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I F S M A - NEWSLETTER

The International Shipmasters Link

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**Mark Your Diaries for 26th IFSMA Annual General Assembly -
19th and 20th May 2000, in London**

**IFSMA Register of Technical Consultants and Maritime Experts (RTCME)
now Available on the Internet at "www.ifsma.org"**

Information On The Equasis System

Equasis Agreement Signed

On 28 January 2000, the maritime administrations of France, United Kingdom, Spain, Singapore and the European Commission signed a Memorandum of Understanding (MOU) on the setting up of the Equasis information system. The US Coast Guard and the maritime administration of Japan have expressed their intention to join the signatories, but have not yet finalised internal procedures for doing so. The MOU was signed in the IMO Headquarters in London in the presence of IMO's Secretary General William O'Neil.

Equasis will be a unique database collecting safety-related information on the world's merchant fleet from both public and private sources and making it easily accessible on the Internet. The launch of the database is planned for May 2000.

Background

The role of the industry in promoting quality and safety in maritime transport is at the heart of the Quality Shipping Campaign, launched by the European Commission and the UK Government in November 1997. The Campaign aims at engaging all players involved in maritime transport (including shipowners, cargo owners, insurers, brokers, classification societies, agents ports and terminals) in the effort to improve maritime safety. It is based upon a dialogue between all players and public authorities and its tools are primarily voluntary measures.

Early on in the Campaign it became evident that one of the greatest impediments to a genuine quality culture in shipping is the lack of sufficient transparency of information relating to the quality of ships and their operators. While much relevant information is collected and available, it is scattered and often difficult to access. One

of the main conclusions of the Quality Shipping Conference in Lisbon in June 1998, was a unanimous call from the participants representing the whole range of industry players, for making such information more accessible.

In response to this call, the European Commission and the French Maritime Administration decided to co-operate in developing a data system collecting existing safety-related information on ships and making it available on the Internet. During the last year and a half an intensive co-operation has taken place between the founders of the project and the industry on provision of information to Equasis.

Information

Already in its first phrase, Equasis will contain information from public authorities (port State inspection and detention information from the three participating port State control regions, i.e. Paris MOU, Tokyo MOU and the US Coast Guard) and industry players (such as information on class, insurance, participation in industry inspection schemes and quality organisations). The database will, however, be subject to continuous improvement and more sources will be included after the launch of the system in May 2000.

Structure

The proposed mechanism to ensure the successful operation of Equasis is through an internationally non-binding Memorandum of Understanding (MOU), setting up the organisational structure of the system. The MOU is agreed between a small number of quality-minded maritime administrations as a first step for the progressive incorporation of those other willing to adhere to it. The key elements of that organisational structure is:

The parties to the Equasis MOU, which should represent a wide geographical spread, based upon participation of re-

gional port State control arrangements, shall be members of the Supervisory Committee. In addition, the IMO, being the main international regulator, should participate in the Committee. The role of the Committee is to supervise the management of Equasis and decide on policy matters related to the operation and future development of the system. After the initial trial period of maximum three years, the MOU will be amended to allow a broader range of administrations to participate in the Equasis system.

The daily management of Equasis will be carried out by a body having the capacity to conclude agreements on behalf of Equasis with, for example, data providers, users, consultants and providers of IT service, staff, etc. The Management Unit should be in charge of the daily operations of Equasis, including financial and marketing aspects. It will also act as secretariat of the Committee. The French Maritime Administration has offered to create a legal structure for the Management Unit.

A Technical Unit will be in charge of the realisation of the project at a technical level. This function will be performed by the 'Centre Administratif des Affaires Maritimes' (C.A.A.M.) in Saint Malo, which is the body currently managing the Sirenac database for the Paris MOU on Port State Control. All organisations providing data to Equasis, such as maritime administrations, classification societies, insurers' organisations, shipowners' organisations, commercial data providers, etc shall be represented in a consultative body, call the Editorial Board. The task of the Editorial Board is to advise the Management Unit on all aspects related to the best possible presentation of the available data, including aspects of quality control and up-dating. Secondly, the Editorial Board should advise the Committee on policy matters related to the future development, expansion and improvement of the Equasis information system.

Finance

Equasis is not meant to be a profit making business. The task of Equasis, i.e. to make maritime safety-related data available to maritime authorities and interested private parties, is considered to fall within the field of competence of public authorities. For this reason Equasis should initially be financed by a public budget and may continue to be assisted financially by public bodies in the future. However, the operation of Equasis should be organised in a business-like manner and the dependency on public finance should be reduced gradually. To this end a small users'-fee will be charged. It has been decided, that during 2000 the subscription to Equasis shall be free of charge.

Address

The Internet address of Equasis will be www.equasis.org

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Hijacking - MV Alondra Rainbow

On 22 October 1999, the **M.V. Alondra Rainbow** registered in Panama, loaded a cargo of 7000 metric tonnes of aluminium ingots and sailed from Kuala Tanjung in Indonesia for Miike in Japan. Shortly after her departure a gang of pirates armed with swords and guns hijacked her. The 17-crew members were threatened with death and transferred to another ship, which came alongside at sea. They were held captive for a week and eventually set adrift in a liferaft on 29 October 1999. They were rescued by a Thai fishing boat 10 days later on 8 November 1999, off the North East Coast of Sumatra.

On 28 October 1999, the IMB Piracy Reporting Centre commenced broadcasting a message to ships at sea via SafetyNET service of Inmarsat-C with a request to report any ship, which matched the description of the **Alondra Rainbow**. This was followed by a special alert to relevant agencies, ports and law enforcement in the Region requesting them to look out for ship or cargo of a similar description.

The excellent response received from various masters at sea helped locate the missing ship. On 14 November 1999, the master of a tanker reported sighting a ship matching the profile of the **Alondra Rainbow** heading in to the Arabian Sea. The IMB Piracy Reporting Centre passed this information along with a photograph of the **Alondra Rainbow** to the Indian Coast Guard and requested their assistance in locating and detaining the suspect ship.

The response of the Indian authorities was swift. The Coast Guard immediately dispatched a patrol aircraft to search the area. Upon sighting the suspect ship, the Coast Guard advised that her profile matched the photograph of the **Alondra Rainbow**. However, the suspect ship had a name **Mega Rama** and was flying the Belize flag. Quick checks by the IMB Piracy Reporting Centre revealed that no such ship was registered in Belize. This was relayed to the Indian Coastguard. The patrol aircraft then attempted radio contact with the ship but she maintained radio silence.

Thereafter a coast guard patrol vessel was sent to intercept the ship, 70 miles west of Ponnani. Despite warning shots fired across her bow, the ship increased speed and continued her path. It was only when a missile carrying Corvette, **INS Prahar**, was called in to action that the high seas chase was brought to an end. The naval ship deployed a graduated use of force to bring about the suspect ship's capture on the 16 November 1999, approximately 300 miles west of Mumbai. The 15 Indonesians

found on board allegedly attempted to destroy the evidence by setting fire to and scuttling the ship. The naval boarding party put out the fire, brought the flooding under control and towed the ship to Mumbai.

Just under half the cargo, 3000 metric tonnes worth US\$4.25m had been illegally offloaded at an unknown destination. Discovery of large amount of cash and the fact that at least one of the 15 Indonesians found on board had featured in the hijacking of **M.V. Tenyu** in September 1998, suggest that they are part of an organised syndicate.

The Indian law enforcement has placed the 15 Indonesians in custody and has declared its intention to prosecute them. However, although India is a signatory to the United Nations Convention on the Law of the Sea (UNCLOS) 1982 this has not been incorporated into the national legislation. The Indian Penal Code does not address the offence of piracy or hijacking of ships. Further, India became a signatory to the Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation (1988 SUA Convention) on 15 October 1999.

However, the accession to this Convention came into effect on 15 January 2000, whilst the alleged offenders were arrested on 21 November 1999.

It is understood that many countries do not have national legislation for dealing with piracy. Therefore there is an urgent need for Member Governments to ensure that their national legislation deals with piracy and related offences. It would also be ideal if Member Governments that were not signatory to the 1998 SUA Convention consider ratifying this Convention.

The General Assembly of the United Nations adopted, on 18 January 2000, Resolution 54/31 on Oceans and the Law of the Sea. We reproduce hereunder the four operative paragraphs dealing with Piracy

and Armed Robbery:

20. Calls upon States to cooperate fully with the International Maritime Organization to combat piracy and armed robbery against ships, including by submitting reports of incidents to that organization;

21. Also calls upon States to implement the International Maritime Organization guidelines on preventing attacks of piracy and armed robbery and to cooperate with the International Maritime Organization Correspondence Group, established to draw up standard guidelines for Governments in investigating attacks against ships and prosecuting offenders, and with other initiatives of the organization in this area;

22. Urges all States, in particular coastal States in affected regions, to take all necessary and appropriate measures to prevent and combat incidents of piracy and armed robbery at sea, including through regional co-operation, and to investigate or cooperate in the investigation of such incidents wherever they occur and bring the alleged perpetrators to justice, in accordance with international law;

23. Urges States to become parties to the Convention for the Suppression of Unlawful Acts against the Safety of Maritime Navigation and its Protocol, and to ensure its effective implementation;

The So-Called White List

Preparation of reports pursuant to STCW regulation I/7

At its sixty-ninth session, the Maritime Safety Committee instructed the Secretariat to keep it informed on progress being made in the preparation of the reports pursuant to STCW regulation I/7, paragraph 2.

In this respect, it had been reported to MSC 70 that, by 1 August 1998, 82 STCW Parties had communicated information, which the Secretariat had passed to panels of competent persons included in the list maintained by the Secretary-General in accordance with paragraph 5, section A-I/7 of the STCW Code. Subsequently, MSC 71, A 21 and STW 31 were informed of progress made by their opening dates.

As at 14 March 2000, a further 13 Parties had communicated information; 40 panels of competent persons had completed their work and made their reports to the Secretary-General; 40 panels had completed their initial evaluation and the relevant Parties had been requested to provide clarifications; responses to requests for clarifications were awaited from 7 Parties and, therefore, 2 panels were still engaged in their initial evaluation of the information communicated.

Timing of the Secretary-General's report to the Committee

MSC 71 noted a progress report on the evaluation of information which had been communicated by STCW Parties before 1 August 1998. It further noted that, for the Secretary-General to make his report to MSC 72 in May 2000, the work of the 82 panels evaluating the information of the Parties, should be completed by 15 January 2000 in order for the Secretariat to meet the deadline for the submission of bulky documents requiring action or decision.

In considering the deadline for the submission of the Secretary-General's report to MSC 72, MSC 69 had decided that this report should only be submitted after all the information communicated by Parties received by 1 August 1998 had been evaluated. In order to allow as much time as possible for completion of the panels' work MSC 71 therefore agreed to relax to 1 March 2000 the deadline for the submission of the Secretary-General's report to MSC 72.

The Secretariat advised STW 31 it would provide timely advice to Member Governments in the event that the evaluation exercise had not been completed in time to enable the composition of delegations to MSC 72 to be adjusted accordingly. In the regard, Circular Letter No.2207 was issued to Member Governments when it became clear that insufficient progress had been made with the evaluation to allow the Secretary-General to act as planned.

Since Governments may wish to accept, in principle, the certificates issued by or on behalf of STCW Parties identified by MSC in accordance with STCW regulation I/7, and the next opportunity for the Secretary-General to report is at MSC 73 it is of paramount importance that Member Governments Parties to the STCW Convention respond to requests for clarifications promptly and ensure that the competent persons they have nominated are given every opportunity to complete their evaluations without further delay.

Letter To The Editor

Proliferation And Multiplicty Of Ship Inspections

If I could just give you an example in my own case, a story I am sure you have heard many times before, but is relevant to a ships operational basis.

I was Master of the Auckland Star and she was running from Belize to Europe on the first run of a new charter to Fyffes, so everybody was hopefull that all would go well, and the new charterers would be pleased with the ship. It was known that when the vessel called at Portsmouth, all Classifications surveys would be carried out, Bahamas Flag State survey and Lloyds External Annual Audit in conjunction with the BSSM Internal ISM audit. In discussion with head office it was agreed to get

it all done, and planning was such that all surveyors would work in conjunction with each other. Great.

The passage round from Waterford in January was in atrocious weather, and berthing the ship at 0500 in the morning in Portsmouth was not easy. All parties duly arrived in the ships office at 0830 and I counted 5 different surveyors and 2 superintendents, a ships chandler, and other assorted people. The local radio surveyor then turned up to inspect our equipment. A deck officer had already been assigned to handle the deck surveys, and likewise in the engineroom, when at 0930 a Port State Official arrived and demanded a separate survey. He would not join the other surveyors and another off duty deck officer was assigned to him.

So we now had all the deck officers and the Master involved in this work, when about mid morning the Charterers Superintendent advised me that the stevedores were complaining the cranes were not functioning correctly. The stevedores had realised there were no officers about and took advantage of the situation. At 1700 we had to shift the ship along the berth in a NW Force 10, which eventually required a tug to do so, with the Port State surveyor complaining to me he wanted to get ashore to go home. He eventually did so when we had all finished at 1930.

I was then busy until 2100 with the chandler and other suppliers, and processing paperwork for crew changes. We sailed at 2130 for Flushing, and I was not off the bridge until safely alongside the following afternoon. And I forgot, the Wanderlaar Pilot was off station due to bad weather so I took the ship under Blind Pilotage to Flushing Roads myself. The ship sailed from Flushing at 0200 the next morning for Belize.

I have not elaborated on the tale, but you can imagine the state of exhaustion of

myself and many of the officers and crew when the vessel eventually cleared the Channel some four days after leaving Ireland.

Yours sincerely
Captain J.R. de.L.Inniss

Harmonized System of Ship Survey and Certification in Force from 3 February 2000

The harmonized system of survey and certification covering international shipping regulations adopted by IMO entered into force on 3 February 2000.

The system covers survey and certification requirements of SOLAS 1974, the International Convention on Load Lines, 1966 and MARPOL 73/78, as well as IBC Code, BCH Code and IGC Code.

All of these instruments require the issuing of certificates to show that requirements have been met, and this has to be done by means of a survey which can involve the ship being out of service for several days. The harmonized system will alleviate the problems caused by survey dates and intervals between surveys which do not coincide, so that a ship should no longer have to go into a port or repair yard for a survey required by one convention shortly after doing the same thing in connection with another instrument.

Harmonized System adopted in 1988

The international requirements introducing the harmonized system of survey and certification (HSSC) for the SOLAS and Load Lines Convention were adopted by IMO at an International Conference on the Harmonized System of Survey and Certification held in 1988 - which itself had its origins in the 1978 Conference on Tanker Safety and Pollution Prevention

which recognized the difficulties caused by the survey and certification requirements of SOLAS, the Load Lines Convention and MARPOL 73/78. The 1978 Conference called upon IMO to develop a harmonized system which would enable the surveys to be carried out at the same time.

The 1988 HSSC Conference adopted Protocols to the SOLAS and Load Lines Conventions to introduce the harmonized system. Both Protocols required acceptance by a specified number of states - 15 States with a combined merchant shipping fleet of not less than 50% of world merchant shipping tonnage for the system to enter into force.

The conditions for entry into force of the 1988 SOLAS and Load Lines Protocols were met on 2 February 1999, when Bahamas deposited instruments of accession to both instruments with IMO. Malta also recently acceded to the 1988 Protocols. The 1988 Load Lines Protocol has 36 States Parties with 58.58% of world merchant shipping tonnage. The 1988 SOLAS Protocol has 36 States Parties with 58.10% of world merchant shipping tonnage.

In terms of MARPOL 73/78, the Convention allowed for amendments to the certification and survey requirements to be accepted by a procedure known as "tacit acceptance", meaning that amendments enter into force on a specified date unless sufficient objections are received. As a result, MARPOL 73/78 was amended on 16 March 1990 to introduce the HSSC, with the proviso that the amendments enter into force at the same time as the entry-into-force date of the 1988 SOLAS Protocol and the 1988 Load Lines Protocol.

The Harmonized System

The harmonized system provides for:

- a one-year standard interval between surveys, based on initial, annual, intermediate, periodical and renewal surveys as appropriate:

- a scheme for providing the necessary flexibility for the execution of each survey, with the provision that the renewal survey may be completed within three months before the expiry date of the existing certificate with no loss of its period of validity:
- a maximum period of validity of five years for all certificates for cargo ships:
- a maximum period of validity of 12 months for the Passenger Ship Safety Certificate:
- a system for the extension of certificates limited to three months to enable a ship to complete its voyage (or one month for ships engaged on short voyages):
- when an extension has been granted, the period of validity of the new certificate is to start from the expiry date of the existing certificate before its extension.

The main changes to the SOLAS and Load Lines Conventions are that annual inspections have been made mandatory for cargo ships and unscheduled inspections have been discontinued. Other changes refer to survey intervals and requirements.

Tacit Acceptance in LL Convention

The 1988 Load Lines Protocol also introduces the tacit acceptance amendment procedure into the Load Lines Convention. At present, amendments enter into force after they have been positively accepted by two thirds of Parties to the Convention, but the procedure has proved to be so slow in practice that none of the amendments adopted to the Convention has ever entered into force.

Under tacit acceptance, amendments enter into force on a date chosen at the time of adoption, unless they are rejected by one

third of Parties or by Parties the combined merchant fleets of which represent 50% of gross tonnage of all the world's merchant fleets.

The tacit acceptance procedure will enable changes to the Convention, as modified by the Protocol, to enter into force within a period determined by the MSC. This is important because the Convention is currently being revised by IMO. Further changes are also expected to be made affecting bulk carriers as a result of a report published in 1988 on the sinking of the bulk carrier *Derbyshire* in September 1980 with the loss of more than 40 lives. This was presented to the MSC in May 1998 by the United Kingdom and contains recommendations relating to the design and construction of bulk carriers.

The Sub-Committee on Stability and Load Lines and on Fishing Vessels Safety (SLF) agreed at its 42nd session (February 1999) to establish a correspondence group to prepare a draft text of new amendments to the 1966 LL Convention, as well as to look at what action may be needed as regards bulk carrier safety and a number of other issues. The Sub-Committee agreed that it has been clearly demonstrated that current Load Lines Convention standards may be inadequate with respect to wave loads and permissible strength of hatch covers for bulk carriers and other ship types.

The correspondence group will prepare a report for submission to the next SLF Sub-Committee session. Scheduled for September 2000, for further consideration.

Assembly Resolution

In November 1999, IMO's 21st Assembly adopted resolution A.883(21), Global and uniform implementation of the harmonized system of survey and certification (HSSC), which is aimed at encouraging all States to implement the HSSC even if they

are not parties to the relevant Protocols, which entered into force on 3 February 2000.

List of Certificates Required on Board Ship Relating to HSSC

(some depend on type of ship)

Passenger Ship Safety Certificate, including Record of Equipment

Cargo Ship Safety Construction Certificate

Cargo Ship Safety Equipment Certificate, including Record of Equipment

Cargo Ship Safety Radio Certificate, including record of Equipment

Cargo Ship Safety Certificate, including Record of Equipment

International Load Lines Certificate

International Load Lines Exemption Certificate

International Oil Pollution Prevention Certificate

International Pollution Prevention Certificate for the Carriage of Noxious Liquid Substances in Bulk

International Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk

International Certificate of Fitness for the Carriage of Liquefied Gases in Bulk

Certificate of Fitness for the Carriage of Dangerous Chemicals in Bulk

E-commerce opportunities

It took 38 years for 50 million people to listen to the radio.

It took 18 years for 50 million people to tune into TV.

It took 04 years for 50 million users to be web-enabled.

By 2003 it is estimated that 500 million people will use the Internet - only 10 % of the World's population.

SA Radio Beacons to be switched off

SOUTH Africa's marine radio beacon system of 24 radio beacons in coastal lighthouses will be switched off from April 1. Portnet has announced that a new high-accuracy navigation and positioning service, using differential GPS techniques, will be available towards the latter part of 2000. The correctional and integrity warning signals will be broadcast via transmitters at Cape Columbin, Cape Agulhas, Cape Recife and Cooper (Durban) lighthouses. Users will be able to receive DGPS information via commercially-available DGNSS receivers operating in the 285 to 315 kHz marine radio beacon band. Older GPS receivers with a differential capability will need to be upgraded to a differential Beacon Receiver unit that can receive and relay the DGPS information.

Antifouling Systems MEPC 44, March 2000

The MEPC Antifouling Working Group continued work on developing a legal instrument to regulate the use of shipboard Antifouling Systems, in particular to phase out those containing organotins such as tributyltin (TBT). It will be further considered at the Committee's next session (2-6 October 2000) when the draft text will be scrutinised article by article.

The IMO Assembly in November 1999 approved the holding of a Diplomatic Conference in 2001 to adopt the proposed instrument. It is tentatively scheduled to be held from 22-26 October.

The Working Group has already developed the basic structure of a proposed legal instrument to effect the phasing out of organotins acting as biocides in Antifouling Systems on ships, while the Assembly adopted Resolution A.895(21) **Antifouling Systems used on ships**.

The resolution states that the MEPC should develop a global legally-binding instrument to address the harmful effects of Antifouling Systems used on ships. It adds that this instrument should ensure a global prohibition on the application of organotin compounds which act as biocides in Antifouling Systems on ships by 1 January 2003, and a complete prohibition on the presence of organotin compounds which act as biocides in Antifouling Systems on ships by 1 January 2008.

Antifouling paints are used to coat the bottoms of ships to prevent sealife such as algae and molluscs attaching themselves to the hull - thereby slowing down the ship and increasing fuel consumption. In the early days of sailing ships, lime and later arsenic was used to coat ships' hulls, until the modern chemicals industry developed effective Antifouling Paints using metallic compounds.

The compounds slowly "leach" into the sea water, killing barnacles and other marine life that have attached to the ship - but studies have shown that these compounds persist in the water, killing sealife, harming the environment and possibly entering the food chain. One of the most effective Antifouling Paints, developed in the 1960s to 1970s, contains the organotin tributyltin (TBT), which has been proven to cause deformations in oysters and sex changes in whelks.

The harmful environmental effects of organotin compounds were recognised by IMO in 1990, when the Marine Environment Protection committee (MEPC) adopted a Resolution which recommended that Governments adopt measures to eliminate the use of Antifouling Paint containing TBT on non-aluminium hulled vessels of less than 25 metres in length and eliminate the use of Antifouling Paints with a leaching rate of more than 4 micrograms of TBT per day.

Alternatives to TBT paint include copper-based coatings and silicon-based paints, which make the surface of the ship slippery so that sealife will be easily washed off as the ship moves through the water. Further development of alternative Antifouling Systems is being carried out. Underwater cleaning systems avoid the ship having to be put into dry dock for ridding the hull of sealife, while ultrasonic or electrolytic devices may also work to rid the ship of foulants.

A new range of antifouling have been launched by Jotun Paints that it has developed with Japanese chemical group Nippon Oil and Fats. The SeaQuantum range, which uses a butterfly as a motif, comes in three versions Plus, Classic and FB, with the plus version for vessels above 18 kt - the Classic for speeds between 12-20 kt and FB for flat bottomed craft.

The antifouling are of a hydrostable type that use a silyl polymer as a base and copper as the active ingredient.

"In the longer term we expect the copper content to be reduced and maybe replaced entirely with other substances," says Stein Kjølberg, marketing manager for marine products at Jotun Paints. He explains that "this has not yet been possible as yet, but is one of the challenges faced in the development of the next generation of antifouling coatings."

Jotun says that the product was tested and further developed and refined through a number of carefully controlled stages before the R&D team were satisfied and has been tested by a number of shipowners on some 400 vessels before it was accepted.

The company claims that the paint film maintains a constant linear pol-

ishing rate for up to five years - "providing antifouling performance that is equal to, or better than the very best TBT - containing antifoulings."

It says that after the initial roughness is polished away, the smoothness of the hull is maintained, reducing fuel consumption. In the case of a VLCC tested, this resulted in a 7.5 per cent reduction over two years. In literature supplied by the company it says that "SeaQuantum also demonstrates environmental acceptability and conforms to the requirements of the draft IMO regulations."

Oil Pollution Compensation Fund

Consideration of a Draft Protocol of 2000 to the International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage

Note by the Secretariat of the International Maritime Organization

Background

The international system of compensation for oil pollution damage resulting from oil spills from tankers is based on two treaties, namely the 1969 International Convention on Civil Liability for Oil Pollution Damage (1969 Civil Liability Convention) and the 1971 International Convention on the Establishment of an International Fund for Compensation for Oil Pollution Damage (1971 Fund Convention). The International Oil Pollution Compensation Fund (1971 Fund) was established under the latter Convention to administer the compensation system.

The 1969 Civil Liability Convention governs the liability of shipowners for oil pollution damage. The 1971 Fund pays compensation to victims who have not been fully compensated by the shipowner (or his

insurer) under the Civil Liability Convention. The 1971 Fund is financed by a levy on receipts of crude and heavy fuel oil after sea transport in port and terminal installations in Members States. Contributions to the 1971 Fund are paid by entities (public or private), if any, in 1971 Member States who receive more than 150,000 tonnes of such oil per year.

The 1969 and 1971 Conventions were amended by Protocols in 1992 (1992 Protocols). The conventions as amended by the 1992 Protocols are known as the 1992 Civil Liability Convention and the 1992 Fund Convention. Following the entry into force of the 1992 Protocols on 30 May 1996, two Organisations exist with different memberships: the 1971 Fund and the 1992 Fund.

The 1992 Protocols provide much higher limits of compensation than the Conventions in their original versions. The total amount available under the 1992 Conventions is 135 million Special Drawing Rights (SDR) of the International Monetary Fund (approximately US\$181 million) available per incident. (Exchange rate on 1 March 2000: 1 SDR = US\$1.3421). In addition, the 1992 Conventions have a wider scope of application on several points.

The 1969 Civil Liability Convention and the 1971 Fund Convention have been denounced by a number of States, so that the number of 1971 Fund Member States has fallen from 76 to its present level of 42. A further 9 States have also denounced the 'old' Conventions and will have ceased to be 1971 Fund Member States by March 2001. Meanwhile, the number of 1992 Fund Member States has risen to 42, and a further 12 States have acceded to the 1992 Protocols and will have become 1992 Fund Member States by that time.

Need for a Protocol to Amend Article 43(1) of the 1971 Fund Convention

Article 43(1) of the 1971 Fund Convention provides that the Convention shall cease to be in force on the date when the number of Contracting States falls below three. Although the number of 1971 Fund Contracting States is falling as States leave the 1971 Fund to join the 1992 Fund, it is unlikely that this low figure will be reached in the foreseeable future. In the meantime, the contribution base of the 1971 Fund is continuously decreasing. Since most of the States with major contributions have denounced the 1971 Fund Convention, the 1971 Fund will soon cease to be financially viable. As a result, an incident could occur resulting in an obligation for the 1971 Fund to pay compensation to victims but with few or no contributors in any of the remaining Member States.

In order to avoid this situation and to ensure that the 1971 Fund is wound up in an orderly fashion after meeting its obligations in respect of all incidents, the 1971 Fund's Executive Committee decided to request IMO urgently to convene a Diplomatic Conference for the purpose of adopting a protocol to amend article 43(1), so as to ensure the termination of the Convention well before the number of Member States falls below three. In accordance with the draft amendments, the Convention shall cease to be in force: (a) on the date when the number of Contracting States falls below [25]; or (b) twelve months following the date on which the Assembly notes that the total quantity of contributing oil received in the remaining Contracting States by those persons who will be liable to contribute falls below [100 million] tonnes, whichever is the earlier. The Committee, acting on behalf of the 1971 Fund's Assembly, prepared the draft protocol, which is now being submitted for the consideration of this Conference.

The Council and the Assembly of the International Maritime Organization (IMO) have endorsed the request made by the 1971 Fund for the Secretary-General of the Organization to convene a Conference of Parties to consider the draft protocol to amend article 43(1).

Bearing in mind the urgent need to ensure that this amendment enters into force as soon as possible, a proposal is included that, once adopted by the Conference, the protocol will enter into force by operation of a procedure of tacit acceptance. In this regard, reference may be made to the fact that the proposed amendment does not impose financial obligations on States. On the contrary, it aims to relieve States and the contributors in those States of potentially onerous obligations under the 1971 Fund Convention.

An alternative proposal providing for the entry into force by means of an explicit acceptance procedure has, however, been included in the event that the Conference decides not to accept the provision on tacit acceptance.

In line with IMO practice, the Secretariat of IMO has amended the text of draft article 7 to enable the preparation of authentic texts in the six official UN languages.

The International Conference on the Revision of the 1971 Fund Convention will be held at IMO Headquarters, 4 Albert Embankment, London SE1 7SR from 25 to 27 September 2000.

The Six Official UN Languages are Arabic, Chinese, English, French, Russian and Spanish, each text being equally authentic.

NEW IFSMA INDIVIDUAL MEMBERS

During the 1st Quarter of Year 2000 we have been pleased to welcome the following 14 Shipmasters into Individual Membership of IFSMA:

Captain Klaus Pedersen	Gothenburg Sweden
Captain Muhammad Y Soomro	Karachi Pakistan
Captain Jonathan R Gray	Surrey UK
Lt.Cdr. Rowland G T Raikes	Hampshire UK
Captain François De Meulder	Kalmthout Belgium
Captain Simon Douwes	Ontario Canada
Captain Sergej Koskin	Klaipeda Lithuania
Captain Valentin Kliuchnikov	Klaipeda Lithuania
Captain Vladimir Davydov	Klaipeda Lithuania
Captain Victor Marinenko	Klaipeda Lithuania
Captain Stanislav Romanishin	Klaipeda Lithuania
Captain Vladislav Koldayev	Klaipeda Lithuania
Captain Vyacheslav Shteklyayn	Klaipeda Lithuania
Captain Vladimir N Basyuk	Klaipeda Lithuania

Each of these Shipmasters will be receiving with this Newsletter a copy of the IFSMA 25th Anniversary Publication and we hope they will benefit from a happy and enjoyable relationship within the Group Individual Members (GIM) of this Shipmasters' Federation.

The Individual Members now number 121 Shipmasters

Cargo Not Compliant with Bill of Lading

The following casualty was reported to IMO in Document DSC 5/7/6 3rd and December 1999 submitted by Belgium:

The vessel, which is a combined bulk/carrier, loaded, which was said to be non-hazardous ironoxide. During the passage to the discharge port, Antwerp, an explosion occurred in cargoholds No's 4 and 5 while the crew was chipping the hatchcovers of cargohold no. 4, causing an explosion in these holds.

It appeared that hydrogen gas was coming from the cargo due to a reaction of the cargo with water. The vessel proceeded to the Azores for temporary repairs and afterwards to Antwerp to discharge.

Information on the cargo was received from several parties. The producing plant produces iron. It imports iron ore pellets, which consist mainly of ironoxide. As these pellets enter the process, the dust (so called fines) and pieces of broken pellets are removed in a scrubber (clarifier) and then stockpiled in a yard, where they remain awaiting transportation. As this product has not been processed in any way and is directly coming from the ore it can be regarded as completely inert. The remaining iron ore pellets are converted into iron by means of direct reduction. In this process the iron ore pellets are heated to temperatures of 850°C, which is below the melting point. During the heating, reducing gases, such as hydrogen, methane and carbon monoxide are blown through the product, reducing the ironoxide from the ore into metallic iron by removing the oxygen and producing "direct reduced iron (DRI).

When considering the performance of the plant, the degree of "metallisation" is determined. This is the proportion of free,

metallic iron to the total iron content (free plus chemically combined). Typically, the degree of metallisation is in the order of 95% when it leaves the furnace, which means that approximately 5% of the ironoxide were not converted into metallic iron. In time, the metallic iron will react with any available oxygen, forming iron oxides again. Free, metallic iron also reacts readily with moisture, evolving hydrogen gas and heat.

When the reduced iron leaves the furnace there is some breakage. The fine material, largely comprising direct reduced iron, is collected and stockpiled in a separate section of the yard, awaiting onward transportation after re-oxidation of the metallic iron into ironoxide.

The cargo loaded on the vessel was declared on the Bill of Lading as "Iron Oxide Fines", which would be the non-processed fines of the iron ore. In fact, this description is correct for approximately 40% of the cargo that was loaded. The remaining 60% of the cargo were DRI fines. Reportedly, the entire cargo had been stockpiled in the open air for a period of one year. During this period, a crust was formed on top of the product, also on the pile of the direct reduced iron fines, more than likely preventing further oxidation of the product below. The stockpiles were not moved during the entire stow.

During loading of the subsequent cargo, heavy rain was falling. Steam was emerging from the cargo and the Master lodged a Letter of Protest to the Shippers. Shippers confirmed to the Master that the product was completely harmless and loading was continued. Before shipment, samples were taken from the stockpiles in order to determine the total iron content. However, no analysis was done at this point on the content of free iron in the piles.

Reportedly, the explosion occurred in hold

No. 4 and propagated into hold No. 5. All plates of the covers of hold No. 4 and 5 fell into the hold with the result that some of them were heavily distorted. Upon arrival of the vessel in the Azores, a gas expert boarded the vessel in order to determine the situation on board. Gas concentrations of up to 25% of the lower explosive limit of Hydrogen were measured in cargoholds No's 1 and 2. Cargoholds No. 4 and 5 were open to the atmosphere, thus no significant gas measurements could be done on those two holds. Samples from the cargo were taken in the Azores confirming that the re-oxidation process on the cargo was not complete. At this point, the metallic iron content was determined. The degree of metallisation of the product was up to 74% in some samples.

In the Azores it was advised by the gas expert to ventilate the holds by means of the ship's fans on board in order to try to reduce the gas content. Concentrations lowered to 1-2 % of the lower explosive limit during the ventilation. The covers of hold 4 and 5 were put back into place and brackets were welded on the covers, connecting them to the hatch coamings. Tarpaulins were also installed on top of the hatchcovers to make the hatches watertight.

At the Wandelaar anchorage the vessel was boarded by the authorities. It was ascertained that Hydrogen was still evolving from the cargo. During ventilation, the concentration could be maintained at levels below 2% of the lower explosive limit after 3 hours. The temperature of the cargo was found to be 25 to 30 degrees centigrade.

Hydrogen gas was found in the upper wing tanks (one alongside holds 1 and 2 and one alongside holds 3 and 4). Conditions under which the vessel could proceed to Antwerp were made up. Details can be found in the annex to the report. The vessel discharged without incidents on October 29th until 31st, 1999.

Comments

The shipped cargo did not correspond to the declaration on the Bill of Lading. A cargo being declared as "Iron Oxide Fines" is completely inert, which is not the case for this cargo as Hydrogen gas was being formed due to a reaction between free iron and moisture.

The loading should have been stopped when it became obvious that a reaction was taking place as steam was escaping from the cargo.

Forced ventilation of the holds may have diminished the probability of an explosive mixture being formed.

Full analysis of the cargo before loading, especially on free iron, would have shown that the re-oxidation process was not complete.

Sufficient weathering of the stockpiles would have ensured a complete re-oxidation of all the free iron.

A Sad Story - the IFSMA General Secretary Comments:

At the February 2000 meeting of the Sub-Committee on Dangerous Goods, Solid Cargoes and Containers at IMO (DSC 5) Belgium submitted a Paper entitled "Cargo Not Compliant with Marking in the Bill of Lading".

This Paper details the consequences of a Voyage by the Maltese Flag m.v.KARTERIA from Convent Louisa in August 1999 to Antwerp Belgium. The Master was NOT SURE of the Cargo being loaded aboard his Vessel. Fearing that the Cargo was DIRECT REDUCED IRON he attempted to determine the correct Technical Name and also the proper methods and precautions to be taken in the handling and carriage of his Cargo. He questioned the Terminal, his Agent and the SGS Surveyor.

Approximately 2 weeks after m.v. KARTERIA had sailed, an explosion occurred in Holds 4/5 killing two Seafarers working on deck and seriously injuring a third. The ship put into the Azores to land the two dead Seafarers and to effect temporary repairs before continuing her voyage to Antwerp. Upon arrival the ship was held Offshore for about a month to ensure she was safe to bring alongside. Ultimately m.v. KARTERIA was discharged at Antwerp end of October and proceeded to obtain permanent repairs.

The one matter of the DEEPEST AND GRAVEST CONCERN is that the Master was NOT SURE WHAT HIS CARGO WAS. His Concerns were ignored by all those he approached. It is Most Regrettable that he did not see fit to consult with the US COAST GUARD, the MALTA FLAG STATE, the NATIONAL CARGO BUREAU, the COUNCIL OF AMERICAN MASTER MARINERS (CAMM), the ITF, or the INTERNATIONAL FEDERATION OF SHIPMASTERS (IFSMA) - any one of whom could have assisted him!

When Investigations are formally concluded we hope to report more specifically on the circumstances of this most regrettable incident. (DSC 5) deferred consideration of the Belgian Paper DSC 5/7/6 until DSC 6 scheduled for February 2001. It may be noted that in our March 1997 Newsletter # 14 we drew attention to an earlier incident of Self-heating and Fire in a Bulk Cargo of Direct Reduced Iron.

BE SMART - CONSULT THE BC-CODE

IMO has 158 Member States

Membership of the International Maritime Organization, the United Nations agency concerned with shipping safety and the prevention of pollution from ships, has reached 158. The latest member is Tonga, whose instrument accepting the IMO Convention was deposited with the United Nations on 23 February 2000.

From Morse to AIS

Once upon a time it must have been in conceivable that, one day, Morse would fall out of use as an emergency maritime communications system. However, thanks to the advent of the Global Maritime Distress and Safety System (GMDSS) this is exactly what has happened.

First conceived in the early 1980s, it took until February 1, 1992 for the GMDSS to be implemented with the full force of law behind it. Under the 1988 amendments to Chapter IV of the 1974 International Safety Of Life At Sea (SOLAS) Convention, newly built passenger ships and all new cargo ships of 300 gt and above on international voyages were first in line to comply. A seven year period of grace, which ended on February 1, 1999, applied to existing ships.

The GMDSS overcomes the utter dependency of ships in distress at sea on other ships being close by - ie within VHF range, typically 150 nautical miles. It guarantees an automatic communications link with the shore at all times that is capable of revealing the identity and exact location of the distressed vessel, irrespective of its distance for the land.

However, this is not to say that the GMDSS provides a foolproof last lifeline for seafarers. Its success ultimately depends on its purpose-designed equipment being used properly, as well as functioning faultlessly.

It is well to remember that by the time the GMDSS took full and complete effect, the revised International Convention on Standards of Training, Certification and Watchkeeping (STCW 95) had been in force for two years already, since February 2, 1997.

The STCW 95 seeks to underpin the revo-

lution taking place in ship bridge operations by requiring, for example, that the issuing of a general watchkeeping certificate be made conditional upon submission of proof of GMDSS competence. The effectiveness of available training to help masters and other bridge officers acquire the necessary radioelectronics knowledge, and achieve the required GMDSS qualifications, continues to give rise to concern, however.

The lessons learnt about the influence of people on the successful deployment of the GMDSS ought to provide valuable input into other areas where the IMO is forging ahead with new, hi-tech oriented regulations concerning maritime communications.

Ship identification

For example, the comprehensive revision of Solas Chapter V's navigational safety provisions foresees the mandatory ship-board carriage of an automatic ship identification system. It is proposed that the Automatic Identification System (AIS), or shipborne transponder, is fitted on all new passenger ships, irrespective of size, and all other new ships as from 300 gt on international voyages.

The draft revised Solas Chapter V will be presented to the IMO maritime safety committee for final approval and adoption in May. The target for its entry into force is July 1, 2002.

The IMO has already adopted performance standards, which will become mandatory upon the entry into force of the revised chapter. They specify that the AIS must be capable of both ship-to-ship and ship-to-shore interaction.

In other words, the system is expected to support collision avoidance, as well as shore-based services to shipping, such as pilotage and vessel traffic services, search

and rescue co-ordination, pollution emergency response, tug and towage assistance, and so on. This very broad approach raises concern, however, over the impact of transponders on safe ship operations inasmuch as the latter will always require professional judgement.

Questions have already been asked, for example, over the potential of the AIS to affect adversely the correct application of the Collision Regulations, and over associated implications for the safe passage of high-speed craft in areas of heavy traffic.

The IMO has responded by agreeing that its sub-committee on safety of navigation should start developing operational guidelines for the use of the AIS at its next meeting in July.

To conclude, the main challenge for the industry will continue to lie with the proper interfacing (and compatibility) of different automated information systems. Above all, there is a crying need for more dedicated training. What indeed is the use of aiming to circumvent the language or congestion problems generated by voice communications if increased automation merely leads to information overload and over-reliance on instruments?

Unfortunately, evidence continues to abound of accidents caused directly by deficient communications. Furthermore, just as the industry continues to suffer the humiliation of too many 'VHF-assisted' accidents and other accidents occurring because of radar, ARPA-GPS or electronic charts, notwithstanding the proven usefulness of these various advanced technologies, it may soon have to contend also, who knows, with AIS-induced ship casualties.

Aline De Bievre writing in Lloyd's List Maritime Communications March 2000.

Is Your Message Really Necessary?

Communication, it has been suggested, has finally reached the age of the generalist, having been within the realms of specialist communicators for several centuries, after flag signals took over from the speaking trumpet and brought into being the signals specialist as the means of communicating between ships, and between ship and shore.

It has all happened so quickly. Who would have ever thought, even 20 years ago, that we would have gone into a new century where it was possible for a complete non-specialist, whose only skill would be in keying in a number on a hand-held telephone, to speak in plain language to anyone else across the world?

Within a couple of decades communications have changed dramatically from a world where Morse was the medium and Sparks the communications king, to a world where a satellite telephone link is available to everybody, or at least anyone who can afford the present high costs of communication in such a fashion.

Conflicts

It has not exactly been a smooth passage, no matter how the manufacturers of communications equipment will have us believe otherwise. Complicated by the imperatives of safety, made infinitely harder by the inability of manufacturers to agree on standardising their equipment controls (or at least in devising instructions in simple English), the movement of ship's radio from Spark's shack to the GMDSS and the Iridium phone nested on the bridge front console has been unnecessarily tortuous.

It has been said, with increasing bitterness by shipmasters who found themselves filling the gap left by the communi-

cations specialist, that if their employers had worked as hard at ensuring their training in GMDSS was adequate and relevant as they had at removing their radio officers, the latest communication revolution would have involved rather less heartache and frustration.

Brilliant, round-the-clock communication, without the need to ensure that R/O was awake and in a good mood, is a boon for all, but this ease of access is a double-edged sword.

Trivial messages

Shipmasters now find themselves pursued around the clock by the same sort of trivial messages that arrive on everyone's shoreside email terminal, sent by people who cannot conceive of anyone being in a different time-zone to themselves and are demanding an instant response.

Those ashore who believe they have a possibility of expediting a voyage through the medium of terse messages urging greater haste upon the master, find it difficult to avoid the temptation to use these powers. It can be argued that this wish of everyone from charterers to cargo and shipowners to check up on the hourly prosecution of a voyage needs some control.

And at the worst, it has been accused of being at least partly responsible for marine casualties, with brow-beaten shipmasters urged to maintain 'best speed' in the face of weather in which, left to their own devices, they would have prudently diverted around, or slowed down.

And in the other direction, ship operators now find that this communication facility is discouraging a master from his traditional self-containment and decisiveness, firing off questions and demanding reassurances that would have been unheard of in another earlier generation. Easy access to communications clearly demands a reworking of ship-shore side attitudes that has yet to manifest itself.

Rationalisation

With communications becoming so much easier, and the flow of information between ship and shore vastly increasing in volume, the challenge must now be to rationalise this quantity and to make it more ordered.

The sheer volume of paper produced on board a ship is now such that it menaces the efficiency (some would say even the safety) of the few people on board who are required to process it.

The value of the radio officer as secretary, filing clerk, and captain's P/A was only properly realised when Sparks had been paid off for the last time and those on board the ship were left to their own devices.

Good communications are ordered and necessary, and it is up to the shore to filter out what the ship really has no need to see. Think also of how much communication is generated by those authorities ashore who demand information, much of it routine and obvious information about the ship's characteristics and cargo, crew nationalities and the like, prior to arrival in port.

It is nonsensical that every recipient of this information still demands it tailored to their own configuration, just as before the days of shipboard copiers, everyone wanted 10 copies of every shipboard declaration. It is time these bureaucrats got real, got together and realised how unreasonable their demands were.

But instead of getting better, it gets worse, the latest contribution to this information overload being a proliferation in mandatory requirements for ships to 'report in' their details when transiting the waters - even the Exclusive Economic Zones - of other countries.

Lists of hazardous cargoes, tonnages of pollutants, details of bunker tanks - it all might seem to be reasonable to authorities safe ashore who consider this information necessary for their contingency plans, but they might just occasionally consider that somebody on board a ship has to provide and input this information. Even when the ship has the capability of providing the information in computerised form, and despatching it with relatively little trouble, none of these demands are likely to be in standardised format, and all put the onus and the cost of these communications upon the ship.

A master of a transatlantic containership puts this information and communication problem very succinctly when he notes that every one of his four port North American and six port North European rotation calls, and the relevant coastal authorities, require individually configured information.

Considerable quantities of this information is constant, identical from one year to the next, such as the dimensions of the ship, but it all has to be poured out afresh every couple of days, along the route, along with the information that does change. "If I'm in a port more than a dozen times a year, you would think that they would know the particulars of the ship by now," he complains.

So communications may be improving in leaps and bounds, but just occasionally we ought to listen to the users who have to provide and receive the information being communicated. There is a case, (based on costs as well as convenience) for simplification, rationalisation and the application of an ordered mind. A question needs to be regularly asked; "Is your messages really necessary?"

Michael Grey writing in Lloyd's List Maritime Communications March 2000.

International Harbour Masters' Association

An Overview Of The Association

This Overview summarises the principal features of the International Harbour Masters' Association (IHMA) as an organisation. The history, management, membership and activities are briefly described as well as the Association's plans for the future. However, IHMA's Constitution and other records should be consulted for a full and definitive understanding on matters of importance.

1 History

IHMA was inaugurated on 21 June 1996 as the result of an earlier study by the European Harbour Masters' Association (EHMA) in 1992 and detailed consultation by its International Harbour Masters' Association Founding Group Committee (The IHMAFG Committee) comprised of harbour masters from around the world.

The founding of IHMA was based upon major amendments to EHMA's Constitution so as to create a world-wide yet cohesive and focused body.

EHMA had its beginnings in the 1950s as an informal meeting of the harbour masters of some of the major ports of north west Europe. It became established as an Association with a Constitution in 1985 and a funded organisation in 1994.

2. Objects

The Objects of the Association include:

- promoting safe and efficient marine operations in port waters
- developing and fostering collaboration and good relations among harbour masters world-wide.
- representing the views of harbour masters internationally, regionally and nationally
- collecting and distributing information of professional interest to members and providing other services as deemed appropriate.

In November 1998 IHMA applied for observer status at the International Maritime Organization (IMO). There is much support but processing the application is expected to take about 18 months.

3. Government of the Association

The Association is governed by an Executive Committee (ExCo) comprising the President, three Vice Presidents of equal standing and the Hon Treasurer. Three more members may be co-opted to serve in an advisory capacity including, if he is willing, the immediate Past President for one year. There are four Council Members with a duty to oversee the government of the Association in accordance with the Constitution between the biennial OGMs.

EHMA is now an integral part of IHMA. Like the branches that are expected to be formed elsewhere around the world, it has its own President and officers to look after the specifically European interests of European members, whether they are inside or outside the European Union. EHMA has a specific responsibility for the work of the working groups and it shares the services of the Hon Treasurer and the secretariat with the remainder of IHMA.

4. Members

Membership has grown from fewer than 100 in 1994 to approximately 300 in January 1999, including 25 Sponsoring Members. IHMA has been actively pursuing a policy of a world-wide expansion of its membership through publicising its activities and by direct approach to harbour masters. The Constitution provides for the categories of membership shown overleaf.

FULL MEMBERS: Harbour masters as defined in the Constitution are eligible to become full members on an individual basis. Certain other senior port marine officers who satisfy the appropriate Membership Guidelines are also eligible to be full members.

NON-VOTING MEMBERS: are comprised of the following:

Honorary Members: Individuals who have rendered meritorious service in the fields of port, harbour and marine operations may be elected honorary members at a General Meeting of the Association;

Senior Members A full member of at least two years standing who ceases to be eligible to be a full member is eligible to be a senior member.

Associate Members: Individuals who are interested in the work of the Association and are willing to work towards its Aim and Objects are eligible to be associate members; provided that persons who satisfy the definition of a harbour master and persons eligible to hold commercial membership may not be admitted as associate members.

Sponsoring Members: are of two kinds. They comprise:

- **Commercial Members** Organisations, companies, individuals and others bodies providing goods or services for reward in ways that, however remotely, assist harbour masters in the performance of their professional duties are eligible to be commercial sponsoring members.
- **Sustaining Members** Organisations, companies, individuals and other bodies which do not provide goods or services for reward in ways that assist harbour masters in the performance of their professional duties but support the aim of the Association are eligible to be sustaining sponsoring members.

5. Communications

A regular, lively and informative newsletter *The Harbour Master* is distributed to all members four times a year. The inauguration of IHMA was accompanied by decisions to equip for the use of e-mail, and with other forms of modern information technology. These are playing an important part in maintaining good contact between members, the Officers and the Secretariat. A database of members skills is being developed.

The biennial five day Congresses provide the Association's focal high point - the next will be in Dubai in 2000, the first notices for which will shortly be circulated to harbour masters world-wide. Papers from the Congresses are available to members unable to attend and are a valuable source of information. Communication with members between Congresses has generally been via *The Harbour Master* or each country's National Chief Representative (NCR). However, the rapidly expanding use of e-mail has enabled greatly improved the opportunities for both dialogue and for the 'broadcasting' of more general information. More recently, the adoption by the Executive Committee of arrangements to further improve communications are being explored. There is also direct communication from the President, ExCo, Secretary and others with the members.

6 Five year development plan

In September 1999 IHMA's Executive Committee embarked upon a five year development plan in association with Maritime Intelligence Limited (MIL) to develop four target areas aimed at strengthening the Association

- **Membership:** to expand the numbers and geographical spread of the membership;

- **Funding:** to investigate the savings and or income that can be achieved from charitable status, grants, subsidies etc.
- **Training and Events:** to develop a range of goods and services of genuine value and use to harbour masters, including training programmes (video and multi-media), exhibitions, seminars and meetings
- **Media and Publications:** to develop a central database containing a comprehensive source of professional information. This will lead to the production of a series of CD-ROMs, published quarterly, that will form a desk-top library of up-to-date information and data.

Further details will be announced in due course

7. Activities

IHMA is active in a number of areas that are important to harbour masters, including:

- Environmental issues such as port reception facilities & waste management, atmospheric pollution from ships, bunker loading practices, safety implications of substandard fuel;
- Port State Control;
- Recruitment, qualification and Training of Port Marine Officers;
- Hydrographic matters including ECDIS;
- Vessel Traffic Services, such as the IALA working group and EU's COST programme;
- Pilotage issues, including with the IMO industry working group on pilotage pre-planning;
- Safe Transport, Handling and Storage of Dangerous Goods - with indirect participation in the revision of the IMO

recommendations;

- Ro-Ro passenger ship safety.
- Additional future interests are expected to include:
- Safety Management in ports
- Harbour Masters' personal liabilities
- Wider use of IT

as well as carrying forward the work referred to above.

IHMA has established good working relationships with other international bodies such as IALA, IAPH, IMO, IMPA, BIMCO, IFSMA, COST and the Nautical Institute.

The Outgoing IHMA Secretary - R A (Tony) Gibbons

Some biographical notes

1948 Left HMS Worcester, for a career at sea with P&O

1958 Obtained Master's certificate, joined Port of London Authority as hydrographic surveyor

1964 qualified as a chartered surveyor (hydrography); joined Port of Bristol as hydrographic surveyor.

1968 Principal hydrographic surveyor, Bristol.

1969 - 1981 Haven Master, Port of Bristol Authority and Bristol Pilotage Authority during development of PBA's Royal Portbury Dock for panamax ships, instigated model testing for large ship manoeuvres in tidal streams, swinging trials with existing traffic, enhanced hydrographic coverage, introduced improved pilotage / dockmaster co-ordination and VTS arrangements and encouraged enhanced towage investment.

1981 - 1988 Following demise of National Ports Council, joined a much enlarged British Ports Association (BPA) as Head of Operations and Research. Promoted and let contracts for numerous studies and research projects in the fields of dredging, hydrographic surveying, civil engineering and cargo operations. Closely in-

involved with others during the formulation of the 1987 Pilotage Act.

1989 Took voluntary severance on the severe contraction of BPA and commenced consultancy work and project management in port marine operations, in UK port and coastal waters, the Middle East and Hong Kong.

1993 Co-ordinator, UK Harbour Masters' Association.

1995-2000 Secretary, European Harbour Masters' Association, which in 1996 became the International Harbour Masters' Association.

The Incoming IHMA Secretary, Keith Millen, FNI, MRIN

Currently Secretary Designate of the International Harbour Masters' Association (IHMA). Scheduled to take over from the Secretary, R A "Tony" Gibbons at the IHMA Congress in Dubai, 28th April to 2nd May 2000.

Keith Millen began his sea-going career in 1954, attending pre-sea training for Officer Cadets at the School of Navigation, Southampton, UK.

Joining the Royal Fleet Auxiliary Service in 1956, he served on fleet tankers, stores and ammunition ships until 1966, obtaining his certificate as Master Mariner in 1964.

In 1966 and 1967 he served with the Nigerian Ports Authority, where he commanded a buoyage vessel operating in the harbours, rivers and creeks along the Nigerian coast.

In 1968 he returned to UK and joined the Port of London Authority (PLA) as a Hydrographic Surveyor in the Marine Department, and successive promotions led to his appointment as Hydrographic Officer in 1983. Handing over responsibility for hydrography in PLA in 1996, he concentrated for two years on the impact of electronic navigation techniques on port operations.

He has been involved in international aspects of hydrography since 1978, as a contributor to various technical and professional committees and participation in the International Federation of Surveyors (FIG). He was Chairman of the Hydrographic Commission of FIG from 1989 to 1991. He has contributed to the work of the International Association of Lighthouse Authorities (IALA) VTS Committee and IHO Working Groups on electronic charting.

He retired from full time employment in May 1998 but has maintained a professional interest in all aspects of electronic navigation and harbour operations.

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The International Harbour Masters' Association now has an application under consideration for Observer Status at IMO for acceptance as a Non-Governmental International Organisation.

We wish Tony Gibbons a long and happy retirement and IHMA every success with their application for Consultative Status at IMO.

The Six Phases of a project

1. Enthusiasm
2. Disillusionment
3. Panic
4. Search for the guilty
5. Punishment of the innocent
6. Praise & Honors for the nonparticipants

The "Erika", the "Leader L" and Unilateralism

First of all I would like to say that I do care for the environment and I do believe that the best way to prevent the pollution of the marine environment is through increasing maritime safety.

In December 1999 the tanker "Erika" broke in two and sunk polluting considerably the Atlantic coasts of France. Immediately, politicians in Europe started to debate maritime safety. Environmentalists started to call the attention of the public to the dangers posed by tankers. The press made headlines of the accident calling the attention to the dead sea birds and to the damage to the beaches.

I understand the concern of those involved and that were affected by the pollution. As in similar circumstances the different Governments have to look for the problems posed to fishermen and others whose life depends upon the sea.

What I cannot accept is the action taken by the different politicians and interested groups. As in any accident of this type, they try to demonstrate to potential voters that they are doing something. It is common under these circumstances to see presidents, prime ministers and members of governments and parliaments converted into maritime safety experts. Consequently, it is not a surprise to see the European Commission preparing more rules and regulations for the shipping industry. The problem is that the industry does not need more rules and regulations especially if they are to be implemented unilaterally in an international sector. What the industry needs is enforcement of the IMO adopted legislation.

Furthermore, most of the rules intended to be implemented unilaterally in Europe are far from being technically acceptable. They seem to be driven by political interests.

On 23 March 2000, a bulk carrier broke and sunk in the Atlantic. The "Leader L" was carrying salt from Europe to the United States. As a result eighteen lives were lost. As a consequence of this tragedy we should have ex-

pected again the outcry of politicians, and other groups that were very active in the aftermath of the “Erika” accident. This was the minimum that we could expect when the governments, especially in Europe and in the United States, are stating that people are first in their concerns. As a result of the sinking of the “Erika” there were no human casualties and as a result of the sinking of the “Leader L” eighteen human lives were lost.

Unfortunately, it seems that as with other bulk carriers such as the “Flare”, the “Leros Strength” and the “Albion Two”, just to mention a few ones, the “Leader L” will be forgotten. There was no pollution, dead seabirds or beaches in danger. “Just” a few seafarers who lost their lives.

The same probably would have happened had the master of the “Erika” decided, instead of looking for a port of refuge, to change course to the high seas. If he had decided so we would not have to listen to politicians talking about maritime safety, we would not have had pollution of the coasts and marine life in danger. In addition, we would not be in risk of having an unilateral action in Europe most probably ineffective. Probably we would have the families of the “Erika” crew mourning the loss of their loved ones. However, this is something that is not a concern in our developed world.

Jaime P. L. Veiga, MSc, MNI
Member of Sincomar

Serious Injury Occurred During Loading of Gas Bottle

Narrative

The accident occurred while the deck crew of **Aintree**, a Panamanian registered liquid gas carrier, were loading the first of three 50 litre nitrogen cylinders at Fawley Oil terminal. Although the cylinder was safely embarked, it toppled over once on deck. The valve hit the side railing and fractured. Gas at 3000 psi was suddenly released, hit one of the seamen in the chest and seriously injured him. He was rushed to Southampton General Hospital and admitted into intensive care where, fortu-

nately, he made a full recovery.

The cylinders belonged to the vessel’s fixed dry powder fire extinguishing system and had been sent ashore for refilling. Each was fitted with a valve safety cover. In addition, a valve cover fitted with a lifting eye was available on board to facilitate loading.

The loading method involved using a small swinging davit arm and a hand operated block and tackle. The crew had decided not to use the special lifting valve cover and, to make life easier for themselves, had removed the standard valve covers. They lifted each cylinder vertically with the valve uppermost and a rope secured to the base with a timber hitch and a half hitch around the body at about two thirds height. Another half hitch around the valve spindle was seen as an easy way to ensure the cylinder would not slip.

The system worked insofar as they managed to lift the cylinder up and over the side rail onto the deck. But one cylinder did not land smoothly. It possibly landed on discarded rope from the block and tackle and, with nothing to keep it upright, it toppled over as it was untied.

The Lessons

1. Special lifting equipment to ensure cylinders can be loaded safely are there for a purpose. Use them. If for any reason they are found to be unsuitable, make sure the deficiency is drawn to someone’s attention so it can be attended to.
2. Never transport a gas cylinder without first ensuring its valve cover is screwed in position.
3. Before every operation consider the potential for an accident and take appropriate precautions.

MAIB Safety Digest 3/99

Atmospheric problems and a One Way Door!

Narrative

The ro-ro vessel, **European Pioneer**, was undergoing refurbishment work in Birkenhead. One of the tasks was to de-scale and recoat the vessel's two forepeak tanks.

A shore-based contractor was employed to de-scale the tanks using impressed current. Each tank had been fitted with a number of electrodes and filled with salt water. The current was then switched on and the process left for several days.

Four days later, the vessel's electrician entered the bow thruster room to carry out routine maintenance. He soon began to cough violently and attempted to leave but couldn't because the handle on the nearest door came off and he was unable to open it. Using his portable radio he called for help.

The second officer responded quickly and joined him in the bow thrust space. The door with the broken handle closed behind him. Although two other exits were available, and could have been used, they used their radios to call for further assistance. Help arrived promptly; the door was opened and both officers were able to walk from the space with no apparent long term ill-effects.

The area was immediately declared unsafe, doors were locked, notices posted and power to the impressed current system was switched off. Further work was halted while the tanks were pumped out, ventilated and the atmosphere tested.

The Lessons

1. Tank de-scaling was being carried out by contractors without the ship's staff being aware of possible side effects, or having sufficient information on which to base a reliable risk assessment. Contractors performing tasks which may be unfamiliar to ship's staff, should not be allowed to begin work until they have supplied all relevant information.

2. A defective door handle may not seem particularly important - until you are the poor unfortunate who is trapped on the wrong side and trying to get out. Any defect on board a ship should be reported, recorded and dealt with as soon as practicable.

MAIB Safety Digest 3/99

Master-Pilot Relationship

Dear Sir,

I would like to express my thoughts on the Master-Pilot relationship.

I have only been a Master since October 1998, but I consider myself much better on the manoeuvring of the ship when it comes to docking and undocking, than many of the harbour pilots I have met.

What I am really disappointed in, is that so few Pilots take the time and true interest in the Master/Pilot briefing card, which my junior officer thoroughly prepares before each entrance.

Which isn't there a Pilot/Master briefing card? Why do no Pilots have a passage plan or docking/undocking plan, since so many of them promptly want to do the manoeuvring?

My first encounter with this issue, which could easily turn silly, was when I should undock from a Canadian port. I told the Pilot, which I always do, that I would do the undocking and as soon as the ship was free from the dock I would hand over the ship to the Pilot.

He went nuts!!! He had been a Pilot on the river for so and so many years, and he had been a Laker master for so many years, and so on.

My next disappointing encounter with the pilots was in Ukraine. Two of the pilots could hardly speak any English, some of them NONE. How can a Pilot be the Masters advisor if they can't communicate?

Then there was a great dispute on if we could connect the tugs (which I hadn't ordered) or not. I consider that I lose control of the ship if they connect the tugs. It was a simple docking manoeuvre, no current, no wind and 50 m at each end of the ship without any ship obstacles.

The master loses more and more control of the ship, but he still has the overall responsibility.

I would like to know, what can I do, what can I say, where can I complain the next time (it will surely come) I encounter situations of which I disapprove, but is out of my cocontrol?

Signed (IFSMA Individual Member)

IFSMA Replies

Dear Captain,

Thank you for your letter about the Master Pilot Relationship, we believe we understand your position and concerns, and would make the following points:

1. what are the Owners Standing Instructions regarding taking a pilot?
2. what does your time/voyage/sub charter party have to say about taking a pilot?
3. Was the Pilot under the influence of drink/fatigue/drugs or in any way behaving irrationally?
4. Was the ship in a compulsory pilotage area or was it voluntary pilotage?
5. What caused you to be concerned about the competence or ability of this particular pilot?
6. Was the 3rd Edition of the ICS Bridge Procedures Guide available and being followed?
7. Did you and the pilot discuss a passage plan for this departure from dock?
8. Have you considered the ramifications of having an accident with a qualified pilot standing idle on the bridge?

Just to clarify, we are not necessarily expecting you to reply to the questions above, they are provided to help you sort through the various areas yourself.

Here is what IMO has to say on the matter:

From Assembly Resolution 485 adopted 19 November 1981 (currently under review)

Annex 2 – Recommendations on Operational Procedures for Maritime Pilots other than Deep Sea Pi-

lots.

1. Efficient Pilotage is, among other things, dependent upon the effectiveness of the communications and information exchanges between the pilot, the master, and the bridge personnel and upon the mutual understanding each has for the functions and duties of the other. Establishment of effective co-ordination between the pilot, the master and the bridge personnel, taking due account of the ship's systems and equipment available to the pilot will aid a safe and expeditious passage.
2. Despite the duties and obligations of a pilot, his presence on board does not relieve the master or officer in charge of the navigational watch from their duties and obligations for the safety of the ship. The master and the pilot should exchange information regarding navigational procedures, local conditions and the ship's characteristics. The following should be included in this exchange of information:
 - .1 general agreement on plans and procedures for the anticipated passage;
 - .2 discussion of any special conditions of weather, depths of water, tidal currents or marine traffic which may be expected during the passage;
 - .3 provision of information on the ship's normal propeller revolutions at each speed, turning circle, stopping distance and other appropriate data;
 - .4 discussion of any unusual ship handling characteristics, machinery difficulties, or navigational equipment problems which could affect the operation, handling or safe manoeuvring of the ship;
 - .5 information on intended methods of tug usage, if this is contemplated.

(The above are only a part of the Resolution)

We would however exhort you most strongly to encourage the development of a stress free situation on the bridge of your ship which could otherwise demoralise the entire bridge team with potentially disastrous consequences.

Signed (Assistant General Secretary)

Obituary

Homage to Captain Eugene Colson

Born at Cherleroi on 7 February 1912 - Deceased in Antwerp on 22 February 2000

Master Foreign Going, Licensed Maritime Sciences, Licensed Maritime Laws, Honorary Manager Allied Stevedoring, Lt. Colonel of the Resistance, President of Various Patriotic Associations, Honorary Vice President of "IFSMA", Founder and Honorary President of "BESMA", Fellow of the Nautical Institute - London

Honoured with various medals and titles from Canada, Great Britain, former U.S.S.R. and the Antwerp Jewish Community

At the age of 16, "Captain Eugene Colson" started his sea career on a three masted schooner. He completed his studies the Maritime Naval College at Antwerp where he obtained his certificate of Master Foreign Going.

In May 1940, he was sailing as Chief Mate on a Belgian cargo ship, when his ship was torpedoed off Dunkirk. He was made prisoner by the Germans who, surprisingly, released him.

He made contact with the resistance as early as the fall of 1940, helped some 40 Jews to escape from occupied territory. He became (as Colonel "Harry") the leader of a group of 600 men, mostly dockworkers, who succeeded in September 1944, during a long bitter fight of several weeks, awaiting for the arrival of Allied Troops, to occupy and to keep intact the locks and all main strategic parts of the port, despite the savage determination of the Germans to regain the port and to blow up the whole harbour complex.

After the war, Captain Eugene Colson resumed his duties at sea as master, mostly on tankers (Fina Group) until his retirement at the age of 60.

But 60 is not a retirement for someone as active as "Colson". He entered a new career as Director of a new stevedoring company (Allied Stevedoring) which he created from almost nothing, and stayed with success at the command of this new firm until he reached the venerable age of 75.

Outside his professional activities, he found time in 1976 to create "BESMA" the Belgian Shipmaster's Association. At the period of the first energy crisis and the first shipping bankruptcies he was convinced of the necessity to be grouped together in one single body for efficient defence.

At "BESMA" Captain Eugene Colson acted as Secretary General from 1976 until 1980 and as President from 1980 until 1986. During that period, we were very privileged to share and to benefit not only from his professional experience, but from his wide human knowledge and his huge relationship.

Together with "BESMA" he joined "IFSMA" the International Federation of Shipmasters' Associations, where his leadership affinities conducted him to the position of Vice President, a post that he assumed with honour from 1982 until 1990.

In this position and as Chairman of the "Working Group for RoRo Safety", he produced a mountain of technical papers showing the weak points of this new type of ferry. He even classified those ships "Drifting Coffins" at the IFSMA Annual Assembly in Oslo during 1986, condemning also the responsible bodies for refusing to act in spite of the various disasters that had occurred.

Captain Eugene Colson, as founder of BESMA, will always remain in our hearts and our thoughts as a man of action, with an incredible will power, fighting all his life for right, justice, defending the honour of our profession, but most of all he was the symbol of perfection, and for all seamen a living "Figure-head".