**IMO** Bulletin

BREAKING NEWS

**The IMO elections for a new Secretary General.**

Whilst as NGOs we do not have a vote in the election of a new IMO Secretary General it is very important to us to have someone in this position with empathy for the welfare of seafarers and who will enable NGOs to have effective input into the work of the IMO.

In recent years it has become extremely difficult to find avenues for seafarer’s issues at the IMO in an increasingly restrictive environment

Of the six candidates there are some that have a history of working with us on issues to enhance the welfare of seafarers and protect their rights. Hopefully the elected Secretary General will recognise the important input of the industry and in particular the essential role of credible seafarer’s representation. There are still the critical issues of fatigue, criminalisation, seafarer’s rights and their safety and welfare that need addressing and they must be an IMO priority.

**July 2015**

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Mr. Ki-tack Lim (Republic of Korea) has been elected as the Secretary-General of the International Maritime Organization (IMO), with effect from 1 January 2016, for an initial term of four years.

Mr. Lim is currently president of Busan Port Authority. . He worked on ships as a Korean naval officer and for Sanko Shipping Co. He joined the Korea Maritime and Port Administration in 1985. He served as the Republic of Korea’s Deputy Permanent Representative to IMO from 2006 to 2009 and was Chairman of the Sub-Committee on Flag State Implementation (FSI) from 2002 to 2004.

Ki-tack worked closely with the unions to find a solution to the criminalisation of the master and mate of the tanker Hebie Spirit .

**Mr Ki-tack Lim**

**Republic of Korea**

**IMO Secretary- General**

**Elect**

**Marine Environment Protection Committee, MEPC 68.**

Whilst MEPC 68 was a very busy week finishing late Friday evening it is frustratingly slow progress on such items as Ballast Water Management and Measures to Reduce Green House Gases.

**Ballast Water Management (BWM)** Despite the strong position taken by the industry, the IMO has not agreed to a resolution to ensure ‘non penalisation of ships’ that have installed ‘first generation’ ballast water systems, in good faith but possibly not compliant with revised BWM guidance. Currently they are reviewing their legal ability to ‘grandfather’ these ships and meanwhile have put in place a ‘roadmap’ of how to deal with each set of circumstances. The US reserves its’ position on the application of any grandfather provision.

**Energy Efficiency Design Index (EEDI) Calculation**.

Another issue at MEPC 67 which continued to elude any definite outcome was the reduction of power on ships to achieve an improved EEDI and the possible unsafe situation of maintaining minimum manoeuvring speed with greatly reduced power. The studies by Greece indicated that with proposed EEDI level one reduction, 36% of bulk carriers and 28% tankers may fall below the estimated safe limits. It was agreed that before level 2 changes were agreed and adopted, the outcome of two major studies should be taken into consideration. These are estimated to be available in 2017.

There is tough opposition to the IMO requirement for data collection from each ship on energy efficiency and emissions, specifically with respect to retaining confidentiality. This is primarily due to flag state fears that such information will ultimately lead to a mandatory requirement for a carbon levy. Any form of carbon tax is strongly rejected by ‘developing’ countries.

**Maritime Safety Committee, MSC 95.**

**Passenger Ship Safety**: There was no working group on passenger ship safety but as had been agreed at MSC 94 a revised long-term action plan was table. Unfortunately it was also agreed that where there was no justification or compelling need established much of this list will be removed. Despite the majority of items being the outcome of casualty analysis on the Costa Concordia, 15 safety considerations may be dropped from the action plan at MSC 96.

Concerns following recent accidents on ro-ro passenger ships were raised and the IMO also recognised an urgent need to enhance safety on non-international passenger ships. As these vessels are outside the coverage of SOLAS the IMO can only have an advisory role to national administrations.

**Carriage of Industrial Personnel**: The issue of carrying more than 12 industrial personnel on vessels servicing wind farms in international waters has raised the questions of whether these vessels have to meet the international standards for passenger ships. Industrial personnel are neither traditional passengers nor qualified or regulated as seafarers and part of the crew. This has lead for a call to revise SOLAS Chapter 1 to define a new category of “industrial personnel” to permit their carriage without meeting passenger ship standards. There is a concern among the maritime unions that creating a category of “industrial personnel” aboard vessels may have unintended consequences, i.e., industrial personnel doing the work of seafarers. Of additional concern is that there has been some discussion to expand the carriage of industrial personnel beyond vessels servicing wind farms or the energy sector. We have opposed opening up SOLAS or other international conventions to revisions that could negatively impact seafarers and have pointed out that the existing Special Purpose Ships (SPS) Code provides for the carriage of “special personnel”. The SPS Code has all the requirements for safety, training and basic maritime legislation covered and with possibly a few amendments could be used to cover industrial personnel. This could also be made mandatory if the need is justified. The SDC 3 sub-committee will reconsider this in January before resubmitting at MSC 96

*Our main concern with the model security legislation is that it provides for a port security plan that is overly prescriptive and inconsistent with the flexibility provided for in parts A and B of the Code and relevant guidance in IMO circulars.*

*‘George Quick’*

**Measures to Enhance Maritime Security**: We were generally concerned that a proposed draft on guidance for national maritime security legislation supported by the United States would expand restrictions on access to ships within a port facility and place greater burdens on seafarers and the efficient operation of ships than provided for in the ISPS Code. The proposal was rejected by the MSC committee largely on the basis of the intervention of the ITF delegation. A Correspondence Group was re-established to draft a document with terms of reference that restrict any guidance to the ISPS Code provisions and relevant past guidance of the IMO. This should maintain the flexibility to establish port security plans based on a risk assessment of a specific port facility, and preserve current provisions and guidance protecting seafarer’s rights.

**Servicing and Maintenance of Lifeboats and Launching Appliances :** The ship owners are opposed to the manufacturers of lifeboats and ancillary gear having total control of the annual and 5 yearly servicing and testing of lifeboats. They require that others, including ship’s crew, could be trained and certified by the appropriate authorities for this function. With the continuing level of crew injured in drills and maintenance, particularly due to the failure of on load release blocks, we are very wary of any solution that increases the chance of an accident. However we do agree that a properly trained and skilled crew member could be responsible for certifying the maintenance and testing of a lifeboat.

**Safety of On-board Lifting Appliances:** Following a high level of accidents to ship’s crew and dockers using on board lifting appliances the IMO have agreed to put the issue on the agenda. Currently all on board lifting appliances are the responsibility of the flag state administrations that often have little ability to inspect and test them or suitable regulations regarding the maintenance. There is strong opposition to this item by some flag states and many are wary of what items e.g. mooring winches, will be included in any mandatory legislation brought in. It is however a subject that is well overdue addressing at the IMO and we support its inclusion in the agenda.

**2010 Manila Amendments:** The ITF tabled a paper expressing seafarers concerns at the application of new standards for eyesight and colour vision and eyesight acuity that may determine existing seafarers are unfit for duty. Prior to the 2010 amendments the STCW convention contained flexibility with provisions for colour assessment in the guidance. There was extensive discussion and the issue has been returned to the HTW sub committee to consider the appropriate action for greater flexibility without a major amendment to the convention.

**Fatigue:** The direction the IMO was taking on fatigue management and mitigation as solely a management issue without consideration of the complimentary issue of manning was successfully challenged by the UK. The Correspondence Group revising the IMO guidance on fatigue must now take into consideration the obvious link to manning levels. Manning levels are a sensitive issue at IMO and although amending the SOLAS provisions on manning is not to be considered by the group its ultimate conclusions could be the basis for future consideration of amending manning requirements.

**New Work Items:** The followingsignificant unplanned work items have been agreed;

* Guidelines for the safe mooring of all ships. Target 2017.
* Comprehensive review of the 1995 STCW F Convention. Target 2018
* Development and implementation of e-navigation. Action Plan 2016-2017
* Carriage of more than 12 industrial personnel on board vessels engaged in international voyages. Target 2017.
* Periodic servicing and maintenance of lifeboats and launching appliances Target 2016.

**John Bainbridge …***Nautilus Federation IMO Representative*