Transport Ministers about the current state of Safety of Navigation services in the Pacific Islands region and request Ministers to call on Pacific Island Countries and Territories (PICTs) to take the lead to set up their respective national governing and coordinating entities and to allocate a dedicated budget to support these services. The paper also invites Ministers to consider and adopt the *Regional Strategy on Safety of Navigation 2023-2027* and request regional agencies and international development partners to coordinate their interventions and efforts through this regional strategy.

Background

2.   It is necessary that maritime navigation safety and all other activities within the waters under the jurisdictions of PICTs are carried out safely and in a coordinated manner to support and meet the requirements of the United Nations *2030 Sustainable Development Goals*, the *2050 Strategy for the Blue Pacific Continent* (2050 Strategy), national development goals as well as applicable instruments of the International Maritime Organization (IMO).

3.   The *International Convention for the Safety of Life at Sea* (SOLAS) Chapter V applies to all ships and requires Contracting Governments, where appropriate, to ensure safety of navigation by providing services such as navigational and meteorological warnings, search and rescue (SAR), hydrography, ship reporting and routeing systems, vessel traffic services (VTS) and aids to navigation (AtoN).

4.   The obligations placed on Contracting Governments under SOLAS Chapter V, as Flag, Port and Coastal States, are included in the *IMO Instruments Implementation Code* (III Code) which became mandatory in January 2016. This code is the legal framework which requires all parties undergoing a mandated audit, known as the IMO Member State Audit Scheme (IMSAS), to ensure sufficient resources and capabilities are available for the implementation of the mandatory IMO instruments.

5.   In the *Nuku'alofa Communiqué* of 2017, Transport Ministers reaffirmed the paramount importance of a safe environment and safety culture in international and domestic shipping through coordination and collaboration on relevant initiatives and endorsed the 1st *Regional Strategy on Safety of Navigation in the Pacific*. The aim of that Strategy was to provide a regional framework to address, in a consistent and globally coordinated manner, five main areas of safety of navigation, namely, i) Governance, ii) Navigation and meteorological services and warnings, iii) Hydrographic services, iv) AtoN services and VTS, and v) SAR services.

6.   The *Resolution of Transport Officials* adopted by Transport Ministers at the Fourth Pacific Regional Energy and Transport Ministers in 2019 (4th PRETMM), mentioned the need to include in national plans activities to achieve compliance with international instruments and best practises, improve governance through the adoption of measures and indicators, and to request

development partners to provide assistance for the delivery of safety of navigation services in PICTs and coordinate their activities through the *Regional Strategy on Safety of Navigation in the Pacific*.

7. In the 2050 Strategy, Pacific Islands Forum Leaders expressed a commitment to invest in and strengthen partnerships and regional regulatory arrangements to support transport services and infrastructure. This reaffirms and renews the importance of coordination and collaboration on relevant initiatives highlighted by the *Regional Strategy on Safety of Navigation in the Pacific*.

Current status

8. The SPC conducted a comparative baseline survey (attached as **Annex 2**) on different activities for the thirteen (13) Pacific Island Countries[1] targeted by the Safety of Navigation project which aims to assist these countries meet their international obligations in safety of navigation. The baseline also provides the current status of the PICs overall assessment done as of April 2023 and compared to April 2018 to highlight improvements or otherwise.

9. Since the *Nuku'alofa Communiqué of* 2017, Pacific countries have made progress in all five areas[2] of the Strategy, with the assistance of the various organisations and development partners.

Issues

10. For each area of safety of navigation made mandatory by SOLAS Chapter V and addressed in the regional Strategy, specific issues and measures are recommended as part of the on-going development in the PICTs and elaborated further in **Annex 1**.

11. Without a coordinating and monitoring entity, international and regional development partner assistances risk duplication of efforts.

12. Consistent financing of safety of navigation through national budget and external resources is essential given the costs involved for the upgrade and long-term maintenance of infrastructure and the allocation of resources to national agencies.

13. The regional Strategy has identified areas that need improvement and development partners are assisting in most of these areas but there is still a need for PICTs to improve national coordination aligned to the Strategy and development partners to communicate about and align their interventions to the Strategy. This will allow the Pacific Community (SPC) to play its role as Partnership Desk under the Strategy, measure progress and report to countries and partners.

Recommendations

14. Transport Ministers are invited to:

   a. **request** ministries responsible for the delivery of safety of navigation in PICs to work with other line ministries responsible to establish a national governing and coordinating entity (or as a sub-entity of existing maritime committees) to deal with matters related to safety of navigation and coordinate internal and external interventions and budgets;

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[1] *Solomon Islands, Vanuatu, Samoa, Tonga, Kiribati, Tuvalu, Nauru, Federated State of Micronesia, Republic of Marshall Islands, Fiji, Cook Islands, Nuie, Palau*
[2] *Safety of Navigation governance, Navigation and meteorological services and warnings, Hydrographic services, AtoN services and VTS, Search and Rescue services*

b. **request** ministries responsible for the delivery of safety of navigation in PICs to liaise with the ministry responsible for finance/budget, for the allocation of a dedicated budget utilising some of the charges collected from maritime operators;

c. **call** on ministries responsible for the delivery of safety of navigation in PICs to include in their national plans activities to achieve compliance with international instruments and best practises and improve governance through the adoption of measures and indicators such as those proposed in the *SPC's Guide for Pacific Island Countries in developing a Strategy to implement relevant instruments of the International Maritime Organization* and the *Regional Strategy on Safety of Navigation in the Pacific*;

d. **commend** SPC for carrying out and reporting on the comparative baseline survey, and for reviewing, developing and tabling for adoption the *Regional Strategy on Safety of Navigation 2023 - 2027;*

e. **approve** the *Regional Strategy on Safety of Navigation 2023-2027* and calls on PICs and SPC to implement it and report on such implementation in future meetings of Transport Ministers; and

f. **request** development partners to provide assistance for the delivery of safety of navigation services in PICTs to align with national plans/priorities and the *Regional Strategy on Safety of Navigation 2023-2027,* and to coordinate their activities through the Secretariat Desk at SPC.

Date: 24 April 2023

Annex 1

Regional Strategy on Safety of Navigation in the Pacific - Specific issues

1. **Safety of Navigation Governance:**

   Governance is underpinned by systems that make up the processes; such as international agreements, laws, policies or procedures that define who has power to perform a task, who needs to be consulted, how decisions are to be made and how decisions are implemented or reviewed.

   PICTs are clearly aware of and are making the effort to enact suitable laws or policies for marine Aids to Navigation and Search and Rescue services. However, in order to implement governance even better, PICTs must endeavour to address lesser-known elements such as consultation policies or practices, meeting procedures, service quality protocols, rules on conduct of officers, clarified roles and responsibilities, and processes for review of decisions.

2. **Hydrographic Services:**

   Currently hydrographic services are provided on an ad hoc basis. There is a need to establish a National Hydrographic Coordination Committee (NHCC) as a separate entity or within existing committees (depending on each country's special circumstances), whereby matters relating to hydrographic services are discussed, coordinated and carried out in a timely manner.

3. **Aids to Navigation:**

   The main issue related to AtoN is ring-fencing the charges collected (*"light dues"*) to establish a dedicated budget for the installation and maintenance of AtoN. In many PICTs, the light dues collected would largely cover the above.

   Transport Ministers could initiate a conversation with the ministries and/or departments responsible for collecting the light dues and ensure an adequate portion is re-allocated to AtoN.

   The best practice is that light dues be based on a cost-based pricing approach, specifically that a light due be calculated based on the cost of provision of services. PICTs are encouraged to consider the AtoN budgets drawn up by their competent authority to consider the cost of funding AtoN installation and maintenance, and duly review light charges based on it.

4. **Search and Rescue Services:**

   Delayed responses to SAR incidents happen because of several factors. Proper coordination is required to ensure effective response is executed in a timely manner without unnecessary delays.

   Lack of resources including emergency radios/beacons, trained personnel and proper SAR assets, cooperation, and coordination between local and external SAR stakeholders, all contribute to delayed SAR responses:

   (i) *Emergency Equipment* – most of the SAR cases in the region involved small crafts (open boats with outboard motors, 'banana' boats, etc.) which often do not carry emergency position location radios/beacons thus making it very difficult to estimate their last known positions. Appropriate measures must be put into place to encourage carriage of this equipment so that response time will be improved with huge savings on operational costs.

   (ii) *Training of SAR personnel* – SAR designated personnel should be well trained in order to perform their tasks competently, both at governance and operational levels. There is a need to train SAR Coordinators, SAR Mission Coordinators and other SAR personnel.

(iii) <u>*SAR assets*</u> – most small countries do not have proper SAR assets and often request assistance from the RCC/JRCC which is responsible for the SRR which the countries fall under. These resources can be arranged through effective cooperation and coordination of all stakeholders.

(iv) <u>*Cooperation and Coordination*</u> – while some local stakeholders may have their own normal working system in place, these sometimes hinder the effectiveness of SAR operations. Close cooperation by all stakeholders is required to support effective coordination and pulling together of available resources by leading SAR agencies. Establishment of *National SAR Coordinating Committees* (or as sub-entity of existing committee)*,* development and implementation of *National SAR Plans*, would support an effective SAR system. The *SAR TAfC*[3] will also support an effective SAR system at a regional level.

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[3] *The SAR TAfC is a non-binding document of intent that provides a framework for enhanced regional cooperation among SAR authorities and agencies in the Pacific Island region.*

Annex 2: Countries' Assessment Baseline (during Phase 3) as of April 2023 (Last one done in April 2018)

	Cook Islands	Kiribati	Vanuatu	Solomon Islands	Tuvalu	Tonga	FSM	RMI	Palau	Nauru	Niue	Samoa	FIJI	% Fully addressed	% Partially addressed	% Not addressed	% Fully addressed	% Partially addressed	% Not addressed
														2023			(2016 to 2018)		
1. IALA member?	YES	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	NO	YES	15%	NA	85%	15%	N/A	85%
2. IMO member?	YES	YES	YES	YES	YES	YES	NO	YES	YES	NO	NO	NO	YES	69%	NA	31%	69%	N/A	31%
3. Signatory to SOLAS?	YES	YES	YES	P	YES	YES	NO	YES	YES	YES	YES	YES	YES	84%	8%	8%	77%	N/A	23%
4. Responsibility for safety of navigation is clearly assigned in a law?	NO	YES	P	YES	P	P	NO	YES	P	YES	YES	P	YES	46%	38%	15%	38%	38%	23%
5. The term "aids to navigation" is used?	YES	YES	P	YES	NO	YES	YES	YES	P	YES	YES	P	YES	69%	23%	8%	8%	54%	38%
6. CA holds a comprehensive database of port calls and maritime traffic?	NO	YES	YES	YES	P	P	P	YES	YES	YES	YES	P	NO	54%	30%	16%	38%	46%	8%
7. CA holds a database ships registry and maritime accidents?	YES	YES	YES	YES	P	YES	P	P	P	YES	P	YES	YES	62%	38%	NA	0%	62%	31%
8. AtoN fees (light dues) collected?	NO	YES	YES	YES	P	YES	YES	YES	NO	NO	NO	P	YES	54%	15%	31%	69%	8%	23%
9. Ring-fenced national AtoN fund secured?	NO	NO	N	P	NO	NO	P	NO	NO	NO	NO	NO	NO	NA	15%	85%	0%	31%	69%
10. A national MSI coordinator in place?	NO	YES	P	YES	YES	YES	P	P	P	NO	YES	P	YES	46%	39%	15%	38%	8%	54%
11. CA holds a set of nautical publications?	NO	NO	YES	YES	NO	YES	P	P	NO	YES	NO	P	YES	39%	23%	38%	15%	69%	15%
12. Information on nautical charts up-to-date?	NO	YES	YES	P	NO	YES	P	NO	NO	NO	YES	P	YES	39%	23%	38%	0%	31%	69%
13. Develop and maintain an operational plan?	NO	YES	YES	YES	P	YES	YES	P	P	NO	NO	P	YES	46%	31%	23%	0%	23%	77%

14. Develop a stakeholders list?	P	YES	YES	P	YES	YES	YES	P	NO	NO	YES	P	P	46%	39%	15%	31%	46%	15%
15. CA conduct a formal risk assessment?	NO	P	YES	P	NO	YES	YES	YES	P	NO	YES	YES	NO	46%	23%	31%	0%	15%	85%
16. Follow IALA MBS?	P	YES	YES	YES	YES	YES	YES	YES	YES	P	YES	P	YES	77%	23%	NA	54%	38%	8%
17. Categorise all AtoN in accordance with international rules?	YES	YES	YES	P	YES	YES	YES	YES	P	YES	YES	P	P	69%	31%	NA	0%	46%	54%
18. Create and maintain a national register of AtoN?	YES	YES	YES	YES	YES	YES	YES	YES	P	P	YES	YES	YES	85%	15%	NA	23%	31%	46%
19. Develop and maintain a level of service for AtoN?	NO	P	YES	P	P	YES	NO	P	YES	P	NO	YES	YES	39%	38%	23%	0%	8%	92%
20. Maritime traffic monitored (AIS)?	NO	P	NO	P	NO	NO	P	YES	P	NO	YES	P	P	15%	46%	39%	0%	31%	69%
21. CA adopt formal maintenance procedure for AtoN?	NO	YES	P	YES	NO	P	NO	P	NO	P	NO	P	P	15%	46%	39%	0%	62%	46%
22. Inventory of available AtoN spares exist?	NO	P	YES	YES	P	YES	YES	P	P	NO	NO	P	P	31%	46%	23%	0%	62%	46%
23. AtoN service provision organization in place?	NO	YES	YES	YES	NO	NO	YES	NO	YES	NO	NO	P	YES	46%	8%	46%	23%	46%	31%
24. Emergency Wreck Marking Buoys are used?	NO	NO	YES	YES	NO	YES	NO	NO	NO	NO	NO	NO	NO	23%	NA	77%	0%	0%	100%
25. In-house AtoN training in place?	NO	YES	YES	P	NO	YES	NO	NO	YES	NO	NO	NO	NO	31%	7%	62%	0%	8%	92%
Overall rating - % fully addressed and partially addressed in 2023	v 36%	^ 84%	^ 88%	^ 96%	^ 56%	^ 84%	^ 68%	^ 72%	^ 68%	^ 44%	^ 52%	^ 76%	^ 80%	^45.84%	v24.2%	v29.92%	19.32%	30.52%	49.80%
Overall rating - % fully addressed and partially addressed in 2016 to 2018	64%	68%	60%	72%	48%	56%	48%	52%	20%	32%	52%	64%	NA						

Colours Legend: YES NO PARTIAL