

INTERNATIONAL FEDERATION OF SHIPMASTERS' ASSOCIATIONS



34TH ANNUAL GENERAL ASSEMBLY

BREMEN, GERMANY, 21-22 MAY 2008

MINUTES AND ANNEXES

Annex 1	AGA Resolutions & ISPIC Resolution
Annex 2	Maritime Education, Training & Certification of Seafarers
Annex 3	The Sea Shall Not Have Them - But Who Should
Annex 4	Circumstances Surrounding Loss of "Hera" and "Vanessa"

34th AGA Proceedings PART B

With the Compliments of
The Secretary General

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AGA attendees outside the Bremen University of Applied Sciences, Centre of Maritime Studies



Members in the Conference Room during the AGA - Park Hotel

MINUTES OF THE 34th ANNUAL GENERAL ASSEMBLY

Bremen, Germany

The 34th Annual General Assembly was held at the Park Hotel (pm 21st), and in the University of Applied Sciences, Faculty V – Centre of Maritime Studies (22nd), in Bremen, Germany on Wednesday 21st and Thursday 22nd May 2008.

LIST OF DELEGATES

EXECUTIVE COUNCIL

Christer Lindvall (Sweden)	President
Koichi Akatsuka (Japan)	Deputy President
Jerome Benyo (USA)	Vice President
Mark Dickinson (UK)	Vice President
Bjorn Haave (Norway)	Vice President
Patrick Vigneron-Larosa (France)	Vice President
Willi Wittig (Germany)	Vice President

FROM MEMBERS OF ASSOCIATIONS

Cuyt, Jef	KBZ	Belgium
Proost, Marc	KBZ	Belgium
Almeida Filho, Severino	SINDMAR	Brazil
Dimitrov, Dimitar	BSMA	Bulgaria
Turner, Peter	CMMC	Canada
Ganzhorn, Fritz	DMO	Denmark
Partanen, Pekka	FSOA	Finland
Vigneron-Larosa, Patrick	ACOMM/ ExCo	France
Wand, Cristof	VDKS	Germany
Wittig, Willi	VDKS / ExCo	Germany
Brokovskis-Vaivods, Arturs	LSMA	Latvia
Spridzans, Jazeps	LSMA	Latvia
Sarton, Ed	Nautilus NL	Netherlands
Van Wijnen, Fredrik J.	NVKK	Netherlands
Haave, Bjorn	NMOA / ExCo	Norway
McFadyen, Donald	SMMSA	South Africa
Garay, J. Francisco	AVCCMM	Spain
Halvdanson, Marie	SSOA	Sweden
Lindvall, Christer	SSOA / ExCo	Sweden
Nihlen, Folke	SSOA	Sweden
Nihlen, Jeanette	SSOA	Sweden
Dickinson, Mark	Nautilus UK /ExCo	UK
Graveson, Allan	Nautilus UK	UK
Benyo, Jerome	CAMM / ExCo	USA

INDIVIDUAL MEMBERS

de Meulder, Francois	Belgium (Ind Mem & KBZ)
Fage-Pedersen, Jens	Denmark (Ind Mem & DMO)
Bhardwaj, Suresh	India (Ind Mem)
Taher Parvar, Mehrshad	Iran (Ind Mem)
Akatsuka, Koichi	Japan (Ind Mem & ExCo)
Baaij, Jan	Netherlands (Ind Mem)
Omoteso, Solomon Abioduin	Nigeria (Ind Mem)
Awan, Zafar Iqbal	Pakistan (Ind Mem)
Siddiqui, Haleem A.	Pakistan (Ind Mem)
MacDonald, Rodger	UK (Ind Mem & Secretariat)
Owen, Paul	UK (Ind Mem & Secretariat)
Cooper, Nicholas	UK (Ind Mem)
Benyo, Jerome	USA (Ind Mem & CAMM & ExCo)

GUEST SPEAKERS

Torres, David	Umoe Schat-Harding	Netherlands
Veiga, Jaime	EMSA	Portugal
Berquist, Christer	Kalmar University	Sweden

SECRETARIAT

Captain Rodger MacDonald	Secretary General
Captain Paul Owen	Assistant Secretary General

AGENDA ITEM 1 – Welcome

The President of IFSMA, Captain Christer Lindvall, FNI, opened the General Assembly with an address – see IFSMA Annual Review 2007-2008, page 2.

AGENDA ITEM 2 – Opening Address

The President welcomed Dr. Jaime Veiga, Senior Project Officer, Training and Certification of Seafarers, European Maritime Safety Agency (EMSA) and invited him to address the General Assembly. See Annex 5 for the accompanying paper.

AGENDA ITEM 3 – Adoption of Agenda

The following additions to the agenda were agreed, subject to sufficient time: -

Fredrik van Wijnen (NVKK) – Refugees and Economic Migrants Rescued at Sea.

Dimitar Dimitrov (BSMA) – Circumstances surrounding loss of “Hera” and “Vanessa”.

Bjorn Haave (NMOA) – Continued use of Astronomical Navigation.

With these additions the Agenda was adopted.

AGENDA ITEM 4 – Adoption of the Minutes to the 33rd AGA, Antwerp, Belgium, and Matters Arising

The Minutes of the 33rd Annual General Assembly held in Antwerp, Belgium, were adopted without comment. There were no matters arising.

It was agreed that the drafting group would also comprise Mark Dickinson assisted by Willi Wittig.

AGENDA ITEM 5 – Secretary General’s Report

The Secretary General’s main report is reproduced in the IFSMA Annual Review 2007-2008, page 4.

In addition, since his report had gone to press, he added that it had been another busy year for IFSMA as the Secretariat follow the directions laid down by the last Annual General Assembly and the Executive Council and trying to get our messages across to the industry.

The September Executive Council meeting was held in Lisbon where a start was made on the revision of the Policy Document. This is reviewed and updated every 3 to 4 years. It is drafted by the Executive Council and then it is up to the General Assembly to further amend or agree on the contents before distribution to the membership. This document is very important as it is on the basis of its contents that the Secretariat and members who attend IMO, ILO and other committees and meetings, know what policy you wish us to support.

While in Lisbon we also met with EMSA, which led to the presentation from Dr. Veiga earlier, the Executive Council felt that the EU has now reached such a size in maritime terms, that EMSA could not be ignored. It is estimated that the EU now has around 40% of world tonnage under its various flags.

Also in Lisbon we had the first of three presentations from companies who felt that they could offer IFSMA some form of insurance policy to protect them against the initial stages of a criminalisation process, although they may not themselves be criminals. The main purpose of the insurance is to provide legal costs and translation services at the initial stages after an incident, amongst other things.

The next meeting was held in London during February where two further presentations on insurance were given. It is planned to investigate this further and put a proposal to members at the next General Assembly, he requested anyone with concerns or ideas on this subject to please contact headquarters. He added that some associations may already be covered by some degree of members’ insurance and others have none at all. From the Secretariat’s point of view we are always looking for ways to improve the benefits of membership and increase membership, and such insurance may assist. Following a question regarding what it is intended to cover, he gave an example of a master failing to keep up with LRIT messages when approaching the USA, which is likely to be a criminal offence.

Regarding the Resolutions made at the 33rd AGA :-

- The Safety of Passenger Vessels is an ongoing subject at IMO, of great concern at present is the fact that these vessels are venturing into uncharted areas, such as the Antarctic, which is exposing them to increased dangers and limited SAR.

- We are active at IMO in the discussions around E-Navigation, our main drive is to say – please make sure you listen to the Masters and officers before you take technical decisions. A lot of us fear that too much attention is being paid to the gadgets on the bridge rather than looking out of the bridge window. Following the ‘Cosco Busan’ case in the USA (where a vessel under pilotage collided with the Oakland Bay Bridge) he had heard that at least one US Congressman thinks Air Traffic Control for Ships is the answer.
- FairTrade – He commented that the President had already mentioned this subject; Mark Dickinson is involved with this subject through the ILO using his ITF connections.
- Seafarers Administrative Workload – We continue to look at this subject which is part of the ever increasing workload on the Shipmaster.
- Safe Manning Levels – He was pleased to report that IMO had agreed the principle of one Master and two watchkeepers as a minimum level.

We continue to be concerned with the Coral Sea incident where the master was arrested and jailed in Greece awaiting trial; we wrote a letter to the Greek Ambassador in London and received a reply. The Secretary General of IMO is concerned with this case, however, this unfair treatment of masters and ship’s crews just keeps continuing and we must keep trying to change the attitude of local authorities.

He now returned to the ‘Cosco Busan’ case – there was a pilot on board and he is now held by the authorities in relation to a number of charges relating to pollution. Pilots have a similar background to ourselves and we need to be concerned – he understood the pilot has sold his house to pay his costs and, if found guilty, he could spend a number of years in prison which is a very severe penalty for someone trying to do his job.

The Danish vessel ‘Daneka’ was recently in trouble off Somalia with pirates, apparently the Certificate of Compliance was removed by the flag administration, however, the vessel continued to trade, that’s how bad the operation was. How are administrations to protect seafarers when such ships continue to trade; this also relates to the Fair Treatment of Seafarers.

He continued by recounting that at the last General Assembly the review of the STCW Convention was an important issue and this has continued to be so throughout the year. We took a proactive view and ran a workshop in the Philippines during November, in conjunction with the Lloyds List events Manning and Training Conference. Some very good ideas came forward which we were able to use in our efforts at IMO. He mentioned that if you wished to add something to the STCW Convention, such as an E-Navigation course, then you had to take something away in return, such as Astronomical Navigation. He added that this subject was for discussion tomorrow.

Regarding Training and Education – IFSMA had continued its association with others as part of the Securitas Mare project and Crowd and Crisis Management courses. To really make the course work it is a 37 hour or one week course. He asked those present to consider a vessel such as the ‘Independence of the Seas’ with 4,000 passengers on board – and posed the question - if the vessel gets into trouble, will 4 hours training be enough? We support the concept of Securitas Mare because we believe that is what is needed.

We have also arranged through The Marine Society and Middlesex University a Master's Degree course for members on the basis of their Masters Certificate, which will earn 60 credits towards the degree, with an additional 20 credits if an HND is held. A brochure was distributed to attendees and is also available on the IFSMA Website. Further copies of the brochure and more information are available from the IFSMA office. It is a work based learning course so the study can be done on board ship or ashore, without need to attend classes - as a guide, the course require around 15 hours of study a week.

IFSMA continues to promote training courses through Lloyds Maritime Academy – Ship's Superintendent, Agency and Management are three courses we support. We have also signed on to a EU project, also involving European universities to consider the integration and harmonisation of maritime qualifications, these include the whole spectrum of work activities, both ashore and afloat. The initial meeting will be held on 30th June in the Orkney Islands and IFSMA's part in this meeting is to arrange a keynote speaker from IMO.

IFSMA is participating in the IMO Flag State Implementation correspondence group on Marine Accidents and Casualty Investigation, Bjorn Haave is our representative and he would be very pleased to receive comments from members – anyone interested in progress should read IMO document FSI 60/6, which is available on the IMO website.

The IMO Maritime Safety Committee (MSC) this month was an exceptionally busy time, Long Range Identification and Tracking (LRIT) was discussed at length, two important aspects of LRIT have not yet been finalised – the technical standards and who will pay. Slow progress is being made with Goal Based standards. The MSC plenary rejected the concept of an on board safety officer although it had been agreed in the working group. The MSC also intends to implement a system of reporting near misses in an anonymous way, to support human element considerations.

IMO STW Committee – the world seems to have woken up to the fact that we are losing more people during lifeboat drills than are actually being saved during emergencies. He heard a figure of 20 deaths a year during drills which is unacceptable. He assured members that together with the ITF we are actively addressing this problem. Support is increasing from many directions including the UK Government, INTERTANKO and INTERCARGO, amongst others. One important suggestion is that the Master has the ability to carry out a risk analysis of lifeboat drills, and if the risk is found to be unacceptable, to stop the drills taking place.

He detailed the various committees the Secretariat attend throughout the year – which include several committees involved with training and education – he added that it was more practical and cost effective to attend UK based committees. We have good relations with other industry groups while remaining focused on Shipmasters. The Nautical Institute largely agrees with IFSMA's views. However, for CESMA we don't have a lot of contact but do naturally have common interests.

He was delighted to report that we have two new Association Members of IFSMA, SINDMAR from Brazil and the most welcome return of JCA from Japan. In addition there are 13 new Individual Members.

He concluded by thanking all those members who had represented IFSMA at the various ILO, IMO and other meetings throughout the year, the Executive Council for their support and the Secretariat for their hard work.

In answer to a question about which countries can be expected to join in future, the Secretary General replied that these could include the Shipmasters from Greece, Turkey, Mexico and he would also very much like to see mainland China Shipmasters join. He announced that he would welcome any assistance from members.

AGENDA ITEM 6 – Honorary Treasurer’s Report

The Secretary General took the meeting through the figures to explain the Federation’s financial situation using the income, expenditure, and balance sheet provided in the back pages of the ‘Part A’ document. What has been good this year is the interest we have earned, also we have some income from an EU source for projects we are involved with, together with some donations. A change in UK tax rules means that we will have to pay more tax this year as the tax free allowance has been abolished and we can expect to pay around £1,000 this year. Printing costs have increased in line with an improvement in the quality of the documents.

He confirmed that the accounts had been audited by Colin Evans (Individual Member) who was also willing to act as Auditor again next year, his report is available on the back page of the ‘Part A’ document.

The President thanked Rodger MacDonald and the Secretariat for all their hard work.

AGENDA ITEM 7 – Appointment of Honorary Auditor

The President reported that Colin Evans had informed him that he was willing to continue as Honorary Auditor. Colin Evans was reappointed as Honorary Auditor for 2008.

AGENDA ITEM 8 – Budget and Subscriptions 2009

The Secretary General presented the Budget and explained the assumptions that had been made for 2009. There were no proposed changes to subscriptions. Following circulation of the budget it was approved by the General Assembly.

AGENDA ITEM 9 – Crowd & Crisis Management

Presented by Captain Christer Berquist, Kalmar University, Sweden

See Annual Review, page 18 for abbreviated paper and IFSMA website for presentation.

Following the presentation Christer Lindvall recounted his experience of attending one of the courses – from the evacuation to facing the press afterwards – he highly recommended the course.

Jerry Benyo asked how would a passenger booking a cruise know if the crew had undergone this type of training. **Christer Berquist** replied that there is a statutory requirement for this training, however, from the certificate, it is not possible to know the details of the course taken, for example – did the certificate holder attend a four hour or a one week course. **Fredrik van Wijnen** commented that leadership is lacking during maritime accidents, so this

is a very important item. **Christer Berquist** agreed adding that this was an important part of the course. **Bjorn Haave** – commented that this was a very good course and should be considered in the basic training of all seafarers and should be included in both chapter 2 and 3 of STCW. **Severino Almeida Filho** remarked that in Brazil they are developing a training project, covering 400 sq m, which includes and engine control room, a bridge. The training includes how to communicate with the press in case of a serious accident, so he agreed that this is a very important subject. He suggested that it would be very interesting and helpful for everybody to assist each other and he hoped this might be possible next year. **Christer Lindvall** thanked him for his comment and invitation which will be dealt with later. **Allan Graveson** agreed that this course should be included in STCW and that it was invaluable in all officer training and should extend to other crew as well especially on passenger and RoRo ships. **Peter Turner** agreed that this training was very important, Transport Canada has identified and published the requirements for this course – he noted two differences, the onus for the training is on the owner and this will show up in the ISM, because the training is up to the owner there are no such training courses available in any Canadian maritime schools. Because the ship's management cannot supply sufficient numbers of passenger vessels, all crew should be trained, this raises the question of whether the training for management and rest of crew should be the same. Regarding minimum manning – he felt that there were insufficient crew at present, even including catering and contract staff on passenger ships, and this should be taken into account in future minimum manning levels. **Fritz Ganzhorn** – commented that this course could also include crowd and crisis management aspects for shore staff as well. He added that a recent short survey revealed that one third of companies did not appoint an appropriate person to be the CSO. Many companies intended to use the Internet as a means of communicating, however, this was not appropriate and they were instructed to use the Sat C system for this purpose. **Jeanette Nihlen** – noted that in the list of partners DNV was listed and enquired whether the P&I Clubs should also be included. **Christer Berquist** replied that they are interested but not yet involved, he added that DNV is a silent partner. **Fredrick van Wijnen** – stability is also a big problem during a crisis, ships are being lost because the crew do not take the right action. **Christer Berquist** agreed that this is a problem.

President - confirmed that we should have a resolution on this subject, to include all crew on all vessels and the Designated Person Ashore. While STCW Chapter 2 & 3 will cover officers, ILO may assist for the rest of the crew.

AGENDA ITEM 10 – Mooring Problems on Very Large Container Vessels**Written by Chris Lefevere and presented by Jef Cuyt, KBZ**

See Annual Review, page 10 for abbreviated paper and IFSMA website for presentation.

Corrections are required for the printed paper, the table should read as follows:

VESSEL CHARACTERISTICS

	Panamax containervessel	VLCS	ULCS	PCC	Cruise vessel
Capacity (teu)	4.000	8.000	12.500	n/a	n/a
LOA (m)	280	330	397	200	240
Tiers	4	7	7	n/a	n/a
Height (m)	20	31	37	23	30
Windage (m ²)	5.600	10.395	14.500	4.400	6.500

Fredrik van Wijnen – confirmed that this is a serious problem and remarked that during the winter storms one vessel broke free and drifted into an oil refinery. **Peter Turner** agreed that this is an important problem and relates to the ship/port interface. For example - it is important that the port know the strength of the bits on the ship as modern tugs with bollard pulls of up to 80 tons you can experience 2.5 times the bollard pull. Appreciated the concern over shore bollards, particularly where there is more than one line going to each bollard. Under some conditions a ship may become ‘unportworthy’. **Allan Graveson** commented that there are lots of issues here, the extrapolation of the rules of construction inevitably fails, and particularly where the emphasis is on revenue earning capacity to the detriment of safety, for example the effect of the Gross Tonnage of container vessels has certainly affected safety, and also the propulsion systems, for example cruise vessels have much better manoeuvring systems than container vessels. He concluded that this has not been thought through very well at all. **Marc Proost** commented that the bow thruster fitted to container vessels are not in proportion to the deadweight of the vessels, smaller vessels have relatively more powerful systems. Terminals are mainly in open areas, in a major storm a lack of tugs will cause serious problems. **Nick Cooper**, under my safety management system the master is responsible for the safe mooring of the vessel, I can see the problem – 6 mooring lines at each end on one bollard – to me that is not safe but what am I to do, take the vessel to another port? That puts the master in an impossible position, if it goes wrong I am to blame. **Peter Turner** – There is the capability of a port to add extra bollards, one way is to put a tug alongside but in strong winds this would not be effective. **Mark Dickinson** – pointed out that there is an International Association of Ports and Harbours and perhaps we should open a dialogue with them. **Rodger MacDonald** remarked that the time is now correct to raise this subject following the recent disaster in Felixstowe Port where several cranes were destroyed.

President – it is agreed that we will produce a Resolution on this issue.

AGENDA ITEM 11A – STCW Convention, Past Present and Future**Presented by Christer Lindvall, President, Sweden**

See Annual Review, page 14 for abbreviated paper and IFSMA website for presentation.

Fredrik van Wijnen – announced that he had attended several meetings of the Dutch Administration in preparation for the review of the STCW Convention, one of the items discussed was whether the ABs could have more responsibility onboard to take over some of the duties of the officers, he asked if this was still to be considered. **Christer Lindvall** replied that this proposal is not being considered by IMO at present. **Willi Wittig** – Regarding pleasure craft he asked what was the intention of including them. **Christer Lindvall** – Replied that this was a difficult area to define and it was only relevant for certification issues. **Peter Turner** – Regarding LNG carriers, he asked why engineers require steam certificates for these vessels, when they should obviously be required for any steam powered vessel. Do the gas carriers require special training for LNG/LPG chemical carriers. **Bjorn Haave** responded to these questions by saying that the training will likely be combined. There were also proposals to have training for specific types of vessels which was renewed every five years, however, this proposal was not accepted in IMO. **Mehrshad Taher Parvar** – mentioned that in Iran they are having problems with minimum standards, and suggested we can specify the minimum time for courses, e.g. survival at sea course minimum two weeks, and the results may become better. **Christer Lindvall** replied that he fully agreed with this suggestion and this was one reason for our involvement with the Crowd and Crisis Management. (**Latvia**) Regarding the minimum time of training and model courses, for rescue boats it is five days, recommended.

AGENDA ITEM 11B – Astronomical Navigation**This subject was introduced by Bjorn Haave, Norway.**

See IFSMA Website for presentation.

Alan Graveson – Thought it was very good that this subject was being discussed in this forum and it was a very controversial and passionate subject. He gave examples of previous controversial technologies, including gyro, radar and chronometers. GPS is currently available, there is also GLONASS and the EU is developing Galileo, all of which are subject to interruption due to sun spots and other interference. These days E-Loran is being developed and will provide a good terrestrial backup. Blocking trials are underway in the UK. He considered it essential that ships have a backup. Now is not the time to abandon Astronomical Navigation. **Ed Sarton** – He agreed with most of what the previous speaker said and that this discussion would bring much emotion. He agreed that young seafarers were brighter than the older generation, but that you cannot keep adding new subjects to the curriculum without dropping outdated subjects. Astro Nav is time consuming to learn and needs practice to acquire the skills. GPS does pose a problem, you need an alternative, such as E-Loran. Even a day without GPS should not pose a major problem. His major problem is that he does not know what his members think on this and he would like the opportunity to consult them before giving his formal reply. **Fredrik van Wijnen** – He summarised the position as he understood it, that there were three options: 1. Maintain Astro Nav, 2. Lower its grade of importance, or 3. Do away with it. Having consulted his members he reported

that we need a backup and that Astro Nav is important as the backup until another reliable system is available. He also commented that if you do away with Astro Nav you also take away the navigator's situational awareness, as he will spend his whole time inside the wheelhouse looking at dials and displays. **Bjorn Haave** – Commented that the STCW revision will be finished in 2010, which means it will take effect from 2012/2013, and will take full effect from 2018/2020. **Rodger Macdonald** – congratulated Bjorn Haave on his presentation on 2 key reasons; the Philippines Workshop raised the subject that the people at sea are not consulted enough on important matters, and would suggest that other associations carry out the same survey with their members. The world is changing and IFSMA should be looking forward and not backwards. **Peter Turner** asked Bjorn Haave how many seafarers were in coastal trades and would not use a sextant anyway and how many in deep sea trades. **Bjorn Haave** replied around 80% were deep sea trades, another important point is that they were all active serving seafarers.

AGENDA ITEM 12 – Challenges of the Manpower and Valuing the Human Capital

Presented by Suresh Bhardwaj, India

See Annual Review, page 27, for abbreviated paper and IFSMA website presentation.

AGENDA ITEM 13 – Davit and Lifeboat Servicing

Presented by David Torres, Umoe Schat-Harding.

See IFSMA website for presentation.

AGENDA ITEM 14 – Piracy and Security

Presented by Mark Dickinson, Nautilus UK

See Annual Review, page 24, for paper and also IFSMA website.

AGENDA ITEM 15 – Safe Manning Levels and Fatigue

Presented by Christer Lindvall, President, Sweden

See Annual Review, page 24, for paper and also IFSMA website.

AGENDA ITEM 16 & 17 – Drafting Group Report & Approval of Resolutions

After brief discussion the General Assembly Resolutions were agreed. See Annex 1.

AGENDA ITEM 18 – Any Other Business**18.1 The Sea Shall Not Have Them - But Who Should?**

Presented by Fredrik van Wijnen, NVKK

See Annex 3 for the paper presented and also IFSMA website.

18.2 Circumstances Surrounding Loss of “Hera” and “Vanessa”

Presented by Dimitar Dimitrov, BSMA

See Annex 4 for the paper presented and also IFSMA website.

After a brief discussion it was agreed to include a Resolution to address the concerns raised by these tragic incidents for agreement by the General Assembly. See Annex 1.

ANNEX 1

General Assembly Resolutions

Resolution 1/2008 - SAFETY AT SEA

The 34th Annual General Assembly held in Bremen between 21 and 22 May 2008;

Noted with concern the report provided by the Bulgarian Shipmasters' Association concerning the loss of seafarers lives onboard the Cambodian registered MV 'Hera' and the Bulgarian registered MV 'Vanessa' in separate incidents in 2004 and 2008 in which both vessels disappeared in the Black Sea with the loss of 30 lives.

Expresses its concern about the apparent failure of the Flag States to properly investigate the loss of these two vessels as required by IMO;

Urges the IMO Secretary General to ensure that Flag States carry out their obligations to fully investigate ship losses particular those resulting in the loss of life;

Calls upon IFSMA to urge the IMO Secretary General to convey its concerns to the relevant flag and coastal states and to urge a thorough investigation so that the circumstances of these losses are understood and the lessons learnt and most importantly so that the families of the dead seafarers know how their loved ones were lost at sea.

Resolution 2/2008 - PIRACY AND SECURITY

The 34th Annual General Assembly held in Bremen between 21 and 22 May 2008;

Noting the presentation made by Mark Dickinson on behalf of Nautilus UK and Nautilus NL on Piracy and Security;

Noting also the trend towards increased use of violence by pirates and other assailants in attacks against merchant ships in piracy hotspots and areas of heightened security worldwide as evidenced by the incidents involving the Danish registered m/v 'Danica White' and the St. Vincent registered m/v 'Svitzer Korsakov';

Considered the results of a survey of members conducted by Nautilus UK and Nautilus NL, which elicited the views and experiences about the problems of piracy and security from hundreds of shipmasters, officers and other maritime professionals serving on ships ranging from 100,000gt cruise vessels to 1,500gt dredgers, and operating in virtually every area of the world;

Resolves that IFSMA should add its voice to the ongoing campaign for action to reduce the unacceptable threat to the world's seafarers and urges action on the following fronts: -

- Shipowners and flag states must recognise the workload demands arising from the ISPS Code and the post of SSO. The additional duties created by the Code and by the industry guidelines for combating piracy must be reflected when determining

minimum manning certificates, and in the review of the STCW Convention, as well as in assessing compliance with hours of work and rest period requirements

- Countries must urgently ratify and implement the ILO Convention on Seafarers' Identity Documents (Convention 185), and ensure that there are safeguards in place to verify the identity of increasing 'casual' workforces
- Shipowners must install much more effective security equipment onboard their vessels, including motion detection equipment, vessel tracking systems, CCTV, alarms and access control systems thereby contributing to lowering the workload of the crew and the SSO
- Shipmasters should be provided with up-to-date information on piracy and security risks via for example the internet
- The shipping industry must take a more proactive approach to the application of 'war risk' agreements for seafarers on ships operating in known 'hot spots'. It is important that seafarers are given the necessary insurance protection and the rights to sign off vessels going to known danger zones
- The international community must consider the application of effective sanctions against flag states and port states that fail to deal with consistent problems of piracy and armed attacks on ships under their administrative responsibilities
- The international community should develop multilateral cooperation agreements to reduce the risk of piracy and armed attacks on merchant ships, including coordinated naval patrols in 'high risk' areas, proactive exchange of intelligence, and rights of 'hot pursuit' following attacks
- Technical and practical assistance should be offered to developing nations to help improve standards of security in their ports and waters
- Flag states and port states must improve the standards of reporting and investigation of attacks on their ships and in their waters
- More countries should ratify and implement the international Convention for the Suppression of Unlawful Acts Against the Safety of Maritime Navigation

Resolution 3/2008 - CROWD AND CRISIS MANAGEMENT

The 34th Annual General Assembly held in Bremen between 21 and 22 May 2008;

Noting the presentation made by Captain Berquist of the Kalmar University in Sweden on the 'Securitas Mare' project aimed at developing a model training course on Crowd and Crisis Management; for the training and development of the trainers to develop such training; and the dissemination of the materials produced;

Noting also that currently crowd and crisis management training is not standardised and only mandatory for key personnel on passenger vessels and ro-ro passenger vessels;

Believes that Crowd and Crisis Management training should be made a mandatory requirement for all seafarers on all vessels and also to shore based personnel such as the Designated Person Ashore and other shore based personnel who have responsibilities in crisis situations;

Resolves to seek to include training for all seafarers within the STCW Chapters 2 and 3 and at the appropriate level for Deck AB and Engine AB.

Resolution 4/2008 - IMPROVED MOORING ARRANGEMENTS

The 34th Annual General Assembly held in Bremen between 21 and 22 May 2008;

Noting the presentation made by Captain Cuyt, of the hand of Captain Chris Lefevere, on behalf of the Belgian Shipmasters Association – KBZ on the specific problems of mooring arrangements for the new generation of very large and ultra-large containerships;

Resolves to enter into dialogue with the International Association of Ports and Harbours – IAPH and other relevant parties to highlight the concerns of shipmasters generally and specifically relating to ship design, alternative mooring arrangements and solutions, bollard spacing, quantity and strength and the provision of sufficient and appropriate assistance from tugs.

Resolution 5/2008 - THE 1ST INTERNATIONAL SHIP-PORT-INTERFACE CONFERENCE (ISPIC 2008)

The 34th Annual General Assembly held in Bremen between 21 and 22 May 2008;

Notes the outcome of the 1st International Ship-Port-Interface Conference organised by Bremen University of Applied Sciences Faculty V – Centre of Maritime Studies and Rogge Marine Consulting held in Bremen and in conjunction with this Annual General Assembly;

Notes also the adoption of a Conference Resolution by ISPIC 2008;

Endorses the contents of the ISPIC Conference Resolution and;

Requests that the Executive Committee ensures that IFSMA Policy appropriately reflects the conclusions and recommendations outlined in the ISPIC Conference Resolution (below).

ISPIC 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.

ISPIC 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 participate 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 effect 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 practice, 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 seafarers 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.

ANNEX 2

Maritime Education, Training and Certification of Seafarers – the role of EMSA

By Dr. Capt. Jaime Veiga, Senior Project Officer for Training and Certification of Seafarers, European Maritime Safety Agency.

This presentation aims at introducing to an audience of experts the role of the European Maritime Safety Agency (EMSA) in the education, training and certification of seafarers. During the time I have I will divide my presentation in six areas:

- The legal background of this EMSA task;
- The planning of the inspections;
- The common methodology used by EMSA inspectors during the inspections;
- The resources available for this task;
- The follow up.

The first question I would like to put to the audience is simply “how can the shipping industry ensure quality in maritime education, training and certification of seafarers?” The different administrations and institutions we have so far visited have shown different standards of education and training. With the standards adopted by the STCW Convention I cannot say that we should not expect different standards. However, we can only expect that if these are above the standards adopted internationally by the International Maritime Organisation (IMO). In many cases, however, I and my colleagues have found some shortcomings in relation to the STCW Convention.

Legal Background: There are two instruments that form the basis of our work: The International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW Convention) and the European Directive 2001/25/EC on the minimum level of training of seafarers adopted on 4 April 2001 as amended. As you are aware Directive 2001/25/EC basically introduces into European legislation the STCW Standards. No new standards or demands are introduced and imposed to any country. The Directive was amended in 2003 through the adoption of Directive 2003/103/EC and in 2005 through the adoption of Directive 2005/45/EC.

After the adoption of the Directive in 2001, Member States of the European Union could recognise the certificates of other countries in line with the requirements of Regulation I/10 of the STCW Convention (Recognition of certificates). Through this method, third countries (non EU Member States) were visited several times by different EU maritime administrations, which was a burden for the visited country and also a considerable expenditure of costs and resources. Following the adoption of the amendment of 2003, the process of recognition was centralised and any Member State has to submit to the European Commission a request for recognition of a third country, stating its reasons. The task of EMSA is following that request to conduct the inspection on behalf of the Commission and the Member States. The final decision on recognition is subsequently taken by the Commission through the Committee on Safe Seas (COSS) based mainly on the comprehensive report prepared by EMSA inspectors. Once the third country is recognised all EU Member States can issue endorsements of recognition to certificates of competency issued by that country.

Planning of the inspections: Inspections to third countries are planned to take place:

- Every 5 years to countries already recognised at Community level;

- When a EU Member State notifies the European Commission that it intends to recognise a third country;
- When an EU Member State notifies the Commission that a non-EU country is no longer complying with the STCW requirements.

Methodology adopted: With the new centralised system, the inspections are conducted using a common methodology allowing not only to reduce the costs but also to share the findings. Even when different EMSA inspectors visit different countries the fact that a common methodology is used ensures that all MET systems are viewed with the same perspective.

Following the adoption of the amendment of 2005, EMSA started during 2007 to inspect the MET systems in the EU Member States as well. The methodology being used already by EMSA during the inspections to third countries had to be slightly modified to cover additional areas that the EU Member States are obliged to comply but the structure is basically the same and in both cases based upon the ISO 19011:2002 standard and on a process approach.

Resources available: To conduct this inspection task EMSA has recruited ten staff members who during the year form teams to verify the implementation of the international requirements now both in the European Union and outside. Seventeen inspections to third countries and six to EU Member States have so far been concluded. To establish the annual inspection plan and the target number EMSA uses a priority criteria adopted in 2005 and that takes into consideration the dimension and importance of the country in terms of the maritime labour market and the number of seafarers from that country employed on board EU vessels.

The inspections are conducted into four phases as such:

Phase 1: Desk study at EMSA headquarters to verify and analyse the national legislation and the educational programmes;

Phase 2: Visit to the country comprising inspection of procedures, activities and equipment in the maritime administration and MET institutions;

Phase 3: Drafting of a comprehensive report at EMSA headquarters;

Phase 4: Draft report submitted to the inspected country for factual corrections and eventually final report sent to the European Commission.

Follow-up: The European Commission will then conduct the follow-up to the inspection until the recognition of the country system.

The inspections although conducted by EMSA only on behalf of the European Commission and the Member States allow the results to serve as a guide and reference to other administrations and to the shipping industry, when taking their own decisions on the recognition of foreign certificates.

Going back to my initial question “how can the shipping industry ensure quality in maritime education, training and certification of seafarers?” the best response is to say through adequate implementation and enforcement of international standards on certification, education and training of seafarers. EMSA plays a role on this aspect and I do hope that my presentation allowed you to clarify our task and contribution. There are shortcomings identified but these should be seen as a challenge for improvement. Most depends on the different players and I am sure that IFSMA is making its best towards that objective with the means available and in cooperation with other players.

I want to thank again the organisation of this Conference for inviting me to contribute to this event and I wish you all two excellent days of discussion towards better maritime safety.

ANNEX 3

The Sea Shall Not Have Them - But Who Should?

by Captain Fredrik Van Wijnen, NVKK

On 22 February 2008 the Honourable Company of Master Mariners in the UK organised a conference on the difficulties in dealing with refugees and economic migrants rescued at sea. The event took place onboard the HQS "Wellington" in London.

Ingrained into the psyche of every seafarer is the absolute requirement to render assistance to those in distress. It is seen as a human duty. But it is not only that. It is even a duty according to international maritime conventions UNCLOS 82 and SOLAS 74, although there is nowhere mentioned what the cause of the refuge should be.

Economic migrants who are being carried by tiny unseaworthy boats, sometimes operated by unscrupulous people-smugglers, are becoming regular clients for seagoing vessels. There are no direct motivations not to take them on board but it is brought to our knowledge that many ships do not pay any attention to these helpless people because they are considered not to be under the UNCLOS and SOLAS rules or simply because they do not want to be involved.

Moreover seafarers' organisations are alarmed by a rising number of reports where ships' masters are unable to land those rescued. As a consequence, masters have just another reason and are less likely to render assistance, putting the lives of those in distress at risk. This could be changed when authorities in the relevant countries would change their attitude and permit rescued people on shore without making a difference. This could give ships another motive for rescuing refugees.

The aim of the conference in London was to explore the issues which have an impact on the shipmaster and the maritime industry. And where necessary present solutions to the international community in order to save the lives of those in distress, notwithstanding the principle or non principle of these doubtful practices.

The event was chaired by the distinguished maritime journalist Mr. Michael Grey of Lloyd's List who has a gift to summarize and write so that anybody can understand.

Captain Graham Mapplebeck of the IMO gave an oversight as far as the organisation is involved in these matters. In no way the safety of the ship should be brought in danger during the rescue operations. Shipmasters should abide by the present international conventions.

It is difficult for shipmasters to decide whether he has to deal with political refugees or economic migrants. In fact this not their task.

Those rescued are usually not in the possession of any identity papers, which makes landing them in a port extremely difficult. This has to be sorted out by the authorities who then have to make the decision to send them back to their country of origin (if known) or not. In most ports these procedures are so difficult that long delays are the result, as it depends on the cooperation of local authorities. It is still easier for them to say no and transfer the problem to another port. There are in fact many legal instruments in place but the problem in many nations is still the implementation of the regulations.

There are many examples where refugees are turning desperate and/or aggressive, therewith forming a threat to their rescuers, the ship's crew. In fact this is a joint concern of the United Nations and the IMO, although the IMO is part of the UN. A global political solution would be preferred but according to Captain Mapplebeck this could take a long time, as many interests are involved.

Moreover the United Nations is a huge organisation, which makes it difficult to come to a speedy and global solution or legislation which is more or less acceptable for more than 150 nations worldwide.

Another opinion came from the Canon Ken Peters of the Mission to Seafarers. He pointed out the security risks when small craft were approached in the open sea. He also mentioned the problems of feeding refugees in numbers and the fears that a small crew could be overwhelmed by them, as well as the health and hygiene issues. His worries also concerned the seafarers who have sometimes been accused of refugee trafficking as they were trying to disembark their “passengers”.

During a case in Italy the master of a vessel was accused of being involved in the people-smuggling and jailed for four days, together with his chief officer, when he tried to land a number of migrants rescued from the sea. He was saved by the bell as the cook of the vessel produced a video film shot at the time of the embarkation of the people in distress.

Political sentiments are also at stake. A Dutch shipmaster was recently attacked in the media because a number of refugees died during a rescue operation in the Mediterranean when he did his utmost to save people from a sinking boat during severe weather conditions. After an investigation by the Dutch maritime inspection he was later freed of all allegations of bad seamanship.

All the same, the problem remains and it would not be surprising if the old and unspoken pressure to look in the other direction might continue to be put on masters. Those might be made aware of owners’ and charterers’ ”disappointment” at the consequent delays and complications which in such cases inevitably incur.

There is no question whatsoever that these problems are going to go away. There are sufficient numbers of “fail” states and corrupt tyrannies to keep the number of escapees enormously high for the foreseeable future. What mariners would appreciate, when they fulfil their convention and humanitarian obligations, is that they would be relieved of their burdens as soon as possible. If we have to deal with flag states, we have a chance. If “fail” states are concerned, we might encounter a huge problem.

What was taken into account in the comments on the seminar, also by Mr. Grey himself in his article in Lloyd’s List, is the fact that this entire industry in people smuggling is in the hands of criminal organisations operating from the ”exporting” nations and perhaps elsewhere.

During a fairly recent case the Russian LPG carrier ”Tomsk” picked up 50 refugees from a sinking boat on the Atlantic Ocean, half way between Africa and the Azores. On the collar of the overalls of the “navigating” officers of the boat, a telephone number was written. This number had to be called as soon as the boat landed on the beach somewhere in Spain for the refugees to be picked up by accomplices of the organisers.

The problem should be solved there by local authorities with the help or perhaps pressure from the EU nations which are presently suffering from those activities. These small boats, overloaded with refugees, should not have the possibility to set to sea and if at all underway, should be intercepted by local authorities (Coastguard?) and brought back “home”. This would be a solution for the EU nations which have to deal with this chanceless people and could solve a lot of problems for those shipmasters who feel the responsibility to rescue endangered people from the sea, a duty they should never forget.

ANNEX 4

Circumstances Surrounding Loss of “Hera” and “Vanessa”

Presented by Captain Dimitar Dimitrov, BSMA

With the following information I on behalf of the Bulgarian Shipmasters' Association want to raise some problems of the safety at sea in the light of the last big incidents at sea with Bulgarian Masters which led to loss of life at sea. The information is not an investigation or detailed research of the causes of the incidents but just a brief information intentionally given to you to raise some commonly asked questions when at sea in difficult situation.

There were two big incidents at sea in the last five years in which lives of Bulgarian seafarers were lost at sea. In both of them more than 10 people died. The first case m/v “Hera” happened 7.5 miles off Bosphorus northern entrance with 19 crew on board – 17 Bulgarians and 2 Ukrainians, all lost and no one saved. The second one m/v “Vanessa” was 20 miles north of Kerch Strait in the Sea of Azov with 11 crew on board – 10 Bulgarians and one Ukrainian pilot. One seafarer was saved in the last incident luckily by chance. Both happened close to the shore, both in bad weather and both with fatal results.

I'll not give details with the cases but in brief:

M/V “Hera”

The ship sailed from Ukrainian port of Juzhnyy to Bosphorus where she arrived 20 miles off (the mandatory requirement of Turkish authorities to report to Turkish Strait VTS system when 20 miles or 2 hours before the entrance) at 05:37 on 13th of February 2004. The ship received information from Turkish VTS to approach to 10 miles and to wait adrift for further instructions. The weather was wind 8-9 Beaufort from NNW and sea 5-6 same direction. At 10:00 the ship received no further instructions and at 11:55 after having some problems perhaps the Master advised the VTS that after instruction from the agent and having some difficulties with the ship he would proceed to the Bosphorus entrance. Few minutes later the ship entered the opposite traffic lane and the Master being asked why he had proceeded in the outbound instead of inbound lane advised VTS that he was not able to change his course. Soon after that the Master advised VTS that sea water was penetrating in cargo hold one and required a tug to tow the ship because she was not under command and the last contact with the ship was at 12:24. The ship disappeared from the radar screens in 12:28. There was another Bulgarian ship m/v “Vejen” in the vicinity, same size, a bit older which evidenced the capsizing and sinking of m/v “Hera”. As per the official Turkish report the search and rescue operations had been initiated immediately but no person was saved never mind that the incident had happened only 7.5 miles off the coast in a busy area with a lot of different facilities – ships and aircrafts. On the first glance it is evident why the ship had sunk. Most probably m/v “Hera” had lost her integrity, water entered in cargo hold one most probably through the anchor chain lockers and boatswain's store, the dynamic stability of the ship decreased and she sunk. The other suppositions are that the ship was not in sound condition, she was asked to wait adrift in that state. During her voyage from the port of departure to Bosphorus the ship sailed on heading 195 degrees and the wind was NNW. That means from the aft part of the ship starboard. Being asked to wait adrift the Master was supposed to turn the ship on the opposite direction and to labour against the wind and the sea waves. That arrangement of Turkish VTS worsened the ship condition and most probably at that moment sea water had started entering in the anchor chain lockers through hawse pipes and then to boatswain's store and cargo hold one. The ship had had enough stability – for example as per our calculations final GM upon departure from her last port was about 0.77 m. But if we suppose that 200 mt of water entered in cargo hold one, final GM would become 0.05 bearing in mind free surface correction with which the ship is almost unseaworthy. During the fatal morning the Master was unable to evaluate the situation. I want to stress that the Master was with more than 10 years

experience on board such ships and in no case we could say that he was inexperienced. Suffering heavy seas for few hours the Master decided to use his overriding authority at the very last moment when it was quite late. The other predictions are that he was in constant contact with his managers and tried to save the ship from being officially announced as a ship in distress and to save some expenses to his owners. But these are just reckonings;

M/V “Vanesa”

The ship sailed from the Ukrainian port of Berdyansk bound to Bulgarian port of Bourgas and loaded with steel products, mainly steel billets and steel wire in coils. The ship’s stability was quite in excess of the minimum requirements. The ship was with Ukrainian pilot on board during the incident. The weather forecast was quite bad and the ship was not allowed to sail for some time but since the weather improved a bit the Master sailed. Soon after that the ship started freezing and labouring in bad weather in the Sea of Azov. Again there was a request for a tug to help the ship in bad weather and when the Master transmitted distress signals at about 02:00 am the ship sank and only one person was saved during the search and rescue operations. Even the local Ukrainian pilot lost his life.

If we summarize the circumstances of both ships:

1. Both ships were more than 20 years old, actually 30 years old;
2. Both ships sank in storm weather;
3. Both ships were loaded with full cargo with minimum free board;
4. Both ships continued their voyages in bad weather neglecting the forecasts;
5. Both ships did not contact the coastal states in time to require assistance;
6. Both ships’ masters did not initiate abandon and evacuation of the crew in time;
7. Both ships did not transmit distress signals and did not require assistance in time;
8. On both ships we suppose some influence from shore based staff to delay transmit of distress to save expenses in case of salvage and in both cases the Masters did not use their overriding authority to save the crew.

In brief I would raise the following draft resolution to be adopted by IFSMA AGA in Bremen:

IFSMA to initiate in IMO:

1. Wide research of the shipmaster’s role in using his overriding authority as per ISM Code, Ch. 5.2 in case of incident in which there is a threat to life of people on board and independent analysis of the circumstances in which m/v “Hera” had sunk;
2. Analysis of the traffic management in Turkish Straits and use of search and rescue facilities in the Black Sea area;
3. Establishment of working group to analyse incidents at sea when life at sea was lost on board the ships and especially when sailing under flag of convenience and to find out the destiny of the Master of m/v “Hera” (his body together with the bodies of more than 10 crew are still not found and their destiny is still unknown).

Remark: Most of the proposals are made by the Bulgarian shipmaster Capt. Orlin Stanchev, working presently in the offshore industry in Scotland and his opinion was shared by most of the members of our association. We as an association are ready to participate in a project to make independent analysis in order to prevent future incidents with a fatal end.

