**CONTRIBUTION OF THE STATE OF CHILE**

**TO THE REQUEST FOR INFORMATION REGARDING**

**THE IMPACT OF THE INTERNATIONAL MARITIME ORGANIZATION ON THE PROTECTION OF HUMAN HEALTH AND THE ENVIRONMENT**

**BY THE**

**SPECIAL RAPPORTEUR ON HUMAN RIGHTS OBLIGATIONS RELATED TO THE ENVIRONMENTALLY SOUND MANAGEMENT AND DISPOSAL OF HAZARDOUS SUBSTANCES AND WASTES**

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This document contains the contribution of the State of Chile to the request of the Special Rapporteur on human rights obligations related to the environmentally sound management and disposal of hazardous substances and wastes, regarding information on the impact of the International Maritime Organization (IMO) on the protection of human health and the environment, pursuant to resolution 45/17 of the United Nations Human Rights Council.

The following document, prepared by the Directorate General of Maritime Territory and Merchant Marine (DIRECTEMAR), seeks to provide information for the report of the Special Rapporteur, Mr. Marcos Orellana. The Government of Chile trusts that this document will make it possible to share some of the experience and policies developed in Chile in this area. It also hopes that it will be useful in promoting and strengthening international exchange and the effective development of the aforementioned rights, thus ultimately benefiting the citizens and democratic systems of the international community.

**1. What are the 3-5 main issues concerning protection of human health and the environment that the IMO should strengthen?**

The standards established in IMO international instruments for the international maritime trade (shipping) industry are considered to be appropriate for the protection of human health. However, more effective measures for the fishing industry have yet to be implemented. For example:

- Safety and protection for workers in the fishing industry.

- Improved living conditions on board industrial fishing vessels.

- Technical and operational measures for the management of plastic garbage on merchant and fishing vessels.

- More effective technical and operational measures to reduce greenhouse gases from ships in general terms.

**2. What is the status of implementation of the IMO Conventions by your Government? What is the status of implementation of IMO international regulations, global standards, conventions and codes (including the IMDG Code to regulate the transportation of hazardous materials) related to the carriage of dangerous goods and pollution in your country?**

The vast majority of the International Conventions adopted by the IMO have been ratified by CHILE and have been well implemented, according to the voluntary audit carried out by the IMO in 2007. Amendments to IMO instruments are regularly analyzed and processed for their incorporation into domestic law, a procedure that is monitored by the General Directorate of Maritime Territory and Merchant Marine (Superior Maritime Authority of Chile) (DIRECTEMAR), which acts as coordinator before the state entities that have competence in maritime matters and that make up the National Maritime Administration.

Chile has ratified the main IMO international conventions, codes and protocols (SOLAS, IMDG, IMSBC, MARPOL, IGS, ISPS, STCW), which are in full application both by the State and by national flag vessels. In this sense, Chile has complied with the commitments acquired as a Party to the international conventions in force related to maritime safety and pollution prevention, both at the level of Flag State, Port State and Coastal State, implementing national regulations consistent with the requirements of international regulations, which are publicly available, through the web page www.directemar.cl.

In Chile, the IMDG Code was approved as a Regulation of the Republic by Decree 777 of September 13, 1978, which was published on October 24, 1978. The IMDG Code in Chile is permanently updated through the IMO tacit acceptance procedure. Therefore, the IMDG Code is in force until the Amendment adopted by Resolution MSC.442(99) of May 24, 2018, which entered into force on January 01, 2020.

Also, by Resolution 96 of the Ministry of Transport and Telecommunications of December 11, 1996, the Regulations for Handling and Storage of Dangerous Cargoes in Port Enclosures was updated, which in its citations has incorporated the IMDG Code.

Accordingly, the Dirección General del Territorio Marítimo y de Marina, by means of Maritime Circulars, has regulated specific issues on dangerous goods in bulk, bulk solids and liquid products, the most important of which are the following:

- Maritime Circular O-32/013: Establishes safety procedures for the maritime transport, handling and temporary holding of ammonium nitrate in port areas.

- Maritime Circular O-31/021: Establishes safety provisions that port facilities must comply with in the process of opening transport units.

- Maritime Circular O-22/021: Provides for the implementation of the verified gross mass of the full container according to Regulation 2, Chapter VI of the 1974 SOLAS Convention.

- Maritime Circular O-75/001: Establishes rules for the inspections to which fishmeal shipments will be subject in national ports.

- Maritime Circular O-31/017: Standard on the safe use of pesticides on ships.

- Maritime Circular O-31/012: Establishes procedures for the issuance of fishmeal pre-shipment certificates.

- Maritime Circular O-71/030: Establishes complementary rules to be complied with by vessels loading wood on deck in national ports.

- Maritime Circular O-72/001: Imparts instructions for pollution prevention certification to national merchant and special vessels.

- Maritime Circular O-32/011: Establishes procedures for the control of dangerous goods in port areas.

- Maritime Circular O-71/008: Provides safety measures and standards for the inspection of cargo loaded in Chilean ports.

- Maritime Circular O-31/001: Establishes the policy of the DGTM. Y MM., regarding the functions to be performed by the risk prevention experts of the maritime governorships.

- Maritime Circular O-31/004: Safety provisions for the operation of vehicles and mechanized transfer equipment in port areas and on board ships.

- Maritime Circular O-31/015: Establishes procedures for obtaining approval and certification of packaging and intermediate bulk containers used in the maritime transport of dangerous goods.

- Maritime Circular O-31/014: Imparts special risk prevention rules for the handling and transport of the dangerous goods "Tetraethyl Lead" U.N.O. number 1469.

Also, annually, at the request of the IMO, a report of inspections of containers carrying dangerous goods is submitted in accordance with MSC.1/Circ.1442 dated June 1, 2012.

It should be noted that the Maritime Instruction and Training Center (CIMAR), under the Directorate General of Maritime Territory and Merchant Marine, created by mandate of the Government of Chile by D.S. No. 415 dated May 13, 1987, amended by D.S. No. 959 in 1988 (www.cimar.cl), provides courses based on IMO standards. For example, the IMO 1.10 Dangerous, Potentially Dangerous and Harmful Cargoes course.

Finally, at www.directemar.cl you will find the publication "Lessons Learned", 2020 edition, which contains all the experiences drawn from the analysis of accidents and marine casualties, which also include the handling of dangerous goods and which are the results of the investigations conducted by the National Maritime Authority, using the computer application "VULCANO", which incorporates the recommendations of Resolution MSC.255(84) of May 16, 2008, which is the Code of International Standards and Recommended Practices for the investigation of safety aspects of marine casualties and incidents. In addition, full investigation reports are available on the DIRECTEMAR website (https://investigaciion-acc.directemar.cl/buscador).

**3. In your experience, what, which are the main obstacles towards the ratification and implementation of IMO conventions, including the Fund Convention and Bunkers Convention, as amended, relating to oil pollution damage?**

Compared to other IMO member countries, there are no major obstacles to the ratification and implementation of IMO Conventions. Those instruments not yet incorporated into our domestic law are being analyzed in national working groups coordinated by the Ministry of Foreign Affairs and the Maritime Authority. The main limitations to accelerate the processing of the processes are the following:

- The number of State agencies involved in the processing of IMO conventions and their amendments delays the process, due to the time taken by each entity for their analysis and approval (DIRECTEMAR, CJA, MINDEF, MINREL, CONGRESS, SECGEN) .

- The national legal system requires that any amendment to an instrument, no matter how simple, must be submitted to the legislative process, unlike other States whose legal system only requires the original instrument to be processed (General Directorate of Maritime Territory and Merchant Marine, Commander in Chief of the Navy, Ministry of Defense, Ministry of Foreign Affairs, National Congress and Ministry General Secretariat of Government.).

The 1971 Fund Convention and its 1992 protocol are in the process of ratification or accession by the Ministry of Foreign Affairs, and are about to be sent to the National Congress for parliamentary processing as a matter of law. The MARPOL Convention, to prevent pollution from ships, has been ratified by Chile in all its annexes and implemented in the country, including Annex I, "Rules to prevent oil pollution".

**4. What kind of support, including trainings, capacity building and technical cooperation, do you receive from the IMO in order to improve such implementation?**

The IMO mainly provides technical cooperation through courses, seminars, workshops and all the assistance provided through the Integrated Technical Cooperation Program (ITCP), which is approved by the Technical Cooperation Committee on an annual basis. Most of the activities are offered through the Operational Cooperation Network of Maritime Authorities of South America (ROCRAM). Our personnel participate in many of these courses, either as students or instructors, and they are held in different countries of the region.

It is deemed necessary to increase the number of activities and their coordination through an IMO regional presence office in the region, as it exists in other regions of the world.

**5. What measures has your country taken to address the risks posed by heavy fuel oil (HFO)?**

Chile has ratified Annex VI of MARPOL, related to the limit of sulfur content in bunker fuels, which means that the limit of sulfur in fuel used in ships operating outside designated emission control areas will be 0.50% mass/mass. The objective of this measure is to significantly reduce the amount of sulfur oxides emanating from ships, which should represent benefits for human health and the environment, especially for populations living near ports and coasts.

Chile is also a party to the Convention on Oil Pollution Preparedness, Response and Cooperation. Consequently, Chile has a National Response Plan for Oil Spills and other Potentially Harmful Substances.

**6. What challenges has your country faced in implementing the recommendations of the IMO’s Audit Scheme?**

The IMO Member States Audit Scheme, better known as the IMSAS (IMO Member States Audit Scheme), was implemented by the international organization for the first time in our country in 2007, Chile being the ninth country in the world to implement it, at that time, in its voluntary version (VIMSAS).

Subsequently, in 2013, and in order to keep Chile permanently prepared to successfully face this type of audits, an IMO Audit Office was created within the Department of International Affairs of the National Maritime Authority, DIRECTEMAR, in charge of executing, on an annual basis, internal IMO follow-up audits. Thus, between 2014 and 2019, 7 audits were carried out, which have allowed, progressively, to establish and consolidate a process of continuous improvement, as well as to create an adequate Compliance Strategy with appropriate management indicators (KPI), to monitor the different trends of such indicators and apply the necessary measures to optimize compliance with the provisions of the various IMO Instruments subject to audit.

With the implementation of the aforementioned, it could be said that, in general, Chile currently has no major problems in complying with the recommendations of the IMO Audit Plan, since this means complying effectively and efficiently with the provisions of 6 IMO Instruments (SOLAS, MARPOL, STCW, Load Lines, COLREG and Tonnage Conventions), with their respective Codes and binding Resolutions, which have been ratified by our country at the appropriate time.

However, there are certain specific regulations in some of these Conventions, which establish to the countries certain provisions and tasks that go beyond the powers and responsibilities of DIRECTEMAR. For example, what is established in some Rules of Annexes I, II, IV, V and VI of the MARPOL Convention, regarding that the Governments of the States Parties to these Conventions undertake to ensure that in their ports and terminals there are adequate services and facilities (that avoid causing unnecessary delays to the ships that use them) for the reception of waste from ships, namely: oily mixtures, noxious liquid substances, dirty water, garbage, among others. In these cases, such reception facilities are not always "adequate" with respect to the concept expected by IMO. As is the case in many other IMO Member States, Chile provides these services in ports through mobile devices (generally trucks), since the provision of fixed services and facilities in ports is not always an attractive investment for operators or owners of national ports and terminals. In any case, this type of situation is well known to all public agencies involved in these issues, such as the Ministry of Transport, Public Enterprise System (SEP), among others.

**7. How could the transparency of the IMO be further enhanced?**

In general, no transparency problems are apparent in IMO, in its relationship with Member States. The following are some ideas to further improve the transparency of the Organization:

- Open online broadcasting of the most relevant committee meetings that can be disseminated to the public.

- Maintaining broadcasts of working documents and, in particular, of the final reports of each meeting.

- Allowing the participation of some press media in meetings of public interest.

- By making the main IMO publications and instruments freely accessible through its web page to anyone who requires them.

- That the processes linked to member countries have quality certification, such as ISO 9001:2015. It should be noted that some international agreements already have this recommendation.

- Active transparency through social networks, sharing relevant information, in order to have a fluid and direct communication with the public that is not directly linked to the Organization, with clear and simple to understand information.

**8. What measures has your country taken to address fraudulent registries of vessels?**

In this regard, it should be noted that the Chilean Registry of Ships is a closed registry, since, in order to proceed to register a vessel, the owner of the vessel is required to comply with nationality and domicile requirements in the country, thus there is a real link between the ownership of the vessel and the registry.

This implies that, at the time of registration, the presentation of several documents is required, among them, the titles that justify the ownership of the vessel and certificate of deregistration (in case the vessel has been registered in another registry), social information of the company (in case the owner is a legal entity) and aspects related to the safety of the vessel.

Finally, it should be noted that this Maritime Authority is in the process of modernizing the Registry of Major Vessels, in order to proceed with its digitalization and, therefore, to grant certificates with advanced electronic signature, in order to prevent the falsification of documents issued by the registry. This is expected to be completed this year.

**9. How could access to IMO instruments and official documents be enhanced free of cost, such as access to the IMDG Code?**

To date, IMO does not have free public access to its main publications; this could be improved to the extent that official instruments and documents are published on the Organization's web page, free of charge, in the five official languages.

This would also allow the maritime authorities of Member States to publish in their national language those official IMO instruments and documents ratified by the State.

Taking into account the cost of each publication and the work involved for the Secretariat of the Organization to keep them up to date, one option would be to include in the contributions that each State makes to IMO each year, an extra contribution to guarantee free access to the instruments adopted by the Member States.

**10. How could the effectiveness of IMO instruments be further enhanced? In this regard, how could capacity building further be strengthened to enhance effectiveness of IMO instruments?**

The fundamental aspect of the effectiveness of the instruments is their proper implementation by the Member States. From this perspective, the IMSAS Member State Audit Program is the main tool for assessing the level of effective implementation. Improving current effectiveness can be achieved through institutionalized on-site audits and by strengthening technical assistance to those regions where difficulties are evident in the process of implementing the Agreements. Also, by providing direct assistance to States that show problems in implementing the IMO's international instruments. Allowing and facilitating technical cooperation with financial support from the Organization through the Integrated Technical Cooperation Program (ITCP) and verifying the effectiveness of the activities and the results obtained. Some ideas that emerged during the preparation of this questionnaire are:

- That there be, within the Organization, a point of contact specializing in the subject (with people who are linked with access codes), according to international agreement, to whom one can go directly to make inquiries, in order to clarify doubts that may arise, since not always in the Correspondence Working Groups a solution is given.

- Establish, for each meeting of the IMO committees, an e-mail address where queries can be made through the Organization's web page.

To further strengthen capacity building to improve the effectiveness of IMO instruments, it is suggested that IMO send annually to Member States the list of existing technical cooperation courses or seminars, in order to make use of this support tool and request them in advance, depending on the subject matter.

**11. How could the IMO make further progress to reduce emissions of greenhouse gases from vessels and contribute to the Paris Agreement on Climate Change’s objectives? Which measures and good practices have been implemented by your country to reduce air pollution associated with marine shipping and to regulate greenhouse gas emissions from international shipping?**

Chile has played a leading role in the discussion of these measures in the IMO. Currently, the Organization is developing, through correspondence and distance working groups, a series of measures to reduce greenhouse gas emissions from ships, in order to achieve two goals:

1. The first is to reduce emissions by 40% by the year 2030.

2. The second, to reduce emissions by 70% by 2050.

These measures are being discussed by the international maritime community, based on short-, medium- and long-term proposals. The short-term measures were developed by a specific working group, which presented a proposal for technical and operational measures to be approved at the next Marine Environment Protection Committee (MEPC 76) and which, if accepted, would come into force as of 2023.

On the other hand, the medium and long-term measures are still under development and discussion, due to the difficulties inherent to maritime dynamics, which generate a series of variables that are very difficult to congregate in regulatory provisions. However, many of the proposed measures include increased R&D (research and development), the implementation of new technologies, and the pursuit of zero carbon emissions through the use of alternative fuels, such as green hydrogen and ammonia.

It is important to highlight that, any of the measures mentioned above, will contribute to meet the objectives of the Paris Agreement, being very positive aspects to mitigate the effects of Climate Change in the world.

**Measures and good practices applied by Chile**

Our country, since the first measures taken in relation to emissions generated by ships, has implemented each of the good practices proposed by the IMO. Thus, since 2013, Chapter IV of Annex VI of MARPOL is fully in force, which establishes energy efficiency requirements for ships, both in construction and operation stages, and seeks to contribute to zero carbon emissions. This chapter of the Convention was ratified by our country and is currently in full force and effect.

In addition to the above, our country actively participates in the development of international regulations for the reduction of greenhouse gases, either through IMO working groups, participation in meetings or with the presentation of technical documents on this matter, maintaining a permanent cooperation of our Maritime Administration in the issues discussed today.

In addition, Chile is implementing projects for the development of green hydrogen as fuel, an impulse that has the attention of the international community, since it seeks to deliver an alternative to the market for global shipping, being a key producer in the region for this type of input, which is emerging as one of the main alternatives to meet the goals of emissions generated by ships.

**12. What has been your country’s experience with traffic lanes and routes, emission control areas, and particularly sensitive sea areas?**

There are no emission control zones in Chile; however, there are several marine area protection figures in coastal and offshore areas, where there are requests for maritime traffic control (southern part of the country), especially in the southern channels, for the protection of cetaceans, normally requested by NGOs, which are opposed to the interests of the aquaculture and merchant industry operating in the area.

Notwithstanding the above, national flag vessels have implemented the measures required by international conventions and national legislation regarding their construction, equipment and provisioning, in order to operate in the different emission control zones at a global level. Likewise, Chile has adopted the necessary actions to demand compliance with the measures established by the IMO instruments, to national and foreign ships that sail to environmentally protected areas, especially to Antarctica. In relation to the above, the Maritime Instruction and Training Center (CIMAR) provides IMO 7.11 "Basic Training for Ships Operating in Polar Waters" and IMO 7.12 "Advanced Training for Ships Operating in Polar Waters" courses, in accordance with the requirements of the IMO's "Polar Code".

On the other hand, the prescriptions considered in Rule 10 of Chapter V of the SOLAS Convention have also been implemented, through the promulgation of the Pilotage and Pilotage Regulations, Supreme Decree No. 397 of May 8, 1985, as amended, establishing as obligations of the National Maritime Authority (DIRECTEMAR), the restriction or prohibition, in qualified cases, of the transit of vessels through the established channel routes or restricting and/or temporarily prohibiting their stay in other determined areas. Likewise, DIRECTEMAR has the power to dictate norms tending to regulate maritime traffic in order to ensure the safety of navigation, human life at sea and the protection of the marine environment. Likewise, it may issue the resolutions and instructions it deems appropriate for the best application of the aforementioned Regulations.

The aids to navigation currently existing in Chile are considered sufficient and adequate to enable vessels to navigate safely and with the precision required to comply with the International Regulations to Prevent Collisions, promulgated by D.S. 473 of August 12, 1977, considering, in addition, the increase in maritime traffic. For this reason, the State maintains the will to increase safety measures for navigation and the protection of the aquatic environment in the sectors of responsibility, including protected marine areas, improving the service and preventing, in a better way, maritime accidents.

Finally, the National Maritime Authority has established provisions applicable to all vessels transiting through waters under national responsibility or remaining in port. These provisions are included in all volumes of the Chilean Coastal Chart, as well as the national regulations related to water pollution, describing the applicable provisions and the organization that the Maritime Authority has for this purpose, which has meant that during the year 2020 there will be no incidents related to maritime traffic routes.

**13. Which good practices, protocols and security measures have been implemented with regard to the carriage of hazardous materials? Which measures, protocols and good practices have been implemented to end the occurrence of accidental spills, including oil spills, Hazardous and Noxious Substance (HNS) spills, spills associated with these nonhazardous cargos, and to mitigate their impacts in case an accident occurs? Can you indicate any example of remedies or compensation provided to victims of accidental spills?**

The National Maritime Authority has established procedures and protocols in the Maritime Circular D.G.T.M. Y M.M. A-53/002, dated January 27, 2015, "Provides and establishes the procedure for the preparation and submission of Emergency Plans to combat pollution from oil spills and minimum response material for ships flying the Chilean flag".

On the other hand, good practices are established in the National Response Plan for oil spills or other harmful substances in the aquatic environment, J.C.N.C.C. Ordinary No. 3150/05/01 Vrs. dated November 19, 2014.

On the page www.directemar.cl, the maritime regulations and circulars are published, with complementary rules, which contain instructions on contingency plans and equipment to combat spills, requirements to be met by special port enclosures for handling and storage of hazardous cargo, requirements and standards for all types of fuel operations.

It should be noted that the verification of the correct compliance with these regulations is carried out through certifications, approvals, inspections, inspections and audits.

As an annex, it should be noted that there are currently 11 national flag vessels that have a document of compliance for the transport of dangerous goods and 7 vessels that have an international certificate of aptitude for the transport of hazardous chemicals in bulk, which have been granted after compliance with the respective recognitions by the Flag State.

Claims and compensation to victims of accidental spills are heard by the courts of justice. The Maritime Authority does not intervene in such proceedings.

**14. Which standards and security measures have you implemented in order to ensure sustainable ship recycling across the board? Do you have any experience in addressing the practice of beaching of vessels for shipbreaking?**

Chile has no experience nor is the practice of beaching ships for scrapping authorized. In the case of dumping ships, the requirements established by the London Convention and Protocol, which has been ratified, are complied with.

**15. What remedies are available to persons in your country for pollution damages related to shipping? What obstacles do persons in your country face in accessing effective remedies for pollution related to shipping?**

There is a National Response Plan for Oil and Other Harmful Substances Spills in the Aquatic Environment of the National Maritime Authority, which carries out the logistical and operational organization of its resources, centralizing them in the main Maritime Governorates of the country (five), which have been called Regional Pollution Control Centers (CERCON), on which the Sub-Centers and Local Pollution Centers depend. Notwithstanding the above, the 16 Maritime Governorates and 64 Port Captaincies throughout the country have equipment and means to face environmental contingencies at sea and along the coast.

Regarding compensation resources for the reparation of damages caused by pollution, Chile signed the 1969 Convention on Civil Liability for Oil Pollution Damage (CLC69), which entered into force internationally on June 19, 1975, promulgated by Supreme Decree No. 475 of the Ministry of Foreign Affairs on August 12, 1977 and published in the Chilean Official Gazette on October 8 of the same year.

Its main purpose is to guarantee adequate compensation to persons who suffer damages caused by pollution resulting from oil spills or discharges from ships carrying such oil as cargo.

The CLC69 allows the owner of a vessel to limit his civil liability for oil damage depending on the tonnage of the vessel, the latter may be seen as an obstacle when the damage is catastrophic and the compensation exceeds the funds insured by the shipowner for these purposes. For this reason, Chile is in the process of acceding to the Fund Convention, as discussed in question N°3.

**16. Which kind of protocols and good practices concerning maritime security measures, including with regard to ship and port facilities, have been put in place by your Excellency’s Government?**

The National Maritime Authority has established a General Policy of the Coastal State with the purpose of ensuring that sovereign rights are exercised and obligations and responsibilities are complied with, applying the functions prescribed by the mandatory instruments of the IMO on our maritime spaces, by virtue of the various international instruments ratified by Chile and the different national regulations in force, related to maritime safety and security, and the protection of the marine environment, among others.

For the exercise of the sovereign rights and those prescribed by the mandatory instruments, the National Maritime Authority has been provided with the following dependent organization:

- A "Maritime Telecommunications Service".

- A "Meteorological Service".

- A "Maritime Search and Rescue Service".

- A "Hydrographic Service".

- A "Maritime Traffic Organization" system.

- A "Voluntary Ship Notification System".

- An "Aids to Navigation Service".

- A "Pollution Combat Service".

- A Network of "Maritime Prosecutors' Offices".

- A Network of "Groups of Investigators of Maritime Accidents without Searching for Responsible Parties".

Chile has fully complied with international regulations related to the protection of ships and port facilities, particularly with regard to the International Convention for the Safety of Life at Sea (SOLAS) and the Code for the Security of Ships and Port Facilities (ISPS), both for Chilean flag vessels engaged in international traffic, as well as in all port facilities throughout the country that receive international traffic vessels of different flags.

In addition, Chile implemented special national regulations to audit and certify compliance with special safety standards for maritime terminals, which has made it possible to establish adequate safety protocols for terminals that transfer fuels, increasing their safety levels.

**17. Which kind of good practices and protocols concerning health and security on ships have been implemented in your country?**

In addition to fully implementing the international conventions in force regarding safety on board ships, Chile has made an important effort to coordinate the Maritime Authority and the Labor Authority for the effective implementation of the International Maritime Labor Convention (MLC), which guarantees compliance with minimum standards focused on labor aspects, in addition to those related to hygiene and safety on board national flag vessels, as well as foreign flag vessels that call at our ports.

Also, regulations have been established to protect the health of the people who carry out activities on board the vessels, among which the following are the main ones:

- Maritime Health Regulations.

- Risk prevention rules to be complied with by companies, workers and transfer equipment for the different types of cargo.

- Rules on the reception of vessels, including preventive measures in case of sick crew members or passengers, and to control pests before granting free passage,

- Rules on the use of pesticides and fumigation, among others.

Notwithstanding the above, and due to the COVID-19 pandemic, the National Maritime Authority, together with the Health Authority, have established exceptional measures for the care of people working in the maritime industry, ports and maritime and fishing terminals.

**18. Which measures and good practices have been implemented by your Government in the security communication field?**

The International Convention for the Safety of Life at Sea (SOLAS 74), as amended, stipulates that each Contracting Government undertakes to provide, as it deems practical and necessary, either individually or in cooperation with other Contracting Governments, appropriate shore facilities for space and terrestrial radio services and, likewise, to take the necessary measures to ensure that information received from any reliable source about any danger is immediately reported to those who may be affected.

DIRECTEMAR, through the Department of Maritime Technologies, is constituted as the Technical Agency at the request of the Ministry of Transport and Telecommunications, in matters relating to maritime communications, administration of the Maritime Mobile Service and frequency allocation.

According to the national organization, the Directorate of Maritime Safety and Operations, the Hydrographic and Oceanographic Service of the Navy, the Meteorological Service of the Navy, the Maritime Signaling Service and the Maritime Telecommunications Center are directly involved in the process of preparation, processing and dissemination of Maritime Safety Information (MSI). Accordingly, the "Permanent Technical Committee on issues related to the dissemination of MSI and SAR" has been formed.

In addition, Chile has worldwide responsibility for the NAVAREA XV maritime area, being the Director of the Hydrographic and Oceanographic Service of the Navy, the Coordinator of the dissemination of Nautical Radio Warnings in that area.

For its part, the Meteorological Service of the Navy, in its capacity as coordinator before the World Meteorological Organization (WMO), maintains the dissemination of meteorological and glaciological information in the METAREA XV area, which corresponds to the East South Pacific Ocean and the Antarctic Peninsula.

In accordance with the above, the National Maritime Authority issues hazard warnings for navigation, in compliance with the provisions of the SOLAS Convention Chapter V, the provisions of the Joint IMO/IHO/WMO Manual on Maritime Safety Information, the provisions of D. S. No. 329 of 1874, and the provisions of D. S. No. 329 of 1874. S. Nº 329 of 1874, which creates the Hydrographic Office of the Navy and the Supreme Decree Nº 192 of March 6, 1969, which approves the Organic Regulations of the then called "Hydrographic Institute of the Navy", currently called "Hydrographic and Oceanographic Service of the Navy".

The dissemination of information on Maritime Safety is carried out through the National Coordinator of Nautical Broadcasts and Radio Notices (CODIFRAN), through its Maritime Telecommunications Center in Valparaiso, plus five Zonal Maritime Radio Stations distributed throughout the country. Additionally, in order to improve coordination among the different participating entities, the Maritime Administration created the "Permanent Technical Committee for background analysis, guidelines and procedures related to the dissemination of information on Maritime Safety and SAR", also known as the "ISM Committee" (Maritime Safety Information). This committee fulfills tasks related to the establishment of a common criterion among the different participants of the Organization regarding the dissemination of MSI information; the knowledge, analysis and proposals of the institutional position regarding the agreements taken at the international level in the different instances in which the representatives of the Organization participate and the internalization of the new systems and technologies that are in the development stage at national and international level for their use and application in the country.

**19. Can you provide any example of good practices which aim to ensure participation of civil society, including of indigenous communities and vulnerable categories, within the context of the consultation process with IMO bodies?**

During the process of implementing international IMO instruments (Conventions, Amendments, Protocols and Codes), the National Maritime Authority, on its own initiative, considers the opinion and participation of maritime unions, the industry and individuals, through consultations and meetings in the field. It also participates in the working groups generated in other State agencies for the application of new measures arising from international bodies, such as the ILO, the WCO and the WHO.

The Regulation of Maritime Concessions and Use of the Coastal Edge, despite not being an international instrument of the IMO, considers the consultation of Indigenous Peoples when concessions are processed in coastal areas, where there are customary rights claimed by indigenous communities.

**20. What are the main contributions of the IMO to the effective enjoyment of human rights in the context of shipping and hazardous substances and wastes?**

The international instruments issued by the IMO represent a great contribution to the safety of maritime transport, enabling it to be carried out with controlled risks, which allows the development of maritime port activity to be carried out while safeguarding the safety of people, their rights and minimizing the impact on the environment and communities.

The adoption and entry into force of international technical standards covering the highest practicable measures possible to implement, based on sound and technical professional judgment within the IMO, allows all countries, on equal terms, to have the ability to discuss and represent their interests and realities in a forum for universal discussion.

Cleaner and safer seas are the clear proof of IMO's contribution to the fulfillment of the UN's sustainable development goals, which can only be achieved through effective implementation of the Organization's instruments and with the commitment of the States Parties, a task of a permanent nature and which puts their commitment to the test on a daily basis.

IMO, as a specialized agency of the United Nations, is responsible for developing and adopting measures to improve the safety of international shipping and to prevent pollution from ships. Its role is essential to achieving the targets set out in the UN Sustainable Development Goals, especially SDG 14, related to underwater life. IMO instruments address aspects that are considered within basic human rights, such as freedom of work, profession and trade; right to equality and prohibition of discrimination; right to a healthy and pollution-free environment, etc.

In times of pandemic, the Organization has placed emphasis on the human factor and facilities for their better performance on board, without affecting their quality of life. An example of this approach is the 2021 slogan "Seafarers: at the heart of the future of maritime transport".

**21. Do you discuss human rights relating to shipping with the IMO or with other countries relating to the IMO?**

Not directly, although in the technical cooperation activities planned by the IMO in Chile and with Chile, human rights guiding principles are indirectly considered to improve safety and marine environmental standards in the countries of the region. Generally, in the application of concrete measures on safety, the human factor on board ships and sanitary aspects on ships, values such as the dignity of people, the right to work, to rest and to work in a pollution-free environment are taken into account (The references indicated in most of the questions can be found at: [www.directemar.cl](http://www.directemar.cl)).