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Background

The current Terms of Reference (ToR) of SAFE NAV were adopted by HELCOM HOD 39-2012. SAFE NAV 11-2020 discussed the possible need to revise the Terms of Reference of the Group, in particular with respect to meetings being hosted by all Contracting Parties in alphabetical order instead of the current arrangement where only Denmark and Sweden host and chair the meetings in turn and invited the Secretariat, in consultation with the Chair, to prepare and submit draft revised ToR for consideration by this Meeting ([Outcome of SAFE NAV 11-2020](#), para. 8.3).

Draft revised ToR for the group are set out in the Annex, for consideration by the Meeting. Proposed changes are indicated with track changes.

Action requested

The Meeting is invited to consider the draft revised Terms of Reference for SAVE NAV, as set out in the attachment, and finalize and agree on the Terms of Reference for approval by the Maritime Working Group.

Annex

DRAFT REVISED TERMS OF REFERENCE FOR THE HELCOM GROUP OF EXPERTS ON SAFETY OF NAVIGATION

1. Rationale

The Baltic Sea is an area of heavy maritime traffic which is predicted to grow also in the future. Increasing traffic also increases the risk of major pollution accidents, which could have devastating impacts on the marine environment.

Numerous measures to improve maritime safety have been implemented in different parts of the Baltic Sea, including routing measures and new ship reporting systems as agreed e.g. in the 2001 HELCOM Copenhagen Declaration. However, the increasing maritime traffic and the associated risks call for further, improved and tailor-made safety and environmental risk reduction procedures.

It is recognized that the International Maritime Organization (IMO) is the body regulating navigational safety. It has further been recognized that close and enhanced cooperation and especially exchange of technical expertise on navigational safety is needed in the Baltic Sea.

The HELCOM 2010 Ministerial Meeting in Moscow agreed to identify the possible areas for strengthening regional cooperation in maritime safety in the framework of the HELCOM Maritime Group and consider the appropriate forms for this cooperation, while recognizing the need for the exchange of technical expertise in the field of maritime safety, especially in risk assessment to avoid shipping accidents in the Baltic Sea, and taking into account the work of the IMO.

The HELCOM 2013 Ministerial Meeting in Copenhagen recalled the HELCOM Copenhagen 2001, Krakow 2007 and Moscow 2010 commitments to increase safety of navigation in the Baltic Sea and agreed to further strengthen co-operation with IMO in the field of safety of navigation and to further develop technical cooperation between the European Maritime Safety Agency and HELCOM, including to ease collection and analysis of maritime data relevant for the Baltic Sea;

This is in line with one of the objectives of the ~~2007~~ HELCOM Baltic Sea Action Plan to ensure safe maritime traffic without accidental pollution.

2. Overall aims and tasks of the Expert Group

The overall aim of the Expert Group is to create a forum on enhancing navigational safety through regional cooperation.

The Expert Group will function as information exchange forum and will also discuss and propose measures to improve safety of navigation, as well as provide feedback and expertise as need be.

The Expert Group will enable more regular discussions on the safety of navigation, including coordination and exchange of views before IMO meetings (MSC ~~and~~, ~~NCSRNAV~~) as well as in relation to other issues.

The basis for the work of the Expert Group is the list of identified areas in need of regional cooperation as found in Annex 1 of these Terms of Reference~~his document~~.

3. Membership

Participation is open to representatives of the HELCOM Contracting Parties. The members should be nominated by the Contracting Parties.

HELCOM observers can participate. Other guests, organisations and initiatives with a maritime safety interest can be invited to the meetings.

4. Organisation

The Expert Group will meet once per year either online or in person based on the IMO meeting calendar and well in advance of relevant IMO meetings (MSC, ~~NCSRNAV~~). The forum could also communicate via correspondence. If need arises, more meetings could be arranged.

~~Denmark and Sweden will host~~The meetings are hosted by Contracting Parties in turn taking turns in alphabetical order, unless some other countries offer to host the meeting.

The Group will be chaired by the hosting country unless otherwise decided.

The Expert Group will document its meetings. A concise outcome will be adopted before the end of each meeting. The outcome is agreed by consensus.

HELCOM Meeting Portal will be used to distribute documents (in a restricted access mode) as well as publish the meeting documents, presentations and the outcome (public after the meeting). Access to some documents may be kept restricted.

The outcome of meetings will be reported to the ~~Maritime Group of HELCOM~~ Maritime Working Group. The Chair ~~can~~ should attend the ~~HELCOM-MARITIME~~ of the Maritime Working Group meetings as far as possible.

5. Agenda for the meetings

The agenda for the meetings will be developed by the Secretariat in cooperation with the chair/hosting country.

ANNEX 1

Areas of strengthening of regional expert cooperation in navigational safety

Numerous measures to improve maritime safety have been implemented in different parts of the Baltic Sea, including routing measures and new ship reporting systems as agreed e.g. in the 2001 HELCOM Copenhagen Declaration.

The increasing maritime traffic in the Baltic Sea and the associated risks call for further, improved and tailor-made safety and environmental risk reduction procedures.

While it is recognized that the International Maritime Organization (IMO) is the body regulating navigational safety, the following non-exclusive list of areas in need of strengthened regional cooperation have been identified:

- 1) Evaluate the current and foreseen risks related to shipping and other maritime activities in the Baltic Sea area.
- 2) Identify appropriate and pro-active risk control measures to address the risks to the Baltic Sea environment based on a comprehensive risk approach, and promote their implementation.
- 3) Develop common understanding of the causes of shipping accidents with the aim to suggest how these could be addressed.
- 4) Investigate the need for, and share and utilize the results of, research projects, risk assessment studies, "cost and benefit" analysis, and Formal Safety Assessment(s) (FSAs) in support of decision making when choosing the best mitigating measures and for use in IMO rule-making process.
- 5) Build regional knowledge, experience and excellence in FSAs and showcase the Baltic good standards and practices of both how FSAs can be carried out and documented.
- 6) Consider and consult the development of, and proposals for, amending the existing and introducing new traffic management measures, such as routing measures, with the aim to ensure that all systems and services assist safe navigation of ships in the Baltic Sea in an optimized and uniform manner.
- 7) Discuss and promote the harmonization of operation and procedures of ship reporting systems (SRSs), Vessel Traffic Services (VTS), and other related vessel traffic management measures.
- 8) Investigate guidance of under keel clearance (UKC) for open seas.
- 9) Discuss measures to increase safety of winter navigation taking into account the ~~work of~~ the IMO ~~on~~ Polar Code.
- 10) Cooperate with the Baltic Sea Hydrographic Commission ([BSHC](#)) regarding prioritization of areas for hydrographic re-surveys taking into account the planned and upcoming routing measures.
- 11) Work out uniform interpretations of new regional and international regulations and standards for maritime safety, where needed.
- 12) In ~~the~~ long term, ensure utilization of expertise on maritime safety in the emerging regional processes aiming at testing and implementing Maritime Spatial Planning in the Baltic Sea in a cross-border context.
- 13) Contribute to the implementation of the HELCOM Baltic Sea Action Plan and the EU Strategy for the Baltic Sea Region in relation to maritime safety.
- 14) Identify research and development needs in support of navigational safety with the aim to have the relevant research topics well represented in available national and international funding programmes.