

REPORT OF THE 46th (BIENNIAL) GENERAL ASSEMBLY – DAY 1

held virtually via Zoom

The 46th Biennial General Assembly was held virtually via Zoom video conferencing system, on Thursday 14th and Friday 15th October 2021 hosted from the new IFSMA office in London, SE1.

LIST OF DELEGATES

EXECUTIVE COUNCIL

Hans Sande (Norway)	President
Willi Wittig (Germany)	Deputy President
Marcos Castro (Argentina)	Vice President
Fritz Ganzhorn (Denmark)	Vice President
Danielle Quaini (France)	Vice President
Koichi Akatsuka (Japan)	Vice President
Marcel van den Broek (Netherlands)	Vice President
Jörgen Lorén (Sweden)	Vice President
Juan Gamper (Chile)	Vice President
Oleg Grygoriuk (Ukraine)	Vice President

MEMBERS OF ASSOCIATIONS (Listed by country and alphabetically by surname)

Marcos Castro	CCUOMM & ExCo	Argentina
Boudewijn Baert	KBZ	Belgium
Eben March	CMMC	Canada
Juan Gamper	Nautilus & ExCo	Chile
(Miss) Pernille Hedin	DMO	Denmark
Jens Marquard Sørensen	DMO	Denmark
Martin Björkell	FSOU	Finland
Annfinnur Garðalið	FSOA	Faroe Islands
Willi Wittig	VDKS & Deputy President	Germany
Danielle Quaini	HYDROS & ExCo	France
Koichi Akatsuka	JCA & ExCo & Honorary Member	Japan
Shinga Nakamura	JCA	Japan
Hiroki Kasai	JCA	Japan
Matsuda	JCA	Japan
Jāzeps Spridzans	LSMA	Latvia
Leendert van den Ende	NVKK	Netherlands
Marcel van den Broek	Nautilus International (NL) & ExCo	Netherlands
Hans Sande	NMOA & IFSMA President	Norway
Ahmed Zuberi	MMSP	Pakistan
Rahat Qaseem	MMSP	Pakistan
Victor del Prado	FILCAPTS	Philippines
Dimitria Calin	RSMA	Romania
Jörgen Lorén	MOA & ExCo	Sweden
Ozgun Dogan Gunes	TOGSMA	Turkey

Leemin Chern	MMAT	Taiwan
David Appleton	Nautilus International (UK)	UK
Oleg Grygoriuk	MTWTU & ExCo	Ukraine

INDIVIDUAL MEMBERS

Fritz Ganzhorn	Denmark & ExCo
Fredy Arturo Banda Gutierrez	Mexico
Paul Owen	UK (Ind Mem & Secretariat)
Dimitar Dimitrov	Bulgaria

SECRETARIAT

Commodore Jim Scorer	Secretary General
Captain Paul Owen	Assistant Secretary General
Wikus du Rand	IT Support

A list of apologies received is held at the IFSMA Office.

The entire meeting was recorded by the Zoom system and is available to view/download here: <https://www.dropbox.com/sh/9fe6q235fe9kl4f/AADo8tbNUtSGtlgI5o-BhZXua?dl=0>

AGENDA ITEM 1 – Welcome by the President, Hans Sande

Delegates, ladies and gentlemen thank you for taking the time to join us today and thank you for your continued support. It is two years since we were gathered together in Helsinki with the host Johan Ramsland of the Finnish Ships' Officers' Union for our 45th General Assembly. It was indeed a memorable and brilliantly organised occasion which we will remember for many years to come. So once again Johan, thank you for all that you and your Team did for us at such short notice in September 2019.

It is a very stark reminder of the circumstances in which we find ourselves today as the Pandemic continues to rage around the world. Many of us are fortunate to have received Vaccinations, but despite this the hurdles we have to jump just to get from Norway to the UK makes it too time consuming and difficult for me to get to the UK today, so like you I will be on Zoom from my office in Norway and this is the reason I have been unable to join you from our Headquarters in London.

As the head of the Norwegian Marine Officers Association I am only too aware of the severe difficulties and hardships that our seafarers and their families have had to endure over the last 18 months and a huge burden of responsibility has rested on the shoulders of you the Shipmaster. In International Law, Shipmasters are in a unique and very powerful position, but this pandemic has shown us the reality of life at sea and through a total lack of understanding and mismanagement by most Governments around the world, you have all been very badly let down. This despite the work of many of us all in the Maritime Industry and I must stress that this includes the huge efforts of the Secretariats of the United Nations and the IMO and ILO in particular who are employed to support the Member Nations and it

is those Nations that have the power to make the decisions that control our lives. The Secretariats have done much more and gone way beyond what they are allowed, despite the objections of many Nations. They have achieved much for our seafarers behind the scenes and this has often gone unnoticed. They should be thanked and I have done so in recent high level meetings that the Secretary General, Jim Scorer, and I have been invited to discuss COVID issues and its effect on our Shipmasters.

There are many organisations who support seafarers and the Maritime Industry and their actions will be judged by what they have achieved for their members. However, many of these organisations all support different areas of the Industry with no clear leader. Sometimes, a once in a lifetime situation arises where leadership is essential to coordinate the views of many and ensure it is properly focused at the right people where it is needed. I would commend both the International Chamber of Shipping and the International Transport Workers Federation for the way in which they have taken this lead and focused the voices of all of the Maritime organisations. The Secretary Generals of both the ICS and ITF have both grasped this and led from the front with our Industry at the forefront of their thoughts rather than their own personal gain for their organisations for the future. They have achieved much on your behalf and it is through their efforts that Nations have protocols that are internationally accepted by many to allow crew changing to happen, although we all know this is not universally accepted. The numbers of those currently at sea for periods longer than their contracts is now under 200,000 seafarers and yes this is too many, but we are getting the numbers down and it is through their efforts that we have managed to achieve vaccinations for over 30% of our seafarers and those numbers are rising daily. Throughout the Pandemic they have been working with the IMO, ILO and for key meetings IFSMA has frequently been invited to give the views of Shipmasters. I firmly believe the triumvirate of Shipowners, Ship Masters and Unions make a huge voice when they agree and this must be capitalised upon for the future.

It will not be easy. Tomorrow, I have invited the Secretary Generals of both the ICS and ITF to give the opening joint presentation at 1100 to tell you what they have been doing on your behalf, where the industry is now and how they hope to move forward on your behalf. This will be a great opportunity to understand what has been happening and you can pass this on to your colleagues and crews around the world.

I think it is appropriate and always useful to remind ourselves on these occasions that IFSMA was formed in 1974 by eight National Shipmasters' Associations to unite the World's serving Shipmasters into a single professional co-ordinated body. It is a non-profit making, apolitical organisation, dedicated solely to the interests of the serving Shipmaster and to uphold International Standards of Professional Competence of Seafarers commensurate with the need to ensure Safe Operational Practices, Preservation from Human Injury, Protection of the Marine Environment and Safety of Life and Property at Sea. To those of you who are not familiar with the Federation, IFSMA was granted Consultative Status as a Non-Governmental Organisation by the International Maritime Organization (IMO) since 1975, which enables the Federation to represent the views and protect the interests of the serving Shipmaster, unfettered and unfiltered either by National Governments or by Shipping Companies. In 1993, IFSMA was placed on the International Labour Office's (ILO) special list of Non-Governmental International Organizations.

The IMO is the core of our business and our Shipmasters are robustly represented by our small Secretariat of Jim Scorer and Paul Owen. Jim always needs Shipmasters with current experience to assist him at the IMO, so I do urge you, our affiliated associations, to join us in attending IMO meetings, when we are allowed back into physical face to face meetings, or at

least to send your comments prior to IMO meetings so they can be taken into account. Jim and Paul have still worked extremely hard on this throughout the Pandemic albeit working remotely with virtual meetings, the paper work has been endless. This has not been easy and it is to their credit that we are held in such high regard at the IMO and by other International Organisations. I would like to thank both Nautilus International, NVKK and Mr Andrew Higgs for their continued support in attending virtual Working Groups when needed.

The Federation represents over 10,000 Shipmasters from more than 60 Countries. I must say how disappointed we are that our Bulgarian Association has resigned from the Federation for the time being as they have insufficient funds, but I hope that they will be able to join again when their finances improve. They would be welcomed back as they have been very loyal members and I know it was not a decision they took lightly. On a more encouraging front, I would like to welcome 2 new associations to the federation, the Romanian Shipmasters Association who were newly formed in 2019 and joined us in February last year and the International Organisations of Masters, Mates and Pilots of the United States of America who joined in March of 2020. You are both very welcome and we look forward to your interaction and assistance with your expertise at the IMO and other meetings where we need expert knowledge on your behalf.

Again this year we have an important matter to attend to as we try to make our Statutes and Bye-Laws more relevant. Later in the Agenda Paul Owen will take you through the proposed published changes and the voting procedure to be used on Zoom.

Delegates, before I finish I would like to congratulate one of our Council Members, Oleg Grigoryuk, on his recent election as Chairman of the Marine Transport Workers Trade Union of Ukraine. I hope you will all join me in silent applause.

On a more sombre note, it was with deepest sadness that we received the news that Captain Calvin Hunziker, President of the Council of American Master Mariners and very loyal IFSMA Council Member of many years, lost his battle with an incurable illness and passed over the sandbar on his final journey in March of this year. Cal will be remembered by us all in his pursuit of fairness for all seafarers and his battles for the rights of Shipmasters both in the United States and here at the IMO. He won many battles, but sadly his last battle was one too much for him.

You will all be aware of the much publicised and very sad death of a Romanian Shipmaster, Captain Dan Sandu, from a heart attack whilst at sea on the MV Vantage Wave on the 19 April this year off India. More than 14 nations refused to repatriate his body to his devastated family, because of ridiculous National COVID regulations, despite the efforts of the ships owners, Insurers and Flag State. Finally, after much pressure from all concerned, particularly the ICS and ITF through the ILO we were able to get his body repatriated from the UAE and for that we thank them. We sent our deepest condolences to his family and Jim Scorer was regularly in touch with his son, a Chief Officer serving offshore, to keep his family informed. How can you ever say sorry for the appalling way in which Captain Sandu and his devastated family were treated by those Governments that refused to help. The Industry should never forget this inhuman act.

Please let us all now hold a minutes silence in respect of both Cal and Captain Sandu and all those others who lost their life at sea during this dreadful pandemic.....

Delegates we will now proceed with the business of the day, but we must be mindful that lessons have to be learned from the way in which our seafarers have been treated by their nations and in particular their Governments and thankful to those that have helped. I now declare the IFSMA 46th General Assembly now officially opened.

AGENDA ITEM 2 – Adoption of the Agenda

The Agenda was adopted on the proposal of Koichi Akatsuka, seconded by Fritz Ganzhorn and Marcos Castro.

AGENDA ITEM 3 – Report by the Secretary General

Mr President, Deputy President, Vice President and Delegates. I am pleased to present my report to you cover the period since I last spoke at our very successful 45th General Assembly and 1st Biennial General Assembly in Helsinki two years ago.

I do not intend to repeat the words of our President in his opening address, but I felt it important that I too thank all of you who are currently active in seagoing appointments and to all of our seafarers who have been the forgotten heroes of this pandemic. Also, I do not forget the impact that this has had on your families which has been equally distressing. Our Governments and people around the world owe you a huge debt for the way in which you have kept global trade moving safely and providing the essential goods necessary for the day to day lives of so many. Paul and I will continue to work tirelessly on your behalf and do our very best to ensure that lessons are learned from this last two years of chaos and help you out with issues where you need support.

IFSMA's relationship with the other NGOs is extremely good, but the number of virtual meetings is very time consuming and there is hardly a day goes by when I am not involved in something, so I hope all the effort pays off in the long run. Twice in the last year your President and I have been invited to attend, with a select few NGOs, a round table meeting with the Secretary General of the IMO with ILO and UNCTAD in attendance. We were able to get across some key points for Shipmasters and in particular their fear of highlighting the issue of fatigue in their ships for fear of repercussions. This was well noted, particularly by the IMO Director of Legal Affairs whom I get on very well with and who has been particularly helpful to IFSMA at the IMO. I will not discuss the number of issues we have been involved in over the last 18 months, but as you can imagine it has all revolved around crew changes and on a few occasions when Shipmasters have been badly let down by their shipowners. I have to say that generally the Shipowners and Crewing Agencies have been very helpful and done all they can to facilitate crew changes, but when things have needed intervention, I have been extremely well supported by the International Chamber of Shipping and the International Transport Workers Federation. On some occasions we have had to use both organisations as well as assistance from the IMO and ILO whose secretariats have been hugely supportive.

These last 2 years have taught all of us so much about the use of virtual technology and how we can make use of this to better run our offices and connect to people around the world. It also proved to us that it was still important for us to keep a base for our Headquarters in London, as highlighted in our Statutes and Bye Laws. When we moved our office 2 years ago, one of the options we looked at was to take a desk in the ITF offices, but at the time they were undergoing a major refurbishment and there was no available space. However, that work completed earlier this year and their Secretary General offered us a desk and use of

their facilities, including Conference Rooms, at a much reduced rent from that which we pay currently at IMarEST. Having discussed this with your Executive Council the decision was taken to accept the very kind offer from ITF. 2 weeks ago, Paul Owen and I packed up again and we are now settled into the Ground Floor of the ITF Offices, next door to their Board Room where we are holding the remote meeting. By doing this, we will save IFSMA a further 50% off our office rental overhead costs. We are extremely grateful to ITF for this and in moving here we are now very much more visible and it is much easier for us to raise many of the issues face to face that you have asked us to look into from sea. We are also in the same building as Seafarers Rights International who have a similar agreement to us.

Notwithstanding the extra work that this Pandemic has brought, the main focus for IFSMA as always is representing you at the IMO. When the world went into lockdown, work at the IMO had to stop as it relied on face to face meetings in London. The United Nations and its agencies had to find another way of working as they were ill prepared for a crisis on such a worldwide scale. I have to commend the secretariat for how they reacted and the system they procured with bespoke software to enable them to continue to work in a similar fashion as if we were in meetings in the Headquarters of the IMO in London. However, it took them 6 months to get the virtual system working sufficiently well to carry on with business. The other big issue of course is the time zone differences around the world and this restricted us to holding meetings for 3 hours a day from 1100 – 1400 UK time meaning that we were meeting for less than half of our normal meetings hours. Consequently, the IMO is a long way behind in its work and this means that on occasions we are trying to do work by correspondence which is very slow and does not work for complicated or urgent issues and is also extremely time consuming for Paul and I. There are times when we just cannot keep pace with the amount of work to be done.

The IMO National delegations have hailed these meetings as a great success, but much of the really important work has had to be delayed until 2022. However, they are now starting to make use of Working Groups meeting virtually at the same time and this is helping and I would like to thank those of you who volunteer to support me in this regard.

There are some key issues that we are heavily involved in and they are starting to take up an increasing amount of time. The first of these is the ongoing debate on the STCW Convention which many of us argue is out of date and needs a total revision. This will take a lot of time and effort, but we argue it is worth it. Others argue that we can make do with some amendments, but we have been tinkering with STCW for years and it is becoming unfit for purpose. We will continue the debate next year and I will let you know the outcome as always because when it does, I will be calling for Subject Matter Experts from you the Associations to help us out in this important piece of work. This is highlighted in our First Key Challenge in the Strategic Plan – namely “we must learn from our membership where crews are lacking in practical skills and competence. We must influence STCW Amendments at the IMO and we have to help Shipmasters to be more available to undertake their Training and mentoring responsibilities. I hope that when the Review of STCW commences we will be able to utilise remote working so that we can communicate more effectively with you.

Criminalisation of the Shipmaster is becoming an increasing worry and of course this seems to run parallel with the Shipmasters ultimate responsibility. We have seen too many cases in the last few years where a shipmaster has been put behind bars before he has even been charged with an offence with little regard being paid to even the basic human rights. We continue to raise this with the Nations involved and at the relevant IMO meetings. This was

particularly the case for the Master and Crew of the Ever Given which ran aground in the Suez who were effectively held hostage by the Egyptian Authorities. This was unacceptable behaviour and totally against all relevant IMO and ILO Conventions and International Law. I hope that this will be discussed next year at the Maritime Safety Council meeting.

The other issue close to our heart is the increasing issue of fatigue and the incorrect logging and manipulation of working hours of the crew. This was subject to a study by the World Maritime University last year and sponsored by the International Transport Workers Federation. IFSMA was invited to put forward some of you to take part in the study and I am very grateful to those who came forward. The study was damning in its findings and when it came to the Maritime Safety Council it was not properly debated as the regulations only allowed it to be used for information purposes. Nevertheless, following discussion between IFSMA, ITF and the WMU it was agreed to push for a new output to take this issue forward. France, Spain and the UK have agreed to be lead sponsors for our work and it will be discussed in Committee next year. You will see in the Presentations for tomorrow in the last Paper you will get a full briefing on this by the WMU and you will be able to ask questions.

This in particular is at the very heart of the SMS and during the Pandemic we were extremely concerned about fatigue. It was for this reason that we issued our Open Letter to Governments and all Shipmasters reminding you of your responsibilities on levels of fatigue and safety of your ships and crews. Only a small handful of Shipmasters deemed their ships to be unsafe and all of these were in Australia. This was an issue the ICS and ITF were also very concerned about and it may be part of their joint presentation tomorrow when they update you on what they have been doing on your behalf.

You are well aware that the IMO Committees have been undertaking a Scoping Exercise on all of the Regulations that are affected by the emerging technology of Autonomous Ships. Again, IFSMA has been very much at the heart of this debate in the discussions of the Role of the Shipmaster both onboard and ashore in ships in various degrees of autonomy. This scoping exercise has now been completed in most of the committees and now the discussion will be how and what the IMO will do with this information. Most sensible Nations agree that we need a new Convention to cover MASS in order to effectively regulate them. In 2019, IFSMA wrote a paper on identified Gaps in the Role of the Shipmaster both afloat and ashore and also included our view that MASS needs to be treated by the IMO as it did with COLREGS in that the regulations should be applicable to All Ships, In All Waters and on All voyages so that as you travel around the world you will see consistent application of any rules. We also proposed that there needs to be a Joint Committee Working Group to make sure that this is taken forward in the same way by all IMO Committees. Our Paper is very highly regarded and is one of only a very few papers that have been kept open from the Scoping Exercise to be used for reference in future work. I worked on this Paper with Mr. Andrew Higgs, our volunteer International Maritime lawyer and as I am briefing you now, he is representing me on an important Working Group in the IMO raising and arguing for our points to be heard and taken into account.

The last of my Key points drawn from our Strategic Plan is that of Public Relations and Communications. At the outset of our plan we state that IFSMA should be seen as the go to organisation as the International voice of the Shipmaster. Over the last few years you will have seen that IFSMA has been asked to give a number of interviews for the Press, Radio and Television news interviews from subjects as diverse as Mixed Mass Migration in the Mediterranean and elsewhere, Terrorism at sea, Piracy, Armed Robbery, Kidnapping, Criminalization and now the COVID Pandemic. The views of the shipmaster are considered

important alongside those of Shipowners and the Unions and IFSMA has once again become the goto organization for our views. To this end, I would like to thank Paul Owen for his continued and invaluable support that he puts into our Website with new news items almost daily and the Newsletter is now being sent out every month as there is so much information to get out to our members. All this effort means that there is never a day goes by when Paul is not working on something as well as keeping the accounts and membership issues up to date. Thank you also to Willi Wittig, our Deputy President and President of VDKS, the German Shipmasters Association, for the huge effort he puts into putting such interesting articles on the Facebook page.

You will have noted that I have addressed the 5 Key Points taken from our Strategic Plan which is at the heart of what we do. You will also note that the plan was valid for the period 2017 – 2022. Because the Pandemic has thrown many things up in the air and we cannot get together face to face over a long enough period, the Executive Council have decreed that this current Plan will now run until 2023. We will form a small working Group next year to develop a new Strategic Plan which we will present to you for approval at the next BGA in 2023.

My final point that I wish to draw to your attention is that for a number of years I have noticed a gap in the market for an easily readable publication for Shipmasters on International Maritime Law. In trying to take this forward it became apparent to me that IFSMA did not have sufficient resources to manage and fund such a publication on its own. I approached the International Chamber of Shipping, which has a large and very successful publications department, and they were very enthused by my idea. The short story is that they offered to help and your Executive Council agreed a 75/25% partnership deal with the ICS where they will fund 75% of the cost of the book, use all the resources of their department for the production and IFSMA will fund 25% of the cost, but our share will be paid for from our 25 % share of the Royalties. ICS are very optimistic about the potential sales and see that this publication as being very useful for not only Shipmasters, but also Shipowners, Ship Managers, DPS and academia. We have a steering Group on which Paul Owen and also A Working Group on which will consist of the Director of Maritime from ICS and Paul Owen Co-chairing the Group which will consist of a Shipmaster and Legal Adviser from ICS Members, and 3 Shipmasters from IFSMA. These are Captain Stephen Gudgeon, a very experienced Tanker Shipmaster who sits on the Board of Nautilus International, Captain Martin Björkell from our Finnish Association whom most of you know as their IFSMA Rep and is from the RORO Sector and Captain Sanjiv BEHL, a very experience General Cargo Ship shipmaster and now the senior QHSE Superintendent from the Anglo-Eastern Ship Management Ltd our member Association in Hong Kong.

We have agreed that the main focus of the book will be on International Law and the Legal aspects Marine Commerce or Business and we have finalised the content required. We have advertised and selected a writer for the publication who some of you may know as Peter Van de Kruit who is both a retired Shipmaster and a Maritime Lawyer and member of NVKK, our association from the Netherlands. He has written a number of books on the subject and is well versed on the needs of Shipmasters. He has started work with the aim of being able to publish by the end of 2022. I will keep you informed of the progress of this exciting new venture for IFSMA.

I hope this overview has given you a flavour of how busy we have been at the Headquarters and Paul and I have worked flat out on your behalf. Whilst I have been keeping on top of things at the IMO, covering all of the NGO COVID meetings and fallout issues from you at

sea, and representing IFSMA on the International Stage, I am so lucky that I have the continued support of Paul Owen who works so hard keeping our administration up to date and also keeping me on track. I am happy to answer any questions you may have.

AGENDA ITEM 4 – Treasurer’s Report

The Acting Treasurer, Paul Owen, gave his report for 2020. The Income for the year was £117,778 and Expenditure £91,491. Full details are available in the Part A document circulated to all members by email before this BGA. The accounts were accepted on the proposal of Marcel van den Broek and seconded by Hans Sande. He then drew attention to the report by the Honorary Auditor confirming the figures. All figures had been agreed by the Executive Council at their last meeting.

He presented the proposed budget for 2022, this was agreed on the proposal of Marcel van den Broek and seconded by Fritz Ganzhorn.

AGENDA ITEM 5 – Appointment of Honorary Auditor for 2021 and 2022

Paul Owen stated that the present Honorary Auditor, Rodger MacDonald, had agreed to continue in the role. This was agreed on the proposal of Leendert van den Ende and seconded by Ozgur Dogan Gunes.

AGENDA ITEM 6 – Future General Assemblies and Venues

The proposed venues for the next three BGAs in 2023 (Tokyo, Japan, at the invitation of Japan Captains Association), 2025 (Odessa, Ukraine, at the invitation of MTWTU) and 2027 (Faroe Islands, at the invitation of FSN) were all agreed by acclamation of the members present. See the video of the meeting for the invitation speeches given by JCA and FSN.

AGENDA ITEM 7 – Approval of amendment to Statutes and Bye-Laws.

The proposed amendments were circulated before the six months deadline to all members, there were no comments so the vote by ‘show of hands’ proceeded using the Zoom Polling system to achieve this. After a trial run of the voting system to familiarise members, the first vote was taken for amendment to Article 18, the result was 16 for with one against. The second vote was then taken for the amendment to Article 20, the result was unanimous with 17 for and none against. The amendments were therefore approved. See the video recording for further details of the vote.

AGENDA ITEM 8 – Membership Issues.

The secretariat announced that some association subscription payments remained outstanding, however, we are in communication with these associations and expect the situations to be resolved before end of year.

Any Other Business

Some issues were raised, discussed, and the ways forward agreed. See the video recording for full details.

Close of Day 1

The President closed the meeting saying that he looked forward to the second day tomorrow when the discussions and presentations would take place.