MARITIME SECURITY - COMPREHENSIVE NEW MEASURES ADOPTED

BULK CARRIER PROGRESS

PRESTIGE - THE IMO RESPONSE
Opinion

Maritime security - no room for delay

From the meetings

A small yet swift security launch escorts a tanker into Los Angeles, USA. IMO has adopted far-reaching new measures for maritime and port security and the challenge now is to effect widespread implementation before the July 2004 entry into force date.

International Ship & Port Facility Security Code

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Pub 528/03

www.imo.org. No.12003 IMO NEWS 3
Maritime security – no room for delay

The Maritime Security Conference held in December last year was successful in all respects. The culmination of just over a year’s intense work by IMO and in particular the Maritime Safety Committee and its working group on maritime security, it has provided the maritime community with a well-considered regulatory regime on which to build an effective maritime security infrastructure.

Because of the worldwide escalation of acts of terrorism, there can be no doubt of the wisdom, for all parties concerned, of starting to put in place without delay all the necessary infrastructure, such as the legislative, administrative and operational measures, that will be needed to give effect to the decisions of the Maritime Security Conference. It is important that this is done methodically and systematically and as soon as possible, without waiting for the entry-into-force date of 1 July 2004. Hasty, last-minute action could not only play into the hands of the very people these measures are designed to stop but could also lead to restrictions on the movement of ships found not to be in compliance with the applicable requirements of SOLAS and the ISPS Code.

I have invited the particular attention of SOLAS Contracting Governments to the new SOLAS regulation XI-2/9 on “Control and compliance measures”, and the corresponding requirements and guidance of the ISPS Code, and to the serious repercussions ships might face after 1 July 2004 if they were found not to be in compliance with these requirements. The impact on port operations, in a similar situation, also needs to be assessed and the appropriate corrective action taken.

It is also important to remember that, as stated in resolution 6 of the Maritime Security Conference on “Early implementation of the special measures to enhance maritime security”, neither chapter XI-2 of the Convention nor the ISPS Code provide for any extension of the implementation dates for the introduction of the special measures adopted by the Conference.

In the meantime, IMO Member Governments have been invited to consider advising companies and ships operating under their flag to take appropriate steps to increase awareness of the potential dangers so that their crews will be extremely vigilant and alert to any security threat they may encounter or be suspicious of, whether they are in port, at offshore terminals or underway. Furthermore, a Maritime Safety Committee circular on “Early implementation of the special measures to enhance maritime security” has been issued.

Throughout its work on maritime security, IMO has been at pains to balance the need for a continued, seamless flow of international seaborne trade with the requirements inherent in any enhanced security measures. Early and widespread implementation of the measures now adopted will probably be the most important single factor in achieving that goal.

A new, comprehensive security regime for international shipping is set to enter into force in July 2004 following the adoption by a week-long Diplomatic Conference of a series of measures to strengthen maritime security and prevent and suppress acts of terrorism against shipping. The Conference, held at IMO’s London headquarters from 9 to 13 December, was of crucial significance not only to the international maritime community but the world community as a whole, given the pivotal role shipping plays in the conduct of world trade.


The Conference adopted a number of amendments to the 1974 Safety of Life at Sea Convention (SOLAS), the most far-reaching of which endorses the new International Ship and Port Facility Security Code (ISPS Code). The Code contains detailed security-related requirements for Governments, port authorities and shipping companies in a mandatory section (Part IA), together with a series of guidelines about how to meet these requirements in a second, non-mandatory section (Part IB). The Conference also adopted a series of resolutions designed to add weight to the amendments, encourage the application of the measures to ships and port facilities not covered by the Code and pave the way for future work on the subject.

Speaking at the end of the conference, IMO Secretary-General William A. O’Neill told delegates, “You have also succeeded, through the interest Conference has generated worldwide, in highlighting and promoting the need for the development of a security consciousness in all that we do to complement IMO’s existing objectives of developing a safety culture and an environmental conscience.” He strongly urged all parties concerned to start putting in place all the necessary legislative, administrative and operational provisions needed to give effect to the decisions of the Conference as soon as possible.

In a call for continued vigilance, he added, “In the meantime, all involved in the operation of ships and ports should continue to be aware of the potential dangers to shipping through acts of terrorism and the need to be extremely vigilant and alert to any security threat they might encounter in port, at offshore terminals or when under way at sea.”

The Conference was referred to in the United Nations General Assembly. At a recent session, the General Assembly adopted a resolution on “Oceans and the law of the sea,” which specifically welcomed initiatives at the International Maritime Organization to counter the threat to maritime security from terrorism and encouraged States fully to support this endeavour.

The Conference was attended by 108 Contracting Governments to the 1974 SOLAS Convention, observers from two IMO Member States and observers from two IMO Associate Members. United Nations specialized agencies, intergovernmental organizations and non-governmental international organizations also sent observers to the Conference. For more on the ISPS Code and the other security measures adopted by the conference, turn to P.8

Double hulls for bulkers on horizon

A variety of new measures designed to improve bulk carrier safety have been adopted by IMO’s Maritime Safety Committee. In addition, a far-reaching programme of further work has been agreed, including a recommendation to require double hulls for certain bulk carriers in the future.

Among a number of SOLAS amendments adopted by the Committee is one requiring the fitting of high level alarms and level monitoring systems on all bulk carriers, in order to detect water ingress. The new regulation will require the fitting of such alarms on all bulk carriers regardless of their date of construction and is expected to enter into force on 1 July 2004, under the text acceptance procedure. In addition, another new regulation will require the means for draining and pumping dry space bilges and ballast tanks, any part of which is located forward of the collision bulkhead, to be capable of being brought into operation from a readily accessible enclosed space.

A further new regulation affecting bulk carriers is intended to ensure that vessels can be properly inspected throughout their lifespan, by designing and building the ship to provide suitable means for access. Associated technical provisions for means of access for inspections, also adopted, are mandatory under the new regulation.

Among a raft of recommendations to improve bulk carrier safety developed following comprehensive FSA studies carried out by Member States, including an international collaborative FSA study, the MSC agreed to require double side skin construction for all new bulk carriers of 150m in length and upwards. The MSC requested the Ship Design and Equipment (DE) Sub-Committee to develop the necessary draft amendments to the SOLAS Convention and agreed that consideration should be given to the impact of other related issues, such as the role of the double hull spaces and their treatment, strength of the inner skin and others, when developing the relevant requirements.

The Committee also agreed that the definition of bulk carrier as it stands present in SOLAS needed to be revised and instructed the DE Sub-Committee to develop a new definition. See P.13 for more details on the various new bulk carrier safety measures.
following a meeting in March between the Vice-President of the European Commission Mr. Loyola de Palacio, responsible for relations with the European Parliament, Transport & Energy and the Secretary General of the International Maritime Organization Mr. William O’Neil, they both expressed satisfaction with the positive and constructive manner and outcome of their consultations concerning the objectives to be achieved in the aftermath of the Prestige accident.

Emphasizing the need for shipping to continue to be regulated at global standard levels, while, at the same time, recognizing the actions, the role and the responsibilities of the European Union, in particular the actions required to be undertaken in the context of the Prestige for a better coastal protection, the two parties concurred that the opportunity should be seized, as soon as possible, for IMO to further enhance the prevention of pollution from tankers at the world-wide level.

Mrs. de Palacio stated that, having regard to the obligations under the European Treaty and the role of the European Commission within the European Union and taking account of the decisions already taken by the European Parliament and EU Council of Ministers, as soon as the EU Institutions have formulated their position in response to the Prestige accident, appropriate measures would be proposed to IMO by the EU to revise the MARPOL Convention with respect to the regulations related to the phishing-out of single hull tankers and to prohibit the carriage of dirty oils by single hull tankers. It might be expected that both the Council and the European Parliament will succeed in finalizing their position by the end of March. Mr. O’Neil welcomed this statement and outlined an expeditious way to handle the EU proposals once submitted to IMO for consideration. The desirability of a global approach to the single hull tanker issue was recognized.

Both parties also agreed on the need for proactive action for the detection of structural weaknesses in ageing oil tankers, both single and double hulled.

In the meantime, the importance of designing new particularly sensitive sea areas and identifying places of refuge was stressed. The initiative taken by EU Member States to have additional PSSA measures considered at IMO’s forthcoming MECPC session in July was welcomed and supported.

With regard to places of refuge, the European Commission welcomed the initiatives already taken by IMO towards adopting appropriate guidelines and underlined the importance of using these guidelines when implementing measures related to places of refuge throughout the EU.

Both sides emphasized the need to enhance flag State performance globally through IMO. Given the commitment of the EU Member States towards flag State implementation of the MARPOL 73/78 articles 4, 8 and 12; Load Line UNCLOS article 94; SOLAS 74 regulation I/21; and in identifying a “compelling need” for new legislation, as established in resolution A.500(XII). The Interim Guidelines to assist flag States and other substantially interested States to establish and maintain an effective framework for consultation and co-operation in marine casualty investigations stress the responsibility of States to co-operate in carrying out casualty investigations and take into account specific provisions of the Code for the Investigation of Marine Casualties and Incidents (Assembly resolution A.849(20) as amended by resolution A.849(21)) as a basis for a global framework of consultation and effective co-operation.

Auditing, the importance of achieving substantial progress on flag State performance at forthcoming IMO meetings (MSC, Council and Assembly) was recognized.

IMO Secretary General Mr. William O’Neil had previously held talks in January with Mrs. Geanarounts, Minister of Macedonia Greece and President of the European Union Maritime Transport Ministries’ Council. The guidelines include basic recommendations for: (i) a functioning authority for crew investigations which is prepared to co-operate with authorities of other substantially interested States and stress the responsibility of flag States to conduct casualty investigations as required by International Law (references: tel: +44 (0)1491 853628, Fax: +44 (0)1491 853499; MARPOL 73/78, Articles 4, 6 and 12; Load Line Convention article 23).

The Faroe Islands has become an Associate Member of IMO, following the deposit with the United Nations of notification to this effect by Denmark.

In its notification to the United Nations, deposited on 3 December 2002, Denmark notes that the Faroe Islands is a part of the Danish Realm with a wide measure of home rule in legislative and administrative affairs. With effect from 1 January 2002, legislative and administrative powers were transferred from the authorities of the Realm to the Faroe Islands in a number of additional fields including matters related to safety at sea, and the Faroe Islands Home Government expressed its strong desire to become an Associate Member of IMO.

Article 72 of the IMO Convention provides that “Members may make a declaration at any time that their participation in the Convention includes all or a group of a single one of the Territories for whose international relations they are responsible”. Article 8 of the IMO convention provides that “Any Territory or group of Territories to which the Convention has been made applicable under Article 72, by the Member having responsibility for its international relations or by the United Nations, may become an Associate Member of the Organization by notification in writing given by any such Member or by the United Nations as the case may be, with the Secretary General of the United Nations”.

IMO now has 162 Member States and three Associate Member Members, which are: Faroe Islands (Denmark), Hong Kong (China); and Macau (China).
The vulnerability of the global transport infrastructure, both as a potential target for terrorist activity and, perhaps even more threateningly, as a potential weapon of mass destruction, was made clear in the most graphic and chilling detail in the terrorist atrocities of 11 September 2001. While those tragic events horrified the civilised world, they also engendered a new and firm resolve to tackle the issue of security in the widest possible sense. As the agency of the United Nations responsible for the safety of international shipping, the International Maritime Organization (IMO) mounted a swift and thorough response to the possibility of terrorist attacks.

The International Ship and Port Facility Security Code

In essence, the Code takes the approach that ensuring the security of ships and port facilities is basically a risk management and security vulnerability for ships and port facilities. For ships, these requirements will include ship security plans, ship security officers, company security officers and certain onboard equipment. For port facilities, the requirements will include port facility security plans, port facility security officers, certain security equipment, and additional requirements for ships and port facilities to include monitoring and controlling access, monitoring the activities of people and cargo and ensuring security communications are readily available.

Because each ship (or class of ship) and each port facility present different risks, the method in which they will meet the specific requirements of this Code will be determined and eventually be approved by the Administration or Contracting Government, as the case may be.

In order to communicate the threat at a port facility or for a ship, the Contracting Government will set the appropriate security level. Security levels 1, 2, and 3 correspond to normal, medium, and high threat situations, respectively. The security level creates a link between the ship and the port facility, since it triggers the implementation of appropriate security measures for the ship and for the port facility.

The preamble to the Code states that, as threat increases, the only logical course of action is to reduce vulnerability. The Code provides several ways to reduce vulnerabilities. First, it will be subject to a system of verification, certification, and control to ensure that their security measures are implemented. This system will be based on a considerably expanded control system as stipulated in the 1974 Convention for Safety of Life at Sea (SOLAS). Port facilities will also be required to report certain security related information to the Contracting Government concerned, which in turn will submit a list of approved port facility security plans, including location and contact details to IMO.

The Company and the Ship

Under the terms of the Code, shipping companies will be required to designate a Company Security Officer for the Company and a Ship Security Officer for each of its ships. The Company Security Officer’s responsibilities include ensuring that a Ship Security Assessment is properly carried out, that Ship Security Plans are prepared and submitted for approval by (or on behalf of) the Administration and thereafter placed on board each ship. The Ship Security Plan should indicate the operational and physical security measures the ship itself should take to ensure it always operates at security level 1. The plan should also indicate the additional, or intensified, security measures the ship itself can take to move to and operate at security level 2 when instructed to do so. Furthermore, the plan should indicate the possible preparatory actions the ship could take to allow prompt response to instructions that may be issued to the ship at security level 3.

Ships will have to carry an International Ship Security Certificate indicating that they comply with the requirements of SOLAS chapter XI-2 and part A of the ISPS Code.

When a ship is at a port or is proceeding to a port of a Contracting Government, the Contracting Government has the right, under the provisions of regulation XI-2/4, to exercise various control and compliance measures with respect to that ship. The ship is subject to port State control inspections but such inspections will not normally extend to examination of the Ship Security Plan itself except in specific circumstances.

The ship may also be subject to additional control measures if the Contracting Government exercising the control and compliance measures has reason to believe that the security of the ship has, or the port facility has, or both, has been compromised.

The Port Facility

Each Contracting Government has to ensure completion of a Port Facility Security Assessment for each port facility within its territory that serves ships engaged on international voyages. The Port Facility Security Assessment is fundamentally a risk analysis of all aspects of a port facility’s operation in order to determine which parts of it are more susceptible, and or more likely, to be the subject of attack. Security risk is seen as a function of the threat of an attack coupled with the vulnerability of the target and the consequences of an attack.

On completion of the analysis, it will be possible to produce an overall assessment of the level of risk. The Port Facility Security Assessment will help determine which port facilities are required to appoint a Port Facility Security Officer and prepare a Port Facility Security Plan. This plan should indicate the operational and physical security measures the port facility should take to ensure it always operates at security level 1. The plan should also indicate the additional, or intensified, security measures the port facility can take to move to and operate at security level 2 when instructed to do so.

It should also indicate the possible preparatory actions the port facility could take to allow prompt response to the instructions that may be issued at security level 3.

Ships using port facilities may be subject to port State control inspections and additional control measures. The relevant authorities may request the provision of information regarding the ship, its cargo, passengers and ship’s personnel prior to the ship’s entry into port. There may be circumstances in which entry into port could be denied.

Responsibilities of Contracting Governments

Contracting Governments have various responsibilities, including setting the applicable security level, approving the Ship Security Plan and relevant amendments to a previously approved plan, verifying the compliance of ships with the provisions of SOLAS chapter XI-2 and part A of the ISPS Code and issuing the International Ship Security Certificate, determining which port facilities must be within their territory are required to designate a Port Facility Security Officer, ensuring implementation and approval of the Port Facility Security Assessment and the Port Facility Security Plan and any subsequent amendments; and exercising control and compliance measures. It is also responsible for communicating information to the International Maritime Organization and to the shipping and port industries.

Contracting Governments can designate, or establish, Designated Authorities within Government to undertake their security duties and allow Recognised Security Organisations to carry out certain work with respect to port facilities, but the final decision on the acceptance and approval of this work should be given to a Contracting Government or the Designated Authority.

Amendments to SOLAS

The Conference adopted a series of amendments to SOLAS. These amendments include the requirement that all new ships over 500GT and all ships over 300GT engaged on international voyages are to be equipped with a security certificate, which will be issued by the Administration of the ship or a Contracting Government. The amendments also include the requirement that all port facilities engaged on international voyages are to be equipped with a security certificate, which will be issued by the Administration of the port or a Contracting Government.
amendments to the 1974 SOLAS Convention, aimed at enhancing maritime security on board ships and at ship/port interface areas. Among other things, these amendments create a new SOLAS chapter dealing specifically with maritime security, which in turn contains the mandatory requirement for ships to comply with the ISPS Code.

Adopted by the International Maritime Organization (IMO), the ISPS Code contains requirements for ship security. The ISPS Code includes the following key components:

- **Security Measures**: The ISPS Code requires ships to establish security measures that are appropriate for their security level, taking into account the threat and risk assessments.
- **Security Awareness Training**: Crew members must receive security awareness training that is appropriate to their duties on the ship.
- **Emergency Response Plan**: Ships must develop and maintain an emergency response plan to deal with potential security incidents.
- **Radio Communication**: Ships must ensure that security-related communications are conducted using the most secure means available.
- **Security Surveillance**: Ships must conduct regular security surveillance to monitor the security of the ship and its environment.

The ISPS Code is intended to enhance maritime security by providing a systematic approach to security management, ensuring that ships are prepared to respond to potential security threats, and facilitating international cooperation in the fight against maritime terrorism.

In conclusion, the ISPS Code is a critical tool in the global effort to enhance maritime security. By implementing the requirements of the ISPS Code, ships can contribute to the protection of the world’s oceans and the safety of all those who work and travel on the seas.
Conference resolution 11 [Human element-related aspects and shore leave for seafarers] urges Governments to take the human element into consideration when implementing the provisions of chapter XI-2 of the Convention and the International Ship and Port Facility (ISPS) Code. It also encourages Governments, Member States of IMO and non-governmental organizations with consultative status at the Organization to report to the Organization any instances where the human element has been adversely impacted by the implementation of the provisions of chapter XI-2 of the Convention or the Code. It also requests the IMO Secretary-General to bring to the attention of the Maritime Safety Committee and the Facilitation Committee of the Organization, any human element-related problems, which have been communicated to the Organization as a result of the implementation of chapter XI-2 of the Convention or the Code.

IMO adopts new regulations for bulk carriers

IMO has adopted new regulations for bulk carriers as part of a programme of measures aimed at improving bulk carrier safety. At its 78th meeting, the MSC adopted amendments to chapter XII (Additional Safety Measures for Bulk Carriers) of SOLAS to require the fitting of high level alarms and level monitoring systems on all bulk carriers, to detect water ingress. The new regulation XII-1/2 on Hold, ballast and dry space water level detectors will require such alarms to be fitted on all bulk carriers regardless of their date of construction and is expected to enter into force on 1 July 2004, under the tacit acceptance procedure.

In addition, a new regulation XII-1/3 will require the means for draining and pumping dry space bilges and ballast tanks, any part of which is located forward of the collision bulkhead, to be capable of being brought into operation from a readily accessible enclosed space. A further regulation affecting bulk carriers was also adopted: a new regulation II-1/3-6 in SOLAS chapter II-1 (Construction - structure, subdivision and stability, machinery and electrical installations), Part B (Subdivision and stability), is intended to ensure that vessels can be properly inspected throughout their lifespan, by designing and building the ship to provide suitable means for access. Associated Technical provisions for means of access for inspections, also adopted, are mandatory under the new regulation.

The Committee also agreed to a number of recommendations to improve bulk carrier safety, developed following comprehensive Formal Safety Assessment (FSA) studies carried out by Member States, including an international collaborative FSA study. A preliminary list of recommendations for decision-making was reviewed and action taken as follows:

**Double hull**

A recommendation to require double skin-side construction for all new bulk carriers of 150m in length and upwards was agreed. The MSC requested the Ship Design and Equipment (DE) Sub-Committee to develop the necessary draft amendments to the SOLAS Convention.

**Improved coating**

New ships, which would be of double skin-side construction, should be required to have their dedicated seawater ballast tanks and void spaces within double hull spaces coated according to current SOLAS requirements for ballast spaces. Class and the shipowner would address the coating of cargo holds. The MSC instructed the DE Sub-Committee to develop international performance standards for coatings. For existing ships, it was acknowledged that there was sufficient control over the condition of coatings through the enhanced survey programme and that this risk control option should also be addressed by class and the shipowner.

**Steel repair standards**

The Committee requested the DE Sub-Committee to prepare a draft MSC circular to remind ship owners and operators of their obligations and responsibilities under SOLAS regulation II-1/3-5, that ships shall be maintained in accordance with the structural requirements of recognized classification societies, and other related management obligations under the ISM Code.

**Forecast:** Superstructure at fore end

IACS provided information on the ongoing development of Unified Requirement S28, requiring the fitting of a forecastle on bulk carriers contracted for construction on or after 1 January 2004 to protect foredeck fittings against green sea loads and minimize the impact of such loads on fore hatch covers. The Committee also noted that, while a fitting of a forecastle as such is not an IMO requirement, draft Load Lines Protocol regulation 39 “minimum bow and reserved buoyancy” would require additional reserved buoyancy for fored end consistent with the provision of some sheer and or a forecastle.

**Ballast system capacity**

The Committee agreed that potential problems relating to hull stresses during loading should be addressed by improving ship/shore communications in advance. New bulk carriers, with their double hulls, would be more tolerant in keeping any stresses induced by loading operations at permissible levels while, for existing ships, it was important to take into account the compatibility of loading rates in modern terminals with the ship’s de-ballasting capability.

**Protection of foredeck fittings**

The MSC agreed to recommend the application of IACS Unified Requirement (UR) S31 containing renewal criteria for side shell frames in single side skin bulk carriers not built in accordance with UR S32 as revised. The MSC also agreed to recommend the application of IACS Unified Requirements S26 and S27 relating to foredeck fittings, in particular in relation to fittings being able to withstand green sea loading.
Redesign/reinforcement of hatch cover

The MSC recognized that replacing hatch covers in existing ships would not be cost-effective, but agreed that more attention should be paid to hatch cover securing mechanisms and the issue of horizontal loads only, especially with regard to maintenance and frequency of inspection. The DE Sub-Committee was to develop standards for hatch cover securing arrangements for existing ships.

Water ingress alarm

The Committee instructed the DE Sub-Committee to develop performance standards against which the operation and efficacy of water ingress alarms could be measured.

Immiscible suits

Personal immersion suits should be available for all personnel on board. The DE Sub-Committee was instructed to develop relevant draft amendments to SOLAS and the Life-Saving Appliances (LSA) Code accordingly.

Free-fall lifeboats

The MSC also agreed to the recommendation for a single free-fall survival craft with float-free capability, to enable rapid evacuation of crew, to be required for new ships only, and instructed the DE Sub-Committee to develop relevant draft amendments to SOLAS and the LSA Code accordingly.

Terminal interface improvement

The Committee noted that making the BLU Code mandatory would address some concerns, such as ship-shore communications and the control of loading capabilities. A proposed amendment on loading and unloading of solid bulk cargoes for terminal representatives, which the DSC Sub-Committee was requested to develop, would also address these issues. The Committee requested the DSC Sub-Committee to prepare an MSC circular urging Governments, ship owners and operators and terminal operators to apply the BLU Code and to address these concerns when developing the Manual for terminal representatives.

Port State control

The MSC instructed the FSI Sub-Committee to develop an MSC circular to strongly recommend that port States and the various PSCs consider the need to make use of the deviation system, which has been established to address this concern when developing the Manual for terminal representatives.

Weather routing

The Committee approved an MSC circular on Participation by ships in weather routing services and weather observation programmes, aimed at establishing minimum standards for weather routing services that are consistent with voyage planning requirements (SOLAS Chapter V, regulation VI.30) and to load line zone restrictions.

Improved loading/stability information

The Committee instructed the SLF and DE Sub-Committees to develop guidelines for the protection of detailed, comprehensive and user-friendly information covering stability and longitudinal stress characteristics of the ship’s hull during loading and unloading, and mandatory BC Code

Mandatory BC Code

The MSC requested the DSC Sub-Committee to consider the feasibility of making the Code of Safe Practice for Solid Bulk Cargoes (BC Code) mandatory. The BC Code is recommended to Administrations, shipowners, shipmasters and masters as a guide on the safe stowage and shipment of solid bulk cargoes. The DSC Sub-Committee is currently revising the Code.

Alternate holding load

The Committee considered the possible benefits deriving from banning alternate holding load of heavy cargoes in the full load condition, in particular the resulting reduction in shear forces and bending moments when loading homogeneously in all holds and requested the DE and DSC Sub-Committees to consider the possible options and provide advice, prior to undertaking any regulatory action.

Application of bulkhead structural standards in SOLAS chapter XII (B3)

The Committee agreed that new ships of 150 m in length and upwards, which would be of double side skin construction, should also comply with all the structural strength provisions of regulation XII. 5 requiring that the ship shall have sufficient strength to withstand flooding of any one cargo hold. The MSC requested the DE Sub-Committee to incorporate the proposed amendment in its work on development of amendments to SOLAS chapter XII and to consider the issue with relation to existing ships, possibly with regard to the restricting of heavy cargoes.

Shipbuilding practices

The MSC agreed to address structural detail design and shipbuilding practice when preparing the MSC circular addressing the obligations of ship owners and operators when they undergo steel repairs. (DE Sub-Committee to address this).

Early abandonment

The Committee instructed the DE and NAV Sub-Committees to develop an MSC circular urging ship owners to issue guidance to ship’s personnel on the possible need for early abandonment of a bulk carrier that has any single hold flooded, and agreed that a circular should be prepared addressing bulk carriers which may not withstand flooding of any one cargo hold, containing information on the action to be taken in case of flooding, making sure that the professional judgement of the master is not undermined, for possible posting in the bridge.

Definition of “bulk carrier”

The Committee agreed that the definition of bulk carrier as it stands at present in SOLAS needed to be revised and instructed the DE Sub-Committee to develop a new definition.

Amendments to SOLAS and INF code adopted

The expanded Committee adopted the following amendments to SOLAS and to the INF Code, with an expected entry into force date of 1 July 2004, under the tacit acceptance procedure:

Access to spaces in cargo areas of oil tankers and bulk carriers – A new SOLAS regulation 36 in chapter II-1, Part A-1 to ensure that vessels can be properly inspected throughout their lifespans, by designing and building the ship to provide suitable means for access. The regulation requires each space within the cargo area to be provided with an appropriate means of access to enable overall and close-up inspections and thickness measurements of the ship’s structures to be carried out.

Machinery control – automation systems

An additional paragraph in SOLAS chapter I-I Regulation 31 requires automation systems to be designed so that the officer in charge of the navigational watch is given warning of impending or imminent propulsion system slowdown or shutdown in time to assess navigational circumstances in an emergency.

Chapter II-1 – Amendments concern references to the IMDG Code and reflect amendments to SOLAS chapter VIII adopted in May 2002 which make the Code mandatory.

Chapter III Amendments to Regulation 26 require liferafts carried on ro-ro passenger ships to be fitted with a radar transponder on places of refuge for ships in need of assistance and to be fitted in all ships as of 1 January 2004. The regulation applies to existing as well as new ships.

Water ingress alarms for bulk carriers – see above: new regulations 12 and 13 in SOLAS chapter XII

Amendments to the INF Code in the sections on definitions and application reflect amendments to SOLAS chapter VII adopted in May 2002 which make the IMDG Code mandatory.

Places of refuge

The Committee noted progress made in developing draft guidelines on places of refuge for ships in need of assistance and agreed to forward two draft resolutions on the issue, prepared by the Sub-Committee on Safety of Navigation (NAV), to the Sub-Committee on Radiocommunications, Search and Rescue (COM SAR), which met in January 2003, with a view to establishing whether there is any conflict with existing SAR procedures.

The draft Assembly resolutions include a set of Guidelines which state clearly what actions should be taken by ship’s masters, coastal States and flag States in cases where ships are in need of assistance. They also recommend the establishment by coastal States of Maritime Assistance Services (MAS) to be mobilized in relevant cases. They have been designed to provide a framework by which Governments will be able to assess each case on its merits and make the most appropriate decisions.

The draft resolutions will be considered by the Legal Committee (88th session, April-May 2003), and the MSC (77th session May-June 2003) before the NAV Sub-Committee at its 48th session in June-July 2003 finalizes the drafts for submission to the 23rd IMO Assembly (November 2003). The MEC will also have a chance to review the draft resolutions at its 48th session (July 2003).

The MSC also invited the Legal Committee to consider the work in progress from the point of view of issues within its competence and, in particular, with respect to the provision of financial security to cover either expenses which the coastal State may have incurred or to provide adequate compensation to meet any liabilities of the shipmaster which may arise.

Piracy and armed robbery against ships

The MEC noted with concern the latest statistics on incidents of piracy and armed robbery at sea, in particular the 20% increase in the reported acts of piracy and armed robbery against ships.

The number of acts of piracy and armed robbery against ships during the first eight months of 2002, as reported to the Organization, was 228, a marginal decrease (6%) from the figure for the corresponding period of 2001. However, comparing the figures for the first ten months of 2001 (263) with the corresponding period of 2002 (245) there was an increase of approximately 20%. The total number of incidents of piracy and armed robbery against ships reported to have occurred from 1984 (when the organization began recording reports of piracy and armed robbery incidents) to the end of October 2002 had risen to 2,880. Between January and 31 October 2002, twelve ships had been hijacked and eight ships had gone missing. From the reports received it had also emerged that the areas most affected (i.e. five incidents reported or more) were the Far East, in particular the South China Sea and the Malacca Strait, the Indian Ocean, the Caribbean, South America (Pacific and Atlantic) and West and East Africa. M ost of the attacks worldwide were reported to have taken place in territorial waters while the ships were at anchor or berthed. In many of the reports received, the crews had been violently attacked by groups of five to ten people carrying knives or guns. During the same period, four passengers
and one crew member of the ships involved had been killed, two crew members and four entire crew had been reported missing and seventy-one crew members and twelve passengers of the ships involved had been wounded.

After the 11 September attacks emphasis had been placed on security, the issue of piracy and armed robbery against ships continued to cast a black spot on the image of the shipping industry as a whole. The maritime community could no longer tolerate this situation and the serious repercussions it had on the security of passengers and crew and the safety of ships, not to mention the impact on the marine environment if a piracy/armed robbery incident resulted in oil or other hazardous and noxious cargoes escaping into it. The MSC, urged, once again, all Governments and the industry to intensify their efforts to eradicate these unlawful acts.

The Committee was updated on the implementation of the IMO anti-piracy project. Phase one, a number of regional seminars and workshops attended by Governmental representatives from countries in piracy/affected areas of the world, had been completed. In phase two, a number of evaluation and assessment missions had been made, to the Philippines, Indonesia (23 to 14 March 2001); Singapore (12 and 16 March 2001); Brazil (26 March 2001) for South America and the Caribbean Sea countries; and Accra, Ghana (25 and 26 March 2001) for Western and Central African countries. Regional meetings had been held alongside these missions.

Currently, the IMO Secretariat was consulting with Governments interested in receiving technical assistance in relation to implementation of measures to prevent and suppress acts of piracy and armed robbery against ships, and was also co-ordinating missions to countries which were expected to request such assistance.

Implementation of the revised STCW convention

The MSC agreed to add two new Parties to the list of Parties deemed to be giving full and complete effect to the provisions of the revised Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978, as amended, following the report of IMO Secretary-General William J. O’Neill to the MSC on those countries whose evaluations had been completed since the previous MSC meeting.

The list of confirmed Parties now stands at a total of 108 Parties, out of a total of 144 current STCW Parties. (The List of Confirmed Parties can be downloaded from the IMO website at http://www.imo.org/ home/en/hoctop_j-049.htm)

The MSC also approved additional competent persons nominated by the Governments of Turkey and Singapore.

Proposed IMO Model Audit Scheme

The proposed IMO Model Audit Scheme was designed to help promote maritime safety and environmental protection by assessing how effectively Member States implement and enforce relevant IMO Convention standards, and by providing them with feedback and advice on their current performance.

The MSC agreed to a list of safety- and security-critical areas for the proposed IMO Model Audit Scheme. These would include Member States’ duties with respect to the following instruments: SOLAS, the International Convention on Load Lines, STCW, the COLREGs, Tonnage Measurement convention and the United Nations Convention on the Law of the Sea (UNCLOS).

Consideration should be given to the inclusion in the Scheme of Member States’ responsibilities with respect to maritime security based on measures adopted by the Diplomatic Conference on Maritime Security.

The MSC agreed to a joint IMO/MEPC/TCWC Group on the voluntary IMO Model Audit Scheme, to meet during the MSC’s 77th session in mid-2002.

Casualty investigations - new guidelines approved

The MSC approved new guidelines drafted by the FS I Sub-committee to help improve cooperation between Flag States and other substantially interested States in marine casualty investigation.

The Interim Guidelines to assist Flag States and other substantially interested States to establish and maintain an effective framework for consultation and cooperation in marine casualty investigation and related aspects of investigation (Resolution A.788(18)) were amended by resolution A.806(21) as a basis for a global framework of consultation and effective cooperation.

Large passenger ship safety

The Committee reviewed ongoing work in a number of Sub-Committees relating to the safety of large passenger ships and agreed that the MSC was likely to convene a Working Group on large passenger ship safety at its 78th session in 2004, when most of the work in Sub-Committees would be completed. The Committee is undertaking a global consideration of issues to give due consideration to these ships.

Issues under the current work plan are underway in the COM SAR, DE, FP, NAV, SLF and STW Sub-Committees.

New and amended ships routing measures and mandatory ship reporting systems

The MSC adopted the following new and amended ships routing measures which were agreed by the Sub-Committee on Safety of Navigation (NAV) at its 48th session in July 2002 (with entry into force implemented at 0000 hours UTC on 1 July 2003, as mentioned below):

• New traffic separation schemes (TSSs) in the southern Red Sea, Off Cape La Hao and Off Cape Palos.
• Amendments to the existing TSSs “In the Gulf of Finland”, “In the Bay of Fundy and Approaches” and “In the Strait of Bab el Mandeb”.
• Recommended routes off the Malaguerian coast of Egypt, including recommended tracks and a precautionary area for the Southern Red Sea.
• Amendments to the Recommendation on navigation through the entrances to the Baltic Sea (to be implemented on 1 December 2003), including the proposed new recommendation on navigation through the Gulf of Finland traffic.
• Two mandatory ship reporting systems in the Baltic Sea (Gulf of Finland) and in the Adriatic Sea. The new mandatory ship reporting in the Gulf of Finland will be implemented during 2002.

Draft amendments to load lines protocol approved

The MSC approved amendments to Annex B to the 1988 Load Line Protocol with a view to adoption at MSC 77. The MSC concurred, in principle, with the recommendation that the amendments in question should enter into force on 1 January 2005.

It was acknowledged that the approved amendments did not affect the 1966 LL Convention and would only apply to approximately 60% of the world’s fleet, i.e., to those ships flying the flags of States Party to the 1988 LL Protocol. The MSC agreed to the drafting of a draft Assembly Resolution in order to encourage all Contracting Governments to the 1966 Load Line Convention to become Parties to the 1988 LL Protocol, as the most practical way of achieving widespread application of the new provisions.

The proposed draft amendments to Annex B to the 1988 Load Line Protocol replace the current text and include a number of important revisions, in particular to provisions concerning strength and integrity of ships; definitions; superstructure and bulkheads; doors; position of hatchways, doorways and ventilators; hatchway coamings; hatch covers; machinery space openings; miscellaneous openings in freeboard and superstructure decks; cargo ports and other similar openings; spurling pipes and cable lockers; side scuttles; windows and skylights; calculation of freeboard; method of test of end bulkheads; doors; position of hatchways, doorways and
...following a number of incidents that highlighted concerns surrounding the treatment of persons rescued at sea, IMO’s 22nd Assembly adopted resolution A.820 (20) on Review of safety measures and procedures for the treatment of persons rescued at sea. The prime concern with respect to such incidents was that, unless the matter was considered in all its aspects and appropriate action was taken, there might be a negative impact on the integrity of the global search and rescue system which the Organization has put in place.

The Sub-Committee received the reports of an inter-agency meeting of United Nations Organizations and Programmes, held at UNCHR Headquarters in July 2002, and an informal SAR meeting on the subject held in Sweden, in September of 2002. A document prepared at the latter meeting was used as the basis for the draft amendments to the two conventions.

It was felt that to assist SOLAS Contracting Governments to understand fully their treaty obligations, and to provide the Master with clearer guidance as to the procedures to be followed under the new regulations, additional guidelines, possibly containing a harmonized interpretation of the new regulations, could be IMO’s answer to the issue for the time being.

The Sub-Committee agreed that there was a need to strike a balance between the obligations of the Master to proceed to the assistance of persons in distress at sea and the obligations of Contracting Governments to permit and assist a Master in disembarking those persons to a place of safety within an acceptable period of time. A number of delegations were of the opinion that the balance was well struck by the text emanating from the meeting in Sweden but that additional guidance was needed to assist the Master, on the one hand and the Contracting Governments, on the other, to clearly understand the meaning of the new provisions elaborated.

Since neither the SOLAS nor the SAR Conventions have, for good reasons, a mechanism to determine the legal status of persons in distress at sea, it was considered necessary to look at other international instruments outside IMO’s remit to address and find solutions related to post-SAR operational issues, within the inter-agency framework initiated by the Secretary-General of IMO in autumn 2001. The Sub-Committee recognized that the SOLAS and SAR issues needed to be addressed separately from those related to status assessment and resettlement of refugees. The latter needed assistance by States assisted by UNHCR and other competent organizations, in order to develop burden-sharing agreements and procedures and to discourage people from trafficking and smuggling.

In continuing its work on places of refuge, the COMSAR Sub-Committee suggested that the duties of the proposed Maritime Assistance Services (MAS) could be undertaken by existing Marine Rescue CoordinationCentres (M RCCs). The Sub-Committee had been asked to review the draft guidelines on places of refuge for ship need of assistance, along with the associated draft Assembly resolution and the draft Assembly resolution on the establishment of MAS, to establish whether there was any conflict with existing SAR procedures. It was agreed to invite the M RCC to instruct NAVEX 49, when finalizing the text of the two draft Assembly resolutions to ensure that the term “distress” is used in the text as defined in the SAR Convention, provision is made that there is one single point of contact for communication by the Master which should be the MRCC, and the MRCC could, if possible, give the MAS functions.

Although recognizing that it was naturally for the Contracting Governments to decide which organization should be tasked with the MAS functions, it was felt that the duties of the MAS were primarily concerned with communication and could well be undertaken by the M RCC, moreover the establishment of a new authority with similar functions to those of the M RCC could be confusing for communication by the Master, and the M RCCs were normally the only contact points for the ships available 24 hours a day and they already had an obligation to communicate with all parties/authorities concerned relating to ships in distress or difficulties, which could develop into distress situations.

Ship security alert
Performance standards for a ship security alert system, adopted by resolution MSC.136(76), were examined and draft amendments were prepared for adoption by MSC. 77. A draft MSC circular – Guidance on provision of ship security alert systems, was prepared for approval by MSC 77. Draft recommendations on functional requirements for long-range identification and tracking of ships were developed for submission to MSC 77 and NAVG 49 for consideration.

Global Maritime Distress and Safety System (GMDDSS)
The Sub-Committee amended COMSAR/Circ.24, the list of NAVAREA Co-ordinators and instructed the Secretariat to issue it as a new COMSAR Circular 30.
Draft proposed amendments to SOLAS regulation IV/15.9 to clarify the testing and maintenance requirements for satellite EPIRBs were also agreed.
A minor amendment to the International SafetyNET Manual was made, correcting the borders between NAVAREA XI and XIII. This error is also reflected in the current InmarsatC MES software and in the coding of current EGC receivers, with the implication that the NAVAREA XIII messages are not received properly throughout NAVAREA XIII. Only new InmarsatC equipment, produced after 1 January 2005, would be able to incorporate this change, existing equipment should not have to be modified. Contrary to current operational guidelines, the facility for addressing messages to temporary geographical areas might be exceptionally used in this specific area for navigational warnings while this problem existed.

The Sub-Committee considered a report by the Chairman of the International NAVTEX Co-ordinating Panel on the status of NAVTEX services worldwide and the issues currently being addressed by the Panel. The work of the Panel continues to be dominated by issues relating to interference between stations operating on the International NAVTEX service. As well as addressing specific instances of interference, the Panel continued to work with concerned administrations and other organizations on measures to prevent interference. Such measures included working with the World Meteorological Organization, through its Expert Team on Maritime Safety Services, to examine the possibility of shortening meteorological forecasts by introducing standard abbreviations and formatting, and reducing the volume of data broadcast on the international NAVTEX service by encouraging administrations to transfer national language and national requirements to national broadcasts. The target date of this migration remains 1 January 2005; however, the Panel expressed concern that there was currently little momentum from the relevant Administrations to meet this target date.

It was agreed that establishment of a system monitoring and reporting (SMR) programme for the GMDDSS as a whole was important for the efficiency of the GMDDSS, and that it should be a task for IMO. Subject to approval by the M SC, the Sub-Committee agreed that a GMDDSS RM Voluntary Group of Experts should be established within IMO, which could summarize and distribute lessons learned from the analyses of false alerts. Membership of the Voluntary Group of Experts would be open to all interested parties and initially would be formed with the members of the former Correspo...
From the meetings – Sub-Committee on Radiocommunications and Search and Rescue (COMSAR)

7th session
14-18 January 2003

The Committee agreed a draft FAL circular on amendments to the IMO Compendium on Facilitation and Electronic Bi-Directional Exchange of Information (E-BIEX).

The Committee also agreed a draft FAL circular on E-Addresses, recognizing that publication of one or more dedicated E-addresses of appropriate Governments, authorities in a port or a country would be beneficial to facilitate the exchange of electronic information to be provided by ships or the vessels calling at the ports of these countries.

There was also a consideration of the “single window concept” concerning pre-arrival information for ships, with a view to enabling all the information required to be provided for and by a visiting ship to a port, including that required by Public Authorities, through one point of entry. The Committee noted with appreciation the information provided by the Netherlands in this regard and agreed to invite other Member Governments to submit reports of similar studies for information and consideration.

General review of the convention, including harmonization with other International Instruments

The Committee agreed that a questionnaire should be sent to all IMO Member Governments, to gather information on the differences that have been registered between national practices and the Standards and Recommended Practices contained in the Annex to the FAL Convention. The purpose is to determine whether they are outdated or could be amended to make them more universally acceptable and to provide a mechanism through which parties can be encouraged to review the differences they have registered and other measures that can be taken to align their national requirements and procedures with those of the Convention. The overall aim is to reduce the number of differences.

It was recognized that the development of an explanatory manual could help in interpreting the legal text of the Convention, which could be complex and, at times, difficult to understand. An explanation of provisions and best practices, in the form of a practical handbook, would contribute to a better understanding and an enhanced implementation of the Convention. It was agreed to form an international correspondence group to develop an explanatory manual for the Convention and submit it to FAL 31. A target completion year for the Manual of 2006 was proposed.

A draft Convention of differences between their practices and the Convention was also approved.

The Committee noted with appreciation the information provided by Masters of vessels calling at the ports of these countries.

Electronic clearance for ships - “single window” concept discussed

Tug assistance - draft circular approved (Pt: M. Hoff Haan Paal)

The Committee considered the development of a standardized form for recording information on persons rescued at sea. However, it was agreed that, at this stage, it was not appropriate as such a form might be considered as a requirement which needed to be fulfilled by the Master when rendering assistance to persons in distress at sea. Instead, it would be more appropriate to develop a checklist of information to be used for guidance purposes only. This checklist could include details of the ship in distress, details of the persons to whom assistance was rendered, and details of the ship rendering assistance.

Facilitation Committee

30th session
27-31 January 2003

From the meetings

Tug assistance – draft circular approved (Pt: M. Hoff Haan Paal)
Committee stressed that differences between national practices and the Convention Standards should be notified to the Secretary-General in accordance with article VIII of the Convention.

Stowaway incident reports

The Committee reviewed the quarterly and annual circulars on reports on stowaway incidents issued by the Secretariat, and noted that there had been a limited number of reports submitted in accordance with the FAL.2/Circ.50/Rev.1 reporting scheme and that the reports did not always contain consistent and accurate data. In addition, it noted that not all interested Parties, i.e. flag States, States of embarkation, States of attempted disembarkation, States of disembarkation, States of repatriation and non-governmental organizations, are reporting equally to the Organization, which distorts the value of the statistics prepared.

It was noted that statistics presented to the Committee were useful to the industry in identifying higher risk ports where greater anti-stowaway measures needed to be adopted. However, concern was expressed at the relatively small number of reports submitted to the Secretariat by Member States and international organizations upon which the statistics were based.

Interpretation and analysis of statistics were based on too small a sample of stowaway cases could result in incorrect conclusions from the consolidated data. The Committee invited Member Governments and non-governmental organizations to submit as many reports on stowaway incidents to the Secretariat as possible.

Other matters

The Committee approved a draft circular, on the availability of tug assistance. A draft outline for the development of a model course for Port Facility Security Officers was prepared and will be submitted to STW 34 for its consideration.

Large passenger ship safety under spotlight

A Working Group on Large Passenger Ship Safety reviewed a proposal by France for the definition of large passenger ship and agreed that general parameters such as length, breadth, number of people, duration of voyage, operating environment, etc. should be considered after determining a need for any proposed regulation, with a view to identifying its applicability.

The Sub-Committee agreed that the reduction of smoke and toxic gas production was not specific to large passenger ships and requires a sustained approach to the review of the allowable limits; and the issue of equipment reliability was not limited to fire protection equipment of large passenger ships and that a continuous interaction with industry should be maintained to improve design standard of ships and equipment.

The Sub-Committee also concurred that, in respect of the stowage of lifejackets, the evacuation aspect should be taken into account to ensure that the stowage of lifejackets would be arranged to minimize counter-flow during evacuation and invited the DE Sub-Committee to take this into account.

In noting the recommendation of the working group that evacuation while alongside in port was a pertinent issue and could involve a number of local authorities the Sub-Committee agreed that this task should be addressed in the context of the ISM Code, specifically from the Safety Management System point of view for the ship. The Sub-Committee recognized that there were also several aspects to the issue which included, but were not limited to, differences in ports infrastructure, possible evacuation into the water, ship specific configuration and organization, and that the industry was taking action within the context of the emergency preparedness provision of the Code and agreed that no further action was necessary on this task.

The Sub-Committee established a Correspondence Group on Large Passenger Ship Safety to develop recommendations on a series of items identified by the Sub-Committee, review existing crowd management training guidance from the fire protection and evacuation perspectives, develop preliminary performance-based standards for evacuation guidance systems and consider the issue of enlarged fire doors. The Correspondence Group will report to FF 48 and the Sub-Committee agreed to request the MSC to extend the target completion date for this item to 2004.

Performance testing and approval standards for fire safety

The Sub-Committee considered the proposals suggesting changes to resolution A.800(19) and, in this context, whether the luxury cabin fire tests should be deleted as a requirement of the standard. It was agreed that the luxury cabin tests should be retained, although some adjustments should be made to allow better agreement with the size of the cabin fire tests. It was also agreed in principle that the luxury cabin fuel package was in urgent need of revision since the foam cushions specified in the standard are no longer available.

The Sub-Committee further considered a proposal contained to amend resolution A.800(19) to include new criteria for the approval testing of systems intended for installation in atriums and other high ceiling spaces, any required testing arrangements for window cooling and test criteria for the approval of sidewall nozzles. The suggestions were agreed with in principle and referred along with the need to revise the fuel package for the luxury cabin tests, to the corresponding group for further development. Review of MSC/Circ.668, as amended by MSC/Circ.728 Proposed changes to MSC/Circ.668, as amended by MSC/Circ.728, proposing reconsideration of the role of the
From the meetings

Sub-Committee on Fire Protection (FP)

47th session
10–14 February 2003

Ventilation opening and the allowance for screening nozzles over this opening, because systems were being designed specifically to pass the test criteria, which but could not be practically designed for shipboard applications, were agreed in principle and this concept was referred to a correspondence group. The Sub-Committee also agreed in principle with a proposal to revise the smallest fire size required by the test method and again referred it to a correspondence group. A proposal regarding a new approach to evaluate the performance of water mist and water-spray systems during fire testing was also referred to a correspondence group to allow time for further investigation of the methodology.

The Sub-Committee also considered other possible changes to MSC/Circ.913, as amended by MSC/Circ.728, and agreed in principle that toxicity criteria and basic test parameters for additives should be developed and included in the standard, an equivalency provision should be developed and added to paragraph 4.2, to allow water mist nozzles to be tested for clogging without requiring the contaminated water to be passed through the pump casing, which often damages the pump, the required fire test performance criteria for water mist nozzles should remain fire extinguishment and not fire control, and scaling rules to allow the extrapolation of tested systems to actual installations with volumes that exceed the tested volume should not be developed at this time, since more research is considered necessary before developing such rules.

Review of MSC/Circ.913

A proposal to change the salt spray corrosion test requirements for open head water mist nozzles from a 20% sodium chloride solution to a 5% solution was referred to a correspondence group to allow time for further investigation, as was a proposal on the use of fixed water-based local application systems with open head nozzles installed at angles to the main engines or at a side position to allow the installation of such systems in large engine rooms where the overhead crane makes the installation of nozzles at the ceiling difficult. It was agreed that test criteria should be developed to determine the extent of coverage and related flow patterns of the nozzles.

With regard to other proposed amendments to MSC/Circ.913 for fixed local application water-based fire extinguishing systems, the Sub-Committee agreed in principle that a statement should be added to warn that in engine rooms fitted with a total flooding foam system, the local application system may interfere with effectiveness of the foam blanket. Appropriate operational measures or interlocks should be considered for such applications; minor changes to the fire test procedure may be needed to prevent oxygen depletion and enhance flame stability during the tests; and toxicity criteria and basic test parameters for additives should be developed and included in the standard.

Review of MSC/Circ.1007

The Sub-Committee considered a proposal that would enable aerosol fire extinguishing systems to be installed for the protection of larger volumes than those tested under MSC/Circ.1007. While the test data provided indicated that the aerosol extinguishing agent tested behaved similarly to gaseous agents and could thus be expected to disperse throughout the protected space, only one type of agent had been tested and the Sub-Committee agreed that further research was necessary before this concept could be accepted for all types of aerosol agents.

Revised version of the Fire Casualty Record

A correspondence group, reporting to FP 4B, was established to propose relevant amendments for a number of short-term priority topics relating to machinery space and cargo pump-room extinguishing systems, i.e. water mist fire-extinguishing systems, local application fire-extinguishing systems for machinery spaces of category A, fixed pressure water-spraying fire-extinguishing systems and fixed gas fire-extinguishing systems. A fixed fire-extinguishing systems, fixed low-expansion foam fire-extinguishing systems, and portable foam applicator units; prepare relevant amendments for water mist fire-extinguishing systems, including accommodation and service spaces and prepare relevant amendments for fire-fighting systems in special space and special category space extinguishing systems.

Hot work

Having discussed hot work safety issues, the Sub-Committee agreed to develop a list of common principles which shipowners, shipbuilders, shipmasters and other parties concerned could keep in mind when developing specific on-board instructions to suit their operational needs, taking into account the ICS, OCIMF and IAPH International Safety Guide for Oil Tankers and Terminals (ISGOTT) and the ILO Accident Prevention on Board Ship at Sea and in Port publications. The Sub-Committee agreed a draft MSC circular on Principles for hot work on board all types of ships with the list of principles attached, for submission to MSC 77 with a view to approval.

Use of smoke helmets for fire-fighting

The Sub-Committee recalled that observations on the human element from the investigation of the engine-room fire on board the Tolga Gryphon, had highlighted problems associated with the use of smoke helmets, which were seen to reduce the effectiveness and safety of firefighting teams on ships having small crews, such that the wisdom of the use of such equipment was called into question. The revised SOLAS chapter II-2, which came into force on 1 July 2002, does not permit the use of smoke helmets on new ships, but the relevant new regulations do not apply to existing ships. The Sub-Committee reaffirmed its view that if companies continue to use this equipment, they should be satisfied that firefighting teams are adequately trained in its use, effective procedures are in place and fire-fighting teams are able to operate effectively and safely. It agreed final text of a draft MSC circular on the use of smoke helmet type breathing apparatus, which points out the problems inherent in this kind of equipment.

Revision of the Fire casualty record

Draft revisions to the Fire Casualty Record were considered and the Sub-Committee agreed that the existing reporting format needed to be further reviewed and amended in order to obtain relevant data through the casualty analysing process. Member Governments and interested organizations were invited to submit comments to FP 4B.

Fire control plans

The Sub-Committee agreed a draft Assembly resolution on Graphical symbols for shipboard fire control plans, for submission to MSC 77 for approval and subsequent adoption by the twenty-third session of the Assembly. Previously the Sub-Committee had been considering how to incorporate the new standard ISO 17631 on Shipboard plans for fire protection, life-saving appliances and means of escape (finalized and published in 2002) within the IMO regulatory framework. As an interim measure, the Sub-Committee had agreed, and MSC 79 approved, to MSC/Circ.1005, informing Member Governments and the marine industry of the new standard and that they might use it voluntarily for the preparation of the shipboard fire control plans, as required by both the existing and revised SOLAS chapter II-2, in anticipation of the pending revision of resolution A.654(16).

Two versions of the draft Assembly resolution were prepared for consideration. However, the Sub-Committee agreed that, rather than developing a resolution making reference to the ISO standard, a resolution should be adopted containing the symbols for shipboard fire control plans.

In considering the matters related to the use of the graphical symbols annexed to the draft Assembly resolution, the Sub-Committee agreed that existing ships should still be able to carry fire control plans which use the graphical symbols contained in resolution A.654(16) and, therefore, agreed to include the relevant operative paragraph in the draft Assembly resolution and further decided that resolution A.654(16) should not be revoked. The draft Assembly resolution was forwarded to MSC 77 for approval and subsequent adoption at the 23rd session of the Assembly.

Oil mist detectors

A draft MSC circular on Code of practice for atmospheric oil mist detectors was agreed, for submission to MSC 77 for approval. The Sub-Committee noted that the majority of fires which have occurred in engine rooms are generally caused by a leak or fracture from a flammable liquid system and that significant sectors within the shipping industry have been actively fitting oil mist detection systems. The Sub-Committee agreed that such systems should be considered necessary before this concept could be accepted for all types of aerosol agents.

Gas concentration limit on sulphur dioxide for floor coverings

With the adoption of the interpretation in MSC/Circ.936 requiring a traceable method such as Fourier transform infrared spectrometer (FTIR), gas chromatography (GCI) mass spectrometer (MS), etc., to be used for the quantification of certain specific gases, the textile carpet industry in the United Kingdom has identified a certain problem in that the use of these more sensitive methods, which have replaced the almost universal use of colorimetric (Drager) tubes, has caused deeper pile carpets to fail the toxicity test specified in Annex I, part 2, of the FTP Code which have replaced the almost universal use of colorimetric (Drager) tubes, has caused deeper pile carpets to fail the toxicity test specified in Annex I, part 2, of the FTP Code due to the release of sulphur dioxide (SO2) from the woven fibres in the carpet.

A draft MSC resolution amending the current gas concentration limit for sulphur dioxide for smoke and toxicity levels specified in the FTP Code was considered by the Sub-Committee but, after noting that a paper was submitting information on this issue, it was decided to consider this matter further at FP 4B.

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Course frameworks approved for security officers

Course frameworks and outlines for the training of ship, company and port facilities security officers were approved during the 34th session of the Sub-Committee on Standards of Training and Watchkeeping which met 24-28 February 2003.

It is anticipated that draft model courses will be completed by September 2003, so that they can be published in good time for maritime Administrations to prepare for the entry into force on 1 July 2004 of new security measures adopted by IMO at the Diplomatic Conference on Maritime Security in December 2002. The conference adopted a number of measures including amendments to the International Convention for the Safety of Life at Sea (SOLAS) and a new mandatory International Maritime Organization Ship Security Code (ISPS Code).

The Sub-Committee noted the opening remarks to the session of IMO Secretary-General Mr. William A. O'Neil that “it would be prudent for all parties concerned to start putting in place, methodically and systematically and as soon as possible, all the legislative, administrative and operational infrastructure needed to give effect to the decisions of the Maritime Safety Conference without waiting until the entry-into-force date of 1 July 2004, so as to avoid having to take hasty action at the last minute.”

The Sub-Committee noted the significant demand for guidance on training of ship security officers (SSOs), company security officers (CSOs) and port facilities security officers (PFSOs), particularly as in-service training would also be required if the deadline was to be met. Following discussion in a working group, the Sub-Committee:

- approved course frameworks for the proposed model courses for Ship Security Officer (SSO), Company Security Officer (CSO) and Port Facility Security Officer (PFSO);
- approved course outlines for the proposed model courses for SSO, CSO and PFSO; and
- approved the terms of reference for the course developers including a series of project milestones leading to delivery of the camera-ready draft model courses to the IMO Secretariat by 8 September 2003, so that the model courses could be published to provide guidance to Member States in time to implement the measures to enhance maritime security by 1 July 2004.

The Sub-Committee welcomed the offer from the United States and India to jointly develop the three proposed model courses with the United States being the co-ordinator and recommended that the course developers keep the course timetable as concisely as possible.

The Sub-Committee also established a validation panel to ensure that the model courses are as prescribed in the terms of reference for the course developers and in conformity with the requirements of chapter XI - 2 of SOLAS 74 as amended and the ISPS Code.

Follow-up action to the 1995 STCW Conference

The Sub-Committee noted that the Maritime Safety Committee (MSC) had confirmed a further two Parties to the Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1995, as amended had been demonstrated to be giving “full and complete effect” to the provisions of the relevant provisions of the STCW Convention to date. The STCW Parties now confirmed by the Committee stands at 198 out of a total of 144 STCW Parties.

As at 21 February 2003, evaluation of information communicated by 13 STCW Parties was on-going. Of these, 11 panels of competent persons had completed their initial evaluation and the relevant Parties had been requested to provide clarifications; and, of those, four panels were considering clarifications that had been provided by the respective Parties; and evaluation was continuing in respect of the remainder.

Reports on independent evaluations

The Sub-Committee recalled the deadline of 1 February 2004 (as decided by MSC 74) for submission of the reports of independent evaluations of Parties’ quality standards systems for those Parties with a Convention entry-into-force-date prior to 1 February 1997. Section A-1/8 of the STCW Code requires these evaluations to be conducted at intervals of not more than 5 years. As the results of the independent evaluation are to be communicated to the IMO Secretary-General within 6 months of completion and the panels of competent persons will require time to complete their evaluations, the Committee agreed that any information on the outcome of the process should not be promulgated until MSC 80 (May-June 2003).

Amendments to STCW Code

The Sub-Committee agreed amendments to the STCW Code to delete references to the term “as amended in 1995”, since the Convention had also been amended subsequently in 1997 and 1998. The amendments would ensure that certificates and endorsements referred to “the Convention, as amended”. The draft amendments will be put forward to the MSC for adoption.

Unlawful practices associated with certificates of competency

The Sub-Committee endorsed two draft MSC circulars aimed at combating the proliferation of fraudulent seafarer certificates, as identified by a study carried out for IMO, and the reported issuing of authentic certificates on the basis of forged foreign certificates:

- Draft MSC circular on guidance on recommended anti-fraud measures and forgery prevention features for certificates;
- Draft MSC circular on guidance for administrations, companies, masters and manning agents for detecting and preventing unlawful practices associated with certificates.

Both draft circulars give guidance on specific measures to address the problems.

Anti-fraud measures include the use of modern technology features (such as, the use of special security paper, the use of chips and bar codes) to prevent fraud and to protect the integrity of certificates. The use of modern technologies makes replication of the certificates extremely difficult and attempts to alter data easily detectable.

The guidance suggests that it is in the interest of companies and seafarers to eliminate and eradicate unlawful practices and in the interests of the maritime industry at large, if affordable education and training were to be made widely available and if the fees and other charges for examinations were to be kept within reasonable and affordable levels.

The draft guidance also gives suggestions for addressing the most frequently occurring unlawful practices, amongst those that have been detected, which tend to fall into one of the following categories:

1. tampering with or unlawful manufacturing of certificates of competency;
2. impersonating of a genuine seafarer;
3. falsifying information provided to employers;
4. forging of or tampering with ancillary certificates to apply for a certificate of competency;
5. falsifying records of seagoing service to apply for a certificate of competency; and
6. employing various methods of “cheating” when undertaking examinations required prior to the issue of a certificate of competency.

The draft Circulars will be put forward to the MSC for approval.

The Sub-Committee noted that the IMO public website at www.imo.org has a facility for on-line certificate verification.

Large passenger ship safety

The Sub-Committee considered tasks referred to it by the MSC as part of the programme for work on large passenger ship safety. The Sub-Committee established a Working Group to address the main issues and on the basis of the Group’s work:

- endorsed STCW 86 circulars on additional guidance to administrations, companies and training institutions when developing training for seafarers on large passenger ships, including training in advanced firefighting and damage control, for approval by the MSC;
- invited Member Governments and Non-Governmental Organizations to submit proposals on the number and level of crew to be trained in emergency response (including flooding, fire and collision damage) on large passenger ships for consideration at the next session of the Sub-Committee.
- invited the Committee to invite the appropriate IMO bodies and Member Governments to provide casualty analysis and port State control information and to invite Non-Governmental Organizations who may wish to provide such information to provide information on the impact of training on, or levels of training, on casualties, and requested Member Governments to submit proposals to the next session of the Sub-Committee.
- invited comments and proposals to the next session on the definition of the term “large passenger ship”, noting that the Working Group had determined that the working criteria should include:
  1. post Panama size ships;
  2. an appropriate Criterion number from SOLAS regulations to be determined by appropriate experts (SOLAS Chapter II-1, Part B, Regulation 6, paragraph 3.1);
  3. more than 3,000 persons on board.
The international Maritime Prize awarded posthumously

The prestigious International Maritime Prize for 2001 has been awarded posthumously to Dr Giuliano Pattofatto, former technical director of the Italian classification society Registro Italiano Navale.

Mr. William A. O’Neil, Secretary-General of the International Maritime Organization, presented the prize to Dr Pattofatto’s widow Nella and their two sons Leone and Riccardo during a special ceremony on Wednesday, 4 December at IMO’s London Headquarters. Dr Pattofatto died at his home in March 2001 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 done 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.

The International Maritime Prize is awarded annually by IMO to the individual or organization judged to have made the most significant contribution to the work and objectives of IMO. The 88th session of the IMO Council in June took the decision to award the prize to Dr Pattofatto in recognition of his long service to the cause of maritime safety. The prize consists of a sculpture in the form of a dolphin.

Previous winners of the prize in recent years include: Mr. Heikki Juhani Valkonen, former Director, Maritime Safety Department, Finnish Maritime Administration (2000); Mr. Ian M. Mills Williams, former Manager for IMO Relations at the Australian Maritime Safety Authority (AMSA) (awarded for 1999); the International Lifesaving Federation (ILF) (awarded prize for 1998); Dr. Gamal El-Din Mokhtar of Egypt, President of the Arab Academy for Science, Technology and Maritime Transport (1997); Mr. Torkild Reedtz Funder of Denmark, former director-general of the Danish Maritime Authority (1996); and Mr. Georgy Ivanov, Permanent Representative of the Russian Federation to IMO (1995).

 IMO extends regional capability

IMO is to establish two new regional offices to cover East Asian and South Asian subregions. Offers from the Governments of the Philippines and India to host the offices have been accepted.

Meanwhile, the M emoranda of Understanding (MOUs) between IMO and the Governments of Kenya, Ghana and Côte d’Ivoire for the establishment of IMO regional presence offices for the Eastern and Southern Africa and Western and Central Africa (Anglophone and Francophone) subregions respectively have been extended to 31 December 2003 by exchange of letters between IMO and the three host Governments.

The IMO’s regional presence programme is now moving into its second phase, which will involve the implementation of programmes through the regional presence offices and/or regional partners.

At the same time, the capacity of the regional offices is being strengthened by providing additional resources such as local recruitment, on a short-term basis, of programme assistants and/or consultants to assist in the implementation of the Integrated Technical Co-operation Programme (ITCP). This follows the decision of the Technical Co-operation Committee to decentralize implementation of the ITCP through the regional co-ordinator scheme and partnership arrangements with regional organizations and national governments and institutions.

The regional co-ordinators will be empowered to manage and execute programmes with full financial authority with the administrative assistance of United Nations Development Programme (UNDP) country offices.

Platinum jubilee for maritime training in India

IMO Secretary-General William O’Neil spoke of the unprecedented level to which the skills requirements for seafarers have risen in recent years in his address to inaugurate the celebration of 75 years of formal maritime training in India. Speaking in Mumbai in January, Mr O’Neil said “the skills required and expected in a competent seafarer have developed to a level that must be beyond the imagination of those who founded the first cadet programmes all those years ago.”

He added that it was a testimony to everyone involved in maritime training in India that the institutions themselves and the overall structure of training in the country has kept pace with the changing face of the industry and remains as relevant and as current today as it has ever been.

Mr O’Neil paid tribute to the Indian shipping industry, whose efforts have been extended to 31 December 2003 by exchange of letters between IMO and the three host Governments.

Mr O’Neil paid tribute to the achievements of Indian seafarers, who have become familiar and welcomed visitors in the ports and terminals of every continent. “Their reputation,” he said “is one of competence, efficiency, skill and dedication. They are liked, trusted and respected.”

During his visit to India, Mr O’Neil also paid tribute to the achievements of Indian seafarers, who have become familiar and welcomed visitors in the ports and terminals of every continent. “Their reputation,” he said “is one of competence, efficiency, skill and dedication. They are liked, trusted and respected.”

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IMO at work

IMO Secretary-General William O’Neil has spoken of the links between economic success and the pursuit of quality in shipping. In his opening address to the 10th meeting and conference of the International Association of Maritime Economists held in Panama in November 2002, Mr O’Neil said it had become increasingly evident in recent years that commercial success in shipping and a responsible attitude towards safety, pollution prevention and social conditions aboard ship can go hand-in-hand.

He told delegates, “A preoccupation with these considerations does not have to be a luxury. Repair, maintenance, crew training and proper safety management can be seen not simply as cost items but as investments that will render a company’s ships more competitive and better able to secure business - investments on which a proper, financial return can be made.”

“One of the challenges we face in shipping today,” he said “is to establish a mindset throughout the industry, including its financial and economic sectors, which recognizes that the pursuit of quality can be a genuine economic driver.”

According to Mr O’Neil, “shipping is now increasingly seen as a vital link in an extended transport and logistics chain, and consequently the demands from its users for improvements in reliability and dependability are growing stronger. And, as public concern with environmental issues continues to accelerate, so the potential damage to a company’s reputation that can be caused by association with a shipping disaster or pollution incident increases in magnitude.”

Mr O’Neil said he was greatly encouraged by signs of a customer-driven push for quality in shipping. In this context, he added, quality embraces not just the ability to deliver cargoes cost-effectively, but also on time, in good condition and in ships that avoid accidents and stay out of the headlines.

O’Neil links safety and financial success in shipping

Security - spreading the word

IMO Secretary-General William O’Neil visited Panama during February to attend the 7th meeting of the Panama Canal Advisory Board, which he has chaired since its inception in 2000. Mr Alberto Aleman, the Panama Canal Administrator, welcomed the new maritime security measures adopted at the IMO Diplomatic Conference last December.

During his visit, Mr O’Neil met the President of the Republic of Panama and was accompanied by Ms Berlinda Garcia Escalona, Administrator of the Panama Maritime Authority and Mr Jerry Salarz, the new Minister for Canal Affairs. The Panama Canal Authority also organized a seminar on maritime security for the national maritime community, at which Mr O’Neil was the keynote speaker.

REMPEITC-Carib - new status, new premises

A memorandum of understanding has been finalized between the Government of the Netherlands Antilles, IMO and UNEP to formalize the new status of the REMPEITC-Carib Centre as a Regional Activity Centre under the Cartagena Convention and UNEP’s Caribbean Environment Programme. The three parties signed this instrument on 26 September 2002, coinciding with the inauguration of the Centre’s new premises in Curacao.

REMPEITC-Carib, the Regional Marine Pollution Emergency, Information and Training Centre was established by IMO and UNEP to strengthen national and regional preparedness and response capacity of the Island States and Territories of the Wider Caribbean Region and to foster and facilitate cooperation and mutual assistance in cases of emergency in order to prevent, control and combat major oil spill incidents; and to strengthen the operational effectiveness of the implementation of the Cartagena Oil Spill Protocol and the Caribbean Islands OPRC (Oil Preparedness and Response Co-operation) plan and Convention through the provision of technical services.

Shipping makes WTC contribution

Among the many generous and heartfelt gestures made by the shipping community in the aftermath of the September 11th terrorist attacks in the USA was one from the employees of Costamare Shipping. Capt. Vassilios Constantakopoulos, president of the Greek company, sent US$200,000 to the New York Port Authority Police WTC Disaster Fund. The amount had been collected from company employees and Capt. Constantakopoulos’s family.

Thirty-seven members of the Port Authority police Department lost their lives trying to save others in the terrorist attacks.

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