



## **INTERNATIONAL FEDERATION OF SHIPMASTERS' ASSOCIATIONS**

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### **30<sup>th</sup> Annual General Assembly Resolutions Held on 6<sup>th</sup> and 7<sup>th</sup> May 2004 Buenos Aires, Argentina.**

#### **Criminalisation of Shipmasters**

On the occasion of the 30<sup>th</sup> AGA, the delegates of IFSMA assembled in Buenos Aires, Argentina note with great concern that in regard to the issue of criminalization of shipmasters, since the last AGA, there has been no improvement on the tendency by Port States to arrest and detain Masters without trial following maritime casualties.

IFSMA calls upon the International Maritime Organization (IMO), the International Labour Organization (ILO) and other maritime and regulatory interests to develop guidelines taking into consideration that pending an expeditious inquiry, a shipmaster's best professional judgement in dealing with emergency situations should be supported. The goal is that shipmasters should not be unduly detained and, if initially detained, should be released promptly, unless charges of wilful misconduct or criminal negligence can be substantiated.

#### **Ship Security Officers (ISPS Code)**

On the occasion of the 30<sup>th</sup> AGA, the delegates of IFSMA assembled in Buenos Aires, Argentina discussed the urgent issue of the interpretation of the ISPS Code's provisions on Ship's Security Officer.

The ISPS Code requires a SSO (Ship Security Officer) to administer and supervise a ship's security plan and be trained to carry out a number of duties as prescribed in Parts A & B of the code.

IFSMA recommends that the shipmaster should specifically not be the SSO in order to provide independent supervision and fulfil his duties as specified in the code.

Furthermore, IFSMA has studied the requirements of the ISPS Code and recognizes that effective enactment of all of the rules and regulations required by the plan as written, will increase workload and subsequently, fatigue factors. This problem must be addressed by the addition of another officer to the vessel's Safe Manning Certificate.

#### **ISPS Code and Seafarer's Social Needs and Rights**

On the occasion of the 30<sup>th</sup> AGA, the delegates of IFSMA assembled in Buenos Aires, Argentina noted with concern the disturbing trend in some ports to overemphasize security provisions by not allowing crew shore leave or the opportunity for proper shipboard relief.

IFSMA strongly urges contracting parties to the SOLAS Conventions to take any efforts to fully enforce the requirements of Conference Resolution 11 on Human Element related aspects and shore leave for seafarers and the ILO Convention 108.