



SVERIGES FARTYGSBEFÄLSFÖRENING

informerar 4/2006

KONFLIKT I SKÄRGÅRDSTRAFIKEN

Sveriges Fartygsbefälsförning har i tidigare informerat om att föreningen strandat och varslat om konflikt mot Stockholms Sjötrafik och Strömma Turism och Sjöfart i Stockholm samt Styröbolaget i Göteborg.

Förhandlingarna återupptogs i går onsdag och ajournerades sent onsdag kväll för att återupptas torsdag förmiddag. Parterna har närmast sig varandra något, men ligger enligt vår uppfattning fortfarande långt ifrån varandra. Förhandlingarna förs under medlarna Claes Stråth och Jan Sjölin.

NYTT TJÄNSTPENSIONSAVTAL FÖR PRIVATA TJÄNSTEMÄN MED KOLLEKTIVAVTAL KLART

Förhandlings- och samverkansrådet PTK och Svenskt Näringsliv har kommit överens om ett nytt pensionsavtal för 700 000 tjänstemän i det privata näringslivet.

Det nya pensionsavtalet (ITP-planen) består av två delar. Del 1 innebär förändringar i förhållande till dagens pensionsvillkor och gäller för tjänstemän födda den 1 januari 1979 och senare. Efter central överenskommelse kan det också komma att gälla tjänstemän på företag som i dag saknar kollektivavtal, men som sluter kollektivavtal i framtiden.

Del 2 gäller för alla övriga tjänstemän inom PTK som fortsätter att få pension enligt det nuvarande pensionsavtalet ITP genom de långa övergångstider parterna kommit överens om.

Det nya pensionsavtalet för de yngre tjänstemännen är ett s k avgiftsbestämt avtal. Det innebär att arbetsgivaren betalar en avgift på 4,5 procent av lönen varje månad upp till 7,5 inkomstbasbelopp (2006 motsvarar det 333 750 kr) och 30 procent däröver. Pensionen börjar att tjänas in från 25 års ålder. Tjänstemannen väljer själv en eller flera förvaltare av avgiften. Upphandling av försäkringsgivare som har rätt att förvalta ITP-avgifterna görs av parterna. Parterna kommer att lägga stor vikt vid låg kostnad, finansiell stabilitet och möjlighet till hög avkastning. Avgifterna ska finansiera en livsvarig pension. Men den kan betalas ut helt eller delvis under en begränsad tid av minst 5 år. Pensionen betalas tidigast ut från 55 år.

Det nuvarande pensionsavtalet fortsätter att gälla

för födda före 1979. Det är ett s k förmånsbestämt avtal, där pensionens storlek avgörs av den försäkrades slutlön och där arbetsgivaren betalar in den summa som krävs för att täcka pensionskostnaden. PTK har också fått igenom en rad förbättringar i den nuvarande planen som t ex förbättrad ersättning vid långvarig sjukdom (vilket även gäller dem födda 1979 och senare) och uppräknning av ursprunglig ITPK.

PTK och Svenskt Näringsliv är i avtalet överens om att uppta nya förhandlingar om de grundläggande antaganden som avtalet bygger på förändras. Den nya ITP-planen kommer att träda i kraft den 1 januari 2007 eller om det inte går med hänsyn till praktiska omständigheter senast den 1 juli 2007. Överenskommelsen om det nya pensionsavtalet är preliminär till dess att samtliga medlemsförbund inom PTK och Svenskt Näringsliv antagit den.

DISKUSSIONERNA OM EN FÖRÄNDRING AV ITP SJÖ FORTSÄTTER

Diskussionerna mellan Sjöfartens Arbetsgivarförbund (SARF) och föreningen om en förändring av villkoren till förtida avgång vid 60 års ålder fortsätter i början av maj. SARF vill ha en förändring från dagens system till ett premiebaserat system.

ÅRSMÖTEN

SFBF:s årsmöten hålls i Stockholm den 29 maj på Katarina Sjöfartsklubb, i Göteborg den 30 maj på Sjömanskyrkan/Sjömansgården, i Malmö den 31 maj på Rica City Hotel och i Kalmar den 1 juni på Calmar Stadshotell. Alla möten börjar kl. 13.00.

SFBFs FRITIDSHUS

I Torrevieja finns ännu några lediga veckor under våren och sommaren. För bokning, tel 08-10 60 15 , inga.bergenmalm@sfbf.se
Lediga veckor övre lägenheten (6 pers) 21, 23, 26, 27, 28, 36, 37, 38
Lediga veckor nedre lägenheten (4 pers) 19, 20, 21, 23, 26, 27, 28, 29, 30, 31, 34, 36, 37, 42
Pris Sö-Sö högsäsong (15 april-30 september)
Övre lägenheten 3950 kr + 80 kr/person
Undre lägenheten 3350 kr + 80 kr/person



SVERIGES FARTYGSBEFÄLSFÖRENING

informerar 4/2006

SFBFs NYHETSBRUV

Vill du erhålla detta nyhetsbrev till annan eller flera e-mail adresser? Hör av dig till inga.bergenmalm@sfbf.se

UTDRAG UR VERKSAMHETSBERÄTTELSEN FÖR 2005

(Medlemmar kan erhålla hela verksamhetsberättelsen efter kontakt med kansliet)

År 2005 var ett kongressår och det var första gången man tillämpade de nya stadgarna med direkta val till kongressen. Kongressen antog ett viktigt målsättningsprogram som ett riktmärke för styrelse och kansli under de nästkommande fyra åren. På kongressen valdes sjökaptén Jörgen Lorén, befälhavare på Stena Jutlandica, till ny ordförande för Sveriges Fartygsbefälsförening och ersatte därmed sjökaptén Bengt Cremonese, befälhavare på Stena Danica, som önskade lämna efter mångårigt arbete och engagemang i föreningens styrelse.

Sjöfartspolitik

Trots den positiva svenska sjöfartspolitik som skapat mycket goda förutsättningar för den svenskflaggade handelsflottan har den inte ökat i nämnvärd omfattning. I juli bestod den av 229 fartyg över 300 BRT och medelåldern på fartygen är fortfarande bland de högsta i världen. Den inflygning som förekommit under de senare åren har varit framför allt tonnage som ersatt annat under svensk flagg. Ett litet nettoöverskott kan dock konstateras.

Det svenskflaggade tonnaget, det utlandsflaggade svenskägda tonnaget tillsammans med det inchartrade tonnaget utgör en av världens största handelsflottor, vilket medför att Sverige har ett sjöfartskunnande och en kompetens väl värd att satsa på.

När det gäller sysselsättningen är det fortfarande problem för svenskt juniorbefäl att få anställning, även om det har lättat en aning. En undersökning vid Sjöfartshögskolan i Kalmarskolan visade att samliga som utexaminerades våren 2005 har fått anställning, även om en del fått det under utländsk flagg.

Den internationella befälsbristen gör sig mer och mer påmind och utländska rederier försöker rekrytera svenskt juniorbefäl från skolorna, framför

allt Star Cruise och tyska rederier. En undersökning utförd på uppdrag av ISF och BIMCO visar på en brist av ca 10 000 befäl för närvarande. Denna brist kommer med sannolikhet att öka drastiskt på grund av bristande rekrytering, ökat transportbehov och större avgångar av åldersskäl. Tyvärr har dessutom yrket blivit mindre attraktivt genom en ökad arbetsbelastning, införandet av ISPS-koden och den ökande kriminaliseringen.

EU har sedan många år lagt ramar för stödåtgärder för sjöfarten. De flesta länderna har nu utnyttjat dessa till det yttersta. Motivet för dessa stöd är att kunna bibehålla konkurrenskraftiga europeiska handelsflottor för vårt transportbehov inom EU och inte vara beroende av andra. Dessutom vill man kunna försäkra sig om att bibehålla ett kompetent sjöfartskunnande.

Sverige har utnyttjat dessa möjligheter till det yttersta, så när som på införandet av en tonnageskatt. I de svenska subventionerna ligger att rederierna kan behålla sjömannens skatter och nästan alla statliga sociala avgifter. Detta medför en kostnadsreducering med nästan 40 %. Genom avtal med de fackliga organisationerna finns också möjlighet att anställa lågkostnadsbesättningar från länder utanför EU på lokala villkor. Benämningen tillfälligt anställd personal (TAP) har för befälens vidkommande namnändrats till kontraktsanställd personal (KAP) för att bättre spegla de rådande förhållandena.

Under våren 2006 räknar man med att den utredning som ser över möjligheterna att införa en tonnageskatt även i Sverige kommer att lägga ett förslag.

Sjösäkerhet

Även under 2005 arbetade föreningen med att få statsmakterna att införa en sjöarbetstidslag i stället för den nuvarande vilotidslagen. De ombordanställdas organisationer hade redan hösten 2004 insänt en sådan begäran till Sjöfartsinspektionen utan någon åtgärd under det året. Under våren var vår begäran föremål för en remissomgång till redarna som kraftigt avvisade vår hemställan. Efter denna remissomgång skickade inspektionen handlingarna till Näringsdepartementet för beslut. Vi bereddes under sensommaren att komma in med ytterligare en inläga. Något beslut kom dock ej under 2005.



SVERIGES FARTYGSBEFÄLSFÖRENING

informerar 4/2006

Under IMO:s MEPC-möte i juli presenterades en rapport om att det skett ett ökat antal olyckor på grund av trötthet med svenska och utländska fartyg i svenska farvatten. Det var framför allt fartyg med enbart två nautiker ombord som gick vakt om vakt som var problemet. En liknande rapport visande samma problematik från den engelska haverikommissionen (MAIB) hade översänts till IMO under våren. Den engelska rapporten blev dock tillbakadragen efter påtryckningar från EU, då de ansåg att bemanning låg under deras bevakningsområde. Vid MEPC-mötet beslöts det att den svenska rapporten skulle behandlas av nästkommande STW-möte i januari 2006 samt att FSI skulle informeras.

Under 2004 kolliderade passagerarfärjan Stena Nautica med lastfartyget Joanna i Kattegatt utanför Varberg. I december 2005 kom slutrapporten från Statens Haverikommission som enligt mångas uppfattning var starkt undermålig och inte uppfyllde de internationella och nationella krav man skall kunna ställa på en statlig utredning. Den blev skarpt kritiserad av Stena, Sjöfartsinspektionen, Bengt Schager (Marine Profile) och SFBF.

Andra viktiga frågor, förutom arbetstider och bemanning, inom sjösäkerhetsfären har varit ISPS-kodens påverkan på arbetsbelastningen ombord genom det ökande administrativa arbetet samt möjligheterna för besättningarna att kunna gå iland och att kunna ta emot besök, transporter inom hamnområden och myndigheternas och hamnarnas syn på sjöfolk i största allmänhet. I Sverige har vi dock, med Sjöfartsinspektionens hjälp, till viss del kommit tillrätta med de värsta konsekvenserna, även om attityderna till sjöfolk måste ändras. I vissa fall har införandet av ISPS-koden fått rent diskriminerande följdverkningar, bl a för medborgare ifrån muslimska länder som har fått det allt svårare att få anställning och att kunna komma iland i vissa länder.

På grund av Erika- och Prestige-olyckorna har EU genom ett direktiv inför striktare bestämmelser angående bestraffning av utsläpp av olja även vid olyckshändelser eller missöden och även om det ej varit avsiktligt. Detta efter det att befälhavaren på Prestige ville söka nödhavn i Spanien men blev avvisad och beordrad att gå ut utanför Spa-

niens ekonomiska zon. Fartyget bröts itu och sjönk. Besättningen blev ilandtagen och befälhavaren blev fängslad. Han blev frisläppt efter ett tag men med reseförbud. Efter två år utan att åtal väckts och ett löfte om att komma tillbaka till rättegång fick han resa hem till Grekland, men med anmälningsplikt hos den lokala polisen varje vecka.

Denna ökande kriminalisering har naturligtvis väckt ett antal frågor inom IMO. Kan ett annat lands myndighet verkligen i enlighet med UNCTAD beordra ut ett fartyg i nöd som passerar utanför sin ekonomiska zon? Måste man inte inleda ett arbete med att inrätta ett nät av nödhamnar (ports of refuge)? Kan man verkligen fängsla och kvarhålla en befälhavare i mer än två år utan att väcka åtal? Denna kriminalisering av sjöfolket är nu under intensiv debatt inom sjöfarten och den har till och med inneburit ökande svårigheter att rekrytera befäl, även från lågkostnadsländer.

En annan fråga som var uppe under 2005 var frågan om besättningar skulle kunna sitta i livbåtar och frifallslivbåtar vid övning under firning och fritt fall. De nya bestämmelserna som beslutades och som tidigare lagts i Sverige innebär att man inte behöver sitta i livbåtarna.

Den ökande piratverksamheten har också debatterats och man har också infört en internationell övervakning på de mest utsatta områdena. Föreningen har under många år krävt att ett trafikövervakningssystem skall införas i Öresund och ser det naturligtvis som positivt när det nu är under uppbyggnad.

Nationellt inom skärgårdstrafiken har vi fortfarande problem med de små bemanningarna bestående av ibland bara två personer som skall ta hand om hundratals passagerare vid t ex brand eller fartygets övergivande. Föreningen har fortfarande krav på att besättningarna skall genomgå såväl Crowd and Crisis Management som avancerad brandsläckningsutbildning.

Dessa sjösäkerhetsmässiga frågor har varit föremål för diskussioner och behandling under de internationella möten där SFBF har deltagit såsom inom IMO, IFSMA, NFBK och ITF Maritime Safety Committee. Inom NFBK har dessutom de nordiska sjösäkerhetsdirektörerna varit inbjudna och där deltagit i diskussioner om framför allt bemanning och arbetstidsregler.



SVERIGES FARTYGSBEFÄLSFÖRENING

informerar 4/2006

RAPPORT FRÅN IFSMA

During March 2006 IFSMA attended the following IMO and or ILO meetings:

The Sub-Committee on Radio Communication and Search and Rescue, (COMSAR) 10th session: 6th - 10th March 2006, 2nd Session of the IMO/ILO Joint Ad Hoc Expert Working Group on the Fair Treatment of Seamen: 13th to 17th March 2006., The Marine Environment Protection Committee (MEPC) 20th to 25th March 2006 On the 8th March 2006, a meeting was held on HQS Wellington with the World VTS Guide Board. IFSMA was represented by the Secretary General.

The Secretary General also attended and gave a presentation on Criminalisation of Seafarers to the Pynda 35 Seminar. On March 25th the Missions to Seaman celebrated their 150th anniversary at a service held in Westminster Abbey; The Secretary General represented IFSMA at this Service.

The Sub-Committee on Radio Communication and Search and Rescue, 10th Session: 6th - 10th March 2006 Long-Range Identification and Tracking (LRIT)

Draft performance standards and functional requirements for LRIT were agreed by the Sub-Committee and have been the Maritime Safety Committee (MSC 81) in May for consideration. The proposed draft SOLAS regulation on LRIT, which will be considered by the MSC for adoption, foresees:

- a phased-in implementation schedule for ships constructed before the date the proposed new regulation would enter into force;
- exemption of ships operating exclusively in sea area A1 from the requirements to transmit LRIT information since such ships are already fitted with AIS;
- the various functional requirements for LRIT;
- the circumstances during which a ship can switch off LRIT; and
- which authorities may have access to LRIT information.

The LRIT system architecture will consist of a number of LRIT Data Centres (National, Regional, Co-operative, or International) which interface and exchange information with each other through an International LRIT Data Exchange and which provide LRIT information to the LRIT Data Users (Contracting Governments and Search and rescue services) who opt to use their services.

The main functions of an LRIT Data Centre should be:

- to collect and archive LRIT information transmitted by the ships of Administrations which have selected that centre;

- to provide, upon request, to their LRIT Data Users the LRIT information, they are entitled to receive, which has been collected and archived by the centre;

- to obtain, when required, the LRIT information from the other LRIT Data Centres through the International LRIT Data Exchange; and

- to execute or relay, when necessary, requests for the transmission of LRIT information on demand (i.e. requests for polling or transmission of information at interval other than the preset one).

It was agreed that each Contracting Government should instruct the ships entitled to fly their flag to transmit the LRIT information to the LRIT Data Centre selected by that Contracting Government.

Passenger ship safety

The Sub-Committee reviewed the tasks assigned to it in relation to the ongoing work by IMO on passenger ship safety. The guiding philosophy for the holistic programme of work on passenger ship safety is based on the premise that the regulatory framework should place more emphasis on the prevention of a casualty from occurring in the first place and that future passenger ships should be designed for improved survivability so that, in the event of a casualty, persons can stay safely on board as the ship proceeds to port. Draft amendments to SOLAS chapter III on recovery arrangements for the rescue of persons at sea were agreed, for submission to the MSC. The draft amendments would state that all SOLAS ships must be equipped to recover persons from the water and/or survival craft and rescue craft, and give functional requirements for achieving this.

The Sub-Committee also agreed, for submission to the MSC:

- draft MSC circular on Guidelines for recovery techniques which is aimed at seafarers who may be faced with having to recover people in distress at sea.

- draft MSC circular on Guidelines on the provision of external support as an aid to incident containment for SAR Authorities and others concerned.

- draft MSC circular on Enhanced contingency planning guidance for passenger ships operating in areas remote from SAR facilities as well as Criteria for what constitutes an area remote from SAR facilities.

- draft MSC circular on Guidelines on training of SAR service personnel working in major incidents.

- draft MSC circular on Guidance for cold water survival. It was suggested that the short check list on cold water survival contained in the Guide would be useful if produced in a water resistant format for use by seafarers.



SVERIGES FARTYGSBEFÄLSFÖRENING

informerar 4/2006

■ draft amendments to the IAMSAR Manual, aimed at incorporating the external support guidance into Volume II, chapter 7 (Emergency assistance other than search and rescue).

Use of cellular (mobile) telephones in maritime distress alerting

The Sub-Committee discussed the lack of a common worldwide approach on the use of mobile telephones in maritime distress alerting and agreed proposed draft amendments to the International Aeronautical and Maritime Search and Rescue Manual (IAMSAR manual), relating to the use of cellular (mobile) telephones.

The proposed amendments stress the fact that while popular, inexpensive, and multi-purpose, these devices have limitations in emergencies involving SAR in the maritime environment, and, therefore, the advantages dedicated marine communications systems should continue to be stressed by national administrations. In particular, where installed, cellular phone coverage in the maritime environment can be limited, intermittent, or non-existent, based on several factors including cellular tower accessibility and orientation in relationship to a cellular telephone call initiated from an off-shore or coastal area.

However, cellular service providers may be able to provide some help in finding the position of callers in an emergency. The Sub-Committee also agreed a liaison statement to the International Telecommunication Union (ITU), which concerns the possibility of creating a single common international cellular phone number for possible use by SOLAS ships within range of national cellular networks. Calls to this number would be directly routed to the national SAR Authority (MRCC) within the applicable Search and Rescue Region (SRR) from which the call is made, along with positional and caller identification information as is able to be made available. This common international SOLAS SAR number could be promulgated in nautical publications maintained by SOLAS ships.

Search and Rescue Transponder (SART) - revised performance standards endorsed

The Sub-Committee endorsed proposed draft amendments to the performance standards for Search and Rescue Transponder (SART) (currently resolution A.802(19))

The Sub-Committee also endorsed preliminary draft performance standards for survival craft AIS Search and Rescue Transmitter (AIS-SART) to supplement the existing SART performance standards.

The Sub Committee noted that it was important to ensure that the definitions of AIS Search and Rescue Transmitter (AIS-SART) and Search and Rescue (radar) Transponder (SART) were clear, so as to avoid confusing two distinct technologies.

Exchange of medical information

- draft circular agreed

The Sub-Committee agreed a draft MSC circular on Guidance on exchange of medical information between telemedical assistance services (TMAS) involved in international SAR operations. The circular provides a common form to facilitate the transfer of all available and relevant medical information between TMAS, MRCCs and ships

Criteria for provision of communication systems in the GMDSS - revision agreed

The Sub-Committee agreed a proposed draft revised resolution A.888(21) Criteria for the provision of mobile-satellite communication systems in the GMDSS for submission to MSC 81 for consideration.

The proposed revisions note the decision of the MSC that the International Mobile Satellite Organization (IMSO) is the appropriate organization to carry out the required oversight of mobile-satellite services for the GMDSS. The revised resolution sets out the following general procedure:

(a) IMO establishes the regulatory regime, via the revision of resolution A.888, which states that IMSO evaluates and approves satcom companies to participate in the GMDSS, undertakes the oversight on a continuing basis and keeps IMO (MSC) informed;

(b) the Company applies - through its Government - to IMO. The application is reviewed by the MSC - which has a general discussion of principles and policy issues only - and forwards the application to IMSO; and

(c) IMSO verifies the information provided and evaluates the application (the process is open and transparent with IMO and the sponsoring Government involved as Observers), decides on the acceptability of the applicant (based on criteria established by IMO in the revised resolution A.888) and, if appropriate, recognizes the applicant's services and conducts ongoing oversight. IMSO is also responsible for ensuring compliance - including any resulting enforcement procedures.

Tsunami warning system

The Sub-Committee was updated on the status of the Indian Ocean Tsunami Warning and Mitigation System (IOTWS), which formally came into existence in June 2005 at the 23rd Assembly of the UN Educational, Scientific and Cultural Organization/ Intergovernmental Oceanographic Commission (UNESCO/IOC) in Paris with the establishment of an Intergovernmental Co ordination Group (ICG) to govern it. The architecture of the IOTWS was based on the establishment of national tsunami centres capable of issuing warnings in each of the participating countries through radio and TV broadcast and, possibly, mobile phone services. Between May and September 2005, national assessments of



SVERIGES FARTYGSBEFÄLSFÖRENING

informerar 4/2006

16 countries in the vicinity of the Indian Ocean were conducted to identify capacity building needs and support requirements for the establishment of an Indian Ocean Tsunami Warning System (IOTWS). By July 2006 it is intended that an initial system will be operating utilizing 28 additional tide gauges and 25 seismic stations will be in place, together with the first three out of 60 planned open ocean buoys and updated communication facilities for data and warning exchange.

Nevertheless implementing the complete system including all the intended instrumentation updates, the installation of all national warning centres as well as ensuring the effective communication of all warnings to the possibly affected population along the coasts will not be in place before the turn of the decade.

It was recognized that in respect of the threat to shipping, a tsunami poses a significant risk only to those ships in shallow waters and in port areas; ships in port are not required to maintain watch on GMDSS communications equipment, consequently a separate system for promulgating warning messages needs to be established within each port; and tsunami warnings need to be sent to those ships most at risk in a rapid manner.

The IMO/ILO Joint Ad Hoc Expert Working Group on the Fair Treatment of Seafarers 13th to 17th March 2006

The working group followed the ILO structure rather than the normal proceedings of an IMO working group. That is to say that the actual working group consists of sixteen members, namely eight administrations representing the flag States, four delegates representing the trade unions and four delegates representing the ship-owners. The unions and the ship-owners are jointly referred to as the social partners. Other administrations and NGOs attend and can express their views but carry no vote.

When the meeting started there were three draft proposals submitted; the joint social partner's proposal, the USA's proposal and IFSMA's proposal. IFSMA's draft guidelines appeared in the annex to the submission that concentrated on principles of importance:

- (a) the prompt release of seafarers and to preclude unwarranted constraints on their freedom consequent on a maritime accident, and
- (b) shared responsibility of the ship-owners and States, severally and jointly, for the welfare of seafarers (and their families) involved in maritime inquiries, investigations or examinations."

After a heavy week of debate guidelines were drafted and briefly may be described as follows:

Port or coastal states should take step to ensure that investigations are conducted with speed, civility and full regard to seafarers' legal and human rights and their special position in the jurisdiction in which they find themselves in. References are made to rights of individuals and duties of governments under the Vienna Convention on Consular Relations, MARPOL 73/78, the IMO Code for the Investigation of Marine Casualties and Incidents.

The obligations of flag states were enumerated and consist mainly, in relation to fair treatment of seafarers, by assisting (when not conducting their own casualty investigation) other states and to facilitate fair treatment of seafarers serving on ships flying that state's flag. The seafarers' state has similar moral, if not legal, obligation to assist seamen who are its nationals or have rights of residence in the country.

Guidelines for ship-owners and for seafarers were the most difficult to frame. The former were concerned about protecting their legal position as owners of property and obligations under contract/s as well as exposure to costs of welfare items for seamen detained in foreign ports. The trade unions' chief concern was to protect seamen from exposing themselves to criminal processes by making statements without legal advice and not being familiar with rights to silence and self-incrimination.

In the end, a rather minimalist approach to the fair treatment problem prevailed. That is not to deny the almost universal desire to treat seamen fairly in investigative processes, but finding the solution cannot be done before we thought through what the guidelines are really for. The variety and importance of circumstances for governments that trigger maritime investigations that involve or affect seamen cannot be reflected in a 'one fits all' document, whether in form of guidelines or mandatory instrument. 'Horses for courses' is also true for investigations following maritime accidents, because some have more personally harmful or undesirable consequences for seamen and the ship-owner than others. More work will have to be done in the future and it may be necessary to have separate rules governing each party. Hopefully, the Joint Working Group will remain in existence to monitor the fair treatment of seafarers. The IFSMA President Christer Lindvall and the Secretary General Ronald Mc Donald participated at this meeting.

The Marine Environment Protection Committee 20th to 24th March 2006 Recycling of ships

The MEPC made progress in developing the draft text of a mandatory instrument providing globally-applicable ship recycling regulations for international shipping and for recycling activities. A Working Group on Ship Recycling met



SVERIGES FARTYGSBEFÄLSFÖRENING

informerar 4/2006

during the session to work on the draft text and discuss related issues. The proposed instrument would include articles and an annex with regulations for safe and environmentally-sound recycling of ships, covering requirements for ships, requirements for ship recycling facilities and reporting requirements.

The MEPC also considered the report of the second session of the Joint International Labour Organization (ILO)/IMO/Basel Convention Working Group on Ship Scrapping which met in December 2005 in Geneva. The views of the group were taken into account by the MEPC Working Group on Ship Recycling and it was noted that the Committee would continue co operating with ILO and the Basel Convention on this subject.

Adoption of amendments to MARPOL

The MEPC adopted a number of amendments to the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78).

MARPOL regulation on oil fuel tank protection

The amendment to the revised MARPOL Annex I with entry into force set for 1 January 2007 includes a new regulation 12A on oil fuel tank protection. The regulation is intended to apply to all ships delivered on or after 1 August 2010 with an aggregate oil fuel capacity of 600m³ and above. It includes requirements for the protected location of the fuel tanks and performance standards for accidental oil fuel outflow. A maximum capacity limit of 2,500m³ per oil fuel tank is included in the regulation, which also requires Administrations to consider general safety aspects, including the need for maintenance and inspection of wing and double-bottom tanks or spaces, when approving the design and construction of ships in accordance with the regulation. Consequential amendments to the IOPP Certificate were also adopted.

Definition of heavy grade oil

A further amendment to the revised MARPOL Annex I relates to the definition of "heavy grade oil" in regulation 21 on Prevention of oil pollution from oil tankers carrying heavy grade oil as cargo, replacing the words "fuel oils" with "oils, other than crude oils", thereby broadening the scope of the regulation.

MARPOL Annex IV amendments Prevention of pollution by sewage from ships

The amendment to MARPOL Annex IV adds a new regulation 13 which states that a ship, when in a port or an offshore terminal of another Party, is subject to inspection by officers duly authorized by such Party concerning operational requirements under the Annex, where there are clear grounds for believing that the master or crew are not familiar with essential shipboard procedures relating to the

prevention of pollution by sewage.

Amendments to BCH Code

Amendments to the Code for the Construction and Equipment of Ships Carrying Dangerous Chemicals in Bulk (BCH Code) were adopted as a consequence of the revised Annex II of MARPOL 73/78 and the amended International Code for the Construction and Equipment of Ships carrying Dangerous Chemicals in Bulk (IBC Code), which are expected to enter into force on 1 January 2007. Also adopted were the revised Guidelines for the provisional assessment of liquids transported in bulk. In this context the Committee urged industry, in particular the chemical industry, to provide information on the revision of List 2 of the MEPC circular which contains pollutant-only mixtures based on section 5 of the revised Guidelines.

South Africa Special Area

The MEPC agreed to the designation of the southern South African sea area as a Special Area under MARPOL Annex I and approved the draft amendment in respect of the Special Area to regulation 1(11) of the revised MARPOL Annex I. The draft amendment will be circulated for consideration with a view to adoption at MEPC 55 in October 2006.

Harmful aquatic organisms in ballast water

The MEPC adopted the Guidelines for approval and oversight of prototype ballast water treatment technology programmes (G10), which are part of a series of guidelines developed to assist in the implementation of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention), which was adopted in February 2004.

Eleven sets of guidelines are referred to in the Convention. Six have already been adopted and the remainder are being developed by the Sub-Committee on Bulk Liquids and Gases (BLG) with input from the Sub-Committee on Flag State Implementation (FSI).

The MEPC agreed to give basic approval to two ballast water management systems that make use of active substances, after consideration of the report of the first session of the GESAMP Ballast Water Working Group on Active Substances. (GESAMP is the IMO/FAO/UNESCO/IOC/WHO/IAEA/UN/UNEP Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection)

One system involves the use of a biocide for treatment of ballast water and the other involves the disinfection of ballast water by electrolysis with the generation of free chlorine, sodium hypochlorite and hydroxyl radicals and by electrochemical oxidation through the creation of ozone and hydrogen peroxide. IFSMA members should note that a tentative proposal was put forward to some parties for a sys-



SVERIGES FARTYGSBEFÄLSFÖRENING

informerar 4/2006

tem of this type, but there was no financial support to test the theory.

Prevention of air pollution from ships

A working group was established to consider issues relating to the prevention of air pollution from ships, including follow-up action to the IMO Policies and practices related to the reduction of greenhouse gas emissions from ships (resolution A.963(23)).

Following the work by the group, the MEPC approved two circulars aimed at assisting implementation of MARPOL Annex VI:

1. The MEPC Circular on Bunker Delivery Note and Fuel Oil Sampling, to clarify how to comply with regulation 18, which places requirements on ship owners and fuel oil suppliers in respect of bunker delivery notes and representative samples of the fuel oil received and on Parties to the 1997 Protocol to regulate the bunker suppliers in their ports. The circular urges all Member States, both Parties and non-Parties to the 1997 Protocol, to require fuel oil suppliers in their ports to comply with the requirements and to raise awareness of the necessity to enhance implementation and enforcement of regulation 18 of Annex VI.

2. The MEPC circular on Notification to the Organization on ports or terminals where volatile organic compounds (VOCs) emissions are to be regulated, which notes that regulation 15 of Annex VI requires Parties to inform the Organization of their intention to introduce requirements for the use of vapour emission control systems and to notify the Organization of ports and terminals under their jurisdiction where such requirements are already in force. However, many terminals are implementing or operating such practices without notification to the Organization. The Committee shared the concern that, since there is no circulation of such information, it is difficult for owners and operators to prepare for these changes at ports and terminals. The circular reiterates that Parties to the 1997 Protocol are required to notify the Organization without delay with information on ports and terminals under their jurisdiction at which VOCs emissions are or will be regulated, and on requirements imposed on ships calling at these ports and terminals. Any information received by the Organization on the availability of vapour emission control systems will be circulated through MEPC circulars so that owners and operators will have up-to-date information on current and future requirements for the utilization of such systems.

As instructed by MEPC 53, the Sub-Committee on Bulk Liquids and Gases (BLG) will undertake a review of MARPOL Annex VI and the NO_x Technical Code with a view to revising the regulations to take account of current technology and the need to further reduce air pollution from ships. The progress of this work will be reported to the next session of

the MEPC.

The Committee and its Working Group on Air Pollution had long and extensive debates on how to follow up resolution A.963(23) on IMO Policies and Practices related to the Reduction of Greenhouse Gas Emissions from Ships. By the resolution, the Assembly urged MEPC to identify and develop the necessary mechanisms needed to achieve the limitation or reduction of GHG emissions from international shipping. Among the items considered was whether only emission of CO₂ or of all six greenhouse gases identified by the Kyoto Protocol should be included. The MEPC agreed to consider the follow-up actions to resolution A.963(23) in a technical and methodological perspective and to concentrate the work on CO₂ emissions. The Committee also agreed to continue the work at the next session and, in particular, to consider further a draft work plan to identify and develop the mechanisms needed to achieve the goal set by the Assembly.

Port reception facilities database

The Committee noted that the Internet-based Port Reception Facility Database (PRFD) went live to the public on 1 March 2006, as a module of the IMO Global Integrated Shipping Information System (GISIS) <<http://gisis.imo.org/Public/>><http://gisis.imo.org/Public/>. The database provides data on the available port reception facilities for the reception of ship-generated waste and is designed to allow Member States to update it via a log-in password, and to allow the public access to all the information on a view-only basis.

Meanwhile, the MEPC emphasized the importance of adequate reception facilities in the chain of implementation of the MARPOL Convention, and stated that the policy of "zero tolerance of illegal discharges from ships" could only be effectively enforced when there were adequate reception facilities in ports. Therefore the Committee urged all Parties to the MARPOL Convention, particularly port States, to fulfil their treaty obligations to provide reception facilities for wastes generated during the normal operation of ships.

Revised guidelines for handling oily wastes

The MEPC approved the Revised Guidelines for systems for handling oily wastes in machinery spaces of ships incorporating guidance notes for an integrated bilge water treatment system (IBTS). A draft MEPC circular on the Harmonized Implementation of the Revised Guidelines and Specifications for Pollution Prevention Equipment for Machinery Space Bilges of Ships adopted by resolution MEPC.107(49), which provides guidance concerning specifically the type-approval process with the aim of ensuring that realistic on-board operating conditions are taken into account during the tests, was referred to the DE Sub-Committee for further consideration.