

4 ALBERT EMBANKMENT
LONDON SE1 7SR
Telephone: +44 (0)20 7735 7611 Fax: +44 (0)20 7587 3210

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**GUIDANCE ON SEAFARERS' TRAINING AND CERTIFICATION FOR ISSUING
ADMINISTRATIONS, FLAG STATES AND PORT STATES DURING THE
COVID-19 PANDEMIC**

- 1 The Maritime Safety Committee, at its 104th session (4 to 8 October 2021), approved the *Guidance on seafarers' training and certification for issuing Administrations, flag States and port States during the COVID-19 pandemic*, as set out in the annex.
- 2 This Guidance is intended to assist Administrations responsible for the issuance of seafarers' certificates, flag States and port States in the implementation of the training and certification provisions of the 1978 STCW Convention during the exceptional circumstances created by the COVID-19 pandemic.
- 3 The Committee agreed to keep this Guidance under review and to amend it as and when the circumstances so warrant.
- 4 Member States and international organizations are invited to use the annexed Guidance and bring it to the attention of all parties concerned, especially issuing Administrations, and port and coastal State authorities.

ANNEX

GUIDANCE ON SEAFARERS' TRAINING AND CERTIFICATION FOR ISSUING ADMINISTRATIONS, FLAG STATES AND PORT STATES DURING THE COVID-19 PANDEMIC

General principles

1 This Guidance is intended to assist Administrations responsible for the issuance of seafarers' certificates, flag States and port States in the implementation of the STCW Convention and Code during the COVID-19 pandemic, thereby helping seafarers and shipowners to obtain the necessary documentation. In particular, the Guidance contains recommended practices with regard to exceptional measures adopted by Parties as a consequence of the pandemic.

2 Exceptional measures are defined as temporary measures adopted and implemented by Parties to the 1978 STCW Convention, which are not expressly provided in the Convention, and are intended to address the difficulty or impossibility of performing obligations stemming from the STCW Convention and Code.

3 It is recognized that it has been difficult, if not impossible, to fully implement the obligations of the STCW Convention and Code during the COVID-19 pandemic, which has severely affected seafarer travel and social contact. Parties have had to resort to consider force majeure, whether explicitly or implicitly.

4 Parties to the 1978 STCW Convention and port States have been advised that they should adopt a practical and pragmatic approach when adopting and implementing measures deviating from relevant provisions of the STCW Convention and Code.

5 However, it is important that in adopting a practical and pragmatic approach, the objectives of safety of navigation and protection of the marine environment are maintained during the pandemic. States should as much as possible follow the intentions of the STCW Convention and Code and the provisions contained therein. It is recommended that Administrations consider the potential impacts of particular measures they adopt.

6 IMO has received numerous communications from Parties outlining the measures they have adopted on an interim basis. Transparency and, as far as practicable, predictability are important for all to strive for.

Issuing Administrations

Challenges

7 The COVID-19 pandemic has directly affected Issuing Administrations' ability to strictly adhere to provisions in STCW regulation I/11 and section A-I/11 of the Code with regard to revalidation. Medical certificates' validity has also been extended, sometimes beyond the permitted one-time extension of up to three months. Furthermore, required training, both practical and theoretical, has been difficult to carry out.

Guidance

8 Measures adopted by Parties to extend the validity of certificates have in effect derogated from the requirements. Extensions have varied in length from 3 months to 12 months, often as a function of the circumstances faced by a particular Issuing

Administration. Issuing Administrations should try to implement measures that are in line with the intention of the relevant provisions. They should continually review these measures with a view to eventually fully implementing the provisions of the STCW Convention and Code.

9 The exceptional measures that an Issuing Administration deems necessary to implement should take into account its administrative capacities, as well as the needs of flag and port States. The measures adopted should be communicated to the Secretary-General, as well as to other stakeholders. As regards extensions of validity, Administrations should consider relevant provisions in the STCW Convention, such as article VIII (Dispensations). The Secretary-General should communicate information received on such measures to the STCW Parties.

10 To facilitate continued professional development, remote training may be considered. This could take the form of online training or e-learning, as appropriate. It may, however, not be possible to provide training and demonstration of practical skills in this manner, which should be considered for the revalidation of certificates.

Communication of exceptional measures

11 Exceptional measures implemented should be communicated to the Secretary-General as soon as possible, and preferably before they come into effect. This should include amendments to already adopted and/or implemented measures. Parties should also communicate to the Secretary-General as soon as possible the date when such measures will no longer be in effect.

12 Administrations issuing certificates recognized by other Administrations should promptly notify the measures implemented, consistent with paragraph 1.2 of STCW regulation I/10.

13 With regard to the revalidation requirements related to sea service, Issuing Administrations should, as far as possible, comply with the requirements of section A-I/11 of the STCW Code.

14 Extensions of the validity of medical certificates beyond that permitted by the 1978 STCW Convention should be carefully considered, as this may also affect the State's implementation of the MLC, 2006, if applicable.

Flag States

Challenges

15 Flag States have faced numerous challenges, in particular the diverse nature of measures adopted by Issuing Administrations with regard to extensions of certificates.

Guidance

16 Flag States should continually verify that information on measures adopted is up to date and current to ensure that its endorsements are not negatively affected.

17 Flag States may consider providing their ships with relevant documentation and information with regard to any exceptional measures adopted, in order to, inter alia, assist the master in connection with port State control inspections. Flag States should make relevant information available to all stakeholders, including ROs, ship managers and manning agents, as appropriate. The flag State should consider the most appropriate way of disseminating this information.

Port States

Challenges

18 Port States have faced challenges in obtaining an overview of the array of measures adopted by Administrations and, following from that, in noticing possible divergences in validities between endorsements and underlying certificates. Furthermore, port State regimes have taken a coordinated approach to decide to what extent the measures adopted were acceptable and not posing a danger to persons, property or the environment.

Guidance

19 Port States should adopt a pragmatic and practical approach when carrying out their inspections in light of the pandemic and the difficulties faced by Issuing Administrations and flag States, in particular with regard to revalidation of certificates. They should be kept informed of the measures adopted by Issuing Administrations and flag States. In case of doubt, port States should consult flag State Administrations to resolve matters as quickly as possible.
