

CONFERENCE RESOLUTION

THE 1ST INTERNATIONAL SHIP-PORT- INTERFACE CONFERENCE (ISPIC 2008), having met in Bremen, Germany on 19 – 21 May 2008,

NOTING resolution A. 850(20) on Human element vision, principles and goals for the International Maritime Organization, adopted by the Organization in 1997,

NOTING ALSO the Joint ILO/IMO Guidelines on the Fair Treatment of Seafarers in the event of a Maritime Accident,

NOTING ALSO the Resolution on Sub-Standard Shipping adopted by the Joint Maritime Commission of the International Labour Organization in January 2001,

NOTING ALSO the International Maritime Labour Convention 2006 adopted by the International Labour Organization in February 2006,

NOTING FURTHER the report "Ships, Slaves and Competition" from the International Commission on Shipping,

ALSO NOTING FURTHER the Ministerial Statement on Prevention of Marine Pollution – Cleaner Sea through Quality Shipping, made in Tokyo, Japan in January 2002,

ALSO NOTING the Policy Statement on Substandard Shipping by the Maritime Transport Committee of the OECD,

BEING AWARE of the shortage of human resources onboard as well as ashore, the failure of the industry to attract new recruits and the high percentage of wastage, especially among trainee officers, the increased threat of criminalisation of seafarers and some very negative aspects of the ISPS Code to seafarers,

BEING FURTHER AWARE of the potential positive impact of the ISM Code in combating fatigue and improving the level of safety onboard ships,

RECOGNIZING the present IMO deliberations on the comprehensive review of the STCW Convention and the STCW Code including the fact that fatigue and manning levels are inextricably linked,

RECOGNIZING ALSO the efforts by the International Maritime Organization in the adoption of international standards for maritime safety, security and marine environment protection,

SUPPORTING the urge from IMO that Administrations should consider the circumstances very carefully before allowing a safe manning document to contain provisions for less than three qualified deck officers, while taking into account all the principles for establishing safe manning and the aim to make A Res 890(21) as amended Principles of Safe Manning mandatory.

BEING AWARE of the importance of all parties in the maritime community working together in the creation and maintenance of a maritime safety culture and new attitudes to those matters,

HAVING NOTED the outcome of related conferences and seminars,

DESIRING to actively promote a change of philosophy where the human element is taken into consideration with the aim to establish quality shipping, safe ports and fair trade with quality personnel,

The ISPIC 2008 Conference therefore:

URGES all parties in the maritime community to take all necessary steps to create, maintain and further develop a maritime safety culture and a quality shipping;

URGES the Flag States to appreciate the efforts of the International Labour Organization by adopting the MLC 2006 to ensure decent working and living conditions for seafarers; in this respect the other relevant views of Intergovernmental Organizations should be taken into account;

URGES ALSO the relevant International Bodies and Administrations to commit every effort to stop the increasing acts of piracy and armed robbery against ships;

URGES ALSO the International Maritime Organization and the International Labour Organization to continue and intensify their work relating to eradication of substandard shipping, and, in that work, take this Resolution and its Annex into consideration; and

REQUESTS all delegates and organisations present at this ISPIC Conference to bring this resolution and its Annex to the attention of the International Maritime Organization and the International Labour Organization and other relevant bodies.

ADOPTS the Conclusions of the Conference, set out in the Annex to this resolution.

ANNEX

CONCLUSIONS OF THE CONFERENCE

The Flag.

It is vitally important that vigorous and effective global regulatory institutions are maintained relative to a more globalised maritime industry. Taking the human element into account Flag States should actively support the efforts of the International Maritime Organization (IMO) to ensure effective and consistent global application of safety, security and environmental protection instruments.

This also includes a more determined and proper implementation globally of the ISM-Code, as it can be seen as a requirement for Quality Shipping and the requested improved Safety Culture within the Shipping Industry and can also be seen as a “Licence to Operate”.

Introduce the concept of a Maritime Resource Management which should include Bridge Resource Management etc to cover the Ship as well as the Company.

The IMO Member State Voluntary Audit Scheme offers a great benefit to improving the standards of the international maritime industry. In this respect IMO should promote the concept and ensure that all Flag States participates in this programme as soon as possible.

Flag States should, in a timely manner, investigate any case where a ship under their flags has, to their knowledge, fallen short of required international safety, security, environmental, health and social standards and take prompt enforcement action to remedy the situation.

Flag States should, in accordance with international obligations, carry out or ensure independent and authoritative investigation of serious accidents to ships under their flags and their seafarers.

Flag States should collaborate to develop and apply measures of implementation, performance and models of best practice, assisting each other through regular dialogue and sharing of experience.

Flag States should promote and participate in dialogue and information sharing with other partners in the responsibility chain, from the operators of shipping to the users, financiers, insurers and seafarers.

Flag States should take appropriate action, aimed at ensuring the validity of the certificates of competence by the issuing country for seafarers onboard their ships.

Flag States should ensure that shipowners are responsible for making available to the seafarers the applicable laws, regulations and, where appropriate, collective agreements addressing their working and living conditions and should, in accordance with national law and practice, ensure that they are enforced so that seafarers have decent and safe working conditions.

All States

All States should respond promptly to comments or complaints received from other Maritime Administrations, whether as Flag, Coastal or Port States.

All States should support proposals on technical assistance to States which have the will to improve their performance as Flag States.

All relevant parties should develop initiatives to enhance Quality Shipping, in particular incentives for quality operators.

The continuing high level of serious accidents occurring during lifeboat drills must suggest that it would be prudent to substitute real life training by simulator training.

All relevant parties should work for a reduction in the number or the combination of administrative burdens, inspections and commercial vettings onboard in order to reduce, as much as possible, the workload imposed on shipmasters and officers.

Develop the Joint IMO/ILO Guidelines regarding Fair Treatment of Seafarers in the event of a Maritime Accident into a mandatory instrument and that the Guidelines are implemented as soon as possible by Governments.

The Port

Port security plans should comply with the provisions of the ISPS Code permitting bona-fide visitors to access vessels and seafarers the right to shore leave.

Port States should ensure the fair treatment of seafarers in accordance with the joint ILO/IMO Guidelines.

Port States should offer the fullest co-operation with masters of ships visiting their ports.

Port States should have in place the necessary mechanism for monitoring working and living conditions on ships visiting them, in accordance with international instruments in force.

Port States should co-ordinate and co-operate with parties concerned including Flag States in order to ensure smooth disembarkation or delivery of stowaways and persons rescued at sea on board when shipmasters report them.

Port authorities should make sure that the communication lines between ship and port are effectively working.

Port Operators should take into account the human element when establishing Key Performance Indicators (KPIs) and should not encourage demands on performance that may have a negative affect on safety.

Port operators especially worldwide operators should take into account the different cultural background of port personnel.

Port operators should make available to the port workers the applicable laws, regulations and agreements regarding their working conditions and should in accordance with national law

and practise, ensure that they are enforced so that the port workforce has decent working conditions.

Decent Working and Living Conditions for Seafarers and Port Workers

All parties including the shipowners should realize the vital importance of decent working and living conditions for seafarers being integrated into the concept of quality shipping and the importance of investing in quality personnel and to promote the recruitment of seafarers.

Shipping Companies should also develop manning strategies to ensure the adequate supply of qualified personnel including the recognition of gender equality. Accordingly, port operators are required to establish these objectives for shore personnel as well.

All relevant parties should adopt the ILO Maritime Labour Convention 2006 which is incorporating the substance of almost all current international maritime labour standards as soon as possible so it can enter into force at the latest in the beginning of 2011. This, to deliver decent working and living conditions for seafarers and a level playing field for quality operators.

In order to effectively exercise its jurisdiction in social matters, every State should have a sound maritime administration with a firm legislative framework complying with, as a minimum, international labour standards, and a strong enforcement mechanism.

The Human Element

All relevant parties should promote and communicate, through human element principles, a maritime safety culture and an increased marine environment awareness.

Shipping companies and port operators should establish or, when it already exists, further develop an open culture where seafarers and port workers, respectively can report and discuss accidents, incidents and near misses, without fear of being criminalised, or persecuted by the company, which is often referred to as a “no blame culture” and even a “no fear culture”.

All relevant parties should work for a wide promulgation of the results from investigations of accidents and the analyses of casualties.

The human element effects of new technology should be closely examined by all relevant parties and solutions provided, e.g. in the form of common user interfaces for electronic equipment.

All relevant parties should promote the marine industry as an attractive career option and opportunity in order to be able to recruit a sufficient number of personnel so as to ensure an adequate supply of competent personnel onboard as well as ashore.

All relevant parties should work together to create a platform where the results of existing studies and proposals for future studies should be evaluated.

Simulators, when suitable can be used as a tool for studies as they are able to create challenging situations that cannot be created safely in a normal working environment. Therefore this form of training is cost effective, faster and safer particularly when it comes to studies of complicated natures and situations. Such studies should address the question of

what constitutes a “safe, healthy and environmentally friendly ship and/or port” and taking into account human factors.

All relevant parties should work for a better integration of the ISM Code in the safety culture on board and in the shore-based operation which could enable administrations to concentrate their efforts on substandard ships.

All parties should work against the unwarranted criminalisation of seafarers, in particular the shipmasters.

In order to encourage lifelong learning for seafarers the development of and installation of e-learning platforms has to be established. Updates or refresher courses should be given to port workers and seafarer as a normal procedure.

Findings of research into Human Element Issues should be used in Maritime Education and Training (MET) of those involved in ship and port operations.