

# ACTUAL LEGAL CONCERNS IN THE INTERNATIONAL MARITIME INDUSTRY (UNMANNED VESSELS)



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## ACTUAL LEGAL CONCERNS IN THE INTERNATIONAL MARITIME INDUSTRY

- Cyber Security
- Reduction of emissions
- **Unmanned vessels- today's presentation**
- Piracy



# Unmanned Vessels – Video

- <https://m.youtube.com/watch?v=QUlkI5bQueU>
- <https://m.youtube.com/watch?v=Fwx5DJSO4sc>





## Unmanned Vessels – Initiatives – MUNIN

- EC/ Maritime Unmanned Navigation through Intelligence Networks
- Dry bulk carrier of 75,000 dwt in continuous long deep sea voyage-16 knots
- Ship operates autonomous by newly developed systems-Autonomous Navigation System
- Benefit in cost: increase present value of vessel, important saving in crew costs, reduction in consumption of fuel, emissions.
- Legal results: Necessary total and significant changes in present manning and navigation regulations .
- Liability: Who will be responsible of what?



## Unmanned Vessels – Initiatives – AAWA

- Advanced Autonomous Waterborne Applications Initiative
- Led by Rolls Royce with Finnish Universities- remote control autonomous navigation.
- The main cause of maritime accidents (i.e. human errors) will be eliminated due to the higher level of automatization in unmanned vessels
- But, new risks: cyber-attacks by hackers
- Legal results: Action required in all regulatory levels, IMO leading in international conventions , but also needed in national maritime laws.









## Unmanned Vessels – Initiatives – CMI

- Comité Maritime International
- Non governmental organization, advisor to ONU.
- Has drafted long lists of international regulations for maritime industry, in more than 100 years of existence.
- Due to increase of importance of unmanned vessels, has created a specialized group to study and research possible new regulations.
- **“The absolute priority in the regulation of unmanned shipping is safety”**
- What is now missing is dialogue .Has distributed a CMI Questionnaire on the subject to national associations.



## Unmanned Vessels – Initiatives – IMO

- International Maritime Organization, global regulatory body for international conventions.
- Has commenced work to look into how safe, secure and environmentally sound Maritime Autonomous Surface Ships (MASS)
- Work research to be lead by its technical body the Maritime Safety Committee (MSC)





## Unmanned Vessels – Initiatives – IMO

- Ship with automated processes and decision support: Seafarers are on board to operate and control shipboard systems and functions. Some operations may be automated.
- Remotely controlled ship with seafarers on board: The ship is controlled and operated from another location, but seafarers are on board.
- Remotely controlled ship without seafarers on board: The ship is controlled and operated from another location. There are no seafarers on board.
- Fully autonomous ship: The operating system of the ship is able to make decisions and determine actions by itself.



## Unmanned Vessels – Initiatives – IMO

- As a first step, the scoping exercise will identify current provisions in an agreed list of IMO instruments and assess how they may or may not be applicable to ships with varying degrees of autonomy and/or whether they may preclude MASS operations.
- As a second step, an analysis will be conducted to determine the most appropriate way of addressing MASS operations, taking into account, inter alia, the human element, technology and operational factors.
- Report to be delivered on December, 2018.





# Unmanned Vessels- The revolution

- Total revision and changes in international maritime industry, therefore:
- Impact on international conventions such as: MARPOL, SOLAS, UNCLOS, STWC, MLC,
- What about traditional maritime institutions such as Salvage and General Average?
- New regulation in respect of collision cases?
- And, changes in national maritime law and regulations?



# Unmanned Vessels- The revolution

- Maritime accidents may be reduced but will not disappeared, then:
- Who will be responsible for what?
- Cargo liability
- Third party liability
- Contractual liability: Charter parties, bill of lading, extra-contractual liability.
- Whole change in the marine insurance industry, cover, policies, and practices.





# Unmanned Vessels- The revolution

- What will be the new role of principal actors in the maritime industry when autonomous navigation is in place?
- The Ship-owner
- **The Shipbroker**
- **The Ship Agent**
- The Ship Master (Authority on board???)
- The relationship with Maritime Authority



# Unmanned Vessels- The revolution

- The Dominos Pizza example.
- The future is here.

<https://www.youtube.com/watch?v=5BEugKgdrxU>





## Unmanned Vessels - Conclusion

- As a conclusion to this presentation, the remote control and autonomous maritime navigation is now approaching us in a very fast pattern.
- Different international organizations and agencies are working to study, research, confront and adapt to this new reality.
- Therefore.....



## Unmanned Vessels - Conclusion

- **FONASBA** as leading international voice for **shipbrokers and ship agents**, can not be absent of this international discussion in order to share its important experience and to influence the expected coming changes in the international and national regulations related to remote control and autonomous maritime navigation.





# FONASBA. 49th Annual Meeting

- MUCHAS GRACIAS !!!!!!!
- HASTA LA PRÓXIMA!!!!!!

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