COVER STORY
Recycling convention adopts “cradle to grave” approach

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Looking back over five days of intense negotiations at the diplomatic conference held in Hong Kong, China, to adopt the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 — and, indeed, over the almost three years of preparations for this Conference — I believe all concerned are entitled to a feeling of satisfaction for bringing the concerted effort undertaken by so many (from Governments, industry, ILO, the Basel Convention parties and environmental groups alike) to a successful conclusion.

Were I to single out the main ingredients on the road to success I would suggest: a strong willingness to serve the causes of safety, health and the environment; fairness in the negotiations and preparedness to compromise; and a positive attitude towards making decisions by consensus.

All three ingredients are among the hallmarks of IMO’s continuing success story and I am delighted that this Conference once again reflected the best traditions of the Organization.

Having thus reached the stage where we are now seeing the “end of the tunnel” on this issue, can we pronounce that we have come to the end of the road? Should the adoption of this Convention be considered “the beginning of the end”? Although, in a narrow sense, that might be true, I think it should, in the wider sense, be considered “the end of the beginning”, as the closure of the Conference should mark the beginning of strenuous efforts: first, to initiate work to ratify the Convention at the earliest possible opportunity to expedite its entry into force; second, to initiate action to provide technical assistance to requesting countries without awaiting its entry into force; and, third, to initiate action to ensure the effective implementation and proper enforcement of the Convention, when it comes into force.

Was the outcome of the Conference the best possible? Could it have been better? I believe it was a good outcome in the circumstances, as it succeeded in putting in place international rules and standards to regulate, for the first time, a complex and multi-faceted issue.

In urging the Conference to intensify its efforts to ensure a successful outcome, I said that its aim should be, on the one hand, to lift the safety and environmental levels of ships and recycling facilities and of those who are employed on both and, on the other, not to interfere inadvertently with the vital process of constant renewal.

I think the Conference succeeded in achieving those. As adopted, the Convention has drawn the right balance among the various technical, safety, occupational health, environmental protection and socio-economic aspects that are relevant to the ship recycling industry. And it allows for improvements in the attainment of its objectives in the future by providing a platform and an avenue for better regulation, in due course, of the activity it addresses.

Both the Conference and the Convention adopted can be said to have achieved their primary objectives, both from the technical and the strategic points of view, as there now exists the first ever international instrument governing ship recycling. Rather than having none at all, this will be relatively easy and fast to improve, as and when appropriate. And it will be considerably more effective than an instrument which, because of stringent and inflexible requirements, cannot either attract enough ratifications to come into force within a reasonable period of time or might be ratified by an insignificant number of States representing an insignificant percentage of countries with a true and genuine interest in the recycling industry.

A final rhetorical question: will the outcome of the Conference please those who have placed their faith in IMO’s ability to deliver - and will it silence our critics? I can speak for the former and say that it should – as for the latter, I leave it to their sense of fair play.
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International ship recycling convention adopted

A new international Convention on ship recycling has been adopted by IMO at a diplomatic conference held in Hong Kong, China, from 11 to 15 May 2009.

The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009 is aimed at ensuring that ships, when being recycled after reaching the end of their operational lives, do not pose any unnecessary risk to human health and safety or to the environment.

The new Convention addresses all major issues surrounding ship recycling, including the fact that ships sold for scrapping may contain environmentally hazardous substances such as asbestos, heavy metals, hydrocarbons, ozone-depleting substances and others. It will address concerns raised about the working and environmental conditions at many of the world’s ship-recycling locations.

Regulations in the new Convention cover: the design, construction, operation and preparation of ships so as to facilitate safe and environmentally sound recycling, without compromising the safety and operational efficiency of ships; the operation of ship-recycling facilities in a safe and environmentally sound manner; and the establishment of an appropriate enforcement mechanism for ship recycling, incorporating certification and reporting requirements.

Ships to be sent for recycling will be required to carry an inventory of hazardous materials, which will be specific to each ship. An appendix to the Convention will provide a list of hazardous materials the installation or use of which is prohibited or restricted in shipyards, ship-repair yards, and ships of Parties to the Convention. Ships will be required to have an initial survey to verify the inventory of hazardous materials, additional surveys during the life of the ship, and a final survey prior to recycling.

Ship-recycling yards will be required to provide a “Ship Recycling Plan”, to specify the manner in which each ship will be recycled, depending on its particulars and its inventory. Parties will be required to take effective measures to ensure that ship-recycling facilities under their jurisdiction comply with the Convention. A series of guidelines are being developed to assist in the Convention’s implementation.

The Convention will be open for signature by any State at the Headquarters of the Organization from 1 September 2009 to 31 August 2010 and shall thereafter remain open for accession by any State. It will enter into force 24 months after the date on which 15 States, representing 40 per cent of world merchant shipping by gross tonnage, have either signed it without reservation as to ratification, acceptance or approval or have deposited instruments of ratification, acceptance, approval or accession with the Secretary General of IMO.

Furthermore, the combined maximum annual ship-recycling volume of those States must, during the preceding 10 years, constitute not less than 3 per cent of their combined merchant shipping tonnage.

The text of the ship-recycling Convention was developed over the past three years, with input from IMO Member States and relevant non-governmental organizations, and in co-operation with the International Labour Organization and the Parties to the Basel Convention.

The Diplomatic Conference was attended by delegations from 63 IMO Member States, as well as by observers from two Associate Members, the United Nations Environment Programme, ILO, the European Commission, and eight non-governmental organizations. It was organized with the support of the Government of China and the Marine Department of the Government of the Hong Kong Special Administrative Region.

Above Left: The Diplomatic Conference in Hong Kong was attended by delegations from 63 IMO Member States

Above: The new Convention will, among other things, address concerns raised about the working and environmental conditions at many of the world’s ship-recycling locations (pic: Bhavnagar)
Draft HNS Protocol approved

Compensation arising from accidents involving hazardous and noxious substances will be addressed by the Protocol

IMO’s Legal Committee has approved a draft Protocol to the 1996 HNS Convention.

The draft Protocol is designed to address practical problems that have prevented many States from ratifying the original Convention which, despite being adopted in 1996, has, to date, only 13 ratifications and is some way from meeting the level of ratification that would trigger its entry into force.

The 1996 HNS Convention is based on the highly-successful model of the Civil Liability and Fund Conventions. Like the regime introduced by these Conventions, it seeks to establish a two-tier system for compensation to be paid in the event of accidents at sea, in this case involving hazardous and noxious substances, such as chemicals. Tier one will be covered by compulsory insurance taken out by shipowners, who would be able to limit their liability; in cases where the insurance does not cover an incident, or is insufficient to satisfy the claim, compensation shall be paid from a fund, made up of contributions from the receivers of HNS. Contributions will be calculated according to the amount of HNS received in each State in the preceding calendar year.

However, among the obstacles that have discouraged ratification of the Convention, one of the most difficult to overcome has been the requirement for States to report the quantities of HNS received to IMO. This difficulty is due, in part, to the sheer range and diversity of hazardous and noxious substances that will be governed by the HNS Convention. As the reports act, among other things, as a trigger mechanism for the entry into force of the Convention, the omission of States to file them has, effectively, prevented the Convention from becoming operative. The draft Protocol, which was developed initially by a focus group established by the 1992 IOPC Fund Assembly, is set to address this problem, as well as others thought to be acting as barriers to ratification of the Convention.

The IMO Council has now endorsed the Legal Committee’s recommendation that a diplomatic conference be convened in April 2010 for the purpose of considering and adopting the Protocol.

* Entry into force will occur 18 months after the following conditions have been fulfilled: 12 States have accepted the Convention, four of which have not less than two million units of gross tonnage provided that persons in these States who would be responsible to pay contributions to the general account have received a total quantity of at least 40 million tonnes of contributing cargo in the preceding calendar year.

Bangladesh ferry-crew training course rolled out

A new training course for ferry crews in Bangladesh has been completed by training company Videotel, as part of the on-going IMO/Interferry joint initiative to reduce ferry fatalities in developing nations, currently focusing on Bangladesh as a pilot project. The production of the course has been jointly funded by Videotel and IMO.

Presenting a copy of the trainer’s course manual and accompanying CD to IMO Secretary-General Mitropoulos, Videotel Chairman Mr. Len Holder said the course had been produced in English, so that it could easily be adapted for use in other countries, but would be made available in Bangladesh in the local language.

The course material covers six text and graphics modules, intended for delivery over a two-day period, and was produced with input from IMO, Interferry, Videotel and the Directorate General of Shipping of Bangladesh.

Mrs. Monica Mbanefo, Director of IMO’s Technical Co-operation Division, said the completion of the training course was a significant step in the pilot project, along with other initiatives such as the development of a user-friendly system for the communication of hazardous weather alerts. Meanwhile, IMO has secured donor funds from the Republic of Korea to facilitate the development and establishment of an electronic national Bangladesh vessel database, intended to help monitor the safety standards of domestic fleets, and has also recently conducted a Flag State Implementation workshop in the country, funded by the United Kingdom.

The IMO/Interferry project was initiated in 2006 and the lessons learned from the pilot project will serve as a model for projects in other countries needing to address ferry safety.
New commissionings cement African SAR chain

A vital part of the plan to provide effective search and rescue (SAR) coverage off the coast of Africa has been completed.

The commissioning, on 23 April 2009, of a fully-equipped regional Maritime Rescue Coordination Centre (MRCC) in Monrovia, Liberia was the fourth in the past three years, following the inauguration of MRCCs in Mombasa, Kenya (May 2006), Cape Town, South Africa (January 2007) and Lagos, Nigeria (May 2008).

Two search and rescue sub-centres, in Dar es Salaam, United Republic of Tanzania and Victoria, Seychelles, were also commissioned, during March 2009, to operate in conjunction with the Mombasa MRCC.

The Monrovia MRCC covers five countries (Côte d’Ivoire, Ghana, Guinea, Liberia and Sierra Leone). Its commissioning followed the formal signing, in November 2007, of a Multilateral Agreement between the Governments of those countries, on the coordination of maritime SAR services in areas adjacent to their coasts.

IMO acted as project leader, collaborating with all parties concerned, coordinating the provision of expert advice, training and equipment and monitoring and supervising progress at the various phases.

The inauguration of the Monrovia facility, together with the Dar es Salaam and Victoria sub-centres, marks an important step in a process that began at the October 2000 IMO Conference on Search and Rescue and the Global Maritime Distress and Safety System, held in Florence, Italy. Governments at that Conference agreed that a regional approach to the provision of SAR services in western, southern and eastern parts of Africa should be pursued and, to that effect, they adopted a resolution inviting the African countries bordering the Atlantic and Indian Oceans, anti-clockwise from Morocco to Somalia, as well as the nearby Atlantic and Indian Ocean Island States, to establish five regional centres and 26 sub-centres to cover their entire coastline areas for SAR coordination purposes. The Conference envisaged that all the proposed centres would work co-operatively to provide SAR coverage in what had been identified as one of the areas of the world suffering most from a lack of adequate SAR and communications infrastructure.

The establishment of appropriate SAR facilities off the coast of Africa was seen as a key component in the implementation of the Global SAR Plan, the final part of which had been agreed in 1998 at an IMO Conference in Fremantle, Australia, within which Liberia had formally agreed to undertake responsibility for the coordination and control of SAR operations across a substantial sea area. The inauguration of the facility in Monrovia will help to fill a sizeable gap in the effective coverage of a vast area of the eastern part of the Atlantic Ocean.

During his visit to Liberia to commission the regional MRCC in Monrovia, IMO Secretary-General Mitropoulos, together with senior officials from the Liberian maritime community, visited the Liberia Marine Training Institute (LMTI), currently undergoing rehabilitation and renovation following its closure and the deterioration of its infrastructure during Liberia’s two-decade civil war.

Located in Marshall City, Margibi County, Liberia, the LMTI was initially established in 1979, as the Union Marine Training Institute. Until 1988, when the Liberian Government acquired its full ownership, management and operation it operated under the auspices of the Mano River Union, comprising Liberia, Sierra Leone and Guinea.

Completion of the rehabilitation and renovation of the LMTI and the re-launch of its programme of classes, is targeted for 2009. The Institute will provide an opportunity for the Liberian Bureau of Maritime Affairs to help develop a national maritime workforce of highly-qualified Liberian seafarers, and to respond to the demand for trained seafarers on board Liberian-flagged and foreign-flagged vessels in the international shipping industry.
Working group achieves major progress on energy efficiency

IMO’s Working Group on Greenhouse Gas Emissions (GHG) from Ships met at IMO’s London Headquarters from 9 to 13 March 2009.

Major progress was made in developing measures to enhance energy efficiency in international shipping, and thereby reduce greenhouse gas emissions, at the second intersessional meeting of IMO’s GHG Working Group.

The working group, which was attended by more than 200 experts from all over the world, concentrated on technical and operational measures to reduce GHG from ships – two of the three pillars of IMO’s GHG work.

The working group considered a large number of papers from Member Governments and observer organisations on how to increase fuel efficiency in the world fleet.

The main focus was the further refinement of the Energy Efficiency Design Index (EEDI) for new ships, on the basis of experience gained through its trial application over the past six months. The EEDI is meant to stimulate innovation and technical development of all the elements influencing the energy efficiency of a ship, thus making it possible to design and build intrinsically energy efficient ships of the future.

The group also considered how to improve the Energy Efficiency Operational Indicator (EEOI), which enables operators to measure the fuel efficiency of an existing ship and, therefore, to gauge the effectiveness of any measures adopted to reduce energy consumption. The EEOI has been applied by Member States and the shipping industry, on a trial basis and since 2005, to hundreds of ships in operation; it provides a figure, expressed in grams of CO₂ per tonne mile, for the efficiency of a specific ship, enabling comparison of its energy or fuel efficiency to similar ships.

The experts at the meeting debated a draft Ship Energy Management Plan (SEMP) that has been developed by a coalition of industry organisations and agreed to forward it to MEPC 59 for further consideration. The draft SEMP incorporates guidance on best practices, which include improved voyage planning, speed and power optimization, optimized ship handling, improved fleet management and cargo handling, as well as energy management for individual ships.

The outcome of MEPC 59 will be presented to the Conference of Parties to the United Nations Framework Convention on Climate Change (UNFCCC) that the United Nations will convene in Copenhagen in December 2009, which is expected to adopt a new framework for combating climate change from the year 2012, replacing the 1997 Kyoto Protocol, which sets binding targets for the reduction of GHG.
Climate change on the agenda as UN agency leaders meet at IMO

Leaders of three United Nations agencies involved in the UN Climate Change Conference (COP 15) that will be held in Copenhagen, Denmark, in December this year, held a preparatory meeting at IMO’s London Headquarters on 30 April 2009.

The meeting was hosted by IMO Secretary-General Mitropoulos and was attended by Mr. Y de Boer, Executive Secretary of the United Nations Framework Convention on Climate Change (UNFCCC) and Mr. R. Kobeh González, President of the Council of the International Civil Aviation Organization (ICAO).

The three discussed potential hurdles to be crossed in the process leading up to the December conference, as well as the potential outcome both for the environment and for the two international transport industries.

Mr. Mitropoulos stated at the close of the meeting that the interests of the environment and the shipping industry would be best served if the UNFCCC Parties, at COP 15, continued to entrust IMO with the development and enactment of the global regulatory regime needed to ensure that greenhouse gas (GHG) emissions from international shipping as a whole are reduced or limited.

Mr. Kobeh emphasized that a globally-harmonized framework is essential for tackling GHG emissions from international aviation due to their global nature. He added that a Group on International Aviation and Climate Change (GIACC) had been created and mandated by the ICAO Assembly in 2007 to pursue this global framework through an aggressive ICAO Programme of Action on International Aviation and Climate Change.

Mr. de Boer stressed the importance of the work IMO and ICAO are doing to limit or reduce GHG emissions from aviation and maritime bunker fuels. He underlined the potential contribution these sectors could make to achieving the long term objectives of the climate change convention and said that the Copenhagen agreement needs to contain effective language that will constitute a solid foundation for the work of IMO and ICAO to address emissions from bunker fuels.

New WMU President appointed

University top job goes to Dr. Björn Kjerfve

IMO and the World Maritime University (WMU) have announced the appointment of a new President to head the University, Dr. Björn Kjerfve, who has dual United States and Swedish nationality, replaces Dr. Karl Laubstein, who retired from the University as President Emeritus on 31 July 2008, following the celebration of the University’s Silver Jubilee.

The WMU was founded by IMO in 1983, since when it has established an excellent reputation as the global centre for advanced education, training and research for specialist personnel from the international maritime community.

To date, some 2,670 people from 157 countries and territories have successfully graduated from the WMU.
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Maritime Environmental Consultancy
Revised Fire Test Procedures Code agreed in principle

A draft revised International Code for Application of Fire Test Procedures (FTP Code) was agreed, in principle, by the Sub-Committee on Fire Protection, when it met for its 53rd session, for submission to the Maritime Safety Committee (MSC), for approval and subsequent adoption.

The FTP Code provides international requirements for laboratory testing, type-approval and fire test procedures for the non-combustibility test; smoke and toxicity test; test for “A”, “B” and “F” class divisions; test for fire-door control systems; test for surface flammability; test for primary deck coverings; test for vertically-supported textiles and films; test for upholstered furniture, and test for bedding components.

The Code has been revised and updated, taking into account the latest technological developments and with the aim of enhancing its user-friendliness and providing for a more uniform application of the Code through the inclusion of appropriate interpretations. The previous FTP Code was adopted in 1996. It was amended in 2000 to make reference to tests needed for marine materials used in high-speed craft.

Drainage of fire-fighting water from ro-ro ships

The Sub-committee agreed draft Guidelines for the drainage of fire-fighting water from closed vehicle and ro-ro spaces and special category spaces for passenger and cargo ships.

The guidelines are intended to support SOLAS amendments related to the drainage of fire-fighting water from the vehicle decks of ro-ro ships, which were adopted by MSC 84 in May 2008, in response to the tragic loss of life caused by the sinking of the passenger ferry Al-Salam Boccaccio 98. The amendments to SOLAS chapter II-2, which are expected to enter into force on 1 January 2010, enhance the current regulations and include the addition of a requirement for measures to be taken to prevent the blockage of drainage arrangements.

IGS to minimize explosion risks

The Sub-Committee continued its discussions on measures to prevent explosions on oil and chemical tankers transporting low flash-point cargoes, taking into account the different operational demands on chemical tankers and essential data submitted by Member Governments and International organizations on this matter.

It was agreed that the fitting of appropriate inert gas systems (IGS) to new oil tankers below 20,000 dwt and new chemical tankers carrying low flash-point cargoes would minimize the risk of fires and explosions, and draft amendments to SOLAS should be developed to address this, taking into account that, since chemical tankers presented much more complex problems than oil tankers, separate requirements may need to be developed to cover them. The lower size limit for new oil tankers, to which any new regulations would apply, needed further consideration.

The Sub-Committee also agreed to invite the Sub-Committee on Standards of Training and Watchkeeping (STW) to consider proposed enhanced training.
requirements regarding tank entry and cargo-operating procedures, in the context of the ongoing revision of the STCW Convention. It was noted that relevant training and experience of surveyors and other shore personnel may also need to be considered.

The Sub-Committee noted that any tank entry was always hazardous, whether tanks had been inerted or not, and that an empty tank did not equal a safe tank, and stressed the importance of following established procedures for entering enclosed spaces.

The Sub-Committee agreed that further debate on measures to prevent explosions on oil and chemical tankers was needed and invited the Committee to extend the target completion date of the work programme item to 2011.

Draft SOLAS and FSS Code amendments agreed

The Sub-Committee agreed to proposed amendments to SOLAS chapter II-2 and to the International Fire Safety Systems (FSS) Code, for submission to the MSC for approval and subsequent adoption, specifically:

- to SOLAS regulation II-2/4.5.7, to require fixed hydrocarbon gas detection systems to be installed in ballast tanks and void spaces adjacent to cargo tanks located outside the oil tanker’s cargo block area; and a new related draft chapter 16 to the FSS code, to give the specifications for fixed hydrocarbon gas detection systems; and
- to SOLAS regulation II-2/7.4.1, to add a new sub-paragraph to require a fixed fire detection and fire alarm system to be installed “in enclosed spaces containing incinerators”, as well as in specified machinery spaces and draft amendments to the FSS Code to replace the existing chapter 9 (Fixed fire detection and fire alarm systems) and chapter 10 (Sample extraction smoke detection systems), with updated and revised chapters.

Approval of sprinkler systems – amendments to guidelines agreed

The Sub-Committee agreed draft amendments to the Revised Guidelines for approval of sprinkler systems equivalent to that referred to in SOLAS regulation II 2/12 (resolution A.800(19)) for submission to the MSC for adoption.

Circular agreed to prevent explosions during tests

The Sub-Committee agreed an FP circular on Explosion of an engine mock-up during test to inform Member Governments and test laboratories of an incident which occurred during testing of equivalent water-based fire-extinguishing systems for machinery spaces and cargo pump rooms, in order to help prevent such explosions happening in future. During the test, small amounts of fuel (diesel oil) had penetrated into the mock-up enclosure during the spray fires on top of the mock-up causing it to explode.

Circulars agreed

The Sub-Committee agreed the following draft circulars for submission to the MSC for approval:

- Guidelines on measures to prevent fires and explosions in engine-rooms and cargo pump rooms
- Revised Guidelines for the performance and testing criteria, and surveys of foam concentrates for fixed fire extinguishing systems
- Guidance for application of the revised chapter 5 of the FSS Code, as amended by resolution MSC.206(81)
- Interpretation of the application of SOLAS regulation II-2/10 and chapter 12 of the FSS Code relating to emergency fire-pump capacity
- Guidelines for the approval of fixed dry chemical powder extinguishing systems for gas carriers
- Guidelines on determining the no observed adverse effect level (NOAEL) and lowest observed adverse effect level (LOAEL) values for halocarbon fire-extinguishing agents
- Application for existing approvals according to the Revised Guidelines for the approval of equivalent fixed gas fire-extinguishing systems, as referred to in SOLAS 74, for machinery spaces and cargo pump rooms (MSC/Circ.848)
- Guidelines for maintenance and inspections of fixed carbon dioxide fire-extinguishing systems
- Recommendation for the evaluation of fire performance and approval of large fire doors
- Unified interpretation for SOLAS chapter II-2, relating to regulation II 2/4.2.2.3.2 (Oil fuel tank arrangements).
BLG agrees draft MARPOL amendments to protect Antarctic

Draft amendments to MARPOL Annex I, providing for Special requirements for the use or carriage of oils in the Antarctic area, were agreed by the BLG Sub-Committee.

The draft amendments will be submitted to the Marine Environment Protection Committee for approval. The drafting amendments would add a new chapter 9 to MARPOL Annex I, with a new regulation 43 that would prohibit the carriage in bulk as cargo, or carriage and use as fuel, of: crude oils having a density at 15°C higher than 900 kg/m³; oils, other than crude oils, having a density at 15°C higher than 900 kg/m³ or a kinematic viscosity at 50°C higher than 180 mm²/s; or bitumen, tar and their emulsions.

An exception is envisaged for vessels engaged in securing the safety of ships or in a search and rescue operation.

Cargo-handling hazards

The Sub-Committee approved a draft Maritime Safety Committee (MSC) resolution on Recommendations for material safety data sheets (MSDSs) for MARPOL Annex I type cargoes and oil fuels, for submission to MSC 86 in May for adoption. The MSDSs are intended to inform seafarers of the possible dangers associated with the handling of specific cargoes.

Interim guidelines on gas-fuelled engines

The Sub-Committee agreed draft Interim Guidelines on safety for gas-fuelled engine installations in ships for submission to MSC 86 for adoption. It also agreed a work plan, scope and framework for the development of the International Code of Safety for Gas-fuelled Ships (IGF Code), and instructed a correspondence group to work on the Code. It is anticipated that such engines will have a beneficial impact on the volume of harmful gases released into the atmosphere from ships.

Bio-fuel guidelines extended

The Sub-Committee agreed to extend the existing interim guidelines on the carriage of bio-fuel blends for a further 24 months, from 1 July 2009, to permit the continued carriage of blends with up to 15 per cent bio-fuel on Annex I ships (applicable to blends using fatty acid methyl ester (FAME), ethanol (ethyl alcohol) and vegetable oil). The interim guidelines apply only to bio-fuel blends; bio-fuels are carried under MARPOL Annex II regulations.

It was agreed that, when bio-fuel blends are carried as Annex I cargoes under the extended interim guidelines, any residues and tank washings should be pumped ashore unless the oil-discharge monitoring equipment is approved or certified for the blend.

The Sub-Committee agreed that there was a need for further work on this subject, including the development of appropriate hazard profiles for petroleum fuels, the development of guidance on the operational aspects of blending on board and the discussion of issues surrounding blending in port.

BWM Convention guidance agreed

The Sub-Committee agreed a draft technical circular on Guidance to ensure safe handling and storage of chemicals used to treat ballast water and the development of safety procedures for risks to the ship's crew resulting from the treatment process, for submission to the MEPC for approval.

The Sub-Committee also agreed, for submission to the MEPC for approval, a draft technical circular containing an Engineering Questionnaire on ballast water management systems, which is intended to provide a source of reference to assist in selecting and acquiring BWM systems; developing technical specifications for their purchase and installation; designing their installation for a ship or a group of ships; enabling comparison between different systems; and obtaining assistance in other related technical matters.

The draft circulars are aimed at assisting Governments in the effective and uniform implementation of the 2004 Ballast Water Management Convention.

A correspondence group was established to continue the development of the guidance document on the Framework for determining when a Basic Approval granted to one ballast water management system may be applied to another system that uses the same Active Substances or Preparation and a guidance document on conducting type approval of ballast water management systems.

“The BWM Convention has, to date, been accepted by 18 States, representing less than 15.5 per cent of world tonnage”
Guidelines on bio-fouling to be developed

The Sub-Committee agreed to develop Guidelines for the control and management of ships’ bio-fouling to minimize the transfer of invasive aquatic species and requested an intersessional correspondence group on bio-fouling to work on them.

The correspondence group is also tasked with further developing best practice measures for minimizing the harmful effects of bio-fouling on the marine environment, human health, property and resources; and further considering the potential impact of current or proposed bio-fouling regulations, including impact on the shipping industry and other industry sectors as well as on the environment.

Research indicates that bio-fouling continues to be a significant mechanism for species-transfer by vessels.

Air pollution guidelines amended

The Sub-Committee agreed draft revisions to update a number of guidelines to bring them in line with the revised MARPOL Annex VI and NOx Technical Code, which were adopted in October 2008 and are expected to enter into force in July 2010. The draft revisions include: amended survey guidelines under the Harmonized System of Survey and Certification; amended Guidelines for port State control under MARPOL Annex VI; amended Guidelines for monitoring the worldwide average of sulphur in fuel; amendments to the Guidelines for the sampling of fuel oil for determination of compliance with Annex VI of MARPOL 73/78; amendments to the Guidelines for exhaust gas cleaning systems; as well as draft Guidelines for the development of a Volatile Organic Compounds (VOC) management plan.

The drafts will be submitted to the MEPC for approval and/or adoption, following input from the Sub-Committee on Flag State Implementation (FSI), where necessary.

Preventing passage of flame into cargo tanks

The Sub-Committee agreed a draft MSC circular on Amendments to the Revised Standards for the design, testing and locating of devices to prevent the passage of flame into cargo tanks in tankers (MSC/Circ.677, as amended by MSC/Circ.1009), intended to provide clarification on the procedures to be used when testing such devices.
Polar water Guidelines agreed by DE Sub-Committee

Draft Guidelines for ships operating in Polar waters were agreed by the Sub-Committee on Ship Design and Equipment (DE) when it met for its 52nd session.

The guidelines are based on the Guidelines for ships operating in Arctic ice-covered waters, which have been substantially updated and extended to cover the sea areas off the Antarctic.

The draft guidelines will be submitted to the Maritime Safety Committee (MSC) and Marine Environment Protection Committee (MEPC) for approval, and then forwarded to the IMO Assembly, at its 26th session to be held in late 2009, for adoption.

The earlier guidelines (MSC/Circ.1056 – MEPC/Circ.399) were approved in 2002. Since then, the seas off Antarctica have become attractive destinations for a growing number of cruise ships. Ships operating in both the Arctic and Antarctic environments are exposed to a number of unique risks, with poor weather conditions and the relative lack of good charts, communication systems and other navigational aids posing challenges for mariners. The remoteness of the area makes rescue or clean-up operations difficult and costly. Cold temperatures may reduce the effectiveness of numerous ship components, ranging from deck machinery and emergency equipment to sea suction; ice, when present, can impose additional loads on the hull, propulsion system and appendages.

The draft guidelines include chapters on construction; equipment; operations (including crewing); environmental protection and damage control. It is intended that application of the guidelines should be encouraged for all ship types and sizes, where appropriate, and should apply to existing ships, as far as is reasonable and practicable, as well as to new ships.

The Sub-Committee also agreed to consider the further development of the guidelines in the form of a Code for ships operating in Polar waters, which could, eventually, be made mandatory.

Revised MODU Code finalized

The Sub-Committee agreed the text of the draft Code for the Construction and Equipment of Mobile Offshore Drilling Units, 2009, which revises and updates the MODU Code adopted in 1989 (resolution A.649(16)). The revised MODU Code will be submitted to MSC 86 for approval, prior to submission to the IMO Assembly for adoption.

The MODU Code provides an international standard for mobile offshore drilling units of new construction, to facilitate the international movement and operation of these units and ensure a level of safety for such units, and for personnel on board, equivalent to that required by the SOLAS Convention and the 1988 Protocol to the Load Lines Convention for conventional ships engaged on international voyages.

Latest Code on Alerts and Indicators concluded

The draft Code on Alerts and Indicators, 2009 was agreed, for submission to the MSC and the MEPC for approval and subsequent adoption by the IMO Assembly. The Code is intended to provide general design guidance and to promote uniformity of type, location and priority for alerts and indicators required by the SOLAS Convention (including relevant performance

“The revised MODU Code will be submitted to the MSC for approval, prior to submission to the IMO Assembly for adoption”
standards) and by the MARPOL Convention, as well as by other associated instruments and codes. The Code, when adopted, will update, revise and replace the Code on Alarms and Indicators, 1995 (resolution A.830(19)).

Lifeboats – SOLAS amendments agreed

The Sub-Committee continued its work on measures to prevent accidents with lifeboats, as the number of accidents during lifeboat drills and inspections continues to be high, often leading to serious injuries and fatalities.

Draft amendments to the International Life-Saving Appliances (LSA) Code and the Recommendation on testing of LSA were agreed, for submission to MSC 86 for approval and subsequent adoption. The draft amendments add to, and replace, as appropriate, the existing paragraphs relating to on-load release systems for survival craft, to ensure they are adequately secure and cannot be released inadvertently.

A related proposed draft amendment to SOLAS chapter III, to require the replacement of certain existing release hooks not complying with the new requirements, was also agreed, for submission to the MSC for approval and subsequent adoption.

Draft Guidelines for the fitting and use of fall preventer devices (FPDs) were agreed for submission to MSC 86 for approval. An FPD can be used to minimize the risk of injury or death by providing a secondary alternate load path in the event of the failure of the on-load hook or its release mechanism, or of accidental release of the on-load hook, but should not be regarded as a substitute for a safe on-load release mechanism.

The Sub-Committee also agreed draft amendments to the Guidelines for periodic servicing and maintenance of lifeboats, launching appliances and on-load release gear (MSC.1/Circ.1206, annexes 1 and 2) for submission to the MSC for approval. A correspondence group was instructed to continue the work on prevention of accidents involving lifeboats.

Amendments reflect larger passengers

The Sub-Committee agreed draft amendments to the LSA Code and the revised Recommendation on testing of life-saving appliances (resolution MSC.81(70)) relating to the increase in assumed weight of persons, when testing liferafts, to 82.5kg from 75kg. The draft amendments will be submitted to the MSC for approval and adoption. The amendments reflect earlier amendments adopted by MSC 85, relating to the average mass of persons when considering lifeboats for use on cargo ships, and the need for a uniform increase in the assumed weight of liferaft occupants.

SOLAS amendments on tanker cargo tank corrosion

The Sub-Committee agreed a draft new SOLAS regulation on Corrosion protection of cargo oil tanks of crude oil tankers for submission to the MSC for approval and subsequent adoption. The regulation would require all cargo oil tanks of crude oil tankers to be protected against corrosion.

A correspondence group was established to finalize a draft Performance standard for protective coatings for cargo oil tanks of crude oil tankers and to develop draft Test procedures for coating qualification for cargo oil tanks of crude oil tankers; a draft Performance standard for alternative means of corrosion protection for cargo oil tanks of crude oil tankers; and draft Guidelines on procedures for in-service maintenance and repair of coating systems for cargo oil tanks of crude oil tankers.

Guidelines for protective coatings completed

A draft circular on Guidelines for maintenance and repair of protective coatings was agreed for submission to the MSC for approval. The Guidelines are intended to assist surveyors, shipowners, shipyards, flag Administrations and other interested parties involved in the survey, assessment and repair of protective coatings in ballast tanks.

Approval guidelines for inflatable liferafts

The Sub-Committee agreed to the draft Guidelines for the approval of inflatable liferafts subject to extended service intervals not exceeding 30 months, for submission to the MSC for approval. It recommends that, if liferafts are approved and certified for extended service intervals, they should be serviced at an approved servicing station and at intervals not exceeding 30 months for the first 10 years of their service lives.

High-speed craft guidelines completed

Draft Guidelines for uniform operating limitations of high-speed craft were agreed for submission to the MSC for approval. The guidelines are intended to assist Administrations in determining the operating limitations set out in the Permit to Operate, and cover issues such as maximum distance from a place of refuge, available rescue and operational support services; wind force, minimum air temperature, visibility and depth of water; sea state limitations (significant wave height); trials demonstrating performance; and navigational issues.

SOLAS chapter III and LSA Code revisions

The on-going review of SOLAS Chapter III and the LSA Code, using a goal-based approach which sets out goals (including: escape, survival, notification of distress and rescue) and functional requirements (including: communication; personal life saving; mass evacuation; and search and rescue) was progressed. The intention is to move towards pro-active identification and evaluation of risk, as distinct from the traditional, prescriptive approach to regulation.

The last comprehensive review of SOLAS chapter III was completed when a revised chapter and the International Life-Saving Appliance (LSA) Code were adopted in 1996. They entered into force on 1 July 1998 and since then a large number of amendments to both instruments have been adopted.

The number of accidents during lifeboat drills and inspections continues to be high, often leading to serious injuries and fatalities (pic: Safety First Industrial Services)
Draft HNS Protocol heads packed legal agenda

IMO’s Legal Committee has approved a draft Protocol to the 1996 International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea (the HNS Convention). See page 7 for full story.

Fair treatment of seafarers – report discussed
The Committee was informed of a study carried out by BIMCO, updating its 2006 “Study of recent cases involving the International Practice of Using Criminal Sanctions towards Seafarers”.

The Committee agreed that the Guidelines on Fair Treatment of Seafarers in the event of a maritime accident, adopted by the Legal Committee and by the International Labour Organization (ILO) Governing Body, and the Code of International Standards and Recommended Practices for a Safety Investigation into a Marine Casualty or Marine Incident, adopted by IMO’s Maritime Safety Committee, should be strictly applied by States so that a proper balance could be achieved between the need, on the one hand, for a thorough investigation of maritime accidents and, on the other hand, the protection of seafarers’ rights.

Many delegates noted that the issue of fair treatment of seafarers was the direct responsibility of port, coastal and flag States, the seafarer’s State, shipowners, and seafarers themselves. States were obliged to treat seafarers fairly, pursuant to the Universal Declaration of Human Rights and regional human rights instruments, as well as under national law.

Single model compulsory insurance certificate
The development of a single model compulsory insurance certificate to reduce administrative burdens, including for port State control-related inspections, was discussed and the Committee agreed to establish a correspondence group to report to its next session.

The group was instructed to further develop a draft model for a single insurance certificate; to analyze the advantages and disadvantages (legal and practical) of a mandatory versus non-mandatory model for a single insurance certificate; to make further recommendations on what to include in the certificate; and to consider the possible use of electronic databases to maintain records of a single insurance certificate.

Bunkers Convention – correspondence group established
A correspondence group on the implementation of the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (Bunkers Convention) was established to address a number of issues, including the issuance of certificates to bareboat registered vessels; whether oil tankers holding International Convention on Civil Liability for Oil Pollution Damage, 1992 (CLC) Certificates or covered by the CLC system are required to obtain Bunkers Certificates; the issuance of Bunkers Certificates to new buildings; insurance and liability for claims where the Convention on Limitation of Liability for Maritime Claims (LLMC) does not apply; and any additional issues in relation to the above that might provide clarity to promote wider acceptance and harmonized implementation of the Bunkers Convention.

The Bunkers Convention entered into force on 21 November 2008 and has been ratified by 40 countries representing 76.43 per cent of the world tonnage of merchant shipping.

Legal aspects of piracy
The Committee was informed that the IMO Secretariat was currently undertaking a review of national legislation on piracy, based on information received from Member States, and that a synopsis of the replies would be submitted to the Committee at its next session, in order to facilitate an assessment of the legal situation, in particular regarding the capture, prosecution and extradition of alleged offenders.

IMO Member States have been asked to submit copies of their national legislation together with any pertinent information they may have about their domestic laws aiming at combating piracy and armed robbery against ships and prosecuting the perpetrators of such acts. Responses have already been received from a number of countries.

ILO/IMO group proposes MLC amendments
The Committee noted the outcome of the ninth session of the Joint IMO/ILO Ad Hoc Expert Working
Group on Liability and Compensation regarding Claims for Death, Personal Injury and Abandonment of Seafarers, which met at ILO headquarters in Geneva in March 2009.

The Group had agreed that financial security should be made mandatory for both types of claim and had developed initial draft texts embodying a set of agreed principles, which, it proposed, should be considered as a basis for the preparation of relevant amendments to the 2006 Maritime Labour Convention (MLC), when it enters into force.

The Committee agreed that it should remain seized of the issue and should keep it under consideration, in the event that amendments to the MLC prove not to be feasible or timely. The joint Secretariat was instructed to remind Governments of IMO Assembly resolutions A.930(22) Guidelines on provision of financial security in case of abandonment of seafarers and A.931(22) Guidelines on shipowners’ responsibilities in respect of contractual claims for personal injury to or death of seafarers and to further urge their voluntary implementation.

A full report of the ninth session of the joint IMO/ILO Ad Hoc Expert Working Group, including the Group’s proposals for the text of draft amendments to the Maritime Labour Convention, 2006 will be submitted to the Legal Committee in October 2009, as well as to the November 2009 session of the Governing Body of ILO, for consideration and action as appropriate.

No binding instrument on places of refuge

The Committee was informed of the draft text of an instrument on Places of Refuge developed by the International Working Group of the Comité Maritime International (CMI), but decided not to develop a binding instrument on places of refuge at this stage.

The Committee expressed its appreciation to the CMI for its efforts in preparing the draft instrument. However, delegations who spoke noted that the international regime comprising the existing liability and compensation conventions for pollution damage at sea provided a comprehensive legal framework, especially when coupled with Resolution A.949(23) Guidelines on places of refuge for ships in need of assistance and other regional agreements. The Committee was of the view that there was a need to focus on implementation of existing treaties, including ensuring the entry into force of the Nairobi International Convention on the Removal of Wrecks, 2007.

The legal situation regarding the capture, prosecution and extradition of alleged pirates remains unclear and will be subject to a review.
FSI agrees port reception facilities guide

A Guide to Good Practice on Port Reception Facilities, aimed at ships’ crews, as well as providers of port reception facilities on shore, was agreed by the Sub-Committee on Flag State Implementation (FSI), when it met for its 17th session in April.

The guide was developed by the FSI Correspondence Group on the Action Plan for Tackling the Inadequacy of Port Reception Facilities, as part of the Sub-Committee’s plan to improve reception facilities worldwide. It will be submitted to the Marine Environment Protection Committee (MEPC) for approval, with a view to being published as an MEPC circular.

The Guide is based on the requirements established in MARPOL and the guidance provided in the Organization’s Comprehensive Manual on Port Reception Facilities (1999) and the Guidelines for Ensuring the Adequacy of Port Waste Reception Facilities (Resolution MEPC.83(44)).

The Sub-Committee also reviewed data submitted to the Port Reception Facility Database (PRFD), a module of the IMO Global Integrated Shipping Information System (GISIS). The total of 101 reports of alleged inadequacies on the PRFD module comprised 23 cases reported in 2008 by eight flag States, 50 in 2007 by nine flag States, 19 in 2006 by four flag States, and nine in 2005 by four flag States.

Member States that have not already done so were encouraged to populate GISIS with records of reception facilities in their ports and with their contact points and to provide information on any alleged inadequacies.

Guidelines for MARPOL Annex VI PSC agreed

The Sub-Committee agreed draft revised Guidelines for PSC under the revised MARPOL Annex VI, for submission to the MEPC for approval.

The guidelines take into account the new and amended provisions in the revised Annex VI Regulations for the Prevention of Air Pollution from Ships, which were adopted in 2008 and are expected to enter into force in 2010.

Amendments to HSSC Survey Guidelines agreed

The Sub-Committee agreed draft amendments to the survey guidelines under the Harmonized system of Survey and Certification (HSSC 2007, resolution A.997(25)), for submission to the MSC and the MEPC, prior to submission to the 26th IMO Assembly. The HSSC Survey Guidelines were agreed.

Guidelines for FPSOs and FSUs agreed

A draft MSC-MEPC circular on Guidance for the application of safety, security and environmental protection provisions to Floating Production Storage and Offloading Facilities (FPSOs) and Floating Storage Units (FSUs) was agreed, for submission to the MEPC and MSC for approval. The circular provides guidance to Member States to assist them in developing regulations on safety, pollution prevention and security of FPSOs and FSUs. The circular also provides guidance to the industry.

Amendments to Code for the Implementation of Mandatory IMO Instruments agreed

The Sub-Committee developed amendments to the Code for the Implementation of Mandatory IMO Instruments, 2007 (resolution A.996(25)), for approval by the MSC and the MEPC, prior to submission, via draft amendments to the HSSC Survey Guidelines were agreed.
the IMO Council, to the IMO Assembly for adoption. The proposed amendments update the Code in relation to new provisions adopted since 2007 and include a proposed new section, showing amendments to the relevant IMO instruments adopted, but not yet accepted, at the time of the anticipated adoption of the Code by the Assembly, but which are expected to come into force in the following months (up to 1 July 2010).

**IMO Voluntary Member State Audit Scheme**

The Sub-Committee was informed that, to date, 47 Member States had volunteered for audit and 30 audits had been conducted. The report of a correspondence group, which had assessed two consolidated audit summary reports, was reviewed and it was agreed that there was a need to develop a consistent methodology for analysing findings, best practices and effectiveness of implementation of the audit scheme. The Secretariat was invited to conduct a preliminary study into developing such a methodology.

**Casualty analysis**

The Sub-Committee continued its work on casualty analysis and approved casualty analyses for release on the IMO Global Integrated Shipping Information System (GISIS) (http://gisis.imo.org).

It was noted, with concern, that possible trends in the safety issues identified included: failure to follow or implement procedures and practices in connection with the Safety Management System and International Safety Management Code; collisions and groundings which occurred in connection with bridge resource management, bridge team management, voyage planning and using a single watchkeeper on the bridge; errors made due to fatigue; failure to interact effectively with a pilot; and steering gear failures. The Sub-Committee agreed to bring these to the attention of Administrations, so they could be highlighted in future investigation reports.

**Safety regulations for non-convention ships**

The Sub-Committee was updated on an IMO project to develop a single, generic and common modular set of harmonized regulations and model national legislation for ships not covered by the SOLAS Convention and a model course for training of inspectors responsible for surveying such ships. The project is intended to assist developing countries to enhance their capacity to strengthen their implementation of national safety regulations for non-SOLAS ships.

The set of regulations has been completed, and is under revision for approval. The scope includes, but is not limited to: new cargo ships of 12 metres or more in length and for which the provisions of the SOLAS Convention do not apply; passenger ships carrying fewer than 200 passengers and of less than 24 metres in length; and fishing vessels.

The regulations take into account existing model regulations and other IMO guidance for non-convention ships developed by IMO for different regions. Two model courses covering implementation of the regulations (basic and advanced) will be developed and tested regionally.

**Mandatory reports under MARPOL reviewed**

The Sub-Committee considered the summary analysis of the reports submitted for 2007 in relation to the MARPOL Convention, by 32 Parties to MARPOL and one Associate Member, and noted that the rate of reporting in 2007 remained low (MARPOL has 149 Parties). The Sub-Committee urged all Parties to MARPOL to submit mandatory reports on time (the closing date for the receipt of mandatory reports for the year 2008 is 30 September 2009).

**Development of a Code for Recognized Organizations begun**

The Sub-Committee discussed the planned development of a proposed Code for Recognized Organizations, which would be intended to assist IMO Member States in meeting their responsibilities in recognizing, authorizing and monitoring such organizations. As a first step, the Secretariat was requested to identify all existing requirements and recommendations contained in IMO instruments regarding recognized organizations and to submit a report on this to FSI 18.
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IMO – Maritime Governance and Safety Management

By Jørgen Rasmussen. Winner, 2007 International Maritime Prize

Quality management, quality control and/or quality assurance are terms that have been widely used in various industries for many years. The concept of quality management is now being applied to all kinds of companies, organizations, governmental entities, etc.

On a global scale it all really started with the ISO 9000 series in 1987. I say “on a global scale” because several national schemes had been in operation for years before 1987. The series has since been revised several times.

Total Quality Management (TQM)

Total Quality Management is a business management strategy aimed at embedding awareness of quality in all organizational processes.

“TQM is a management approach for an organization, centered on quality, based on the participation of all its members and aiming at long-term success through customer satisfaction, and benefits to all members of the organization and to society.” - ISO 8402:1994

“TQM requires that the company maintain this quality standard in all aspects of its business. This requires ensuring that things are done right the first time and that defects and waste are eliminated from operations.” - Unknown source

The ISO 14000 environmental management standards, which came into being in 1996, serve the purpose of assisting organizations in identifying and minimizing the negative effects of their operations.
The principles of international quality management are clearly extended to the testing of lifesaving appliances. The achievement of the required standards in the items covered by the services performed as well as the effective operation of the quality system; and a comprehensive system of planned and documented internal audits of the quality-related activities in all locations is implemented.

The organization should develop, implement and maintain an effective internal quality system based on appropriate parts of internationally recognized quality standards no less effective than ISO 9000 series, and which, inter alia, ensures that:

- The organization’s rules and/or regulations are established and maintained in a systematic manner;
- The organization’s rules and/or regulations are complied with;
- The requirements of the statutory work for which the organization is authorized, are satisfied;
- The responsibilities, authorities and interrelation of personnel whose work affects the quality of the organization’s services are defined and documented;
- All work is carried out under controlled conditions;
- A supervisory system is in place which monitors the actions and work carried out by the organization;
- A system for qualification of surveyors and continuous updating of their knowledge is implemented;
- Records are maintained, demonstrating achievement of the required standards in the items covered by the services performed as well as the effective operation of the quality system; and a comprehensive system of planned and documented internal audits of the quality-related activities in all locations is implemented.

The organization should be subject to certification of its quality system by an independent body of auditors recognized by the Administration.” - Resolution A.739(18)

The quoted texts illustrate that IMO has taken on board the principles of international quality management. Resolution A.689(17) from 1991 covers testing of lifesaving appliances and resolution A.739(18), from 1993, which has been made mandatory through SOLAS chapter XI-1, regulation 1, covers the issue of Recognized organizations.

As IMO Secretary-General Emeritus William O’Neil said in 1999 “The priority is, therefore, for the shipping industry to demonstrate quite conclusively that it does believe in quality. A genuine commitment to quality would have immense benefits, because it would help to improve the reputation of an industry which has often been allowed to become tarnished. IMO has a vested interest in higher quality, because it means that there would be fewer accidents and less pollution. A company that is genuinely committed to quality must automatically be committed to safety and the environment as well.”

The next step in IMO – safety management

“RECOGNIZING the need for appropriate organization of management to enable it to respond to the need of those on board ships to achieve and maintain high standards of safety and environmental protection,

1.1 The purpose of these Guidelines is to provide those responsible for the operation of ships (hereinafter called the “Company”) with a framework for the proper development, implementation and assessment of safety and pollution prevention management in accordance with good practice.” - Resolution A.647(16)

Resolution 647(16), from 1989, was the first step in IMO’s work on safety management. Two years later, in 1991, it was replaced by resolution 680(17).

Designated person ashore

4.7 To ensure the safe operation of their ships and to provide a link between the Company and those on board, every
Company should designate a person ashore having direct access to senior management and with the responsibility for monitoring the safety and pollution prevention aspects of the operation of their ships and to ensure that adequate resources and the appropriate shorebased support are provided.

**Operations documentation**

4.8 Guidance and instructions from the Company to the master, officers and crew of their ships should be documented in a form which is left to the discretion of owners. A list of suggested subjects for documentation is given in appendix 1. This list is for guidance only and may be varied to take account of the circumstances of the particular ship or its operations.

The documentation should also include a statement that it does not affect the master’s authority to take such action and issue such orders, whether or not they are in accordance with its contents, that may be considered to be necessary for the safety of life, for the safety of the ship or the prevention of marine pollution. The designated person referred to in 4.7 should be identified in the appropriate places in the documentation.” - Resolution A.680(17)

The most important changes to the guidelines were the addition of ‘designated person ashore’ and the requirements for ‘operations documentation’ as described above. These new issues were inserted following proposals by the United Kingdom after the Herald of Free Enterprise disaster.

At the time of adoption of resolution A.680(17) it had already been decided to go ahead and amend the resolution and make it into a Code, to be made mandatory at a later time.

**The International Safety Management (ISM) Code**

"NOTING FURTHER that the Maritime Safety Committee and the Marine Environment Protection Committee have reviewed resolution A.680(17) and the Guidelines annexed thereto in developing the Code, NOTING that the Maritime Safety Committee is developing requirements for adoption by Contracting Governments to the International Convention for the Safety of Life at Sea (SOLAS), 1974, which will make compliance with the Code referred to in operative paragraph 1 mandatory.

The purpose of this Code is to provide an international standard for the safe management and operation of ships and for pollution prevention." - Resolution A.741(18)

The International Safety Management (ISM) Code was adopted as resolution A.741(18) in 1993, and was made mandatory by a new SOLAS chapter IX: Management for the safe operation of ships in 1994. Resolution A.741(18) was amended by resolution MSC.104(75) in 2000.

While developing the Code it was also deemed essential to develop guidelines on implementation of the Code by Administrations. These were adopted as resolution A.788(19) in 1995, which was replaced by resolution A.913(22) in 2001. An IMO Group of Independent Experts on the impact of the ISM Code and its effectiveness in the enhancement of safety of life at sea and protection of the marine environment proposed, in 2006, that guidelines and associated training should be developed to assist companies and seafarers in improving the implementation of the Code. This was agreed by the Maritime Safety Committee and the Marine Environment Protection Committee which, in 2007, developed and adopted MSC.-MEPC.7/Circ.5: Guidelines for the operational implementation of the ISM Code for companies.

At the same time, the Committees developed and adopted MSC.-MEPC.7/Circ.6: Guidance on the qualifications, training and experience necessary for undertaking the role of the Designated Person under the provisions of the ISM Code. The reason was that the Committees had agreed that the Designated Person has a key role in the development and implementation of the safety management system within a shipping company.

"Nevertheless, the efforts to promote quality shipping continued, and it was recognised that the problem might be less related to structural defects of the vessel, or training or condition of the seafarers, but more to the lack of effective management systems and a failure to meet the required minimum standards and, in some cases, a "culture of minimum compliance" leading to the cutting of corners and expenses. This trend of trying to improve the "culture" is reflected by the ISM Code (International Safety Management Code)." - CMI, 2008

A certain amount of criticism has been voiced against the ISM Code. It often seems to me that critics have misunderstood the issue.

**Code for the Implementation of Mandatory IMO Instruments**

This revolutionary issue started when the seventh session of the United Nations Commission on Sustainable Development invited IMO to develop binding measures
The first audit under the Scheme took place in Denmark in September 2006.

In my opinion, the Voluntary IMO Member State Audit Scheme is probably the most significant step forward in enhancing maritime safety and protection of the environment that IMO has ever taken. The active and constructive participation by a large number of Member States during the development was very encouraging indeed. The seriousness with which Member States seem to treat their preparation for an IMO Audit is another encouragement.

I have been saying for years that we can divide any group of people and/or organizations into three classes: the good, the bad and the uglies. The good ones “will and can”; the middle (bad) ones either “cannot” or “will not” – they might be brought into the good group by assistance or a ‘kick’, according to their specific circumstances; while the uglies “neither will nor can” – they should be got rid off. This categorization applies to persons, ships, companies, administrations, classification societies, insurers and any other grouping.

It is my clear conviction that the Voluntary IMO Member State Audit Scheme must be made mandatory in the not too distant future. This will not only assist in bringing the IMO Member States into the good category – it will also send out a clear signal to the world that IMO is taking its role in enhancing maritime safety, security and protection of the environment very seriously.

The Voluntary IMO Member State Audit Scheme

A number of Member States submitted a proposal to the IMO Council in June 2002 on the concept of an IMO Model Audit Scheme. This proposal received wide support and it was agreed that the Code, under development by FSI, should serve as the standard for the audit scheme.

During development of the scheme the name was changed to: Voluntary IMO Member State Audit Scheme. In November 2003, the IMO Assembly adopted resolution A.946(23) in which it endorsed the decisions of the Council regarding the Audit Scheme. The Scheme was adopted as resolution A.974(24) on Framework and Procedures for the Voluntary IMO Member State Audit Scheme in November 2005. The ‘Procedures’ part of this resolution is based on the international standard for auditing, i.e. ISO 19011.

The documentation developed for the Audit Scheme was tested by two groups of three Member States each before the adoption of the resolution and was found – in general – to be satisfactory.

At the initiative of the IMO Secretariat, an auditors’ training course was developed. The first regional training course was held in Ljubljana, Slovenia in September 2005.

Immediately after adoption of the Audit Scheme the IMO Secretary-General wrote to all Member States and invited them to volunteer to be audited as well as to nominate qualified auditors for the Scheme.

Above:
Quality in shipping should be a top priority for all IMO Member and States
Naval protection for shipping sailing off the coast of Somalia and in the Gulf of Aden needs to be continued and strengthened, until the problems ashore are solved, representatives of the Round Table of international shipping associations (BIMCO, ICS/ISF, INTERCARGO and INTERTANKO) and of the International Transport Workers’ Federation (ITF), agreed at a meeting held on 30 March 2009, at IMO Headquarters, at the invitation of IMO Secretary-General Mitropoulos. The participants welcomed the concerted efforts of the international community to protect shipping from acts of piracy and armed robbery off Somalia and in the Gulf of Aden, underlining that developments ashore in Somalia are probably the only way to resolve this problem in the long term.

The participants agreed to work together towards the early and comprehensive implementation of the Code of Conduct concerning the Repression of Piracy and Armed Robbery against Ships in the Western Indian Ocean and the Gulf of Aden, which was signed by States in the region in Djibouti in January. Signatories to the Djibouti Code of Conduct recognized the extent of the problem of piracy and armed robbery against ships in the region and declared their intention to co-operate to the fullest possible extent, and in a manner consistent with international law, in the repression of piracy and armed robbery against ships.

They also called for support to be given to countries in the region, through IMO’s Integrated Technical Co-operation Programme and other modalities, for the establishment of appropriate legislation and jurisdiction enabling the arrest, prosecution and imprisonment of pirates and armed robbers.

With regard to sustaining the morale of seafarers in the region, the participants noted the efforts of industry organizations, and the intention of the industry and seafarer representatives to submit papers to the MSC on the requirement for professional counselling for those that are victims of piracy attacks. They also noted the worrying situation of piracy and armed robbery against ships in the Gulf of Guinea.

The Round Table, ITF and IMO agreed to continue meeting periodically to review developments on this subject globally; and thanked all the Governments and navies that have to date provided military and other assets to protect seafarers and shipping off the coast of Somalia and in the Gulf of Aden.

ISF film supports ‘Go to Sea!’ campaign

The International Shipping Federation (ISF) has launched a DVD to promote careers at sea, in conjunction with IMO’s ‘Go to sea!’ campaign, and to celebrate ISF’s centenary year. Translated into several languages, with the support of IMO and ISF members, the film is intended to complement the careers’ promotion activities already being undertaken by national employers’ associations.

The new film seeks to explain careers in shipping to young people, emphasizing how a career at sea can be a stepping stone to an exciting career in one of the world’s most dynamic industries, and that a career at sea does not necessarily mean a lifetime at sea.

About 15,000 copies are being distributed internationally, free of charge, and are intended to be used during careers events. The DVD is available in English, Arabic, Chinese, French, Greek, Italian, Russian and Spanish.

Copies of Careers in International Shipping can be obtained via ISF’s national member associations, or accessed at www.marisec.org. It has also been posted on www.youtube.com
MEH survey gets go-ahead

IMO has signed a contract for a portion of the Traffic Separation Scheme (TSS) of the Straits of Malacca and Singapore to be surveyed, as part of the Marine Electronic Highway (MEH) Demonstration Project, a regional project of the Global Environment Facility (GEF)/World Bank, which IMO is executing. The purpose is to produce an updated Electronic Navigation Chart of the area.

The hydrographic survey within the Straits of Malacca and Singapore TSS will cover an area of 621.3km² around the One Fathom Bank area, representing 14.38 per cent of the total area of the TSS. The target area to be surveyed has a depth of less than 25m. Some parts of the target area have been resurveyed at various times between 1972 and 2005.

The survey will be carried out by United Kingdom-based GEMS Survey Limited, in collaboration with the Dinas Hidro Oceanografic Office (DISHIDROS) of Indonesia and the National Hydrographic Centre of Malaysia, using multi-beam sonar technology. The US$2.754 million contract for the hydrographic survey in the Straits was signed on 20 May 2009 between GEMS and IMO. It is anticipated that the surveying could begin later this year.

The MEH Project aims to establish a regional mechanism in the Straits of Malacca and Singapore for enhanced maritime safety and environment protection, in a co-operative arrangement with the three littoral States (Indonesia, Malaysia and Singapore) as well as the Republic of Korea, the International Hydrographic Organization (IHO), the International Association of Independent Tanker Owners (INTERTANKO) and the International Chamber of Shipping (ICS).

The demonstration project aims to link shore-based marine information and communication infrastructure with the corresponding navigational and communication facilities aboard transiting ships, while being also capable of incorporating marine environmental management systems. The MEH is being built upon a network of electronic navigational charts using electronic chart display and information systems (ECDIS) and environmental management tools, all combining in an integrated platform, covering the region, that allows the maximum of information to be made available both to ships and shipmasters as well as to shore-based users, such as vessel traffic services. The overall system – which would also include positioning systems, real-time navigational information like tidal and current data, as well as providing meteorological and oceanographic information – is designed to assist in the overall traffic management of the Straits and provide the basis for sound marine environmental protection and management.

The funding for the hydrographic survey comes out of a US$6.86 million grant agreement signed in June 2006 between the GEF/World Bank and IMO.

New air-pollution publication

The Revised MARPOL Annex VI and NOxTechnical Code 2008 (2009 Edition) is now available from IMO Publications. It covers the revised international regulations on preventing and reducing harmful emissions from ships, such as sulphur oxides (SOx), nitrogen oxides (NOx) and particulate matter. The revised MARPOL Annex VI (Regulations for the Prevention of Air Pollution from Ships) and the revised NOx Technical Code were adopted by IMO’s Marine Environment Protection Committee in October 2008, and will enter into force on 1 July 2010.

The new edition is an essential publication for maritime Administrations, classification societies, shipping companies (owners and operators), educational institutes, engine and equipment manufacturers and others with an interest in the prevention of air pollution from ships.

The book includes:
- the revised MARPOL Annex VI (Regulations for the Prevention of Air Pollution from Ships), including emission limits and operational requirements;
- the NOx Technical Code 2008, which is made mandatory under MARPOL Annex VI for all marine diesel engines with a power output of 130 kW or more, and provides the requirements for the testing, survey and certification of marine diesel engines;
- interim guidelines for application of the NOx Technical Code 2008; and
- standard specifications for shipboard incinerators.


Customers wishing to be informed about the availability of new IMO titles can register online at http://www.imo.org/Publications/mainframe.asp?topic_id=517
GIA aims to prevent marine bio-invasions

A Global Industry Alliance (GIA) was launched in March at IMO Headquarters, to tackle the threat of marine bio-invasions caused by the transfer of alien organisms in ships’ ballast tanks.

The GIA, made up of an innovative partnership between IMO, the United Nations Development Programme (UNDP), the Global Environment Facility (GEF) and four major private shipping-industry corporations (APL, BP Shipping, Daewoo Shipbuilding and Marine Engineering, and Vela Marine International), aims to harness the different skills and expertise brought by these groups in order to develop concrete solutions to this global environmental hazard. It is being hosted by IMO at the Organization’s London Headquarters.

An estimated 10 billion tonnes of ballast water are being carried around the globe each year, and more than 3,000 species of alien plants and animals are being transferred daily and introduced to new ecosystems, which may not be able to deal with the imported species. The damage done by these alien species is costing the world billions of dollars with new invasions being recorded at an alarming rate.

Recognizing the significance of the global environmental threat from ballast water transfer of such harmful species, IMO has developed a regulatory framework for ballast water management, culminating in the adoption, in 2004, of the International Convention for the Control and Management of Ships’ Ballast Water and Sediments.

The GIA will contribute to research and development of cost-effective ballast water treatment technologies that can be fitted onboard ships. In addition, it will assist with exploring new ship design options such as “flow through” ballast tanks and “ballast-free ships”. The GIA aims to promote the transfer and diffusion of technology within the industry by opening a ballast water information exchange mechanism, developing training tools targeted at the maritime industry and establishing an industry dialogue forum.

GCLME workshop to beat invasive species

A four-day workshop on building capacity to control and manage invasive aquatic species and the transfer of environmentally harmful organisms and sediments in ships’ ballast water was held in Accra, Ghana, from 31 March 2009, and was attended by 40 participants from Western and Central African countries.

The workshop was organized by the Guinea Current Large Marine Ecosystem (GCLME) programme, which covers the marine environment of 16 countries sharing the Gulf of Guinea in Central and Western Africa, in collaboration with IMO, and was aimed at giving participants knowledge and expertise in order to ensure the uniform implementation of the International Convention for the Control and Management of Ships’ Ballast Water and Sediments, 2004.
In May, Ambassadors of the Arab States in London, the Palestinian General Delegate and the representative of the League of Arab States jointly hosted a lunch in honour of IMO Secretary-General Mitropoulos. Issues such as piracy, climate change and IMO’s technical co-operation activities were among the items on the agenda.

Experts agree HNS research priorities

Leading chemical and oil spill response experts from around the world gathered in Marseille, France, from 12 to 14 May, to participate in the Fourth IMO R&D Forum on Hazardous and Noxious Substances (HNS) in the marine environment, held in conjunction with the Interspill 2009 oil spill conference.

The increased movement of HNS by sea, together with the entry into force of the OPRC-HNS Protocol in 2007 and the renewed action towards adoption of a Protocol to the HNS Convention that will provide the necessary liability and compensation framework, have, collectively, generated significant attention to and interest in the issue of establishing systems for preparedness and response to pollution incidents involving HNS.

The introduction of a background document raising the question “Are HNS spills, more dangerous than oil spills?” during the conference’s opening session, raised important research questions that effectively set the stage for the topics addressed by the forum and spurred the discussions during its technical sessions.

The forum considered a range of technical and practical topics related to the challenge of responding to incidents of HNS in the marine environment, ranging from HNS identification and assessment to detection and monitoring, as well as health and safety issues and a review of case studies and lessons learned from past incidents.

This work will be carried forward by IMO through its technical committees for appropriate follow-up, as well as with its key industry, regional and UN partners.

The successful end result of the forum was the identification of priority areas for future research and development on HNS-related issues and to draw attention to the topic, with a view to generating increased research funding for this important area of work. The combined conference was attended by some 1,080 delegates, visitors and exhibitors representing 73 countries.

IMLI celebrates 20th anniversary

A commemorative seminar to mark the 20th anniversary of the first graduation of maritime lawyers from the IMO International Maritime Law Institute (IMLI) was held on 5 May 2009 at IMO Headquarters in London. IMLI, located in Malta, was founded in 1988 and the first students enrolled at the Institute in 1989.

IMLI was established by IMO to help ensure that sufficient maritime law experts, with appropriate knowledge and skills, would be available, especially within developing countries, to assist in the implementation and enforcement of international maritime law and, more particularly, the vast body of rules and regulations developed under the aegis of the Organization.

To date, including the 2009 graduates, a total of 518 IMLI graduates from 116 States and territories worldwide have graduated from the Institute, successfully promoting and defending the rule of international maritime law.

IMLI Award presented to Nippon Foundation head Sasakawa

Also on 5 May, IMO Secretary-General Mitropoulos presented the “IMLI Award for Meritorious Contribution towards the Dissemination, Harmonization and Implementation of International Maritime Law” to Mr. Yohei Sasakawa, Chairman of the Nippon Foundation.

As Chairman, Mr. Sasakawa has steered the Foundation through a number of maritime projects, including the “Human Resources Development Project for the Advancement of a More Effective Legal Order for the Oceans”, which, jointly with IMLI, established a scholarship fund to enable lawyers from all over the world to undertake studies at IMLI. To date, 56 such scholarships have been awarded to IMLI students.

Ambassadors honour IMO Secretary-General

In May, Ambassadors of the Arab States in London, the Palestinian General Delegate and the representative of the League of Arab States jointly hosted a lunch in honour of IMO Secretary-General Mitropoulos. Issues such as piracy, climate change and IMO’s technical co-operation activities were among the items on the agenda.
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