Input paper for the following Committee(s): Purpose of paper:

**□** ARM **□** ENG **🗸 PAP** **🗸** **Input**

**□** ENAV **□** VTS □ Information

Agenda item 6 Strategy and Policy

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Input on VTS Discussion Papers

# Summary

The Council decided to forward the VTS Discussion Papers to PAP for further consideration as regards purpose and status. This input paper will inform about the use of the Discussion Papers internationally and explain the considerations that the VTS Committee has had before initiating the two Discussion Papers and that it also is in accordance with the Constitution and General Regulations of IALA.

# Background

IALA Council, at its 76th session in December 2022, the German councillor stated that the input paper from VTS53 on Implication of MASS from a VTS perspective “*was an excellent paper on MASS with very valuable input and contribution to the discussion. However, the Status and purpose of this paper was unclear. This led to the question whether this paper is an official IALA document, an internal paper of the VTS Committee, or an input paper to the IALA working organisation in general. To avoid any misunderstanding, it is recommended to amend status and purpose of the discussion paper before distributing it outside of IALA*”. The same was stated for the input paper on Future VTS.

The VTS Committee prepared and proposed the tasks “Implications of Maritime Autonomous Surface Ships from a VTS Perspective” (task 1.2.5, hereinafter referred to as the *MASS document*) as well as “Prepare a living document on Future VTS, including emerging technologies and human element” (task 1.4.3, hereinafter referred to as the *Future VTS document*) in the previous work period and they were approved by Council, at its 67th session, to be included in the Committee work programme for the period 2018-2022. The tasks have been described in more detail in the VTS Task Register where it has been clear that an expected outcome has been to prepare a Discussion Paper on the topic.

# CoNsideration/

## 2.1 Purpose of the Documents

As Chair of the VTS Committee, it is my belief that the purpose of the documents are reasonably clear and that it is explained in each of them, see below.

## MASS Document (VTS task 1.2.5)

For example, Chapter 1 Document Purpose of the MASS document, states:

“*The purpose of the discussion paper is to assist the Committee achieve a common understanding of MASS and its implications on the provision of VTS by clearly and concisely identifying:*

*• Trends and opportunities presented by MASS.*

*• Issues / challenges for the management of ship traffic in a VTS area.*

*• Options, policies, and strategies for VTS to embrace / influence MASS.*

*• Implications for the regulatory and legal framework for VTS.*

*• Implications for IALA Standards relating to VTS.”*

The MASS document also states that it is not the intention for this document to address the issues/implications identified. This will be achieved through new/amended work programme tasks adopted by the Committee.

The MASS document has been forwarded twice to date (from VTS52 and VTS53) to the MASS TF, however the VTS Committee hasn’t yet received any comment or response on either of these inputs.

## Future VTS (VTS task 1.4.3)

As regards the Future VTS paper, the document purpose is clearly described in Chapter 1, as follows:

*“The purpose of this document is to provide a basis for discussion on emerging trends, technologies and practices that have implications for VTS and to strategically plan and coordinate embracing the change associated with these to improve the safety and efficiency of navigation, contribute to the safety of life at sea and support protection of the marine environment.*

*In particular, the document aims to provide a concise, high level, reference to assist the Committee:*

* *Be cognisant of emerging practices, technologies and trends that will affect the provision of VTS.*
* *Assess and monitor the potential impact, challenges and opportunities for VTS.*
* *Achieve a common view regarding the role and capabilities of ‘Future VTS’ in contributing to the safety and efficiency of navigation and the protection of the environment by mitigating the development of unsafe situations.*
* *Strategically embrace change, how existing VTS practices could be enhanced, and potential new practices adopted.*
* *Plan for the future, for example:*
* *Adopting work programme tasks that reflect a changing maritime environment and improve the harmonised delivery of VTS globally in a manner consistent with international conventions and public expectations.*
* *Facilitating necessary changes to IALA Standards relating to VTS or the international legal and regulatory framework for VTS.*
* *Managing any practical issues and challenges in transitioning to a more proactive role for VTS in the future.*
* *Liaising/engaging with other international bodies.*
* *Engaging and communicating with all stakeholders and the public.”*

Both documents also support *IALA’s Strategic Vision and Current Drivers and Trends.* The document on “*Current Drivers and Trends*” was actually called White Paper before Council 70 decided to rename it.

## 2.2 Status of Discussion Paper

## VTS Committee work on Discussion Papers

The VTS Committee has been using the term Discussion Paper throughout this whole working period, but we have received little comments or guidance on what to call a document that is not a recommendation or a guideline. Using the term “Discussion Paper” was an initiative to try and differentiate it from the other document types. If the Discussion Papers were to be transferred to guidelines, this would probably cause confusion as the contents are not about guidance - they should simply assist the Committee gaining a common understanding and facilitate discussions on topics of a changing subject matter. The Committee has also identified that the papers may be of use sharing with the other committees etc.

It has never been the VTS Committee’s intention of the Discussion Papers to be provided to external parties, neither to address the issues/implications identified as they will be achieved through new/amended work programme tasks adopted by the Committee. But before we have come to the point that we have a common understanding of the concerned topics and are ready to start developing guidelines, the Discussion Papers have been very valuable and are fulfilling their purposes.

It is now the intention of the VTS Committee to commence preparation of guidance at VTS54 to assist VTS providers in contributing to the safety and efficiency of vessel movements with the advent of MASS following MSC106 and MSC107. The Committee will also regularly review and update the Discussion Papers as needed.

## Discussion Papers in International Fora

Discussion Papers are commonly used within international organisations such as World Health Organization (WHO), World Trade Organization (WTO), World Maritime University (WMU), International Hydrographic Organization (IHO), the European Union (EU) and also within national authorities, e.g. AMSA. On the other hand, a Discussion Paper can be used differently depending on how it has been described or implemented in the respective organisation.

IHO has for example used Discussion Papers within their working groups[[1]](#footnote-2).

EU has stated that “*Discussion Papers differ from standard working papers in that they are more broadly accessible and offer a more balanced perspective. While partly based on original research, they place the analysis in the wider context of the literature on the topic and also explicitly consider the policy perspective*”. EU is therefore using Discussion Papers on relevant policy topics e.g. digitalisation, cyber security, energy, climate and environment[[2]](#footnote-3).

EU’s Discussion Papers can also be seen as a type of Green papers, which are documents published by the European Commission *to stimulate discussion on given topics at EU level*. Green papers invite the relevant parties (bodies or individuals) to participate in a consultation process and debate on the basis of the proposals put forward. Green papers may later lead to legislative developments which are then described in so called White papers.

A Discussion Paper is also commonly used concerning findings from a research. The WTO also defines Discussion Papers to be “*short research papers which are directed at different research target groups. These papers deal in general with concrete and stringently collected topics. They often discuss interim findings on research projects, theses, evaluation and political reports*”. The WTO also states that “*Discussion Papers are presented by the authors in their personal capacity and opinions expressed in these papers should be attributed to the authors. They are not meant to represent the positions or opinions of the WTO Secretariat or of its Members and are without prejudice to Members’ rights and obligations under the WTO. Any errors or omissions are the responsibility of the authors*.”

## Discussion Papers within IALA

The question is why IALA shouldn’t be able to produce Discussion Papers?

It is actually supported by IALA Constitution as Article 3 – Functions state that “*the aim of IALA is achieved by, among other things: Formulating and publishing appropriate standards, recommendations and guidelines, manuals and other appropriate papers*”.

In addition, it is also stated in the General Regulations as follows:

Article 4 – Council: “*6. The provisional agenda for an ordinary meeting of the Council shall normally include: e Approval of recommendations, guidelines, manuals or other appropriate papers*“.

Article 6 - Committees and other bodies: 6.3. Rules of Procedure, “*5 Recommendations, guidelines, manuals and any other appropriate papers produced by committees require the approval of the Council before publication”*.

Also the Rules of Procedures – Terms of reference committees states as follows:

1.1 Purpose: “*The purpose of a committee is to* *study matters relevant to the aim of IALA with the objective of preparing draft standards, recommendations, guidelines, manuals and any other relevant documents.*”

1.2. Strategic vision: “*Each draft document to be created by a committee must be essential to meeting the goals and priorities of the Strategic Vision.*”

2 Terms of Reference: “*2. The committee should prepare draft standards, recommendations, guidelines, manuals and any other appropriate papers.”*

There is however no explanation on what is meant by an appropriate paper, but it could very well be a Discussion Paper as it may assist IALA committees in studying a matter or topic more closely in order to achieve a common basis and understanding and provide a sound foundation before preparing further guidance.

The committees also have participants from all over the world with different knowledge and experiences of the tasks to be developed and if it is considered the best way forward to discuss a topic more thoroughly before any work is developed this should be accepted. This could very well be the case for many areas that are e.g. rapidly being advanced in these days concerning technologies, emerging trends, as well as for practices which may need to be harmonized in order to be streamlined globally. After all, I think we all want IALA to produce reliant and trustworthy guidance to the members, as anything that IALA recommends may result in financial implications for a long period of time or even bad will. IALA should remain being a recognized and important contributor to the development of internationally harmonized guidance for VTS, as noted in IMO Resolution for vessel traffic services A.1158 (32) as well as within other marine aids to navigation areas.

# Proposal

As Discussion Papers are being frequently used internationally and have assisted the VTS Committee in achieving a common understanding of the concerned topics and furthermore are supported by both the IALA Constitution and the General Regulations as above, it is suggested that PAP agrees that Discussion Papers may be used by the committees for internal developments, but should not be published or sent to any external body without the approval of Council.

# Action requested to PAP

PAP is invited to consider the above and take action as appropriate.

1. <https://iho.int/uploads/user/Services%20and%20Standards/NIPWG/MISC/eNavMSP/Revision%20of%20NIPWG%204-43.1_IMO%20e-Navigation%20MSP%20discussion.pdf> [↑](#footnote-ref-2)
2. <https://www.epc.eu/en/publications> [↑](#footnote-ref-3)