FANTASY CRUISES – BUT IMO INSISTS SAFETY IS A REALITY

ACCELERATED SINGLE-HULL TANKER PHASE-OUT AGREED

BUNKERS CONVENTION PLUGS COMPENSATION REGIME GAP

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The agreed accelerated phase-out of single-hull tankers is a triumph for safer shipping, cleaner oceans and the proper legislative process, says IMO Secretary-General William A. O’Neil

IMO agrees single-hull tanker phase-out
New measures for seafarers’ welfare agreed
Bunker convention plugs compensation gap
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Flag States urged to complete self-assessment form

When size really does matter
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Marine Environment Protection Committee (MEPC) 46th session

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Public awareness of the marine environment and the damage caused by oil carried by tankers has never been so acute as it is today. In the months after the sinking of the Erika, the entire membership of IMO and the world maritime community was repeatedly troubled by a series of maritime accidents involving tankers, including the Levoli Sun, the Castor, the Kristal, and the collision of the Baltic Carrier with the Tern which spilt thousands of tons of heavy fuel oil into the Baltic Sea.

While statistics may show that accident rates and the number of both total losses and oil spills have been declining over the years, public perception is to the contrary. Generally speaking, the safety measures established under the SOLAS Convention and the operational practices under the MARPOL Convention are having a positive effect. But the catastrophic damage resulting from an oil spill accident, whatever the cause, continues to be a focus for the concern of the general public and politicians.

The investigations into the Erika incident carried out by the French government and the Maltese maritime authority concluded that age, corrosion, insufficient maintenance and inadequate surveys were all strong contributing factors to the structural failure of the ship. There was a wide consensus that the Erika and other recent accidents involving oil tankers pointed to a need for additional international measures to eradicate substandard vessels, particularly substandard oil tankers, given the catastrophic impact such ships may have on the marine environment in the case of an accident.

With the decision taken by the MEPC to modify regulation 13G of MARPOL, IMO has responded to that need by adopting a new, accelerated phase-out schedule for single-hull tankers. It is a global response to a global problem and will apply to all tankers, regardless of where they trade or where they originate.

The serious accidents that have taken place since the Erika disaster and the wide coverage of those accidents in both the maritime and non-maritime media confirm that the shipping industry has a long way to go to be convincing in its claim that an improvement in safety and a reduction in pollution have been achieved. Therefore IMO must face the problems in the current system of surveys and maintenance. The quality of ageing tanker fleets, surveys and repair works, the role of classification societies and the responsibilities of flag State administrations continue to be matters of great concern to IMO.

To deal with the fallout from the Erika we worked out a schedule, following consultations with the Chairmen of the MEPC and MSC, which advanced the date of the 46th session of the MEPC so that the amendments adopted can be put into force in September next year, which is the earliest possible time permitted under the IMO Convention.

The MEPC was charged with the difficult task of striking the right balance between the various technical, environmental, commercial and political considerations involved and coming to an agreement on the amendments to MARPOL. In tackling this with its usual spirit of cooperation, it succeeded in reaching a compromise solution by consensus. The final product advances the cause of safety and the protection of the marine environment. Not only that, it reaffirms IMO’s unique ability to act as a forum in which all the interested parties can contribute to the debate and influence the outcome.
In a landmark decision for the cause of safer shipping and cleaner oceans, the International Maritime Organization (IMO) has approved a new global timetable for accelerating the phase-out of single-hull oil tankers.

At the end of a week-long meeting of the Organization’s Marine Environment Protection Committee (MEPC 46, see page 21) at IMO headquarters in London, delegates from IMO’s 158 Member States agreed to a timetable that would see most single-hull oil tankers eliminated by 2015 or earlier. Double-hull tankers offer greater protection of the environment from pollution in certain types of accident. All new oil tankers built since 1996 are required to have double hulls.

The new phase-out timetable, which will be enshrined in a revised regulation 13G of the MARPOL Convention, is one of a range of post-Erika measures tabled by IMO. The date of the meeting had been rescheduled to ensure that the new regulation will enter into force at the earliest possible time permitted under the MARPOL Convention, in September 2002.

Although the new phase-out timetable sets 2015 as the principal cut-off date for all single-hull tankers, the flag State administration may allow for some newer single-hull ships registered in its country that conform to certain technical specifications to continue trading until the 25th anniversary of their delivery.

However, any Port State can deny entry of any single-hull tankers whose flag State has extended in that way to its ports or offshore terminals. Port States must communicate their intention to do this to IMO. Already the European Union Member States, together with Cyprus and Malta, have indicated that they would do this.

As an additional precautionary measure, a Condition Assessment Scheme (CAS) will have to be applied to all Category 1 vessels continuing to trade after 2005 and all Category 2 vessels after 2010. A resolution adopting the CAS was passed at the meeting.

Although the CAS does not specify structural standards in excess of the provisions of other IMO conventions, codes and recommendations, its requirements stipulate more stringent and transparent verification of the reported structural condition of the ship and that documentary and survey procedures have been properly carried out and completed.

The requirements of the CAS include enhanced and transparent verification of the reported structural condition of the ship and verification that the documentary and survey procedures have been properly carried out and completed. The Scheme requires that compliance with the CAS is assessed during the Enhanced Survey Programme of Inspections concurrent with intermediate or renewal surveys currently required by resolution A.744(18), as amended.

The existing MARPOL regulation 13G, adopted in 1992, already legislated for the phasing-out of single-hull tankers but over a more protracted period which would have allowed some ships to continue trading until their 30th anniversary. IMO’s success in agreeing the accelerated timetable has drawn praise from the wider shipping industry. Rolf Westfæl-Larsen, the Chairman of the International Chamber of Shipping, said, “We applaud IMO for having reached a satisfactory outcome on the phasing-out of single-hull tankers. The IMO’s ability to act swiftly in the interest of its members has been confirmed and its role as the industry’s standard-setting body has been firmly underlined.”

**Guide to the tanker categories**

The revised regulation 13G identifies three categories of tankers.

“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.

**Other post-Erika measures**

The MARPOL amendments follow amendments adopted by IMO in October 2000 to raise by 50 percent the limits of compensation payable to victims of pollution by oil from oil tankers under the International Convention on Civil Liability for Oil Pollution Damage (CLC Convention) and the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (IOPC Fund).

In addition, IMO’s Maritime Safety Committee (MSC) in December 2000 adopted amendments to the guidelines on the enhanced programme of inspections during surveys of bulk-carriers and oil tankers (resolution A.744(18)) with relation to the evaluation of the longitudinal strength of the hull girder of oil tankers. Furthermore, IMO has taken action on several other operational matters and its Committees and Sub-Committees are incorporating work programme items relating to a list of measures aimed at enhancing safety and minimizing the risk of oil pollution, drawn up in response to the Erika incident.
In a move aimed at improving the working conditions and ensuring the basic human rights of seafarers, States are to be formally urged to require shipowners to provide adequate financial security to cover claims from seafarers in cases of abandonment, personal injury and death. Two new draft resolutions and associated Guidelines were finalised by a joint International Maritime Organization (IMO) and International Labour Organization (ILO) Working Group on Friday 4 May, marking the successful completion of an initiative that began following submissions to the IMO Legal Committee and the ILO Governing Body during 1998 and 1999.

The resolutions and Guidelines address the fact that, although there are international instruments covering certain aspects of the problems relating to abandonment, death and personal injury of seafarers, some are not widely implemented and none deals with these problems comprehensively.

As a result, seafarers who have been abandoned in foreign ports often suffer severe hardships, including lack of food, medical care, and other necessities of life, as well as delays in their repatriation, while the claims for compensation of seafarers or their families in respect of injury or death are sometimes subject to delay. There is also a perception that, in some cases, there has been pressure to reduce the amount of claims in return for an expedited settlement.

The draft resolution on provision of financial security in case of abandonment of seafarers states that abandonment of seafarers is a serious problem involving a human and social dimension and recognizes that, given the global nature of the shipping industry, seafarers need special protection. The concern is that, if shipowners do not have adequate financial security, seafarers may not receive due remuneration or be promptly repatriated in cases of abandonment. The draft resolution affirms that provision for repatriation, maintenance while abandoned and payment of remuneration 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 its obligations.

It also recognizes that, in cases where the shipowner fails to perform, flag States and, in some cases, the State of nationality of the seafarer or the port State may be called upon to intervene.

The draft Guidelines say that shipowners should provide a financial security system that provides for the expenses of the repatriation to be met without cost to the seafarer, and for the maintenance of the seafarer from the time of abandonment to the time of arrival at the place of repatriation. The payment of all outstanding remuneration and contractual entitlements should be covered, as well as the payment of other expenses incurred by the seafarer during the period of abandonment arising from the abandonment.

They add that, should the shipowner fail to fulfil its responsibilities, the financial security system should provide for repatriation of the seafarer by appropriate and expeditious means, normally by air, and including provision for food and accommodation of the seafarer from leaving the ship until arrival at the place of repatriation, medical care, passage and transport of personal effects and any other reasonable charges.

The financial security system may take the form of a social security scheme, insurance, a national fund, or other forms of financial security. It should provide a right of direct access by the seafarer to the financial security, and apply regardless of the nationality of the seafarer.

The Guidelines also state that shipowners should ensure that their seagoing ships engaged on international voyages have on board a certificate attesting to the existence of a financial security system in the event of abandonment of seafarers, which should be posted in a prominent position in the seafarers’ accommodation. Shipowners should also display on board contact details of the persons or entity responsible.

The draft IMO/ILO resolutions and Guidelines enshrine the shipowner’s responsibility to provide seagoing staff with a decent working environment and define some basic rights to financial compensation for seafarers or their relatives in cases of abandonment, injury or death.
The Conference also adopted three resolutions associated with the convention. A resolution on limitation of liability urges all States that have not yet done so to ratify or accede to the Protocol of 1996 to amend the Convention on Limitation of Liability for Maritime Claims, 1976, which raises the limits of liability and therefore the amounts of compensation payable in the event of an incident, compared to the 1976 Convention. The Protocol will enter into force 90 days after being accepted by 10 States, and has received four acceptances to date.

A resolution on the promotion of technical co-operation urges all IMO Member States to promote and provide support to States that request technical assistance in assessing the implications of ratifying and complying with the Convention, developing national legislation to give effect to the Convention, and introducing measures for training personnel charged with the effective implementation and enforcement of the Convention.

The third resolution, on protection for persons taking measures to prevent or minimize the effects of oil pollution, urges States, when implementing the Convention, to consider the need to introduce legal provision for protection for persons taking measures to prevent or minimize the effects of bunker oil pollution. It recommends that persons taking reasonable measures to prevent or minimize the effects of oil pollution be exempt from liability unless the liability in question resulted from their personal act or omission or recklessness.

Commenting on the successful outcome of the conference, IMO Secretary-General Mr. William A. O’Neil said, “With the adoption of this Convention the Organization has now put in place all the elements of a liability and compensation regime for damage caused by the sea carriage of oils and other hazardous and noxious substances. This is a major contribution towards the protection of the environment, which will benefit coastal States and all other victims of pollution caused by bunker oil spills.”

Mr O’Neil went on to stress the importance of swift ratification and implementation of the Convention. He said, “The work of IMO and its membership on
this subject will not stop with the signing of the Final Act of the Conference. Our efforts should turn immediately to the task of bringing the Convention into force at the earliest possible date, and to arranging for its implementation."

The need for a bunkers convention was highlighted in 1996 in a submission to the 75th session of the Legal Committee which referred to the UK P&I Club’s Analysis of Major Claims 1993, which had stated that “...half of the total number of pollution claims arose from incidents involving ships not carrying oil cargo.”

It has been estimated that, on average, the amount of bunkers carried in non-tankers is around 14 million tonnes at any given time – compared with approximately 130 million tonnes of oil carried as cargo on the world’s seas. Some bulk carriers and containerships carry more oil as bunkers than coastal tankers carry as cargo.

Furthermore, Oil Spill Intelligence Report data confirmed that, even for larger spills, the number of non-tanker vessel spills was significantly greater than the number of tanker spills. Dealing with bunker spills from non-tankers was made more difficult by the lack of a liability and compensation regime, while the nature of fuel oil itself made spills of such oils more difficult – and more costly – to clean up.

**Liability and Compensation Conventions adopted by IMO**

- International Convention on Civil Liability for Oil Pollution Damage (CLC), 1969
- International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (FUND), 1971
- Convention relating to Civil Liability in the Field of Maritime Carriage of Nuclear Material (NUCLEAR), 1971
- Athens Convention relating to the Carriage of Passengers and their Luggage by Sea (P&L), 1974
- Convention on Limitation of Liability for Maritime Claims (LLMC), 1976
- International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (HNS), 1996
IMO Secretary-General Mr. William A. O’Neil has urged governments to complete the Organization’s Flag State Performance Self-Assessment Form, describing the response so far as unsatisfactory. “So far, we have received 32 completed self-assessment forms, which, two years after the forms were first circulated by an MSC circular, we cannot consider a satisfactory rate of response. I therefore, once again, request those governments which have not yet done so to complete the form in time for your next session,” he said in his opening speech to the 9th session of the Sub-Committee on Flag State Implementation.

The Flag State Performance Self-Assessment Form is intended to be used by flag States voluntarily to obtain a clear picture of how well their maritime administrations are functioning and to make their own assessment of their performance as flag States.

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The country’s membership of IM O follows the adoption of resolution 55/12 by the United Nations General Assembly under which the Federal Republic of Yugoslavia was admitted to membership of the United Nations. With the accession of the Federal Republic of Yugoslavia, the number of IM O Member States remains at 158.

Federal Republic of Yugoslavia joins IM O

The Federal Republic of Yugoslavia has become a member of the International Maritime Organization (IMO), following its deposit, on 11 December 2000, of an instrument of acceptance of the Convention on the International Maritime Organization, as amended, with the Secretary-General of the United Nations.

Mr O’Neill welcomed the analysis reported by the Swedish P&I Club which has shown that ships complying with the ISM Code have made significant claim improvements in comparison with non-ISM Code ships. He said he believed such a demonstration of the benefits to be gained by those who have introduced the systems of the Code should also give encouragement to those who have to implement the same systems between now and 1 July 2002. Mr O’Neill urged governments and industry to ensure that the benefits to be gained from effective implementation of the ISM code are realized in the second and final tranche of ships as well.

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Self-assessment forms – Secretary-General urges Governments to respond

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Larger ships, new safety challenges

Cruise ships are getting larger as the industry giants vie for prestige and passengers. IMO News reports on measures to ensure that the safety regime keeps pace.

Royal Caribbean’s flagship Voyager of the Seas is no ordinary ship. At 142,000 gross tons, she currently holds the title of the world’s largest cruise ship. Imagine the Eiffel Tower in Paris tipped on its side, and you have some idea of her length. With a capacity of around 1800 crew and over 3100 passengers, she can carry the population of a small town. She boasts the highest “space-per-guest” ratio in the cruise market today and fully embraces the new concept of “the ship is the destination” with such innovative recreational features as an ice rink, a street fair and even an artificial rock-face for budding mountaineers.

Ships such as this have broken the boundaries of convention in terms of their concept, their design and their sheer size. So many things distinguish cruise ships from other ship types but a key factor in their very conception is that they create their own market. Whereas containerships, for instance, are built in response to their owners’ perceptions of the market’s requirement, cruise ship owners create a concept and then set out to sell it.

Safety, of course, is a vital concern for passenger ship designers and operators. These vessels have the highest of profiles and their success could be undermined entirely if the public were to lose confidence in them. Although it cannot be denied that a number of incidents in recent years have indicated the vulnerability of these ships, it is also true that, overall, their safety record is good. By and large, they avoid the worst excesses of the weather. Passengers demand that they should do so and a typical power installation capable of providing 25 knots enables them to outrun a hurricane. But while the modern cruise giants have the power and speed to dodge the weather, they are particularly vulnerable to fire. Every passenger is a potential ignition source and the hotel services clearly have an inherent risk.

Prompted by a concern that the trend toward ever larger vessels could lead to new giants of the cruise world which might pose safety-related questions unforeseen by existing regulations, IMO Secretary-General William O’Neil took a personal initiative to raise the issue during the 72nd meeting of the Maritime Safety Committee (MSC) in May 2000. As a result, the MSC agreed to undertake a global consideration of the safety issues pertaining to these ships and a working group on large passenger-ship safety began work at the next session of the Committee in November–December 2000, to review the current safety regime as it relates to large passenger ships.

Others have joined Mr O’Neil in his efforts to place a coherent emphasis on the safety of large passenger vessels. Michael Crye, president of the International Council of Cruise Lines (ICCL), an industry body with consultative status at IMO, said “Safety is our most important priority.” He added, “Sixty million people have safely sailed on cruise ships over the last two decades.” And Rear Admiral Robert North, Assistant Commandant of Marine Safety for the United States Coast Guard, has said “Passenger cruise ship safety is the number one priority of the Coast Guard and we are committed to working to ensure continuous passenger safety improvement.”

In March this year, the Cruise Industry Coalition (CIC), a joint initiative of the ICCL and the Cruise Lines International Association (CLIA), announced the results of a passenger safety study which they commissioned in response to Mr O’Neil’s
initiative. Among other things, the study highlighted the difficulty in safely evacuating some passengers, such as the elderly and injured, from lifeboats to rescue vessels. It is clear that the difficulties would not end even with successful evacuation. Thousands of people, unfamiliar with ships and the sea, crowded into lifeboats and liferafts, would present a unique search-and-rescue challenge.

What has now emerged from IMO is a plan for a body of work that will constitute one of the largest ever investigations into the safety-related aspects a particular ship type ever carried out. The guiding philosophy of the work hinges on the following five elements.

• the regulatory framework should place more emphasis on the prevention of a casualty from occurring in the first place.
• future large passenger ships should be designed for improved survivability so that, in the event of a casualty, persons can stay safely on board as the ship proceeds to port.
• the regulatory framework should permit alternative designs and arrangements in lieu of the prescriptive regulations, provided that at least an equivalent level of safety is achieved.
• large passenger ships should be crewed, equipped and have arrangements to ensure the safety of persons on board for survival in the area of operation, taking into account climatic conditions and the availability of SAR functions.
• large passenger ships should be crewed and equipped to ensure the health, safety, medical care and security of persons on board until more specialized assistance is available.

These five elements have spawned a host of specific tasks and objectives, which are summarized in the table (right). The work will be spread among seven IMO bodies and will build into a thoroughgoing review of the existing safety regime as it applies to these ships.

The unique circumstances of the cruise industry encourage ship designers to seek the key selling points that will make their creation somebody’s dream holiday destination. Passengers’ demands for comfort, space and sheer prestige, coupled with economies of scale, mean that the quest for size is likely to continue. IMO’s work is aimed at ensuring that, while this buoyant sector of the shipping industry continues to expand and push at the boundaries of convention, the key issues of safe design and operation can keep pace.

### How IMO is addressing the safety of large passenger ships

**Sub-Committee on Stability, Load Lines and Fishing Vessel Safety (SLF)**

Objective: To improve ship survivability in the event of grounding, collision or flooding with a view to minimizing the need to abandon the ship.

Tasks and considerations include: Subdivision criteria; damage stability criteria; measures to limit the spread of flooding through watertight bulkhead penetrations and doors; characterize the designed survivability of the ship to be able to link the design of the ship to the availability of SAR functions and the area of operation; how the survivability can be improved and the implication this would have for the design of large passenger ships of increasing size; ranking damage issues; reliability of equipment, structural integrity of the ship after damage.

**Sub-Committee on Ship Design and Equipment (DE)**

Objective: To review requirements for life-saving appliances and arrangements with a view to improving evacuation and recovery measures.

Tasks and considerations include: Number, capacity, design and effectiveness of survival craft; launching systems; arrangements for boarding and launching of survival craft; safety of crew during drills and equipment testing; demographics of persons on board (children, elderly, etc.); IMO and industry standards for PFDs; reliability of equipment.

Objective: To consider measures to ensure ships can safely proceed to port after a fire or flooding casualty.

Tasks and considerations include: Segregated machinery space concept and vital system redundancy issues; measures to ensure ship can safely proceed to port under its own power after fire or flooding in any...
one compartment or zone; emergency towing arrangements; damage control systems; secondary command and control issues and communications capabilities; emergency power requirements.

DE and SLF jointly
Objective: To develop measures to assess alternative designs and arrangements so that new concepts and technologies may be permitted in lieu of the prescriptive regulation, provided that an equivalent level of safety is achieved.
Tasks and considerations include: How to facilitate new concepts such as the use of new survival modules in lieu of traditional survival craft; measures to provide functional requirements for the approval of alternative designs and arrangements.

Sub-Committee on Fire Protection (FP)
Objective: To consider fire protection and prevention measures with a view to improving ship survivability.
Tasks and considerations include: Main vertical and horizontal zone requirements; fire boundary penetration requirements; means to keep smoke and fire from spreading beyond the space of origin; specifically addressing emergency response by crew; shipboard safety systems and boundaries; means to link fire prevention and protection measures to the fire risk of laundry areas, carpenter shops, solvent cleaning rooms and other specific spaces not generally covered by the existing general categorization and regulations; the “safe haven” concept and development of functional requirements; rapid mitigation strategies such as fast initial response measures, automation of fire dampers, integrated systems technologies, etc.; measures to prevent fire casualties; fire and smoke protection for medical facilities; review of smoke and toxicity criteria with regard to new materials which may be used; equipment reliability issues.

Objective: To consider escape, muster and evacuation issues with a view to ensuring the safe and orderly movement of persons during an emergency.
Tasks and considerations include: Methods to link evacuation time to vessel’s survival time, including use of evacuation analysis early in the design process and simplification of escape route arrangements; crowd management issues; passenger and crew notification issues; passenger demographics; properly accounting for persons during an emergency; familiarization of passengers with the ship; the number and location of extra lifejackets; measures to improve evacuation while alongside in port; measures for child safety; family separation and persons with special needs.

Sub-Committee on Radiocommunications and Search and Rescue (COMSAR)
Objective: To evaluate recovery and rescue techniques and equipment and propose measures as appropriate.
Tasks and considerations include: Measures and techniques to transfer persons from survival craft and recovering persons from the water to other ships, which may include the use of rescue boats, scramble nets, means of rescue, pilot boarding ladders and helicopters; compatibility of ships of all types for use as possible SAR facilities; evaluation of techniques, fittings and equipment to recover survival craft; reliability of equipment; new concepts as well as adequacy of current requirements.

Sub-Committee on Standards of Training and Watchkeeping (STW)
Objective: To review human element issues and communications capabilities; passenger and crew notification issues; provisions for adequate rest and training with a view towards improving safety.
Tasks and considerations include: Communication and language issues, including crew to crew, crew to passengers and ship to SAR facilities, taking into account signage and that the use of multiple languages is typical for large passenger ships; training issues, including additional fire-fighting training for senior officers; frequency of drills and STCW requirements; crew fatigue issues.

Sub-Committee on Safety of Navigation (NAV)
Objective: To consider measures to improve prevention of groundings and collisions.
Tasks and considerations include: Awareness of water depth and squat issues; review availability of international aids to navigation for vessels operating in remote areas; review pilot and bridge team interface management issues; review bridge team resource management measures; quality and availability of hydrographic information for operation in remote areas; voyage planning issues; reliability of equipment issues; need for requiring modern navigation equipment to avoid collisions and groundings.

Maritime Safety Committee (MSC)
Objective: To review medical management practices, including facilities, equipment, personnel qualifications and staffing levels.
Tasks and considerations include: Pharmaceuticals carried on board; training, certification and manning issues; telecommunications equipment; secondary medical facilities in the event of loss of the primary facilities in the event of a casualty.

Objective: To evaluate measures related to ship security.
Tasks and considerations include: IMO guidelines with a view to harmonizing various national standards; clarification of vague words and phrases in existing security guidelines to ensure consistency of enforcement.

Objective: To review measures related to health safety on board.
Tasks and considerations include: Fresh water supply and safety issues; food safety issues; diseases in relation to swimming pools and jacuzzis; structural requirements for food preparation areas with sanitation requirements, as well as construction guidelines; equipment reliability issues; ventilation issues.
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From the meetings
Sub-Committee on Bulk Liquids and Gases
• 6th session:
• 5–9 February 2001

2003 target date to complete MARPOL Annex I

Work on revising the current Annex I (Regulations for the Prevention of Pollution by Oil) of MARPOL should be completed by 2003, the Sub-Committee on Bulk Liquids and Gases agreed at its 6th session. The move follows the decision of the Marine Environment Protection Committee (MEPC) that the revised Annex I should be developed to incorporate all existing and new requirements and replace entirely the current Annex I.

The aim is to produce a user-friendly, simplified Annex, incorporating the various amendments adopted since MARPOL entered into force in 1983, which have resulted in a complicated set of regulations and unified interpretations. In many cases, end-users find it difficult and sometimes confusing to comprehend the requirements.

The proposed new draft Annex will delete requirements that will be outdated by the time it comes into force; separate hardware from operational requirements; and make clear the distinctions between requirements for new ships and existing ships (such as the phasing-in of double-hull requirements for oil tankers).

The Sub-Committee noted that it was important to make clear the substantive and editorial amendments that were made during the revision. The Sub-Committee also recognized that the renumbering of regulations in the revised Annex could cause confusion as people were used to the current numbering.

Accidental oil outflow performance for tankers - draft new regulation agreed in principle

The Sub-Committee agreed in principle to a draft new MARPOL regulation in Annex I on accidental oil outflow performance, intended to provide criteria for the level of protection against oil pollution in the event of stranding or collision. The draft regulation, developed by a correspondence group and reviewed by a working group during the session, is based on probabilistic methodology for oil outflow analysis.

The draft regulation establishes the maximum permissible mean oil outflow parameter depending on the size of tanker – with different levels permitted for different tankers. The Sub-Committee agreed to use a simplified approach in which oil capture is approximated, acknowledging that this approach maintains reasonable accuracy while simplifying the calculation procedure.

The aim is to provide a means of calculating the probable maximum quantity of oil which would actually be released from a double-hull tanker should there be damage. This calculation of the mean oil outflow would take into account the likely outflow of oil from cargo tanks which would be captured by non-oil compartments as well as a figure for the probability of a specific cargo tank being penetrated and the extent to which it might be damaged. The Sub-Committee agreed the proposed regulation should apply to tankers of 5,000 dwt and above.

The Sub-Committee also agreed in principle to draft amendments to the Interim guidelines for the approval of alternative methods of design and construction of oil tankers under regulation 13F(5) of Annex I of MARPOL 73/78, to harmonize the guidelines with the proposed new regulation. Regulation 13F requires all new tankers to be built with double hulls – but allows in paragraph (5) for "other methods of design and construction of oil tankers" to be accepted provided they "ensure at least the same level of protection against oil pollution in the event of collision or stranding."

The Sub-Committee also agreed to re-establish the correspondence group to complete the draft explanatory notes to the probabilistic methodology for oil outflow analysis and to evaluate further the application of the proposed draft MARPOL regulation to current oil tanker designs, especially VLCCs.

Could DNA tagging of oil help to identify rogue polluters? A BLG correspondence group has been established to investigate further.
Review of Annex II of MARPOL 73/78 continues

The Sub-Committee continued its revision of Annex II (Noxious liquid substances carried in bulk) of MARPOL 73/78. The completion of a revised Annex II depends on the completion of a product evaluation being carried out by the Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection (GESAMP) under the revised GESAMP Hazard Evaluation Procedure.

The revised procedure takes into account the development of harmonized hazard classification systems covering physical and biological properties that affect safety and protection of the environment under the United Nations Committee of Experts on the Transport of Dangerous Goods and the Organization for Economic Co-operation and Development (OECD).


The Working Group creates a revised GESAMP Hazard Profile (GHP), which is more extensive than the current one. This is then used by the BLG Sub-Committee's ESPH (Evaluation of Safety and Pollution Hazards) Working Group to assign the appropriate Pollution Category and Ship Type for each product when they are transported under Annex II of MARPOL 73/78.

As part of the development of a revised Annex II of MARPOL 73/78, the BLG Sub-Committee is proposing alternative pollution categorization systems, possibly simplifying the existing 5-category system for defining pollution categories into a 3-category system. However, final decisions on which system would be most appropriate are dependent on largely completing the product evaluation process.

The Sub-Committee discussed the choice of pollution category systems but agreed for the time being to continue developing the Annex on the basis of both the 3-category and the 5-category system. The system chosen will affect final regulations on stripping limits (referring to the amount of product that might be left in tanks after emptying) and discharge criteria.

Evaluation of Safety and Pollution Hazards (ESPH) Working Group

The Sub-Committee reviewed the report of the intersessional ESPH Working Group meeting and noted that it was anticipated that approximately 65% and 80% of the 650 products identified in the International Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (IBC Code) would have been assigned a revised GESAMP Hazard Profile for possible application to the proposed pollution categorization systems by April 2001 and April 2002 respectively.

The Sub-Committee agreed that completion of approximately 50% of the classifications should allow a preliminary discussion on the choice of proposed pollution categorization systems and 75% should allow a final decision to be made. On that basis, therefore, this time schedule should allow the revision of the text of Annex II to be completed by 2003.

Oil tagging systems - correspondence group established

The Sub-Committee agreed to establish a correspondence group to look into the benefits and possible applications of DNA tagging of oil.

The decision to review DNA tagging followed a submission to the MEPC by the United Kingdom. In its paper to the MEPC, the United Kingdom reported on a full-scale test on the DNA tagging of oil and noted that the use of secure identification tags, unique to each ship, would be a major advance in enforcing Annex I to MARPOL 73/78 through deterring illegal discharges of oil because these could be traced to the offending ship. The application would ensure that polluters could be identified, prosecuted and made to pay for the consequences of illegal discharge. This would have a great deterrent effect and so prevent pollution.

In an update to the Sub-Committee, the United Kingdom reported on the continuing full-scale trials of applying DNA tagging to heavy fuel oil. In response to questions raised by other delegations, the United Kingdom noted that the trials showed that DNA tags will only survive while immersed in oil and will rapidly biodegrade if removed; that there is no limit on the number of different codes...
New draft SOLAS regulation on access to spaces in cargo areas agreed

A draft revised SOLAS regulation aimed at improving surveys of large bulk carriers and tankers was agreed by IMO’s Sub-Committee on Ship Design and Equipment (DE) at its 44th session. The proposed revised regulation II-1/12-2 is intended to ensure that vessels can be properly inspected throughout their lifespan, by designing and building the ship to provide easy access. Without adequate access, the structural condition of the vessel can deteriorate undetected and major structural failure can arise.

The proposed revised draft regulation is based on a proposal by the Bahamas developed in response to the Erika incident and focusing on the fact that the continued adequacy of the strength of large bulk carriers and tankers depends on their being properly surveyed – which requires action at the design stage.

Currently, SOLAS chapter II-1 (Construction – structure, sub-division and stability, machinery and electrical installations), Part B (Subdivision and stability), regulation 12-2 specifies requirements for access to spaces in the cargo area of oil tankers (only) including cofferdams, ballast tanks, cargo tanks, etc. The minimum dimensions of horizontal and vertical openings are set out.

Nevertheless, according to the Bahamas submission, ships continue to be built with little consideration as to how they will be surveyed by flag State inspectors and classification society surveyors or how the crew will be able to monitor the condition of their own ship. Without adequate access, the structural condition of the vessel can deteriorate undetected, and major structural failure can arise. A comprehensive approach to design and maintenance is required to cover the whole projected life of the ship.

It has long been recognized that the only way to be assured of the adequacy of a ship’s structure is through regular survey. The provision of a suitable means of access to the hull structure for the purposes of carrying out overall and close-up surveys and inspections has not been included in IMO conventions, although the need to provide access has been mentioned or envisaged in several IMO instruments. Classification society rules also do not include provision for proper access.

Proposed draft regulation
The proposed draft revised regulation SOLAS II-1/12-2, on access to and within spaces in the cargo area of oil tankers and bulk carriers, is intended to apply to new ships (size and date of construction to be decided by the Maritime Safety Committee).

The regulation would require each space within the cargo area to be provided with a permanent means of access to enable, throughout the life of a ship, overall and close-up inspections and thickness measurements of the ship’s structures to be carried out by the Administration, the Company, as defined in regulation IX/1, and the ship’s personnel and others as necessary.

Where permanent access was difficult, the Administration may allow, in lieu, the provision of portable means of access such as staging, moveable platforms and ladders, provided the means of attaching, rigging, suspending or supporting the portable means of access forms a permanent part of the ship’s structure. The regulation would require the ship’s access provisions to be described in a Ship Structure Access Manual to be kept on board.

The Sub-Committee also prepared draft technical provisions for means of access for inspections, which would be mandatory under the new regulation, for further consideration at DE 45. While the regulation would include general technical specifications, specifics would be included in the technical provisions.

The draft revised regulation will be put forward to the MSC for approval and subsequent adoption, with possible entry into force planned for 2004.

Other post-Erika issues
The Sub-Committee reviewed a number of issues relating to the elimination of substandard ships referred to it by the MSC for preliminary assessment.

The Sub-Committee agreed that consideration of protection of fuel tanks should be included in the DE Sub-Committee’s work.
The programme since leaked fuel oil presented a real hazard.

The Sub-Committee agreed that the proposed measure to review resolution A.744(18) on the enhanced programme of inspections during surveys of bulk carriers and oil tankers, to make survey procedures stricter, could be accommodated within the current ongoing review of the resolution.

**Draft amendments to enhanced survey guidelines agreed**
The Sub-Committee agreed draft amendments to Assembly resolution A.744(18) (as amended) - Guidelines on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers - for submission to the MSC.

The amendments are intended to align the Guidelines with revisions to International Association of Classification Societies (IACS) Unified Requirements (UR) Z10.1 and Z10.2. The revisions to the Unified Requirements were based on the safety measures taken by IACS following the Erika incident. IACS Members have agreed to implement those measures from 1 July 2001 at the latest.

**Draft asbestos guidelines agreed**
The Sub-Committee agreed a draft MSC circular on guidelines for maintenance and monitoring of on-board materials containing asbestos, for submission to the MSC.

The draft circular is intended to provide guidance to the Administrations, companies, seafarers and others closely involved with the operation of ships on how to deal with asbestos on board ships in service, with the principal objective of minimizing exposure to asbestos fibres of passengers, crew, riding crews, maintenance personnel in port, etc., while the ship is in service.

In December 2000 the MSC adopted amendments to SOLAS to prohibit the new installation of materials which contain asbestos on all ships.

**Improved thermal protection - draft guidelines agreed**
The Sub-Committee agreed draft guidelines aimed at improving thermal protection and covering inspections of immersion suits and anti-exposure suits.

The draft MSC circular, including draft guidelines for monthly shipboard inspection of immersion suits and anti-exposure suits by ships’ crews, gives recommended procedures for carrying out monthly inspections of these suits in accordance with SOLAS regulations III/20.7 and III/36.1.

**Draft guidelines on fuel oil sampling agreed**
The Sub-Committee agreed draft guidelines for the sampling of fuel oil for determination of compliance with Annex VI - Regulations for the prevention of air pollution by ships - of MARPOL 73/78, together with an associated draft MEPC Circular, for submission to MEPC 46 in April 2001 for approval.

The primary objective of the guidelines is to establish an agreed method to obtain a representative sample of the fuel oil for combustion purposes delivered for use on board ships.

Regulation 18(3) of Annex VI to MARPOL 73/78 requires details of fuel oil for combustion purposes delivered to, and used on board, the ship to be recorded by means of a bunker delivery note.

**Draft guidelines for ships operating in Arctic ice-covered waters**
The Sub-Committee agreed draft guidelines for ships operating in Arctic ice-covered waters and an associated draft MSC/MEPC Circular, pending input from other Sub-Committees.

The guidelines are aimed at ensuring safe navigation of ships and the prevention of pollution in Arctic waters. Ships operating in the Arctic environment are exposed to a number of unique risks. Poor weather conditions and the relative lack of good charts, communication systems, and other navigational aids pose challenges for mariners. The remoteness of the areas makes rescue or clean-up operations difficult and costly. Cold temperatures may reduce the effectiveness of numerous components of the ship, ranging from deck machinery and emergency (left) DE agreed draft guidelines aimed at improving thermal protection and covering inspections for thermal suits.
equipment to sea suctions. When ice is present, it can impose additional loads on the hull, propulsion system and appendages.

The guidelines are therefore intended to address additional provisions deemed necessary for consideration beyond existing requirements of the SOLAS Convention in order to take into account the climatic conditions of Arctic ice-covered waters and to meet appropriate standards of maritime safety and pollution prevention.

The draft guidelines cover design, outfitting and operation of relevant ships, includingcrewing by adequate numbers of suitably trained personnel.

**Emergency towing guidelines - amendments agreed**

The Sub-Committee agreed draft amendments to the guidelines for emergency towing arrangements on tankers (resolution MSC.35(63)) to bring the guidelines into line with the amendments to SOLAS regulation II-1/3-4 adopted by the MSC at its 73rd session in December 2000.

The revised SOLAS regulation II-1/3-4 states that – as per the current regulation – emergency towing arrangements should be fitted at both ends on board every tanker of not less than 20,000 tonnes deadweight.

**Work on lifeboat accidents needed, says Sub-Committee**

The Sub-Committee concluded that the majority of accidents were related to failure or mal-operation of on-load release equipment. Many accidents were caused by poor maintenance or mal-adjustment of equipment which did not appear to comply with the existing provisions of SOLAS regulation III/20 (Operational readiness, maintenance and inspections), while some followed failures of communication and/or procedures. The causes of such accidents needed to be established and addressed as a matter of urgency, the Sub-Committee agreed.

The proposed preliminary draft Assembly resolution would invite Governments to review their ship registration procedures to ensure that adequate safeguards are in place to prevent the registration of phantom ships. It would also invite Governments to exhaust all means available to them to obtain evidence that a ship previously registered under another State’s flag has been deleted, or that consent to the transfer of the ship has been obtained from that State’s register. Prior to registration of any ship, Governments should verify its identity, including the IMO Ship Identification Number, where appropriate, and other records of the ship so that the ship does not fly the flags of two or more States simultaneously.

Governments would be urged to accept only original paper documents or electronically submitted documents whose authenticity had been verified, and to encourage greater vigilance from all those that might come into contact with ships that may have been improperly registered, including those involved in port operations, ship surveying, chartering, brokering and insurance.

A draft Assembly resolution prepared by FSI would toughen the procedures surrounding ships changing flags and identities.
**ISM Code - revised guidelines for implementation**

The Sub-Committee agreed draft revised guidelines to update resolution A.788(19), Guidelines on Implementation of the International Safety Management (ISM) Code by Administrations, to take into account the second phase of ISM implementation under which all ships not covered by the first round of implementation will be required to have ISM certification by 1 July 2002. The revision takes into account amendments to the ISM Code adopted in December 2000, which also enter into force on 1 July 2002.

The amendments included the replacement of chapter 13 (on certification, verification and control) with a new chapter 13 (on certification) and additional chapters 14 (Interim certification), 15 (Forms of certificate) and 16 (Verification); as well as a new appendix giving forms of documents and certificates.

The ISM Code has applied to passenger ships, including passenger high-speed craft, and to oil tankers, chemical tankers, gas carriers, bulk carriers and cargo high-speed craft of 500 gross tonnage and above since 1 July 1998. It will apply to other cargo ships and mobile offshore drilling units of 500 gross tonnage and above not later than 1 July 2002.

The revised guidelines are to be forwarded to the MSC and MEPC for approval and then to the 22nd assembly in November 2001 for adoption. The intention is that the revised guidelines will replace the current guidelines on 1 July 2002.

**Port State control - notification of detentions**

The Sub-Committee agreed sample forms for port State control officers to use when notifying detention and release of ships. The forms should supplement the Port State Control Procedures set out in resolution A.787(19), as amended.

Chapter 5 of resolution A.787(19), as amended, stipulates that “in the case of a detention, notification shall be made to the flag State Administration. If such notification is made verbally, it should be subsequently confirmed in writing. Likewise, the recognized organizations which have issued the relevant certificates on behalf of the flag State should be notified, where appropriate.”

The Sub-Committee invited the port State to endeavour to notify flag States of detentions in the most timely and expedient manner possible, and also to notify detentions to the relevant recognized organization (RO). The Sub-Committee also agreed a draft MSC/MEPC Circular, on measures to improve port State control procedures, which recommends that the whole concept of port State control of ships would be significantly improved by greater endeavours by port States to notify flag States of detentions and by establishing a mechanism for a constructive and timely dialogue between flag States and port States on port State control interventions.

The Sub-Committee agreed that all forms of training of port State control officers (PSCOs) should explicitly address the requirement for reporting detentions to the flag State and the RO and that individual port States and regional agreements on port State control ensure that explicit requirements and procedures for the notification of flag States and ROs in the event of a detention are included in their instructions for PSCOs, i.e. in checklists, guidelines and/or Manuals for Surveyors. The draft circular will be put forward to the MSC and MEPC for approval.
MARPOL mandatory reports – Parties urged to comply
The Sub-Committee urged Parties to MARPOL 73/78 to comply with the requirement to submit mandatory reports on violations of the Convention to IMO. Only 25 Parties submitted reports for 1999.

From the reports submitted, it was clear that there are still ships which do not even have the IOPP Certificate, Oil Record Book or the required pollution prevention equipment on board – implementation of MARPOL 73/78 is therefore still a major concern.

Accidents involving survival craft
The Sub-Committee forwarded to the Design and Equipment and Standards of Training and Watchkeeping Sub-Committees a note relating to a review of accidents involving ships’ survival craft. The note refers to information submitted by flag States on incidents involving lifeboats and liferafts, including a study by the United Kingdom which listed 12 deaths in a period of 11 years as a result of lifeboat/rescue craft incidents and 71 injuries caused by operation of lifeboats or their associated launching systems.

The note states that lifeboats are evolving into relatively sophisticated items of a ship’s equipment but the evidence suggests that the ability of ship’s crews to operate and maintain these boats, and their launching systems, competently is not keeping up with the relevant legislative and technical developments.

VDR operational matters
The Sub-Committee agreed the following, for the purpose of accident investigation only.

• Recovery of the VDR: Recovery of the VDR is conditional on the accessibility of the VDR or the data contained within. The Marine Casualty Investigator of the flag State, the investigating State or any other State, at the request of the flag State, would be responsible for the recovery of the VDR.

• Custody of VDR/data: Upon deciding to conduct an investigation, the Marine Casualty Investigator would need to have custody of the data in order to carry out the casualty investigation. If the data are not available, the removal of the VDR from the vessel might be required.

• Ownership of VDR/data: Ownership of the VDR/data is not an issue during a casualty investigation as it is similar to the log-book or other recorded data; it is assumed that the owner of the vessel owns the VDR and data. The owner would ensure that the Marine Casualty Investigator would be able to access and take custody of the VDR/data in the event of a casualty.

• Read-out of VDR/data: In accordance with resolution A.849(20), Code for the Investigation of Marine Casualties and Incidents, the Lead Investigating State would arrange for the read-out of the VDR such that the data are presented in a form suitable for the investigation.

• Access to data: During the investigation of a casualty or incident, the Marine Casualty Investigator would need to have access to the data. As would occur with the log-book or other recorded information, copies of the information should be made available to the shipowners and investigating States.

Endorsement of certificates with survey completion date
The Sub-Committee agreed a draft MSC circular to invite Administrations or recognized organizations to endorse ships’ certificates with the completion date of the survey on which they are based. The aim of the circular is to address difficulties in finding information on the date of completion of the last survey. This applies in particular to certificates issued prior to the introduction of the harmonized system of survey and certification (HSSC) on 3 February 2000.

HSSC/enhanced survey guidelines – draft circular agreed
The Sub-Committee agreed a draft MSC circular intended to address the inconsistency between resolution A.744(18), Survey Guidelines under the Harmonized System of Survey and Certification, concerning the alignment of a dry-dock survey with the renewal survey.

Revised guidance on self-assessment form agreed
The Sub-Committee agreed Revised Guidance to assist flag States in the self-assessment of their performance, to be adopted as an Assembly resolution (at the 22nd Assembly in November 2001) following approval by the Maritime Safety Committee (MSC) and Marine Environment Protection Committee (MEPC). The draft resolution would update resolution A.881(21) to include criteria and performance indicators which were included in a Circular issued in June 2000 (MSC/Circ.954 MEPC/Circ.373).
New global timetable to phase out single-hull tankers

The meeting agreed a revised chapter 13G of the MARPOL Convention which includes a new, accelerated phase-out timetable for single-hull oil tankers. The new regulation will enter into force in September 2002, the earliest possible time permitted under the MARPOL Convention.

The new phase-out timetable sets 2015 as the principal cut-off date for all single-hull tankers. In the years leading up to that date, ships will be withdrawn from service according to their year of delivery (see table right). The new regulation identifies three categories of tankers, as follows:

**Category 1 oil tanker** — 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** — 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** — an oil tanker of 5,000 tons deadweight and above but less than the tonnage specified for Category 1 and 2 tankers.

A Condition Assessment Scheme (CAS) will have to be applied to all Category 1 vessels continuing to trade after 2005 and all Category 2 vessels after 2010. A resolution adopting the CAS was passed at the meeting. Although the CAS does not specify structural standards in excess of the provisions of other IMO conventions, codes and recommendations, its requirements stipulate more stringent and transparent verification of the reported structural condition of the ship and that documentary and survey procedures have been properly carried out and completed.

The requirements of the CAS include enhanced and transparent verification of the reported structural condition of the ship and verification that the documentary and survey procedures have been properly carried out and completed. The Scheme requires that compliance with the CAS is assessed during the Enhanced Survey Programme of Inspections concurrent with intermediate or renewal surveys currently required by resolution A.744(18), as amended.

Flag State Administrations may allow for some newer single-hull ships registered in their country that conform to certain technical specifications to continue trading until the 25th anniversary of their delivery. However, under the provisions of paragraph 8(b), any port State can deny entry of those single-hull tankers whose life is extended in this way to ports or offshore terminals. They must communicate their intention to do this to IMO.

**Category of oil tanker**

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* subject to CAS compliance

Tanker safety worldwide was given a considerable boost by the MEPC’s agreement on a revised timetable for the phase-out of single-hull tankers.
Consenption to outlaw TBT and other organotin compounds in marine anti-foulants

The Committee worked on finalising a draft proposed Convention on the Control of Harmful Anti-fouling Systems, scheduled to be adopted at a Conference in October this year. The essence of the Convention is that ships should no longer be allowed to apply organotin compounds after 1 January 2003, leading to a complete ban by 1 January 2008.

Under the terms of the proposed new Convention, ships above a certain size would be required to have their anti-fouling systems surveyed and to carry an anti-fouling certificate. Anti-fouling systems to be prohibited or controlled would be listed in Annex I of the Convention. Initially, the Annex would include reference to organotin compounds which act as biocides in anti-fouling systems. The Convention would allow for other substances to be included in the Annex and sets out a procedure for doing this: a proposal for a particular substance to be prohibited or restricted would be put before a group established by IMO which would assess the adverse affects of the particular anti-fouling system. The Convention would provide an agreed format for an international anti-fouling certificate and set out procedures for survey and certification.

The MEPF approved in principle the draft Convention at its 45th meeting last October, but a number of issues remain open for discussion before the planned conference in October this year. The Conference will be tasked with finalising specific articles, including entry into force criteria and whether ships should be allowed to over-paint existing TBT coatings with a sealer or be required to sandblast back to bare steel in order to comply with the Convention’s requirements.

Reducing the effects of harmful organisms in ships’ ballast water

The MEPC also continued working towards convening a Diplomatic Conference to adopt a Convention on the management and control of ballast water in 2003, and in the interim agreed a joint MEPC/MSC Circular emphasizing the need for ballast water and sediment management options to be taken into account when developing and building new ships. The Circular is subject to approval by the Maritime Safety Committee (MSC) at its next session (30 May to 8 June).

The management of ballast water has become an important issue in international efforts to reduce pollution from ships. When a ship takes on ballast water, it may also inadvertently ingest a soup of microscopic aquatic organisms, some of which may be toxic, others potentially harmful if removed from their own local ecosystem and introduced into another when discharged. Alien species that have no natural enemies can reproduce dramatically and cause tremendous damage.

Ballast water exchange at sea is currently the only widely used technique for preventing the spread of unwanted aquatic organisms in ships’ ballast water. But this technique has a number of limitations. Ship safety is a main concern, with weather and sea conditions playing a critical role in determining when ‘at-sea exchange’ is safe. It is, however, likely that new ships will be designed to accommodate ballast exchange in a much wider...
range of circumstances. Moreover, the percentage of organisms successfully removed by the method depends largely on the type of organism.

The MEPC agreed to establish a correspondence group to work on developing a Ballast Water Treatment (BWT) Standard which could ultimately be used to assess the validity of other treatment options.

The proposed new instrument for ballast water management is based on a so-called “two-tier” approach. Tier 1 includes requirements that would apply to all ships, such as mandatory requirements for a Ballast Water and Sediments Management Plan, a Ballast Water Record Book and a requirement that new ships shall carry out ballast water and sediment management procedures to a given standard or range of standards. Existing ships would be required to carry out ballast water management procedures after a phase-in period, but these procedures may differ from those to be applied to new ships.

Tier 2 includes special requirements which may apply in certain areas and would include procedures and criteria for the designation of such areas in which additional controls may be applied to the discharge and/or uptake of ballast water. The text for Tier 2 remains to be developed.

**Ship recycling**

The Committee agreed to re-establish a Correspondence Group on Ship Recycling to look further into IMO’s perceived role in the matter, with the possibility of establishing a working group at the next session to discuss the issue in depth.

IMO’s role in the recycling of ships, the terminology used to refer to ship scrapping, was first raised at the 44th MEPC session in March 2000, following which a correspondence group was established to research this issue and provide a range of information about current ship recycling practices and suggestions on the role of IMO. The Committee agreed that the Correspondence Group should now work on several issues, with a view to submitting a report to the next session in 2002.

**Special Areas and Particularly Sensitive Sea Areas**

MEPC 46 approved 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 (PSSAs).

In Annexes I, II and V, MARPOL 73/78 defines certain sea areas as special areas in which, for technical reasons relating to their oceanographical and ecological condition and to their sea traffic, the adoption of special mandatory methods for the prevention of sea pollution is required. Under the Convention, these special areas are provided with a higher level of protection than other areas of the sea. A PSSA is an area that needs special protection through action by IMO because of its significance for recognized ecological or socio-economic or scientific reasons and which may be vulnerable to damage by international maritime activities.

The revised guidelines are scheduled to be adopted in the form of an Assembly resolution by the 22nd Assembly in November. They will update and replace resolution A.720(17) and resolution A.885(21), Procedures for designation of particularly sensitive sea areas and the adoption of associated protective measures and amendments to the guidelines contained in resolution A.720(17).

There are currently two designated PSSAs: the Great Barrier Reef, Australia, and the Sabana-Camagüey Archipelago in Cuba. The Sabana-Camagüey Archipelago was designated a PSSA in September 1997.

**Colombia’s Malpelo Island PSSA agreed in principle**

The Committee considered additional information provided by Colombia in respect of an application for the marine area around Malpelo Island to become a PSSA and agreed in principle that the proposal met the criteria for PSSA designation. However, the Committee instructed the Sub-Committee on Safety of Navigation, which meets for its next session in July 2001, to report back on any navigational issues to be taken into account prior to final approval being given.

**United States Florida Keys PSSA agreed in principle**

The Committee considered an application by the United States for the marine area around the Florida Keys to become a PSSA and agreed in principle that the proposal met the criteria for PSSA designation. However, the Committee instructed the Sub-Committee on Safety of Navigation, which meets for its next session in July 2001, to report back on any navigational issues to be taken into account prior to final approval being given.
OPRC Working Group

The Working Group on Implementation of the OPRC Convention received a detailed report from France about the clean-up operation following the sinking of the Erika and discussed some of the issues the incident raised in terms of responding to this kind of oil spill.

The Group also developed an initial programme of topics for the 3rd International R&D Forum, to be held in Brest, France in March 2002, which will examine research and development of new technology in oil spill response, particularly regarding spills of high-density or heavy oils like bunker oil.

The OPRC Group and the Committee also approved a joint IMO/FAO publication on Guidance on Managing Seafood Safety During and After Oil Spills.

Air pollution

The MEPC reviewed submissions relating to greenhouse gas emissions from ships and agreed to establish a working group at the next session to evaluate proposals for reducing greenhouse gas emissions contained in the IMO Study on Greenhouse Gas Emissions from Ships, to collate and evaluate information submitted by Members, identify appropriate Sub-Committees for involvement, draw up a work plan and prepare materials for consideration in developing an IMO strategy for greenhouse gas reduction.

The Committee also approved a report to the UN Commission on Sustainable Development on IMO’s major developments since UNCED 1992, as part of the so-called “Rio +10” process.

Circulars and Resolutions

Sewage - MEPC Circ agreed

The Committee agreed an MEPC circular on information from Contracting States to MARPOL Annex IV (Prevention of pollution by sewage from ships) to IMO of regulations on discharge of sewage in waters under their jurisdiction and available reception facilities for sewage in their ports. The aim of the Circular is to request States to provide the information required, in order to facilitate the implementation of MARPOL Annex IV when it enters into force.

Flag State implementation issues - draft circulars and resolutions

The MEPC approved the following draft circulars and resolutions agreed by the Sub-Committee on Flag State Implementation (FSI). The drafts are subject to concurrence by the MSC at its 74th session in May–June:

- draft MSC/MEPC circular on Communication of information on authorization of recognized organizations (ROs);
- draft Assembly resolution on Revised self-assessment of flag State performance, for submission to the twenty-second session of the Assembly for adoption;
- draft Assembly resolution on Revised guidelines on the implementation of the ISM Code by Administrations, for submission to the twenty-second session of the Assembly for adoption;
- draft MSC/MEPC circular on Measures to improve port State control procedures;
- draft MSC/MEPC circular on Endorsement of certificates with the date of completion of the survey on which they are based.

The MEPC also endorsed an MSC/MEPC Circular on the beneficial impact of the ISM Code and its role as an indicator of safe operation and environmental protection.

Exhaust emissions from ships are under heavy scrutiny. MEPC agreed to establish a working group at its next session to evaluate proposals for reducing greenhouse gas emissions from ships.
Seafarers’ memorial forges ahead

Major building work at the International Maritime Organization headquarters on the Albert Embankment is currently being carried out to accommodate the memorial to seafarers, which is due to be unveiled formally on World Maritime Day, September 27th.

The finished sculpture will stand over seven metres tall and be cast in 10 tonnes of bronze. When completed, the prow of the bronze ship will project beyond the building line and over the pavement. Floodlighting has been specially designed to emphasise the scale and grandeur of the sculpture, ensuring that this new monument will be visible to all. To house the sculpture, a portion of the first floor overhang is being removed, making it vertically level with the ground floor reception area.

The Morris Singer Foundry has had some 20 people working for several months in their Lasham Foundry on the project. More than 100 individual pieces are being compiled into four major sections which will be transported individually to London, where the sculpture will be completed in situ, ready for its unveiling.

Mr Jose Luis Lopez-Sors, Director of the Merchant Marine Directorate of Spain, will present IMO, on behalf of his government, with a commemorative medallion. 500 copies of the medallion will be minted.

The Government of Spain is donating 500 commemorative medallions to mark the unveiling of the memorial.

New maritime code for CEMAC Member States

The Ministers of Transport of the countries party to the Economic and Monetary Commission for Central Africa (CEMAC) – Cameroon, Central African Republic, Chad, Congo, Equatorial Guinea and Gabon – have adopted the first-ever regional maritime code for francophone Africa at a meeting organized in Cameroon (5–17 May 2001).

A regional project to conduct training courses on oil pollution preparedness and response was completed with a final course on response to marine oil spills for supervisors and on-scene commanders held in Singapore in October 2000. The project started in 1997 and delivered five regional or sub-regional training courses. The other training courses were held in Bangkok (Thailand), Bandar Seri Begawan (Brunei Darussalam), Dalian (China) and Singapore, with the objective of promoting co-operation in accordance with the requirements of OPRC 1990 in five subregions, covering the Gulf of Thailand, Southern South China Sea, Lombok and Makassar Straits, Gulf of Tongkin and Yellow Sea. The Regional Programme on Partnerships in Environmental Management for the Seas of East Asia (PEMSEA) and the Singapore-IMO MOU on Third Country Training Programmes contributed to the delivery of the training courses. In addition, a new regional project has been developed to integrate contingency planning, oil spill preparedness, response and clean-up, claims for damage, and sustainable management regimes at selected sites.

IMO organizes oil spill response courses for East Asia

The first of a series of SAR training courses to assist with the establishment and the effective operation of adequate SAR services on the Black Sea was convened from 19 to 27 April 2001 in Varna, Bulgaria. All of the countries that participated in this training have signed the SAR Convention and have either developed, or are in the process of developing, the national legislation needed to provide search and rescue services as required by the SAR Convention.

Search and Rescue training for Black Sea

Rugged, reliable, dependable; the pattern for the figure that will top the IMO memorial, currently taking shape at sculptor Michael Sandle’s workshop, embodies all the traditional characteristics of the seafarer.
IMO projects win SIDS success

Two IMO technical co-operation projects have been selected by the United Nations’ Division for Sustainable Development as success stories in promoting the sustainable development of Small Island Developing States (SIDS).

The first project, for the Caribbean Island States, has developed model shipping Acts, which countries can adapt to their particular requirements. The project has also developed a regional code for the safety of vessels under 24 metres in length and is currently finalizing technical regulations to give effect to the model Acts. The materials already developed have been distributed widely throughout the Caribbean and other developing regions, thereby providing a truly global benefit.

The second project, for the Pacific Island Countries, is supporting the development and modernization of national legislation to ensure effective implementation and enforcement of international standards on marine environment protection. Additionally, the project will introduce a harmonized regulatory regime for the maritime sector across the Pacific Island region.

Second CASIT course launched

A second Caribbean Ship Inspectors’ Training programme (CASIT) was inaugurated in Port of Spain, Trinidad and Tobago, on 30 April 2001. The course, in which 12 Caribbean nationals are participating, involves nine weeks of classroom and practical training on ship surveying and inspection, with the objective of building up further capacities for the effective implementation of the Caribbean MOU on port State control. Trainees will subsequently carry out shadow attachments for further practical training, and this will be hosted and organized by the US Coast Guard in Florida, over a period of four weeks.

IMLI graduates hold key to legal framework

In May, Secretary-General William O’Neil addressed the first graduating class of the IMO Millennium from the IMO International Maritime Law Institute (IMLI) in Malta. In a speech to the graduates, Mr O’Neil said, “Like your predecessors, the 208 graduates from 83 countries world-wide, you have had the opportunity to benefit from a highly specialized programme of studies in maritime law and also to share in the unique experience of attending this global institution here in Malta.”

Mr O’Neil emphasized the importance of the new graduates’ role in the international maritime community. “The task of developing and managing the legal framework to ensure that quality shipping is able to prosper in a highly competitive world,” he said, “depends in large measure on the knowledge and skill of lawyers. This Institute, over the past decade, has made a major contribution to the post-graduate training of lawyers to properly prepare them to undertake the associated duties and responsibilities in a highly professional manner.”

IMLI is an international centre for the training of specialists in maritime law. It provides suitably qualified people, particularly from the developing countries, with high-level facilities for advanced training, study and research in international maritime law and legislation for the regulation of international shipping. It was founded in the late 1980s, when IMO realized that there was an insufficient number of skilled legal practitioners available, particularly in developing countries, to create the legal framework necessary for the proper implementation of IMO standards world-wide.

The Institute is administered under the supervision, control and direction of a Board of Governors (above) which is presided over by Mr O’Neil.
Ballast water symposium confirms more research needed

It is likely to be some years before a new ballast water treatment system is developed, proven effective, approved and accepted for operational use. Ballast water exchange will therefore remain a primary method for some time yet, despite its limitations. That was one of the major conclusions of the 1st International Ballast Water Treatment R&D Symposium and Standards Workshop, held at IMO headquarters in London during March 2001. Nearly 200 delegates attended the event, which was convened by the Global Ballast Water Management Programme (GloBallast) as a part of its efforts to stimulate and co-ordinate world-wide research into the problem of ballast water management.

Twenty six papers were presented at the symposium by the world’s leading ballast water treatment experts, covering all the technologies currently being explored and updating the latest results from the major R&D projects.

According to GloBallast, the symposium confirmed that all the various technologies for ballast water management are currently at a very early stage of development and significant further research is required. It now seems likely that any new ballast water treatment system will involve a combination of technologies, for example primary filtration or physical separation followed by a secondary biocidal treatment.

Abstracts of papers presented are currently available on the GloBallast web site http://globallast.imo.org, on the page titled ‘Ballast Water Treatment’.

The symposium was immediately followed by the 1st International Ballast Water Treatment Standards Workshop from 28 to 30 March, an invitation-only event tailored for a broad representation from the shipping industry, water treatment industry, marine science community, governments and environmental organizations.

After a scene-setting first day, the workshop broke into smaller working groups to brainstorm the development of possible ballast water treatment standards and, in particular, a biological effectiveness standard (‘biological effectiveness’ meaning removing, killing or rendering inactive organisms in ballast water). The workshop unanimously agreed five Primary Criteria that any new treatment systems should meet and 10 Fundamental Principles that should be applied in developing biological effectiveness standards.

The workshop report was submitted to the Ballast Water Working Group of the 46th meeting of MEPC held from 23 to 27 April. MEPC welcomed the report and agreed to use it as the basis from which to develop standards for use in the new international convention on ballast water. A correspondence group has been tasked to do this, coordinated by the USA.

Delegates to the 1st International Ballast Water treatment R&D Symposium met at IMO to discuss the latest technical advances.

Colour it clean

This eye-catching and colourful poster will form the centrepiece of Helmepa’s public awareness campaign for the summer of 2001. Each year Helmepa, the Greek shipping industry’s voluntary anti-pollution organization, stages a poster competition through its section for schoolchildren, Helmepa Junior. The winning entry is printed as a poster on which the names of the winning group’s members and their teacher are printed in both Greek and English. The poster then takes centre stage in Helmepa’s summer public awareness campaign and is widely disseminated in Greece and throughout the world.

Since 1993 more than 15,000 children have participated in Helmepa Junior’s Programme, which is supported both morally and financially by Greek seafarers, companies’ staff and shipowners.
IMO spins new web

IMO has launched a re-designed and re-structured website aimed at providing even more information to the public and the shipping industry in a more user-friendly and intuitive style.

As well as offering general information about IMO and its structure, the new site features a newsroom containing all the latest IMO media releases, speeches by the Secretary-General and in-depth analysis of the latest “hot topics”. Technical content is grouped logically under sections entitled Safety, Marine Environment, Legal, Human Element, and Facilitation. There is also a special section on the IMO’s technical co-operation activities. An on-line shopping facility allows users to browse and make purchases from the IMO’s publications catalogue, while the information resources section provides a portal to a huge array of maritime-related websites through the IMO Directory of Maritime Links. A site index provides a ready reference point for all areas of the site, and a search engine adds further functionality.

The site has been designed so that most users should be able to find the answers to any questions they have without having to use the email facility.

Quality shipping in focus at Asia-Pacific meeting

IMO Secretary-General William O’Neil has stressed the importance of regional co-operation in port State control to an audience of key shipping industry figures in the Asia-Pacific region. In his keynote address to the International Symposium on Safer Shipping in the APEC Region (Sydney, Australia, March 2001) he told delegates, “I am convinced that the sharing of information gathered by individual regional port State control groupings will have an increasingly significant impact in our crusade against substandard shipping.”

One of the key topics discussed at the meeting was the integration of the various regional port State control agreements into a global PSC network. Mr O’Neil gave his strong support for the idea, saying that “the sharing of information about ships that trade between regions, as well as moves to harmonize and standardize procedures and to agree on standards of training and recruitment of inspectors throughout the international PSC regime, can only be for the good.” He added that APEC countries were well placed to take a strong initiative in this, as several APEC members are signatories to more than one regional port State control MOU.

APEC (Asia-Pacific Economic Co-operation) was established in 1989 in response to the growing interdependence among Asia-Pacific economies. Begun as an informal dialogue group, APEC has since become the primary vehicle for promoting open trade and practical economic co-operation. Today, APEC’s 21 member economies have a combined Gross Domestic Product of over US$18 trillion in 1999 and 43.85 percent of global trade.

The Sydney symposium was combined with Australia’s National Shipping Industry Conference, 2001, at which Mr O’Neil gave a keynote address.

Once-in-a-lifetime experience

IMO Secretary-General William O’Neil enjoyed a “once-in-a-lifetime” experience when he was a guest at the traditional “Schaffer Meal” organised by the Haus Seefahrt institution in Bremen. This private charity for sailors and their dependents dates back to the mid-sixteenth century, since when it has provided accommodation and support to needy seafarers. The Schaffer Meal began as a farewell banquet for sailors returning to the sea after the winter lay-up. It is open to all members of the charity and its guild, but tradition dictates that guests can only participate once in their lifetime.
The first regional seminar and workshop on Quality Standards Systems has been held in Barbados. The seminar, which took place in May, consisted of a series of lectures followed by workshops that identified the processes and procedures required to introduce a Quality Standards System into the maritime administration of any State.

A case study involving a mythical administration was introduced at the outset and each lecture with its subsequent workshop was referenced to this administration. This was the first time that the full course (seminar and workshop) had been presented, and 24 participants from Antigua & Barbuda, Bahamas, Belize, Dominica, Guyana, Jamaica, St. Vincent and the Grenadines, and Trinidad & Tobago attended.

The seminar was arranged in co-ordination with the Caribbean IMO Regional Co-ordinator, and hosted by the Government of Barbados from 7 to 11 May 2001, within the framework of a regional project for Caribbean countries, supported financially by the IMO Integrated Technical Co-operation Programme (ITCP) and the International Transport Workers’ Federation (ITF). Ten of the participants were ex-WMU graduates, now working in their countries’ maritime administrations or shipping industry.

The workshops are carried out in groups, the aim of which is to ensure that each group has representatives from different administrations so that they can draw upon each other’s strengths and weaknesses and start to address their own specific problems with the assistance of others.

Barbados hosts first quality workshop

The meeting initiated by IMO to address growing concern about the level and severity of attacks on shipping in south-east Asia took place in Singapore on 15 and 16 March 2001. It brought together representatives from Asian and Pacific countries that either experience extensive piracy or armed robbery activities in waters off their coasts or which it was felt could play a substantial role in addressing the problem due to their strategic location in relation to the most affected areas.

While the effectiveness of co-ordinated patrols and joint exercises to test existing anti-piracy systems and strengthen co-operation among neighbouring countries in their efforts to deal with the problem was recognized and encouraged, an overall lack of regional co-operation was identified as one of several elements currently hindering a reduction in armed attacks in the area.

Delegates therefore invited IMO Secretary-General William O’Neill to undertake consultations with Governments in the region with a view to convening a meeting, at an appropriate time, to consider establishing a formal regional agreement on co-operation against piracy and armed robbery against ships.

Governments seek IMO help in fight against piracy

The meeting went on to express concern at the disappointing level at which flag States were reporting attacks or attempted attacks on their ships to IMO and invited the IMO’s Maritime Safety Committee to urge all States once again to make such reports. The meeting also urged the shipping industry to ensure that all attacks or attempted attacks are reported promptly to the nearest Rescue Co-ordination Centre, the designated focal point of the coastal State concerned and the flag State concerned.

Furthermore, it was felt that a more precise categorization of attacks would present a more accurate picture of the situation, and the MSC was invited to consider doing so.

The meeting also encouraged participating Governments which lacked the necessary expertise and associated resources to seek technical assistance from IMO in order to improve their capabilities to prevent and suppress piracy and armed robbery against ships.
IMO Secretary-General in Africa talks

IMO Secretary-General William O’Neil pictured with Mr John Paul Muindi, IMO’s Regional Co-ordinator for Eastern and Southern Africa, during his visit to Kenya in April this year. Mr O’Neil attended a meeting of the United Nations’ Administrative Committee on Co-ordination, which is attended by the heads of all the United Nations agencies. Mr O’Neil also used the trip as an opportunity to have talks with Mr Klaus Topfer, Executive Director of the United Nations Environment Programme, which is based in Nairobi, and The Hon. Musalia Mudavadi, the Kenyan Minister of Transport.

At present, IMO has three regional co-ordinators for Technical Co-operation activities in Africa, one in Kenya, one in Ghana and one in Côte d’Ivoire. The Kenya office is located within UNDP offices at the United Nations Office in Nairobi (UNON) complex.

Obituary

Dr Giuliano Pattofatto

Dr Giuliano Pattofatto, technical director of the Italian classification society Registro Italiano Navale, died at his home on Thursday 8th March after suffering a heart attack. He was 60.

In the early 1970s Mr Pattofatto began a long and distinguished participation in the work of the IMO as a member of the Italian delegation. His abilities and personality ensured he was much sought after as a chairman both of sub-committees and other groups.

After serving as chairman of the Sub-Committee on Ship Design and Equipment from 1990 to 1993, he became chairman of the Maritime Safety Committee in 1994. His five years in that position coincided with a period of intense regulatory activity that focused on bulk carrier safety, the aftermath of the Estonia catastrophe, and the introduction of the International Safety Management Code.

Important preparatory work was also carried out under his leadership for the 1994, ‘95 and ‘97 Safety of Life at Sea Conferences, which saw the emphasis of much of IMO’s regulatory work change from technical to human element aspects.

His fortitude and dedication to duty were never more clearly demonstrated than when struck by a heart problem which necessitated a major operation soon after he took over the chairmanship of the MSC. He did not consider for a moment giving up this onerous work and declared himself fit for duty even before he had completely recovered.

Safety at sea was an obsession for him and he served it always, not only from his office at RINA and his chair at the MSC, but also during his extensive travels around the world preaching safety, safety and more safety.

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This widely recognised and practical intensive course is now in its 12th successive year. The course is designed especially for officials in national marine departments, port or terminal operators, ship managers and shipowners.

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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@icc-ccs.org.uk

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