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International approach is key to post-\textit{Erika} moves, says Secretary-General

IMO is proving once again it is the appropriate forum for a coherent international approach to eliminating sub-standard shipping, IMO Secretary-General Mr. William A. O’Neil has said, referring to the Organization’s responses to the challenges raised by the \textit{Erika} incident.

In his keynote address to the Lloyd’s List International Shipping Convention in London, in October, Mr. O’Neil stressed the importance of the work carried out by the Marine Environment Protection Committee (MEPC) to draw up a revision to the MARPOL regulation to speed up the phasing out of single-hull tankers.

““There were many different views on whether this phasing out should be accelerated and, if so, how it should be approached,” he told delegates. ““There were considerations both technical and political. Several Governments and many industry bodies had their own strongly held views on what needed to be done – or not done, in some cases. What happened at IMO was that a series of apparently entrenched positions was transformed, through a process of consultation, talking, listening and understanding, into a single, coherent way forward for the industry.””

\textbf{Common objectives}

Mr. O’Neil added that the vast array of players involved in shipping meant the industry could only survive and prosper if all involved worked in a concerted way towards achieving the common objectives of safer shipping and cleaner oceans.

“IMO has already demonstrated that it has the capability and expertise to provide the leadership necessary to draw the disparate elements together and thereby fulfil its role,” he said.

The proposed amendments to MARPOL 73/78 to accelerate the phasing out of single-hull tankers, set to be adopted by MEPC 46 in April 2001, are just one aspect of a series of actions taken and being taken by IMO in the wake of the sinking of the tanker \textit{Erika} off the coast of France in December 1999.

\textbf{Compensation limits raised}

IMO’s Legal Committee, at its 82nd session in October, adopted amendments to raise by 50\% the limits of compensation payable to victims of pollution by oil from oil tankers.

The amendments to the 1992 Protocol of the International Convention on Civil Liability for Oil Pollution Damage (CLC Convention) and to the 1992 Protocol of the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (IOPC Fund) are expected to enter into force on 1 November 2003, unless objections from one quarter of contracting States are received before then.

The maximum amount of compensation payable from the IOPC Fund for a single incident, including the limit established under the CLC amendments, is raised to 203 million SDR (around US$260 million), up from 135 million SDR (US$173 million). (see page 24)

\textbf{New reporting systems in Channel}

As \textit{IMO News} went to press, the Maritime Safety Committee (MSC) was adopting a new mandatory ship reporting system which would be applicable in the central English Channel, making it easier to track and communicate with ships in the area. The system would supplement the existing mandatory ship reporting systems already established at Ouessant and in the Pas de Calais.

The system will enter into force at 0000 hours UTC, six months after its adoption by the Committee, and should make possible a significant increase in safety, efficiency of navigation and environmental protection in and around the traffic separation system in operation off Les Casquets.

\textbf{Elimination of sub-standard oil tankers}

The MSC also developed a preliminary list of proposed measures aimed at eliminating sub-standard oil tankers and other sub-standard ships. During the MSC’s 73rd session, from 30 November to 6 December 2000, a working group agreed a list of 22 proposed measures aimed at “enhancing safety and minimizing the risk of oil pollution”.

The list includes measures relating to the uniform and effective implementation of rules, regulations and guidelines; technical matters including ship design, construction and repair, surveys and certification; and human element issues including training of seafarers, human resources and other operational measures which will minimize the risk of oil pollution from tankers.

The MSC agreed to refer the working group’s report to the Organization’s Sub-Committees and to the MEPC for general consideration. The Sub-Committees are expected to consider the issues assigned to them, advise MSC 74 on the outcome and, where appropriate, submit proposals for inclusion of these matters in their work programmes.

The list was developed from a preliminary list of proposed measures drawn up by the MEPC when it met in October 2000.

\textbf{Further information}

IMO reaches agreement on single-hull tanker phase-out: page 22
IMO raises compensation limits for oil pollution disasters: page 24
IMO meetings: www.imo.org/imo/ meetings/intro.htm
Secretary-General’s speeches: www.imo.org/imo/speech-1/intro.htm
Proposed amendments to MARPOL 73/78: www.imo.org/imo/meetings/mepc/45/13g.htm
Safety of non-convention craft – a challenge for IMO, says International Maritime Prize winner

The safety of craft not covered by international shipping conventions presents a great challenge for the future, according to IMO International Maritime Prize winner for 1999 Mr. Ian Mills Williams, former Manager for IMO Relations at the Australian Maritime Safety Authority (AMSA).

“In the international field, pressure on unsatisfactory safety records can be brought to bear from a number of sources, including port States, supranational bodies, insurance companies and charterers. In the case of non-convention vessels, few of these pressures exist and all responsibility and action is in the hands of national Governments. Many lives are lost through accidents in which these ships are involved, in many cases in developing countries,” said Mr. Williams, in an acceptance speech after receiving the prize from IMO Secretary-General Mr. William A. O’Neil.

Mr. Williams added: “The sad thing is that few of the Governments concerned have available the financial, physical or person resources to enable them to address the problems. In other cases, social factors that are endemic to the society, and are hard to address, inhibit the ability of the Governments to act.”

The International Maritime Prize is awarded annually by IMO to the individual or organization judged to have made the most significant contribution to the work and objectives of IMO. The 84th session of the IMO Council in June took the decision to award the prize for 1999 to Mr. Williams in recognition of his long service to maritime safety.

Presenting the prize to Mr. Williams on 27 September 2000, IMO Secretary-General Mr. O’Neil referred to his valuable contribution to saving seafarers’ lives through improved safety measures for bulk carriers. Mr. Williams was co-ordinator of the MSC Intersessional Correspondence Group on Safety of Bulk Carriers in 1995 and 1996 and Chairman of the Working Group on Safety of Bulk Carriers from 1995 to 1998.

Mr. Williams was a key participant in the 1997 International Convention for the Safety of Life at Sea (SOLAS) Diplomatic Conference, which adopted the new chapter XII to the SOLAS Convention on Additional Safety Measures for Bulk Carriers.

Mr. Williams was also an active member of the Panel of Experts selected by IMO to examine and make recommendations on passenger ro–ro ferry safety following the Estonia sinking in September 1994. Mr. Williams first represented Australia at IMO’s 14th Assembly in 1985 and became involved with the work of the Maritime Safety Committee in 1988. He chaired the Subcommittee on Ship Design and Equipment from 1994 until March 1999 – following his retirement from AMSA in September 1998.

The International Maritime Prize consists of a sculpture in the form of a dolphin and includes a financial award. See also pages 14–18.
IMO appoints third regional co-ordinator in Africa

IMO has appointed a third regional co-ordinator in Africa, to cover West and Central Africa (Francophone) sub-region.

Mr. Hoba Attoumou Honorat, a World Maritime University (WMU) graduate, will be based in Abidjan. The other two regional co-ordinators in Africa are Mr. John Paul Muindi, based in Nairobi, Kenya for Eastern and Southern Africa subregion, and Mr. Ben Owusu-Mensah, based in Accra, Ghana, covering West and Central Africa (Anglophone and Lusophone) subregion. Both are also graduates of the WMU in Malmö, Sweden.

The establishment of a regional presence, in partnership with the host States and United Nations Development Programme (UNDP) country offices, is intended to facilitate IMO’s input into national and regional development policies and to provide field-level participation in the development and execution of IMO’s Integrated Technical Co-operation Programme (ITCP).

The idea of setting up a regional presence was approved by the IMO Council’s 78th session in June 1997 and it was agreed then the project should start with a pilot scheme for the African region.

Regional co-ordinators are contracted by IMO, and their duties include identifying maritime needs and priorities; and planning, co-ordinating and ensuring the delivery of IMO’s programme of technical assistance in their respective regions.

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Further information
IMO Technical Co-operation: www1.imo.org/tcd/
Conference calls for international SAR Fund to ensure SAR/GMDSS facilities along African coastlines

IMO should consider establishing an international SAR fund to ensure the provision of adequate SAR co-ordination facilities along the Atlantic and Indian Ocean coastlines of Africa, according to resolutions adopted by delegates to the IMO Regional Conference on Maritime Search and Rescue (SAR) and the Global Maritime Distress and Safety System (GMDSS), which took place in October 2000 in Florence, Italy.

The Florence Conference resolutions state that such an international SAR fund would provide for the establishment and continuing maintenance of subregional rescue and co-ordination centres (RCCs) to co-ordinate SAR operations to assist persons in distress at sea in the waters of the SAR regions (SRRs).

The fund would also provide for the establishment and continued maintenance of an effective global system for the distribution of distress-alert data and appropriate operational information via publicly accessible or dedicated communications networks; databases for the operation of the GMDSS and SAR professional and technical training resources; and other resources deemed necessary for the effective implementation of the Global SAR Plan.

The Conference was organized as a follow-up to the 1991 Lagos, 1994 Lisbon, 1996 Cape Town and 1998 Fremantle SAR/GMDSS Conferences to enable representatives from African countries bordering the Atlantic and Indian Oceans to review the SAR/GMDSS situation in the African sub-regions, identify any inadequacies in SAR/GMDSS facilities and suggest solutions.

Twenty-seven countries participated in the Conference, which was organized in co-operation with the Government of Italy and with financial support provided by the Governments of Italy, the Netherlands, Norway and the United Kingdom and by the European Commission and the International Transport Workers’ Federation (ITF).

The GMDSS – which became fully effective from 1 February 1999 – is essentially a world-wide network of automated emergency communications for ships at sea. The basic concept is that search and rescue authorities ashore, as well as shipping in the immediate vicinity of the ship in distress, can be rapidly alerted through satellite and terrestrial communication techniques to a distress incident so that they can assist in a co-ordinated SAR operation with the minimum of delay.

The 1979 SAR Convention was designed to provide a global system for responding to emergencies and the GMDSS was established to provide it with the efficient communication support it needs. To help implement the SAR Convention, IMO's Maritime Safety Committee (MSC) has divided the world's oceans into 13 search and rescue areas, in each of which the countries concerned have delimited
Resolutions adopted

The Florence Conference adopted six resolutions, the recommendations of which are being passed to IMO’s Council, Maritime Safety Committee and Technical Co-operation Committee.

Resolution 1: Arrangements for the provision and regional co-operation and co-ordination of search and rescue (SAR) services and co-operation between States

Invites all African coastal States bordering the Atlantic and Indian Oceans to agree on regional and subregional arrangements to enable effective and efficient search and rescue operations in their respective sea areas.

Resolution 2: Establishment of an international SAR fund

Invites IMO to establish an International SAR Fund to aid and assist developing countries to fulfil their obligations under the SAR and SOLAS Conventions, including establishment and maintenance of subregional rescue co-ordination centres (RCCs).

Resolution 3: Technical co-operation in maritime search and rescue (SAR) and the Global Maritime Distress and Safety System (GMDSS)

Invites IMO Member Governments to make available their national maritime SAR training facilities for the training of search and rescue and GMDSS personnel of States in the African Eastern, Southern, Western and Central subregions, and to sponsor fellowships for such training.

It also invites the Secretary-General of IMO to bring the resolution to the attention of the Technical Co-operation Committee with a view to encouraging IMO Member Governments to assign a high priority to the provision of technical assistance and financial support for States, in particular African States, which are in need of maritime SAR and GMDSS equipment and facilities, including the establishment and enhancement of relevant training facilities located in the continent and Island States of Africa.

Resolution 4: Implementation of the Global Maritime Distress and Safety System (GMDSS) in the African sea areas of the Atlantic and Indian Oceans

Urges all African coastal States in the Atlantic and Indian Ocean subregions to consider establishing Sea Area A1 and Sea Area A2 shore-based facilities.

Resolution 5: Application of tacit acceptance procedures for the completion of the global search and rescue plan

Invites the IMO Sub-Committee on Radiocommunications, Search and Rescue and the MSC to consider the use of tacit acceptance procedures for the Provisional SAR Plan as an optional means to formal SAR agreements for expediting completion of the Global SAR Plan. The resolution notes that making the delimitation of SAR regions dependent upon establishment of formal international search and rescue agreements, while desirable, has been a substantial factor delaying completion of the Global SAR Plan.

Resolution 6: Expressions of appreciation

1,008 rescued at sea in 1999 SAR operations, says COSPAS–SARSAT

During 1999, the COSPAS–SARSAT satellite system had been used in 340 search and rescue (SAR) events and 1,227 people had been rescued, including 1,008 persons at sea in 216 SAR operations, Mr. Vladislav Studenov of COSPAS–SARSAT told the Florence Conference.

The COSPAS–SARSAT satellite system was established in 1982 and consists of a number of polar-orbiting satellites which provide world-wide coverage. The system, whose Secretariat is based in London, enables ships transmitting distress messages by emergency position-indicating radio beacons (EPIRBs) to be positioned with a degree of accuracy that enables SAR units to find the persons in distress as quickly as possible.

The system is available to all States on a non-discriminatory basis and free of charge for the end-user in distress. Thirty-three countries or organizations are formally associated with COSPAS–SARSAT.

The system currently comprises eight satellites (plus one under test) in polar orbit, three geostationary satellites, 22 mission control centres, 37 receiving stations in the low earth orbit satellite system, seven receiving stations in the geostationary satellite system, more than 220,000 406 MHz beacons (most are maritime beacons) and more than 630,000 121.5 MHz beacons.

Future system developments include the integration of additional geostationary satellites and the phasing out of 121.5 MHz satellite services.

Since 1982, COSPAS–SARSAT has assisted in rescuing at least 11,227 people world-wide.

It also recommends that the MSC consider developing a model training course on SAR English.

Resolution 7: Application of tacit acceptance procedures for the completion of the global search and rescue plan

Invites the IMO Sub-Committee on Radiocommunications, Search and Rescue and the MSC to encourage the use of tacit acceptance procedures for the Provisional SAR Plan as an optional means to formal SAR agreements for expediting completion of the Global SAR Plan. The resolution notes that making the delimitation of SAR regions dependent upon establishment of formal international search and rescue agreements, while desirable, has been a substantial factor delaying completion of the Global SAR Plan.
Mombasa designated subregional RCC for new subregional search and rescue region

The Mombasa rescue co-ordination centre (RCC) was designated as the subregional RCC for a new subregional search and rescue region (SRR) for East Africa during the Florence Conference, subject to further consultations at national and regional level.

A rescue sub-centre (RSC) will be operated by each of the other States in the East African area. The States agreed that the limits of the SRR for RCC Mombasa would be based upon inclusion of all of the previously designated provisional SRRs of the countries concerned, changing their status to search and rescue subregions (SRSs) as shown on the map.

The specific arrangements for assigning responsibilities among the RCC and RSCs, and procedures for co-ordination of their SAR activities, will be worked out among the SAR authorities of the States concerned.

The Florence Conference also proposed the establishment of other similar subregional RCCs, for the African countries bordering the Atlantic and Indian Oceans, to be co-ordinated by, respectively, Morocco, Liberia, Nigeria and South Africa.

The Conference urged the establishment of an International SAR Fund to provide for the establishment and continuing maintenance of these and any future proposed subregional RCCs, including training.

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World Maritime Day places global focus on shipping

Politicians and leading shipping industry figures around the world have used World Maritime Day to join IMO Secretary-General William O’Neil in calling for greater efforts to improve maritime partnerships. While the highlight of World Maritime Day in London was a diplomatic reception at IMO’s headquarters, other events and messages from around the world served to focus attention on the key issues facing the shipping industry and the crucial part it plays in the global economy.

The Secretary-General’s World Maritime Day message was quoted around the world, appearing in news media in countries as diverse as Barbados, the Democratic Peoples’ Republic of Korea, Saudi Arabia, Singapore, the USA and many more. In the USA, the message was forwarded to the US Congress for reading and insertion into the congressional record.

In Australia, the Senate passed a resolution applauding IMO’s support and recognition of maritime workers and merchant shipping, including Australian coastal shipping. According to Mr Clive Davidson, Chief Executive Officer of the Australian Maritime Safety Authority, the theme of “Building Maritime Partnerships” had never been more appropriate. He said, “as the IMO has pointed out, this year has seen a great deal of media and industry attention focussed on the need to strengthen the ‘safety net’ that underpins the safety of international shipping. The ‘safety net’ itself is nothing more or less than a series of partnerships.”

He added, “Australia, through its role in the IMO, is participating in a process by which the member States can strengthen the relationships that will define and enhance the safety of tomorrow’s shipping industry. It is fundamental that we all commit to a process of continually re-examining the standards that we have established and the mechanisms we have created for ensuring their proper and uniform implementation.”

It was a point echoed in a personal message to Mr O’Neil from Juan Jose Beltritti, General Prefect of Argentina’s merchant navy. “We can only have an efficient safety net and safer shipping and cleaner oceans,” he said, “if we put our efforts into reinforcing and strengthening the association between the world’s maritime nations and the other sectors involved in shipping – and IMO is the best arena to make this happen.”

In the Democratic Peoples’ Republic of Korea, the event was marked with memorial lectures in the Maritime Administration Bureau and the Maritime University, attended by many of the country’s leading maritime and shipping functionaries. Similarly, the Director-General of Shipping in the Government of India, Mr. D.T. Joseph, gave his full support to a meeting in Mumbai held on 28 September, to discuss the World Maritime Day theme.

If the celebration of World Maritime Day was overshadowed by the disaster involving the passenger ferry Express Samina, in which more than 60 people lost their lives, nowhere was this felt more keenly than in Greece. In a personal message to the Secretary-General, Mr. Christos Papatoussis, the Greek Minister for Mercantile Marine, said the disaster “once more stresses the important role IMO can play for the further enhancement of safety of life at sea and the prevention of marine environment disasters.”

He said, “the theme chosen for 2000, Building Maritime Partnerships, reflects the need for everyone involved in the shipping industry to co-operate with the aim to draw on each others’ technical competence, skills, expertise and knowledge in order to further enhance shipping safety and the protection of the marine environment.”

“Greece, being a major and traditional maritime nation, considers the cooperation between the various parties involved in shipping as an opportunity and a challenge and also believes that every effort shall be made to extend IMO standards to cover the whole world fleet by helping all countries to effectively implement existing conventions.”

He added, “we are convinced that the international maritime community, acknowledging the shared responsibility for the safer operation of ships, will increase its efforts to achieve, through IMO, the competent international body, the common objectives for the ultimate protection of the valuable assets we have: human life, environment and ships.”

Reinhard Klimmt, Germany’s Federal Minister for Transport, Building and Housing, also echoed the need for partnership on a global level. “At the start of the new Millennium,” he said, “it is becoming clear, in the context of the ever-increasing globalisation of the world economy, that the key issues in international shipping – in particular, maritime safety and the protection of the marine environment – can only be resolved if the parties involved, the shipping nations and the maritime industry, work together on a world-wide basis. Global problems require global solutions, achieved through partnership.”

According to Mr. Klimmt, the success of maritime partnership within IMO is demonstrated by the speed with which agreement, even on difficult issues, is reached and the flexibility and rapidity of the response to new challenges. He cited a number of examples, including the successful conclusion of the diplomatic conference on the adoption of the 2000 HNS–OPRC Protocol, providing for mutual cross-border assistance in the case of accidents involving chemical tankers, the excellent co-operation between States, shipowners, shipyards, maritime associations and the IMO Secretariat in developing the HSC Code for the operation of high-speed craft, and the mandatory use of the latest shipborne technology under the revised chapter V of the SOLAS Convention.

Mr. Klimmt said he believed the international conventions, protocols and resolutions jointly prepared and adopted by IMO’s 158 Member States constituted “a true global framework for safe, environmentally friendly and cost-effective shipping.”

To boost awareness of the maritime world among younger people, the Maritime Authority of Jamaica used World Maritime Day as the launch pad for an essay competition for people between the ages of 14 and 19 years. The theme is “A safe and environmentally friendly shipping industry integral to Caribbean prosperity.” In Jamaica, the maritime community extended the celebrations to hold a World Maritime Week, with events organised for every day of the week. A church service on Monday 24th September was followed by the publication of messages from principals of the country’s maritime agencies in local newspapers on Tuesday. Wednesday saw the graduation ceremony for stu-
launch of Jamaica’s international ship registration, in anticipation of the judiciary to new legislation relating to the country’s maritime partnerships. Not only do sub-standard ships pose a threat to the safety of human life and to the marine environment but they also compete unfairly against those in the industry who comply with internationally agreed standards.”

Mr. Hill highlighted the Equasis database as a concrete initiative to emerge from the campaign. He said, “shippers now have the information they need to distinguish good ships from bad and to act accordingly by giving preference to the compliant vessel, so rewarding owners who are committed to quality. No longer can ignorance be an excuse for engaging in business with the sub-standard.”

He went on to speak of a natural convergence of interest between responsible flags, responsible shipping companies and the wider maritime industry, including those who class and finance ships. Echoing once again the World Maritime Day theme of partnership, he said, “Administrations and the maritime industry must work together to eliminate sub-standard shipping through a combination of market and State action.”

Mr. Hill applauded IMO’s undertaking to strengthen its technical cooperation activities and welcomed the progress made in the FSI Sub-Committee. “No longer will a flag State be able to claim that it is properly discharging its responsibilities in the absence of objective criteria against which such claims can be measured. But,” he said, “there are still too many flag States which continue to perform badly, and feature each year on targeted lists of established PSC areas. We must continue to work towards the consistent and effective implementation of IMO instruments globally. And as a first step, I would call on all flag States that have not already done so to complete and submit their self-assessment forms, and in the spirit of transparency between Member States, for those assessments to be published.”

Mr. Hill said he believed the continuing development and use of the Formal Safety Assessment methodology represented a good example of improved partnership in action. “An important element in the FSA process, he said, “is the need to understand and consider the costs and benefits that impact on all interested parties, both in risk and monetary terms.”
Sculptor Michael Sandle begins work on memorial to seafarers

Renowned British sculptor Michael Sandle has begun work on creating a memorial to the world’s seafarers to be erected at IMO’s riverside headquarters on the Albert Embankment in London, after his proposed design was chosen from a shortlist of three.

Sandle’s sculpture, based on the bow of a cargo ship, will be a reminder of the pivotal role seafaring plays in world trade and development and will also serve as a memorial to all seafarers who have been lost at sea. The unveiling of the completed work is scheduled for World Maritime Day 2001.

IMO Secretary-General Mr. William O’Neil, announcing the winning design on 28 September, World Maritime Day 2000, said it had been thought for some time that the IMO headquarters, with its prominent position opposite the Houses of Parliament, was an excellent site for such a long-overdue and unique monument. “In our discussions it was decided early on that the sculpture chosen should be figurative in nature and visually striking. The reason for this is that every delegate from each of the 158 Member States of IMO, and every visitor to the building, should be immediately aware of the sculpture’s significance,” he said.

Mr. O’Neil added: “The judging panel feel that Michael Sandle’s interpretation of the brief fulfils our criteria. We are confident that it will provide both an appropriate and lasting memorial to all seafarers”.

“Monumental sculpture”

Sandle himself said he chose a ship “because it signals immediately and unmistakably what the Organization is about. Only a truly monumental sculpture would work because the frontage of the IMO building is very large and the space allocated for a sculpture is a particularly difficult one to articulate. Anything else would simply be swallowed up and become invisible.”

The sculpture will rise from ground level into first floor level and will be “big enough to provide a proper focus to the building,” Sandle added. “I have attempted to transform a ship into a cathedral. Visitors looking up at it at close range would experience resonances similar to being in one; it is not for nothing that the longitudinal axis of a cathedral is called the nave.”

The sculpture is being made by Morris Singer Ltd, a foundry in Lasham, Hampshire, England. It will be cast in bronze and will weigh about 10 tonnes.

Trust fund

The memorial project is being financed from a trust fund established two years ago to mark IMO’s 50th anniversary. Other projects earmarked for the fund include the establishment of an additional teaching chair at the World Maritime University in Sweden and fellowships for the training of seafarers.

A key contributor to the fund is the International Transport Workers’ Federation, whose General Secretary, David Cockroft, said: “We welcome this memorial and hope it will remind people of the hazards faced daily by the world’s seafarers”.

Michael Sandle was born in Weymouth in 1936 and studied at Douglas School of Art and Technology, Isle of Man (1951–54). After two years in the Royal Artillery he studied printmaking at the Slade School of Fine Art.

Mr. Sandle spent the 1960s teaching in leading British art schools, before moving to Canada in 1970. He spent a year as Visiting Associate Professor at the University of Calgary and then a year teaching at the University of British Columbia.

In 1973 Sandle moved to Germany, teaching in Pforzheim and then as a guest of the DAAD Artists’ Programme in Berlin (1974–5). Between 1980 and 1999 he was Professor of Sculpture at the Akademie der Bildenen Künste, Karlsruhe. Mr. Sandle has exhibited widely, including a 1988 retrospective at the Whitechapel Art Gallery and an exhibition at the Tate Gallery Liverpool in 1995.

He has undertaken many significant commissions, including the Memorial for the Victims of a Helicopter
Disaster in 1985 in Mannheim and the Malta Siege Bell Memorial 1989–93, a vast commission that included a major figurative sculpture, a 12-tonne siege bell and its architectural housing. He was a Royal Academician 1989–98 and has been a Fellow of the Royal Society of British Sculptors since 1994. Mr. Sandle lives and works in Devon, south-west England.

“The sea must be part of the collective psyche of Maritime Nations, probably even for landlocked peoples too.

I know for sure that the sea and ships form part of my own psyche. It has no doubt to do with my having spent most of my formative years on the Isle of Man where the sea is never far from sight. I have made the crossing over the Irish Sea more times than I care to remember. Leaving Liverpool, going home on an Isle of Man Steam Packet ship, moving down the Mersey between an avenue of melancholy bell-buoys ... ringing as they come into ear-shot, nodding and heaving and fading away again ... and then to head out across the bar towards the open sea ... between lightships that carry the letters Alpha, Beta, Delta picked out in white paint on their sides ... this has always been practically a mystical experience for me.

It may also have something to do with my father having been in the Royal Navy. He was stationed at Plymouth during the war before being sent to the Isle of Man. One of my earliest memories was seeing and hearing riveters working on ships in Devonport Dockyards. It may be because I was christened on the aircraft carrier HMS Ark Royal, or was named after a Leading Seaman friend of my father’s who was lost when his ship HMS Hood went down.

The sea’s changing colours and weather formations have always had a powerful influence on my drawings and watercolours. I have in the past made a series of drawings with ‘U’ boats as the subject. I have executed a number of major works with nautical themes, including a memorial for the 1940–43 Siege of Malta and the Malta Convoy known under the code name of ‘Operation Pedestal’. I have recently executed a large relief of a ‘Viking Funeral’ and I am working on a memorial to Sir William Hillary, the founder of the Royal National Lifeboat Institute.

I hope I have managed to convince anyone who might read this that the sea is indeed in my blood. As a fatalist I have a strong conviction that I have been predestined to make the Seafarers Memorial. My concept, a figure standing in the prow of a ship, harks back to antiquity, i.e. the wonderful “Victory at Samothrace” now in the Louvre. Although it will be the largest bronze I have ever made, because I have this strong sense of destiny, I feel strangely secure about it. I am certain that it will be one of my best works. I am immensely proud to have been chosen to create the Seafarers Memorial, particularly so as it will face Sargent Jagger’s (one of my heroes) superb ‘Marine Transport’ sculpture on the ICI building on the other side of the river.”

Michael Sandle, 30 November 2000

Further information:
www.imo.org – click on “Seafarers memorial”
IMO-sponsored work on safety regulations for non-convention vessels

by Ian Williams BSc CEng FRINA FIE Aust

IMO conventions, in general terms, deal only with ships on international voyages. In addition, although the International Convention for the Safety of Life at Sea (SOLAS), 1974 applies to all passenger ships, it applies only to cargo ships over 500 gross tonnage. Thus the international conventions developed by IMO, and which have over the years contributed to a considerable reduction in accidents to ships subject to them, have had little direct impact on non-convention ships.

While at first sight it would appear that the term “non-convention ships” implies smaller ships, in many cases quite large passenger ships are engaged solely on domestic voyages.

Furthermore, even though some countries have enacted appropriate legislation, the safety standards applying to them are unlikely to be consistent between countries. This may or may not be important, but it does mean that, unlike international conventions, domestic ship safety regulations do not have the advantage of being developed in an expert, international forum with full knowledge of contemporary developments in approaches to safety.

It is very difficult to gauge in qualitative terms the magnitude of the problem of accidents on non-convention ships and the loss of life that occurs as a result.

Until 1993, Lloyd’s casualty returns* provided statistics on the number of ships lost under 500 gross tonnage as a proportion of all losses. Table 1 summarizes these statistics and offers some indication of the problem. However, this information has not been published since 1993, and it proved impossible to obtain more comprehensive or up-to-date information. In particular, no information was available, even from the IMO, to assist in identifying the number of casualties and the number of lives lost as a result of such accidents.

The publication does provide information on individual casualties, and the gross tonnage will show whether a particular cargo ship is nominally of non-convention size. However, ships larger than 500 gross tonnage may be involved in domestic trade and thus not be subject to the conventions.

As noted above, some domestic-trade passenger ships, particularly those operating in archipelagic States, may be of considerable size and carry a large number of passengers. Without extensive and detailed research, it is therefore difficult to determine the actual magnitude of the problem. Even then, the research would probably underestimate the size of the problem as losses to smaller ships are often unreported.1

Despite the lack of objective evidence, it is apparent that a number of serious accidents do occur to non-convention ships. Rarely a month passes without the report of an accident to such ships, sometimes involving a loss of life that would be unacceptable in other types of vessel. The loss of the Doña Paz in 1987, engaged in Philippines domestic trade, stands as the world’s greatest maritime tragedy, with the loss of over 4300 lives, and there are many more examples of heavy loss of life on such ships.

Table 1: Number of ships lost under 500 gross tonnage

<table>
<thead>
<tr>
<th>Source: Lloyd’s casualty returns 1989–1993 editions</th>
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<tbody>
<tr>
<td><strong>Total number lost</strong></td>
</tr>
<tr>
<td>All ship sizes</td>
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<tr>
<td>1989</td>
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<td>1993</td>
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* Casualty returns, Lloyds Register of Shipping, London, published annually.
it to assist and encourage countries to adopt safety standards for smaller ships on a regional basis.

First of all it was necessary to develop an appropriate set of standards to form the basis for a harmonized regulatory regime.

Development of the Asian regulations

The first IMO-initiated safety regulations for non-convention-sized ships were developed, on the instructions of the Secretary-General, by an IMO-funded consultant to form a basis of a regional safety standards for ships and barges below the size to which the international conventions apply, engaged in local, coastal or regional voyages in the Asian region.

The provisions of the regulations were stated to be designed to take into account those elements of the standards and requirements of the principal international conventions that were relevant to smaller ships. In practice, the draft regulations took into account, as far as was reasonable and practicable, the provisions specified in the following international conventions:

- The International Convention for the Safety of Life at Sea (SOLAS), 1974;
- The International Convention on Load Lines (ILLC), 1966;
- The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978, as amended; and
- The International Regulations for Preventing Collisions at Sea (COLREG), 1972.

In addition, a number of IMO resolutions were referenced in footnotes to the regulations to provide technical standards to a level of detail that was not considered appropriate for the text of the regulations themselves and to provide guidance on applying the regulations.

A proposal based on these draft safety regulations was prepared and was exposed to Asian regulators and safety experts during two seminars in Mumbai and Tehran in September 1995 and July 1996 respectively.

Following discussion of the technical and administrative details and agreement on the final form of the regulations, IMO carried out an editorial review and provided the final version to the participating countries.*

Outcome of the Asian seminars

The most important areas of agreement resulting from the two seminars were that:

- The regulations should apply to cargo ships and barges;
- The regulations should apply principally to new ships. However, Administrations may apply the standards specified in the regulations to existing ships, as far as is practicable and reasonable; and
- An Administration should be able to permit a ship designed to a lower standard than that specified in the regulations to operate on certain or restricted voyages. Such ships should, however, comply with the safety requirements that the Administration considers adequate for the intended voyage and the overall safety of the ship and personnel on board.

The final seminar agreed on a “Recommendation on common maritime safety rules and loadline regulations for non-convention sized ships”, which is reproduced in Annex C to the report on the seminars.*

It recommended the adoption of the Safety Regulations for Non-Convention Sized Ships and proposed alternative ways of implementation depending on the individual interests, concerns and legal systems of each country.

The countries noted that because non-convention-sized ships do not need to conform to the requirements of the international conventions, it had been a normal practice for national governments to institute their own rules in order to achieve safety in their operations. Accordingly, there was no common treatment as to rules for the assignment of load lines or ship construction, survey, operation or maintenance. Critically, it was recognized that, because of the size of the ships in question and because they usually trade in less hazardous waters or inland waterways, the importance of their safety and that of their crews has often received less emphasis than the safety of larger ocean-going ships in international trade.

It was therefore agreed to recommend the establishment of a set of common, harmonized safety regulations for non-convention-sized ships in the Asian region based on the agreed draft recommendations, which could be used by Asian countries as a means of modifying their national legislation, as and where necessary, so that it gave effect to all the relevant safety principles embodied in the international conventions.

Alternatively, the draft regulations could be adopted, in the form agreed or modified to suit specific needs, as an integral part of the national legislation of interested countries.

It was recommended that this could be achieved by each country using the Safety Regulations for Non-Convention Sized Ships (hereinafter termed the “harmonized regulations”) as a standard for modifying its existing national legislation or by their adoption by participating countries as a multilaterally applied regional regulatory regime with which ships trading within and among the countries should comply.

No recommendations were made in respect of safety standards for passenger ships.

In order to achieve a uniform approach to the subsequent implementation of the harmonized regulations in the Asian region, the participants invited IMO to receive from, and in turn provide to, the participating countries, information on the way in which each country had decided to implement the standards of the regulations. IMO was also invited to continue its co-operation with the countries in the development and improvement of maritime safety regulations oriented towards their small and domestic vessel fleets.

Action subsequent to seminars

With the successful conclusion of the seminars, the project was considered to have completed its objective of giving the Asian region a mutually acceptable tool to deal with safety aspects of non-convention-sized cargo ships and barges. It was agreed that further action was in the hands of the involved countries, each of which would adopt and implement the regulations into its national maritime legislation in accordance with the recommendations of the seminars described above.

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*Final report on the seminars on safety and load line regulations realized under project RAS/93/034, International Maritime Organization, 1996.
Unfortunately, despite the intentions expressed at the second seminar, this was not done. It is not difficult to see why. Perhaps, when the delegates returned home, the regulations seemed more complex or less applicable than they first appeared. A number of the regulations, although simplified, may have appeared to be unduly onerous to operators accustomed to a more relaxed safety regime.

One must sympathise with the problems faced by the legal and professional staff of the marine Administrations of small developing countries in addressing even the most immediate safety issues.

Certainly it can be assumed that the lack of activity on the part of some of the countries arose from the fact that they already had some form of regulation in place with which their administrators, surveyors and inspectors would have been familiar, and that in such cases there may have been a reluctance to adopt a new and untried regime.

In other cases it may be that the major task of implementing a new regulatory regime was considered to have a low priority in comparison to other issues facing the Government.

Whatever the reasons, at an implementation seminar convened jointly by IMO and the Economic and Social Commission for Asia and the Pacific (ESCAP) in November 1998 it was found that, of the 13 countries represented, none had actually implemented the harmonized regulations.

The third Asian seminar

In the course of the seminar, four of the larger countries (China, Japan, Republic of Korea and Singapore) confirmed that their existing regulations were adequate and that they would gain no advantage from implementing the harmonized regulations. Two others (Bangladesh and India) stated that they planned to implement new marine safety standards in the near future in their national legislation, based on the harmonized regulations.

The remaining countries reported no such progress and requested the assistance of IMO and ESCAP in facilitating the adoption of the harmonized regulations into their national legislation.

It was found later that the Philippines, which had been present at the earlier seminars but was not represented at the third seminar, had taken early action to implement the Asian regulations in a form that incorporated its other relevant national maritime law.*

Detailed discussion of the regulations in the seminar identified that many regulations were relevant, but certain others required further study before they could be considered as being suitable for adoption.

The seminar agreed that information on the standards being applied in the four Asian countries which had effective regulations in place could be used by the other countries to guide the future adoption and implementation of standards equivalent to the harmonized regulations.

This information would also provide an effective baseline standard for the exercise of administrative discretion at the national level and a possible basis for future amendment of the harmonized regulations.

Countries which required assistance in adopting regulations agreed to develop action plans in collaboration with national stakeholders. Each delegation agreed to establish a working group to explore the possible application of the harmonized regulations within its country.

The working groups would comprise key stakeholders, typically representatives of ministries of transport, marine administrations, government legislative drafters, service providers and users, and relevant sectors of industry.

On completion, countries were urged to report their findings to ESCAP, whereupon ESCAP would seek appropriate ways to assist countries to progress the further development and implementation of the regulations.

In Asia, IMO and ESCAP, with the assistance of funding by the Japanese Transport Co-ordination Association, arranged three country-based seminars in late 1999 to discuss with local legal and maritime experts the issues related to the implementation of the regulations. In the case of the Philippines, the outcome was an action plan to assist in the implementation of the regulations.

Pacific regulations

Background

The safety of small vessels in Pacific Island countries (PIC) has been regulated by national regulations based on either the regulations existing before their establishment as independent countries or on the South Pacific Maritime Code (SPMC).

The latter was developed in the early 1980s with objectives similar to those leading to the development of the harmonized regulations. For convention ships it specified that the relevant regulations of the conventions applied.

For non-convention ships the provisions of the Code relied heavily on standards drawn from the Australian

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Uniform Shipping Laws (USL) Code: in some cases such requirements were spelled out in the SPMC and in others the provisions of the USL Code were called up by reference.

Countries adopting the Code into their legislation could thus give effect to international standards, regardless of whether or not they were party to the relevant conventions.

However, such broad application of standards developed elsewhere in a different legislative and operational environment did not necessarily provide appropriate safety standards for non-convention vessels in the local scene.

When IMO became involved in the development of a new (or supplementary) regulatory regime, the aim was to ensure that all vessels in Pacific Island trade were seaworthy for their intended voyages in terms of their size, mission and area of operation.

This was to be achieved bearing in mind the special needs of the people of the region and the overwhelming importance of sea transport to economic, social and cultural aspects of life in the region.

Another factor that encouraged the countries to consider the adoption of a new regime lay in the fact that marine underwriters and insurers normally require vessels to be in class before they will cover the marine risks at a reasonable premium cost.

A robust alternative standard that would involve compliance with recognized regional safety standards could provide an acceptable alternative to a vessel being in class if it could be accepted by insurers as demonstrating that a vessel was well found, seaworthy and properly equipped.

The need for development of a common set of standards, acceptable to PICs as a whole, is heavily influenced by the geography of the region.

Many domestic inter-island voyages would represent a major international voyage in other parts of the world and some inter-island voyages in the Pacific region are longer and potentially more hazardous than many intercontinental voyages. This perspective was to be influential in determining the scope of application of the new regulations.

**Development of the Pacific regulations**

A workshop took place in Nadi, Fiji in September 1998, sponsored by IMO and the Secretariat of the Pacific Community, and attended by representatives of 13 Pacific Island countries.

The meeting agreed that the regulations developed by Asian countries and described above represented a suitable starting point but that they would need considerable amendment in order to reflect the requirements of PICs. Another source of reference for the meeting was the Code developed with the assistance of IMO by Caribbean countries, itself based on the Asian harmonized regulations.*

This gave a very useful perspective on the safety standards considered suitable for small ships in another island region of the world.

It was agreed at the outset that the safety of the life of seafarers and passengers is of primary importance, particularly when considering the potentially hazardous nature of many of the voyages undertaken in the region by trading and fishing vessels as a matter of course (and as a matter of necessity). Thus it was agreed at an early stage that the scope of the regulations should be extended to include passenger vessels.

Nevertheless, and importantly, it was agreed by the participants that the normal differentiation between cargo and passenger ships derived from SOLAS (the carriage of a maximum of 12 passengers) was not appropriate to the region.

This conclusion was largely based on the importance of inter-island sea transport to economic, social and cultural aspects of life in Pacific Island countries and the need to effectively use all relevant transport resources, given the relative scarcity of vessels to meet these demands. It was therefore agreed that cargo vessels should be permitted to carry passengers, subject to special consideration of the safety of the vessel and the conditions upon which a voyage with passengers should be permitted.

Each of the harmonized regulations was considered in some detail by the workshop and decisions were made on whether it was relevant to the Pacific region and, if so, whether it should be modified. Without doubt, the most important decision made in relation to the Pacific Regulations was to apply the regulations to passenger ships.

This necessitated the application of higher standards of intact stability and the provision of life-saving and other safety equipment. It also led to the development of subdivision and damage stability requirements which were based on those of the IMO International Code of Safety for High-Speed Craft.†

The PICs agreed that, while such standards were appropriate for new, purpose-built passenger ships, there was a need to recognize in the regulations the reality that many passengers would need to continue to be carried on board cargo ships if important trade, social and cultural activities were not to be inhibited or prohibited.

Accordingly, they agreed to develop requirements for a category of cargo–passenger ship that would parallel the basic standards of construction and equipment applicable to cargo ships but which would enable such ships to carry passengers if they met higher standards in the area of intact stability, life-saving arrangements and communications.

Given the extensive distances in the Pacific, and the consequent cost of providing communications infrastructure, one of the most difficult areas in which to develop consistent standards was that of communications.

Few operators of PIC are able to afford a full fit of the radio equipment necessary to meet the SOLAS requirements for ships sailing in a GMDSS A3 sea area. Accordingly, it was agreed that the regulations should specify, for new vessels 24 metres in length and above, a basic communications equipment fit dependent upon the sea area proclaimed by each Government in the sea area for which it is responsible.

Existing vessels would need to be similarly equipped in accordance with an agreed phase-in period. The requirements for smaller vessels are an EPIRB (electronic position-indicating radio beacon), a radar transponder and distress communication equipment depending on the proclaimed sea area in which the vessel operates.

Following the workshop, the author was commissioned to develop draft regulations based on provisions of the Asian harmonized regulations and the

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Caribbean Code, taking account of the decisions of the workshop.

This was circulated to PICs and further refined to take account of their comments. It was agreed that the regulations and any necessary supporting standards should be available, as far as possible, in a stand-alone document.

To meet this need, a number of technical annexes were developed to amplify the requirements of the regulations, using standards drawn from IMO instruments and resolutions and from the USL Code.

Following a further round of consultation and amendment, a further workshop was held in Fiji early in 2000 to agree on and to adopt the regulations as the basis for consistent Pacific-wide adoption and implementation.

The regulations are, at the time of writing, close to completion, although some of the technical standards will not be available in a final form until the conclusion of an extensive exercise in Australia to update the USL Code standards in the form of the new National Standards for Commercial Vessels.

The regulations will, as priorities permit, be incorporated into the legislation of each individual country as part of the package of reform of maritime law being progressed with the assistance and support of the SPC.

The future

There is no doubt that the vast majority of the Administrations involved in the Asian and Pacific seminars and workshops are convinced of the need to improve the level of safety of small ships and have displayed great enthusiasm and expertise in addressing the issues raised by the regulations.

It is understood that the Code of Safety for Caribbean Cargo Ships has recently been revised for the second time. The slow pace of enacting maritime legislation in that region is said to be the reason for delay in incorporating the Code into national legislation.

However, it is being used as the standard for inspection of ships in the region to which the Code applies. Elsewhere, legal and financial factors may also inhibit the early implementation of the type of regulations described here. Experience has shown that, even in developed countries, it can be difficult to achieve sufficient priority in the law-making progress to implement new measures on maritime safety.

In developing countries, where the day-to-day problems of the country and its management may be considerably greater in terms of the economic and personnel resources available to deal with the pressures, these difficulties are much greater.

Compliance with any new regulations, particularly if they are designed to be more effective than those they replace, is likely to result in considerable expense for shipowners and operators. A new regulatory regime may mean additional administrative, training and inspection costs for the Administrations themselves, which in turn may affect the priority able to be given to implementation.

The economics of many of the transport tasks in Asian and Pacific countries are marginal, and increased expenditure on safety enhancements could tip the balance and make such tasks uneconomic.

In these societies many social, cultural and economic activities require access to reasonably priced shipping services.

It is therefore not unreasonable to assume that it would be not practical or politically feasible to impose enhanced safety at the cost of losing a particular service or range of services without full and extensive consideration of these broader aspects.

These considerations underline the need for the countries concerned to be intimately involved in the whole process of development of the new regulations and for in-depth and broadly based consultation within the countries concerned to ensure that all stakeholders have the opportunity to comment on and contribute to the substance and application of the regulations. It is of fundamental importance that any country considering the adoption of such enhanced safety regulations address the economic and social implications of their implementation.

The Secretary-General of IMO has recently expressing his concern to the Maritime Safety Committee at the continual loss of life resulting from casualties involving ships that are not covered by the international conventions. He noted that, although IMO’s technical co-operation programme has gone some way to improving the safety of these ships, much needs to be done in the future.

He invited member Governments, other donors and the international shipping industry to assist, financially and in kind, the current efforts. In response, the MSC endorsed the Secretary-General’s invitation and invited action by all parties.

The author is optimistic that enhanced safety requirements for non-convention ships will, in time, achieve broad acceptance by Administrations and industry and be implemented effectively in many parts of the world.

The IMO-sponsored regulations, if developed in a way that meets the needs of operators and flag States of such ships, have the potential to achieve major improvements in safety and major reductions in the present regrettable loss of life.

However, it must be recognized that to simply make the regulations available to a country and expect them to be implemented effectively will not achieve this desirable outcome.

The evidence presented to the 1998 Asian seminar and the lack of real progress in that region since that time bears this out. Once there is a reasonable regulatory framework, the technical assistance sought by the Secretary-General must be employed in implementing the regulations in light of the social and economic parameters of each country and then in training those who have to implement them.

The article represents the views of the author, who can be contacted at ianw@pcug.com.au.

Further information

IMO: www.imo.org


*Casualties on ships not covered by the provisions of the international conventions, document MSC 72/14/2, International Maritime Organization, 1999.
New fishing vessel safety Code to be ready by 2004

A new, revised, Fishing Vessel Safety Code and Voluntary Guidelines could be ready as soon as 2004, according to a timetable mapped out at September’s meeting of the Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety (SLF).

The Sub-Committee reviewed a proposed draft revision of the Code, developed by a Correspondence Group, and agreed to finalize the text in time for the next SLF Sub-Committee session in 2001. The text could then be presented for review by other technical Sub-Committees in 2002/2003 and be ready for submission to IMO’s senior technical safety body, the Maritime Safety Committee (MSC), for approval in 2004. The Sub-Committee formally re-established the Correspondence Group to continue its work on revising the draft.

The revised Code and Guidelines will reflect the regulations contained in the 1993 Protocol to the 1977 Torremolinos International Convention for the Safety of Fishing Vessels. The Protocol, which replaced the Torremolinos Convention, has yet to receive sufficient ratification to enter into force.

The Code and Guidelines were initially developed in co-operation with the United Nations Food and Agriculture Organization (FAO) and the International Labour Organization (ILO) in the 1970s, with amendments adopted in 1983. Although recommendatory in nature, the revised Code and Voluntary Guidelines are designed to assist national Administrations and others involved in framing national and regional laws and regulations on fishing vessel safety and thereby contribute to improved safety on these vessels. Statistics show that fishing vessels continue to suffer the second highest number of casualties after general cargo ships, often with considerable loss of life.
Revision of SOLAS chapter II-1 – Subdivision and stability

The Sub-Committee set a target date of 2003 for the completion of its work on the revision of parts A, B and B-1 of SOLAS chapter II-1 (Construction – Subdivision and stability, machinery and electrical installations). The aim is for a new, revised chapter to enter force in 2006.

The revision is intended to harmonize the subdivision and damage stability provisions contained in part A (General provisions), those for passenger ships (part B) and cargo ships (part B-1), to be based on the “probabilistic” method.

The probabilistic method (resolution A.265(VIII)) was originally developed in 1973 through the detailed study of data relating to collisions collected by IMO. Because it is based on statistical evidence concerning what actually happens when ships collide, the probabilistic concept is believed to be far more realistic than the earlier “deterministic” method, in which ships’ subdivision is based on theoretical principles.

The Sub-Committee agreed that the revision should take into account the results of the HARDER research project, being undertaken by a consortium of European industrial, research and academic institutions, which is studying the probabilistic approach for assessing a vessel’s damage stability. The HARDER project intends to develop damage stability regulations which may be used to assess rationally the safety of both existing and future ship designs.

The Sub-Committee re-established the Correspondence Group on Subdivision and Damage Stability (SDS) to continue the work on developing the revised chapter II-1 before the next Sub-Committee session.

IACS interpretation relating to timber deck cargoes – draft MSC circular agreed

The Sub-Committee agreed a draft MSC circular containing the IACS interpretation relating to “Timber deck cargo in the context of damage stability requirements”. The interpretation is used when calculating damage stability of ships carrying timber deck cargoes under SOLAS regulation II-1/25-8.1.

Ships engaged in carrying timber deck cargoes should comply with the requirements of the Code of Safe Practice for Ships Carrying Timber Deck Cargoes, 1991, and that ships which are provided with and make use of their timber load line should also comply with the requirements of regulations 41 to 45 of the Load Lines Convention, 1966.

Load Lines revision

The Sub-Committee continued its ongoing work in developing amendments to the 1966 Load Lines Convention and agreed that the amendments should refer to the 1988 Load Lines Protocol, which entered into force in February 2000. The Sub-Committee re-established a correspondence group to finalize the draft text of proposed amendments to the 1988 Protocol, which amount to a complete revision of the technical regulations in part B of the Protocol.

High-speed craft should comply with HSC Code load lines requirements

The Sub-Committee agreed that requirements for high-speed craft in the draft 2000 HSC Code provided an equivalent level of safety to the 1966 Load Lines Convention as modified by the 1988 Protocol, and therefore a high-speed craft built to the 2000 HSC Code need not comply with the Load Lines Convention as may be amended.

Bulk carrier safety – Load Lines Convention and hatch covers

The Sub-Committee agreed to keep the draft proposed revised regulation 16 of the Load Lines Convention relating to hatch cover requirements under review, pending research under way at the MARIN facility in the Netherlands. This test programme seeks to establish design wave loads for hatch covers on large low-freeboard vessels and is being carried out to specifications agreed by the United Kingdom and the International association of Classification Societies (IACS), under the joint supervision of the UK Maritime and Coastguard Agency and Lloyd’s Register of Shipping. This programme follows on from a 1999 research programme into bulk carrier seaworthiness and wave loads carried out at SSRC, University of Strathclyde, Scotland, United Kingdom.

The Sub-Committee noted that bulk carrier hatch covers are the principal line of defence for this type of ship and should be designed for the maximum peak loading they may expect to encounter during their service life.

A working group of the MSC is reviewing bulk carrier safety in the light of the 1998 report into the sinking of the bulk carrier Derbyshire in September 1980 with the loss of 44 lives. Current LL Convention standards may be inadequate with respect to wave loads and permissible strength of hatch covers for bulk carriers and other ship types.

Further information

www.imo.org/imo/meetings/slf.htm
International Collaborative Formal Safety Assessment (FSA) Study of Bulk Carriers:
www.fsa.mcga.gov.uk/
M.V. Derbyshire Surveys, UK/EC Assessors’ Report:
www.shipping.det.gov.uk/mvds/index.htm

New HELCOM guides

The Baltic Marine Environment Protection Commission (HELCOM) has published three documents to help cut illegal disposal of ship-generated wastes into the Baltic Sea.

The Baltic Legal Manual specifies the requirements for obtaining a conviction for illegal disposal of ship-generated wastes in each of the Baltic Sea States (Baltic Sea Environment Proceedings No. 77).

Guidelines on ensuring successful convictions of offenders of anti-pollution regulations at sea (Baltic Sea Environment Proceedings No. 78) is a user-friendly shorter version of the Baltic Legal Manual.

The Clean Seas Guide is aimed at seafarers and ship operators.

The publications can also be accessed at the HELCOM web site: www.helcom.fi
There has been no leakage of radioactive substances from the nuclear submarine Kursk, which sank in the Barents Sea in August with the loss of 118 lives, the Russian Federation told the Twenty-Second Consultative Meeting of Contracting Parties to the London Convention 1972 in September. Russia said its authorities would continue to monitor the area.


Russia advised that treatment facilities to process low-level liquid radioactive waste – resulting from keeping the fleet of nuclear submarines in operation – were being commissioned in North Russia (Murmansk) and the Far East (Vladivostock). Japan, Norway and the United States are providing technical and financial assistance in setting up the treatment plants. Meanwhile, Russia continued to impose a moratorium on sea disposal of low-level liquid radioactive waste at sea.

Once the treatment plants were completed, Russia would consider the withdrawal of its non-acceptance of the 1993 amendments to the 1972 London Convention, which prohibit the disposal at sea of radioactive waste and other radioactive matter. All other 77 Contracting Parties have accepted these amendments.

Waste-specific guidelines adopted
The Meeting adopted the following eight waste-specific guidelines, which are intended for use by national authorities responsible for regulating disposal at sea of wastes:

- Specific guidelines for assessment of dredged material
- Specific guidelines for assessment of sewage sludge
- Specific guidelines for assessment of fish waste, or material resulting from industrial fish processing operations
- Specific guidelines for assessment of vessels
- Specific guidelines for assessment of platforms or other man-made structures at sea
- Specific guidelines for assessment of inert, inorganic geological material
- Specific guidelines for assessment of organic material of natural origin
- Specific guidelines for assessment of bulky items primarily comprising iron, steel, concrete, etc.

Status of 1996 Protocol
Twelve countries have now ratified the 1996 Protocol to the London Convention – Canada, Denmark, Georgia, Germany, Norway, Spain, South Africa, Sweden, Switzerland, Trinidad and Tobago, United Kingdom and Vanuatu.

A further 12 countries reported progress in accession to or ratification of this Protocol. The 1996 Protocol, which was adopted in November 1996, will enter into force 30 days after ratification by 26 countries, 15 of whom must be Contracting Parties to the 1972 Treaty. Based on the number of ratifications and likely ratifications in the near future, it is likely that the 1996 Protocol will enter into force during 2002.

A total of 78 countries have ratified or acceded to the 1972 Convention. Whereas the current London Convention 1972 allows dumping of wastes at sea except of wastes listed on a “black list” and providing certain conditions are met, the 1996 Protocol prohibits dumping of all wastes or other matter with the exception of certain materials listed in an annex. The Protocol adopts the “polluter pays” principle and applies the “precautionary approach”, requiring preventative measures when there is reason to believe that wastes or other matter introduced into the marine environment are likely to cause harm, even when there is no conclusive evidence to prove a causal relation between inputs and their effects.

Further information
LC website: www.londonconvention.org

PORT STATE CONTROL
RESIDENTIAL COURSE
LONDON, 2–11 APRIL 2001

This widely recognised and practical intensive course is now in its 11th successive year. The course is designed especially for officials in national marine departments, port or terminal operators, ship managers and shipowners.

The course covers in detail the major IMO conventions and codes along with other relevant international regulations and conventions, inspection systems and documentation. The course is taught by an experienced team of practitioners from the UK, USA and Europe.

The course fees are sterling £2,850 and cover tuition, meals and student type accommodation in central London for the duration of the course.

The course is conducted by the Centre for Maritime Co-operation of the International Chamber of Commerce. Further details can be obtained from:

Mr Ben Roberts, Course Co-ordinator
ICC Centre for Maritime Co-operation
Maritime House, 1 Linton Road, Barking, Essex IG11 8HG, United Kingdom
Tel: +44 020 8591 3000 Fax: +44 020 8594 2833
E-mail: ccs@dial.pipex.com
IMO reaches agreement on single-hull tanker phase-out

The Marine Environment Protection Committee approved proposals to amend MARPOL 73/78 to accelerate the phasing out of single-hull oil tankers. The approval paves the way for the adoption of a revised regulation 13G of MARPOL at MEPC 46 in April 2001.

There was general agreement at the meeting that phasing out of single-hull tankers should be seen as just one of several measures needed to help eliminate sub-standard tankers. The Committee invited the Maritime Safety Committee (MSC) to establish a working group at MSC 73, in November 2000, to examine a proposed initial list of possible measures.

The draft amendments to MARPOL regulation 13G to speed up the phase-out of single-hull tankers identify three categories of tankers, as follows:

- “category 1 oil tanker” means oil tankers of 20,000 tons deadweight and above carrying crude oil, fuel oil, heavy diesel oil or lubricating oil as cargo, and of 30,000 tons deadweight and above carrying other oils, which do not comply with the requirements for protectively located segregated ballast tanks (commonly known as Pre-MARPOL tankers);
- “category 2 oil tanker” means oil tankers of 20,000 tons deadweight and above carrying crude oil, fuel oil, heavy diesel oil or lubricating oil as cargo, and of 30,000 tons deadweight and above carrying other oils, which do comply with the protectively located segregated ballast tank requirements (MARPOL tankers);
- “category 3 oil tanker” means an oil tanker of 5,000 tons deadweight and above but less than the tonnage specified for category 1 and 2 tankers.

Alternative schemes

The draft revision sets out two clear alternative schemes, A and B, for phasing out single-hull tankers. Both schemes

<table>
<thead>
<tr>
<th>Category of oil tanker</th>
<th>Date by which ship shall comply with regulation 13F</th>
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<tbody>
<tr>
<td></td>
<td>Alternative A</td>
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<tr>
<td>Category 1</td>
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<tr>
<td>1 January 2003 for ships delivered in 1973 or earlier</td>
<td>1 January 2003 for ships delivered in 1973 or earlier</td>
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<td>1 January 2007 for ships delivered in 1981 or later</td>
<td>1 January 2007 for ships delivered in 1981 or later</td>
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<tr>
<td>Category 2</td>
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<td>1 January 2011 for ships delivered in 1985</td>
<td>1 January 2011 for ships delivered in 1985</td>
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<tr>
<td>Category 3</td>
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<td>1 January 2003 for ships delivered in 1974 or earlier</td>
<td>1 January 2003 for ships delivered in 1974 or earlier</td>
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<td>1 January 2013 for ships delivered in 1987 and 1988</td>
<td>1 January 2013 for ships delivered in 1987 and 1988</td>
</tr>
<tr>
<td>1 January 2015 for ships delivered in 1992 or later</td>
<td>1 January 2015 for ships delivered in 1992 or later</td>
</tr>
<tr>
<td>1 January 2017 for ships delivered in 1995 or later</td>
<td>1 January 2017 for ships delivered in 1995 or later</td>
</tr>
</tbody>
</table>
would see category 1 vessels phased out progressively between 1 January 2003 and 1 January 2007, depending on their year of delivery. Category 2 tankers built in 1986 or earlier would be phased out after their 25th year of operation under both schemes, but category 2 ships built after 1986 would be phased out between 2012 and 2015 under alternative A and between 2012 and 2017 under alternative B. For category 3 tankers, both schemes entail progressive phasing out; those built in or before 1987 would be phased out between 2003 and 2013, but ships built after 1987 would be phased out between 2013 and 2015 for ships under scheme A and between 2013 and 2017 under scheme B.

Condition Assessment Scheme

The MEPC Working Group which drafted the proposed MARPOL amendments also agreed that continued operation of category 2 oil tankers beyond 2010 should only be permitted to high-quality ships which had been subject to a Condition Assessment Scheme (CAS).

An informal group prepared a preliminary and non-exhaustive list of underlying principles to be addressed in considering the scheme. These elements can be categorized in three sections – checks on the physical condition of the vessel; checks on documentation recording its past performance; and possible improvements in survey and inspection practice.

It was stressed that the introduction of a CAS should not undermine the Enhanced Survey Programme (ESP) system under resolution A.744(18) and that the scheme would assume that vessels should pass their ESPs.

Some delegations to MEPC, however, expressed serious concern about the practicability of implementing such a scheme, given that its details had yet to be discussed at any length. The Committee agreed that this matter needed to be settled before MEPC 46, and agreed to set up an Intersessional Working Group, from 31 January to 2 February, to address the Condition Assessment Scheme in detail.

R & D forum in 2002 to address high-density oil spills

In a related development, the MEPC agreed to hold a Research and Development Forum in March 2002 which will focus primarily on response to spills of high-density oil. France will host the forum, which will be the third R & D Forum sponsored by IMO.

High-density fuel oils, or heavy fuel oil, such as that carried by the Erika, are among the most difficult and most costly to deal with when spilled because of their highly persistent nature and the damage they cause to the marine environment.

Anti-fouling systems convention draft approved in principle

The MEPC approved in principle the draft International Convention on the Control of Harmful Anti-fouling Systems. A number of issues remain open for discussion, such as entry-into-force criteria, before the planned Conference to adopt the convention in late 2001.

Ballast water regulations – conference proposed for 2002–2003

An MEPC Working Group further developed draft new regulations for ballast water management to prevent the transfer of harmful aquatic organisms in ballast water. It is planned to hold a diplomatic conference during 2002 or 2003 to adopt the new measures.

Special Areas and Particularly Sensitive Sea Areas – new draft guidelines

The MEPC reviewed new draft Guidelines for the Designation of Special Areas under MARPOL 73/78 and new draft Guidelines for the Identification of Particularly Sensitive Sea Areas. The MEPC agreed additional material to be drafted ahead of the next session, MEPC 46, which would approve the revised guidelines.

Prevention of air pollution by ships

The MEPC considered an IMO-commissioned study into greenhouse gas emissions from ships and agreed to discuss, at the next session, the development of a document outlining IMO policy on the issue.

Adoption of amendments to IBC and BCH Codes


Further information

www.imo.org/imo/meetings/mepc/45/mepc45.htm

Tanker safety measures will have far-reaching effects

23
IMO raises compensation limits for oil pollution disasters

The Legal Committee adopted amendments to raise by 50% the limits of compensation payable to victims of pollution by oil from oil tankers.

The amendments to the 1992 Protocol of the International Convention on Civil Liability for Oil Pollution Damage (CLC Convention) and to the 1992 Protocol of the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (IOPC Fund) are expected to enter into force on 1 November 2003, unless objections from one quarter of contracting States are received before then.

The CLC Convention makes the shipowner strictly liable for damage suffered as a result of a pollution incident and the amendments raise the limits payable to 89.77 million Special Drawing Rights (SDR) (approximately US$115 million) for a ship over 140,000 gross tonnage, up from 59.7 million SDR (US$76.5 million) established in the 1992 Protocol.

The IOPC Fund amendments raise the maximum amount of compensation payable from the IOPC Fund for a single incident, including the limit established under the CLC amendments, to 203 million SDR (US$260 million), up from 135 million SDR (US$173 million). However, if three States contributing to the Fund receive more than 600 million tonnes of oil per annum, the maximum amount is raised to 300,740,000 SDR (US$386 million), up from 200 million SDR (US$256 million).

While the Civil Liability Convention regulates the shipowner’s liability, the Fund is made up of contributions from oil importers. The principle is that if an accident at sea results in pollution damage which exceeds the compensation available under the Civil Liability Convention, the Fund will be available to pay an additional amount. In this way, the burden of compensation is spread more evenly between shipowner and cargo interests.

The adoption of the increased limits comes in the wake of two major incidents – the Nakhodka in 1997 off Japan and the Erika disaster off the coast of France in December 1999.

CLC compensation limits

The compensation limits set by the 2000 amendments entering into force in 2003 are as follows:

- For a ship not exceeding 5,000 gross tonnage, liability is limited to 4.51 million SDR (US$5.78 million) (Under the 1992 Protocol, the limit was 3 million SDR (US$3.8 million))
- For a ship of 5,000 to 140,000 gross tonnage: liability is limited to 4.51 million SDR (US$5.78 million) plus 631 SDR (US$807) for each additional gross tonne over 5,000 (Under the 1992 Protocol, the limit was 3 million SDR (US$3.8 million) plus 420 SDR (US$537.6) for each additional gross tonne)
- For a ship over 140,000 gross tonnage: liability is limited to 89.77 million SDR (US$115 million) (Under the 1992 Protocol, the limit was 59.7 million SDR (US$76.5 million))

Draft Protocol to the Athens Convention relating to the Carriage of Passengers and their Luggage by Sea, 1974

The Committee agreed that a draft protocol to the Athens Convention would be ready for consideration by a diplomatic conference to be convened during the biennium 2002–2003 and decided to recommend to the Council of IMO that allowance be made for a diplomatic conference during the 2002–2003 biennium to adopt the draft protocol.

The Athens Convention of 1974 makes a carrier liable for damage or loss suffered by a passenger if an incident causing damage occurs during the course of the carriage and is due to fault or neglect of the carrier. Liability can be limited so long as the carrier did not act recklessly or with intent to cause damage.

The draft protocol introduces, amongst other things, the requirement of compulsory insurance for passenger claims, and proposes changes to the purely fault-based liability system which is a feature of the 1974 Convention.

Draft convention on wreck removal

The Committee decided that no recommendation should be made to the Council for the convening of a diplomatic conference to adopt the proposed Wreck Removal Convention (WRC) during the next biennium. It agreed instead to devote more time to this agenda item in forthcoming Committee sessions to enable a draft treaty to be ready for consideration by a diplomatic conference during the 2004–2005 biennium.

The WRC is intended to provide international rules on the rights and obligations of States and shipowners in dealing with wrecks and drifting or sunken cargo which may pose a hazard to navigation and/or pose a threat to the marine environment. The draft Convention is intended to clarify rights and obligations regarding the identification, reporting, locating and removal of hazardous wrecks, in particular those found beyond territorial waters.

Implementation of the HNS Convention – UK meeting in 2001

The United Kingdom invited Legal Committee delegations to attend a one-day meeting on 16 March 2001 to review implementation of the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances (HNS) by Sea, 1996.

For further information, contact Mr John Wren, United Kingdom Department of the Environment, Transport and the Regions. Email: J_Wren@detr.gsi.gov.uk

The HNS Convention

The HNS Convention, when it enters into force, will make it possible for compensation to be paid to victims of accidents involving hazardous and noxious substances, such as chemicals.
The Convention to date has one contracting party (Russian Federation) and will enter into force 18 months after the following conditions have been fulfilled:

- 12 States have accepted the Convention, four of which have not less than two million units of gross tonnage
- Provided that persons in these States who would be responsible to pay contributions to the general account have received a total quantity of at least 40 million tonnes of contributing cargo in the preceding calendar year.

The Committee reviewed work by a Correspondence Group in developing information which might be of assistance to potential claimants and contributors to the HNS Fund. The work includes the development of a guide to enactment of the HNS Convention which would give assistance to States interested in ratifying or acceding to the Convention as well as to potential claimants and to contributors to the HNS Fund, whilst providing outline guidance to relevant industries on how the regime is expected to function.

Further information
www.imo.org/imo/meetings/intro.htm
IOPC Funds:
www.iopcfund.org
Special Drawing Rights (SDR) daily conversion rate:
www.imf.org/external/fin.htm

Draft guidelines on abandonment, personal injury and death of seafarers developed by IMO/ILO Working Group

A Joint International Maritime Organization (IMO)/International Labour Organization (ILO) Working Group has developed draft resolutions and guidelines to address the problems of abandonment, personal injury and death of seafarers.

The Joint IMO/ILO Ad Hoc Expert Working Group on Liability and Compensation regarding Claims for Death, Personal Injury and Abandonment of Seafarers, which was established following submissions to the IMO Legal Committee and the ILO Governing Body during 1998 and 1999, met at IMO headquarters for its second session from 30 October to 3 November.

The Working Group developed the draft text of two resolutions and associated guidelines, one relating to abandonment and one relating to death and injury. The Working Group agreed to hold a third meeting from 30 April to 4 May 2001 to finalize the resolutions and guidelines before presenting them to the IMO and ILO governing bodies for final approval and adoption.

The resolutions and guidelines are intended to address the fact that although there are a considerable number of international instruments concerned with certain aspects of the problems relating to abandonment, death and personal injury of seafarers, none adequately deal with the problem comprehensively.

Guidelines on provision of financial security in cases of abandonment of seafarers

The proposed possible draft resolution states that abandonment of seafarers is a serious problem, involving a human and social dimension and requiring urgent attention. It affirms that payment and remuneration and provision for repatriation should form part of the seafarer’s contractual and/or statutory rights and are not affected by the failure or inability of the shipowner to perform his obligations.

The draft resolution recognizes that, in cases where the shipowner fails to perform, flag States are called upon, and in some cases labour-supplying States may be called upon, to intervene.

The draft guidelines on provision of financial security in cases of abandonment of seafarers suggest the possibility of having flag States requiring shipowners to have effective financial security (such as a bank guarantee) to cover their contractual obligation, even in cases of abandonment. In this connection, it was recognized that abandonment included not only repatriation, but also support for the crew members while stranded and payment of outstanding remuneration. Immigration status while stranded was also a related issue.

Guidelines on shipowners’ responsibilities in respect of contractual claims for personal injury to or death of seafarers

The proposed possible draft resolution notes there is a need to recommend minimum international standards for the responsibilities of shipowners in respect of contractual claims for personal injury and death of seafarers. The draft resolution notes concern that if shipowners do not have effective insurance cover, or other form of financial security, seafarers may not obtain prompt and adequate compensation.

The draft resolution adds that recommendatory guidelines are an appropriate interim means of establishing a framework to encourage all shipowners to take steps to ensure that
seafarers receive contractual compensation for personal injury and death.

The draft guidelines give definitions for contractual claims, effective insurance and so on, and set out shipowners’ responsibilities to arrange for effective insurance cover. The draft guidelines recommend that ships should carry a certificate issued by the insurer.

The draft guidelines include a model receipt and release form which would be signed by the seafarer or heir or dependent and which would acknowledge receipt of a sum in satisfaction of the employer’s obligation to pay contractual compensation for personal injury and/or death. But, importantly, the form would state that payment would be made without admission of liability and without prejudice to the right to pursue any claim in law in respect of the incident.

**Leros Strength widows urge solution to crew claims problem**

Two widows of seafarers drowned on the bulk carrier *Leros Strength* welcomed the work of the Joint Working Group in seeking to resolve the issues of abandonment, personal injury and death of seafarers.

In a statement to the Working Group, Urszula Miegon and Regina Szysmanska said that, immediately after the sinking, representatives of the company made vigorous efforts to persuade all the widows to accept the sum of US$30,000 as compensation for their husbands’ deaths; and were asked to waive all other claims.

The widows said they were being helped by a lawyer to pursue their claim for compensation for possible negligence by the shipowners and also to determine the cause of the loss of the ship and its crew.

The widows were also received by IMO Secretary-General Mr. William A. O’Neil.

**Further information**

IMO: www.imo.org
ILO: www.ilo.org

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**INTERNATIONAL CONFERENCE ON THE REVISION OF THE 1971 FUND:**

**25–27 SEPTEMBER 2000**

**Conference agrees to early winding up of 1971 oil pollution compensation fund**

Contracting Parties to the 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (IOPC Fund) have signed a Protocol allowing for the early winding-up of the 1971 Fund, which was established to provide compensation to victims of oil pollution from ships carrying oil as cargo.

The 2000 Protocol was signed on 27 September following a Diplomatic Conference held from 25 to 27 September.

The 1971 Fund is being replaced by a 1992 Fund, which has higher limits on the amount of compensation payable by the Fund, made up of contributions from Contracting States.

From 16 May 1998, Members of the 1992 Fund ceased to be Members of the 1971 Fund Convention due to a mechanism in the Protocol which established the 1992 Fund allowing for compulsory denunciation of the “old” regime. However, with the departure of these States, the total quantity of contributing oil on the basis of which contributions to the Fund are assessed has been dramatically reduced. The effect of this reduction in the contributions base is twofold.

In the first place, a considerably increased financial burden will fall on the contributors in those States which remain Members of the 1971 Fund if a major oil spill occurs in any of those States, since the contributors will be legally responsible for the funding of the total amount of compensation due from the 1971 Fund.

In addition, as long as the 1971 Fund remains in existence, the concern remains that it will face a situation in which an incident occurs where the 1971 Fund has an obligation to pay compensation to victims, but where there are no contributors in any of the remaining Member States.

In such a situation, if a tanker spill should occur, the remaining 1971 Fund Member States would not have the financial protection which they would expect under the provisions of the 1971 Fund Convention.

Under Article 43.1 of the 1971 Convention, the 1971 Fund ceases to exist when the number of Contracting States falls below three. In order to allow the Convention to terminate sooner, the Conference agreed to amend Article 43.1 so that the Convention ceases to be in force:

(a) on the date when the number of Contracting States falls below twenty-five; or

(b) twelve months following the date on which the Assembly notes that, according to the information provided by the Director on the basis of the latest available oil reports submitted by Contracting States in accordance with article 15, the total quantity of contributing oil received in the remaining Contracting States by those persons who would be liable to contribute pursuant to article 10 of the Convention during the preceding calendar year falls below 100 million tonnes, whichever is the earlier.

The 2000 Protocol will be brought into force by the tacit acceptance procedure, whereby it is deemed to have been accepted six months from the date of its adoption unless objections are received by not less than one-third of the Contracting States.

**Further information**

IOPC Funds: www.iopcfund.org
Stowaways procedures to be included in Facilitation Convention

Formalities for dealing with stowaways will be incorporated into the Convention on Facilitation of International Maritime Traffic (FAL Convention). IMO’s Facilitation Committee agreed at its 28th session from 30 October to 3 November 2000.

The amendments to the FAL Convention to incorporate standards and recommended practices on dealing with stowaways will be put forward for adoption at the next session of the Committee, scheduled for January 2002, with likely entry into force in 2003.

In the FAL Convention, “standards” are internationally agreed measures which are “necessary and practicable in order to facilitate international maritime traffic” and “recommended practices” are measures the application of which is “desirable”.

The standards and recommended practices for stowaways reflect the Guidelines on the allocation of responsibilities to seek the successful resolution of stowaway cases (resolution A.871(20)), adopted in 1997, which established basic principles to be applied in dealing with stowaways.

The resolution also requested the Facilitation Committee to monitor the effectiveness of the Guidelines; to keep them under review; and to take such further action, including the development of a binding instrument, as may be considered necessary.

The FAL Convention was adopted in 1965 to prevent unnecessary delays in maritime traffic, to aid co-operation between Governments, and to secure the highest practicable degree of uniformity in formalities and other procedures.

Stowaway statistics

According to reports received by IMO, in 1999, 545 stowaway cases occurred, involving 2,253 stowaways. The average number of stowaways per incident was four.

Reports on stowaway incidents reported to IMO can be found on the IMO website at www.imo.org/imo/circs/fal/list.htm

IMO aims for total E-clearance of ships and cargoes

Electronic data interchange should be encouraged to the point where it is used exclusively for ships arriving and leaving port, the Committee agreed.

The Committee approved a “Strategy to promote the use of electronic means to exchange information with the objective of harmonizing and simplifying procedures” which has as its aim the “Total Electronic Clearance of Ships and Cargoes”.

The Committee established an inter-sectoral correspondence group on E-business matters which is tasked with ensuring the exchange of information with a view to keeping the FAL Committee informed of relevant developments relating to E-business in the area of maritime traffic; and acting as a virtual focal point with a view to making further progress towards achieving the goal of total electronic clearance of ships and cargo.

The correspondence group will report to the next session of the FAL Committee, scheduled for January 2002.

Compendium on facilitation and electronic business approved

The Committee approved a compendium on facilitation and electronic business which contains simple message descriptions, the data and codes used for all FAL Forms and other relevant messages for the exchange of information between port administrations, port authorities and ship/agents/shipowners. The aim of the FAL Compendium, to be issued as FAL.5/Circ. 14, is to contribute to facilitation of maritime traffic and to prevent unnecessary delays.

FAL Form 7 becomes “Dangerous Goods Manifest”

The Committee agreed to delete references to FAL Form 7 – Dangerous Goods Declaration – in the FAL Convention, as the Dangerous Goods Declaration is primarily transmitted between commercial parties (such as between a shipper and the master of the ship) rather than to public authorities.

But the Committee agreed that the current FAL Form 8 – Dangerous Goods Manifest – should be considered the basic document providing public authorities with information relating to dangerous goods carried on ships and that it should be renamed FAL Form 7 and referred to as such in the FAL Convention. The Dangerous Goods Manifest is designed to give the port of loading or discharge all relevant information regarding dangerous goods in transit or being loaded or unloaded to/from the ship – including proper shipping name (technical name), hazard class, UN number, packing group.

The Dangerous Goods Manifest includes references to the relevant provisions of SOLAS chapter VII (Carriage of Dangerous Goods) and the International Maritime Dangerous Goods (IMDG) Code, which require the completion of a Dangerous Goods List or Manifest.

The Committee agreed to issue a circular regarding the change of numbers of the FAL Forms. The use of FAL Form 7 – Dangerous Goods Manifest – will be encouraged from the date of issue of the circular.

The Committee also agreed draft amendments to the FAL Convention to refer to FAL Form 7 – Dangerous Goods Manifest. The amendments will be adopted at the next Committee session, scheduled for January 2002, and will likely enter into force in 2003.

The Committee also agreed a revision of the Circular on Dangerous Goods Manifest (FAL.2/Circ. 51) to reflect that the Dangerous Goods Manifest will become FAL Form 7 rather than FAL Form 8 when the amendments to the FAL Convention are adopted. This Circular will be subject to endorsement by the Sub-
Committee on Dangerous Goods, Solid Cargoes and Containers (DSC).

The seven standard FAL forms used by ships on arrival at port will now be:
- FAL Form 1 – General Declaration;
- FAL Form 2 – Cargo Declaration;
- FAL Form 3 – Ship’s Stores Declaration;
- FAL Form 4 – Crew’s Effects Declaration;
- FAL Form 5 – Crew List;
- FAL Form 6 – Passenger List;
- FAL Form 7 – Dangerous Goods Manifest.

Harmonization of ships’ certificates – correspondence group set up

At the previous session, the Committee had an initial discussion on harmonizing ships’ certificates – simplifying and unifying existing documents and reducing their number where possible.

The Committee noted that there were three options to consider:
- produce one certificate for all conventions;
- consolidate, simplify and unify certificates within the same convention; or
- leave the certificates unchanged (if an attempt to harmonize them might introduce more problems).

The Committee agreed that, in order to avoid any legal problems which might occur if the certificates required under different conventions were combined, option number two would be pursued, resulting in the following convention certificates:
- Safety Certificate (SOLAS 74 and Protocol 78); and
- Environmental Certificate (MARPOL 73/78).

During the current session, a working group reviewed the various certificates required by ships and produced a sample modified Passenger Ship Safety Certificate, incorporating the relevant provisions of the certificates required by SOLAS for this type of vessel – exemption certificate, minimum safe manning document, document of compliance, ISM safety management and interim safety management certificates, and record of equipment for the Passenger Ship Safety Certificate (Form P).

The Committee established a correspondence group to continue the work intersessionally with a view to reducing unnecessary bureaucratic and administrative barriers.

Guidelines on minimum standards for the training of port marine personnel – correspondence group established

The need to develop guidelines on minimum standards for training of port marine personnel arises from concern about a foreseeable shortfall in qualified port marine staff, as they are generally recruited from seagoing personnel – whose numbers world-wide are falling.

The predicted shortfall in seagoing staff will likely have a knock-on effect on secondary industries such as ports. In order to encourage first career in ports – which may become the norm in the future, as opposed to a seagoing career followed by a port-based career – it is essential to have some form of guidelines for training of marine port personnel.

The Working Group on Ship-Port Interface (SPI Working Group), which reports to the FAL Committee, Maritime Safety Committee and Marine Environment Protection Committee, suggested that the development of such guidelines would focus on port marine operations aspects only, and should encompass the following areas: pilotage (guidance already exists); vessel traffic services (guidance already exists); tug assistance services; mooring services; ship handling and manoeuvring; port passage planning; aids to navigation; conservancy, including hydrography; marine information systems; pollution control; marine related emergency planning for ports; international law; commercial law; and insurance.

The Committee established a correspondence group to evaluate the areas identified by the SPI Working Group with regard to their relevance for such guidance and develop a more detailed proposal.

SPI bibliography

The Committee approved amendments to update FAL.6/Circ. 9 – List of existing publications relevant to areas and topics relating to ship/port interface matters.

COUNCIL – 85TH SESSION: 13–17 NOVEMBER 2000

Seafarers’ role acknowledged in 2001 World Maritime Day theme

The Council acknowledged the crucial role played by seafarers in approving the Secretary-General’s suggestion that the theme for World Maritime Day 2001 should be “IMO – Globalization and the Role of the Seafarer”.

The focal point of next year’s World Maritime Day celebrations in London will be the unveiling of the Seafarers Memorial, commissioned from the internationally renowned UK sculptor Michael Sandle. The Council urged all who could to contribute generously to the Seafarers’ Memorial Fund, to enable progress towards its second objective, the establishment of a chair of maritime safety and marine pollution at the World Maritime University, to be made.
An integrated Technical Co-operation Programme (ITCP) described as “modest, realistic and achievable” has been approved by the TCC for the 2002–2003 biennium. The programme, as approved, comprises 28 individual programmes and will require funding of US$14.3 million, although it was stressed during the meeting that the ITCP should be viewed as a living entity, to be adjusted as circumstances require.

The ITCP is designed to help developing countries establish the institutional infrastructure and human resources they need to be able to give full and complete effect to IMO instruments. It is prepared on the basis of the needs of the developing regions, IMO’s regulatory priorities and the interests of donors. The 2002–2003 ITCP gives priority to Africa, being the region with the largest proportion of Least Developed Countries and the priority region for the United Nations System’s development activities. There are also programmes proposed for Asia and the Pacific Islands, the Arab States and Mediterranean, the CIS and Eastern Europe and Latin America and the Caribbean.

It was stressed that full programme delivery depended on the availability of the required resources, and that the Committee called on all development partners, from the public and private sectors, to contribute generously to the future ITCP.

Africa presence strengthened

IMO has extended its regional presence in Africa with the appointment of Mr. Hoba Attoumou Honorat of Côte d’Ivoire, a graduate of the World Maritime University, as IMO Regional Co-ordinator for the West and Central Africa (Francophone) subregion. His office is located in Abidjan in the Ministry of Transport of Côte d’Ivoire.

The MOUs that established the first two IMO regional presence pilot schemes in Kenya and Ghana are due to expire on 31 December 2000. The IMO Secretariat is negotiating their renewal and extension to 31 December 2001. The Secretariat will review the pilot scheme project during the first quarter of 2001, by which time the Ghana and Kenya offices will have been operational for two years. The proposed review will include a formal survey of the Member States served by the regional offices in Ghana and Kenya, and a report will be submitted to the fiftieth session of TCC in June 2001.

The current Integrated Technical Co-operation Programme (ITCP) has funding for the regional presence pilot scheme up to December 2001 but further funding will be needed for the biennium 2002–2003.

Regional adviser for the Caribbean

The Committee was informed of the continued work of the Regional Maritime Adviser for the Caribbean. Mr. Curtis Roach took up this position in May 2000, providing technical support on maritime administration and maritime safety issues to the region. He has been in close liaison with REMPEITC-Carib on marine pollution prevention and control matters, and actively involved in the co-ordination and delivery of three IMO workshops/seminars in the Caribbean.

Partnership arrangements flourish

The MOU between IMO and Singapore on a Third Country Training Programme (TCTP), which was signed in September 1998, has been extended for an indefinite period. It was also reported that the partnership arrangements between IMO and the Secretariat of the Pacific Community (SPC) and the South Pacific Regional Environment Programme (SPREP) for the delivery of the ITCP in the region were working very well.

In Latin America, a number of activities under the two networks of maritime authorities – ROCRAM and COCATRAM (ROCGRAM-CA) – had taken place. These included regional FAL seminars in Panama in July 2000 and in the Dominican Republic in October 2000, and a meeting on the safety of fishing vessels organized in Cuba in August/September 2000. The Committee was further informed that co-operation between COCATRAM and REMPEITC-Carib had continued to embrace the development and updating of oil-spill contingency plans, including active participation by the ROCRAM-CA countries and COCATRAM in an IMO/IPIECA workshop on OPRC for the Wider Caribbean held in the Netherlands Antilles in May 2000.

The delegation of Egypt informed the Committee that it was in the process of discussing the preparation of an MOU between the Arab Academy for Science and Technology and Maritime Transport and IMO, with a view to offering training support to African countries. It further informed the Committee that NORAD had expanded its programme of fellowships through the Academy and that African countries would be invited to take part in this programme.

Spain offered to establish a co-ordination office to co-operate with those Port State Control MOUs with which it has strong links, such as the Paris MOU, the Mediterranean MOU and the Viña del Mar Agreement, for which contacts will be made with the Secretaries of the respective MOUs, in co-operation with the IMO Secretariat.

France to assist in finance for three-year period

France has pledged FF2.5 million to enhance and strengthen marine environment and maritime safety projects for the three-year period 2001–2003 and for training in search and rescue for Cuban and Haitian nationals to be undertaken in the Caribbean region during the second half of 2001 at the Maritime Rescue Co-ordination Centre (MRCC) in Fort-de-France, Martinique.

IHO formalizes training partnership

A co-operation agreement was signed on 16 November 2000 between IMO, the International Hydrographic Organization (IHO) and the International Maritime Academy (IMA) in Trieste, Italy, covering the hydrographic and nautical cartography courses conducted every year at IMA. IHO assists in the development of the course syllabus and provides lecturers free of
charge for the conduct of those courses. The new agreement formalizes the tripartite partnership and strengthens the participatory approach to capacity-building and human resources development which IMO encourages under the ITCP.

Partnerships for progress: status of technical assistance activities provided by Member States and scope for coordination and linkage with ITCP

The establishment of a web site on the status of ongoing and planned technical co-operation activities was approved, to facilitate the exchange of information on bilateral and multi-lateral technical co-operation activities and to ensure global access to these data through electronic channels. The web site, to be designated as MARTE-CAID (Maritime Technical Aid), will be accessible through IMO’s technical co-operation site, thus placing the source of information close to the point of delivery, and facilitating instant access by both resource-providers and potential recipients.

It is anticipated that this web site, which is to be funded from the Technical Co-operation Fund, will be brought online in the first quarter of 2001.

Maritime Training Institutes Compendium now available

The 2000 edition of the IMO Compendium of Maritime Training Institutes has now been published. Distributed free and intended as a useful reference guide on maritime training for policymakers and strategy planners in the industry and maritime Administrations, it contains a comprehensive listing of the facilities, programmes and short courses available from training institutions world-wide.

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Closer co-operation crucial for Port State Control MOUs, says workshop

The continuous exchange of information between regional port State control regimes is crucial for the elimination of sub-standard shipping, according to the report of the first workshop involving representatives from all eight regional Port State Control (PSC) groupings, which met at IMO headquarters in London in June 2000.

The recommendations of the workshop focused on two major themes: the need for closer co-operation between the regional MOUs and the need to provide support to the newer MOUs.

Exchange of information relating to ship inspections could be enhanced by improving contact mechanisms amongst the MOU Secretariats and by facilitating the flow of information between MOU Information Centres on action taken against sub-standard shipping.

Continued support to the newer MOUs could be achieved through IMO’s technical co-operation programme; in particular, facilitating the functioning of MOU organs (Secretariats, Information Centres), training of port State control officers, and the holding of annual workshops. At the same time, the newer MOUs can benefit from the experience of the long-standing MOUs, and there could be a transfer of technology and information to avoid duplication of efforts and to reduce initial costs.

Sixteen participants attended the “Workshop for PSC Secretaries and Directors of Information Centres”, from the Paris MOU (Memorandum of Understanding covering Europe and the north Atlantic); Tokyo MOU (Asia and the Pacific); Acuerdo de Viña del Mar (Latin America and the Wider Caribbean); Caribbean MOU; Abuja MOU (West and Central Africa); Mediterranean MOU; Indian Ocean MOU and Black Sea MOU. Twelve observers also attended.

The regional port State control organizations have been set up to ensure co-operation and exchange of information relating to the inspection of ships in ports. Most important IMO conventions contain provisions for Governments to inspect foreign ships that visit their ports to ensure that they meet IMO standards. If they do not, and the deficiencies are found to be of a serious nature, they can be detained until repairs are carried out. Experience has shown that this works best if countries join together to form regional Port State control organizations.

The first regional PSC agreement was the Paris MOU, signed in 1982. The latest is the Black Sea MOU, signed in April 2000.

Further information:
IMO Technical Co-operation: www1.imo.org/tcd/
Paris Memorandum Secretariat: www.parismou.org
Tokyo MOU: www.iijnet.or.jp/tokymou
USCG Port State Control Home Page: www.uscg.mil/hq/g-m/psc/psc.htm
Viña del Mar Agreement: www.acuerdolatino.int.ar
Mediterranean MOU: www.medmou.org

Books received
US$1,000 for Little 'Mo project

The Women’s International Shipping and Trading Association (WISTA) has presented a cheque for US$1,000 to boost funds raised from sales of a children’s book produced by IMO staff. All profits from Little ’Mo, the brave little boat are being used to sponsor three children from fishing communities in the Dominican Republic, Indonesia and Sri Lanka.

The US$1,000 represented a percentage of the profits from the sale of WISTA 2000 calendars. Stephanie Dixon, 14, and Kieran Hogan, 8, children of WISTA members, joined the delegation which presented the cheque.

The WISTA calendar itself was the result of an international effort by WISTA members to celebrate the Association’s 25th anniversary and was illustrated with paintings on a maritime theme selected from an international children’s competition.

IMO was represented on the calendar selection panel by the Secretary-General, Mr. William A. O’Neil; Senior Deputy Director, Head External Relations Office, Ms. Olga Bosquez; IMO translator and author of Little ’Mo, Mrs. Annie Kean; and Permanent Representative to IMO for Vanuatu, Dr. Jim Cowley.

Little ’Mo was written by Mrs. Kean and illustrated by Mr. Paul Le Sage of the IMO Printing Unit. It is designed to illustrate the work of IMO and at the same time show the dangers faced by the world’s seafarers. It is published in English, French and Spanish.

A second edition is now on sale. All enquiries should be addressed to Annie Kean, Staff Union, IMO, 4 Albert Embankment, London, SE1 7SR, U.K. (telephone + 44 20 7587 3204; email akean@imo.org). The book costs £4. For mail orders the cost is £5 per copy within the United Kingdom; £5.50 within Europe; and £6.50 elsewhere in the world. Major credit cards, including Visa, American Express, Diners and Mastercard, are accepted.

Further information
IMO: http://www.imo.org
WISTA: http://web.ukonline.co.uk/wista/wistal.htm
WISTA calendar: http://web.ukonline.co.uk/wista/calendar/start.htm
Little ’Mo: http://web.ukonline.co.uk/wista/merchant/littlemo/littlemo.htm

Left to right: President of WISTA (UK) Philippa Wright; IMO translator and author of Little ’Mo Annie Kean; WISTA (International) Treasurer and Director, Krogstads Shipping, Tone Kristiansen; Stephanie Dixon; WISTA (UK) Director and Board Member Maria Dixon; IMO Secretary-General Mr. William A. O’Neil; WISTA member and Marketing Consultant Bridget Hogan; Kieran Hogan.
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