

WORK PROGRAMME

Review of the Principles for Establishing the Safe Manning Levels of Vessels

Submitted by the International Chamber of Shipping (ICS),
the International Shipping Federation (ISF) and BIMCO

SUMMARY

Executive summary: The industry agrees that the issue of fatigue and manning levels should become a priority item on the Organization's work programme. However, rather than providing a definite instruction to STW 38 to review A.890(21), the Committee is recommended first to request STW 38 to consider a number of relevant issues and questions, in order to determine whether a review of A.890(21) is necessarily the most effective way to proceed.

Action to be taken: Paragraph 5

Related document: MSC 81/23/3

- 1 ICS, ISF and BIMCO, who collectively represent over two-thirds of the world's merchant tonnage, have carefully considered the important issues raised in MSC 81/23/3 (submitted by the United Kingdom, other administrations and the European Commission) including concerns about fatigue as a contributory factor in recent maritime incidents and the possible relationship between fatigue and manning levels on board ships.
- 2 The industry recognises that Resolution A.890(21) (as amended by A.955(23)) on minimum safe manning levels might at some point need to be reviewed. However, bearing in mind that the current Resolution was adopted as recently as 1999 following comprehensive consideration by the Organization, it would seem prudent to take a broad look at related issues before embarking on what could be a controversial exercise.
- 3 The industry is aware of the concerns in some quarters about manning levels on board certain ships, and the suspicion that a few flag administrations may on occasion be 'competing' with regard to the manning levels which they are willing to approve. However, the industry suspects that, to the extent that such a problem exists, it is only possible because existing international work hour rules and watchkeeping requirements are inadequately enforced. If a ship is insufficiently manned, thereby increasing the potential for fatigue, this should be apparent from its inability to comply with work hour requirements, which is one of the main factors which flag States are expected to take into account when approving safe manning levels in accordance with A.890(21).
- 4 ICS, ISF and BIMCO believe that fatigue is caused by many factors and that an holistic approach is needed. Therefore, before deciding whether it is timely to review Resolution A.890(21), the industry suggests that the Committee might request STW 38 to consider a number of related questions:

- To what extent are the minimum rest requirements in STCW Chapter VIII adequately enforced by flag States? At present there is no mandatory requirement in STCW for ships to maintain work hour records. (Although this is a mandatory requirement under ILO Convention No 180, the ILO Convention does not enjoy the same level of ratification as STCW.)
- To what extent is compliance with work hour records adequately inspected by port State control? Work hour records may only need to be examined in detail when there are clear grounds for doing so, but when there are clear grounds, the inspection may be limited to checking that such records are maintained, not to checking if they actually demonstrate compliance with the minimum rest hours required by STCW.
- Do work hour records lend themselves to easy inspection by flag States and by port State control? Is there a need to review the IMO/ILO Guidelines¹ adopted in 1998, including the adequacy of “backing evidence” to show that work hour records are correct and the possible need for greater harmonisation of inspection requirements concerning work hour records?
- Is there a need to realign the rest hour requirements of the STCW Convention with ILO requirements on seafarers’ working hours, including the requirements recently adopted as part of the ILO Maritime Labour Convention 2006? Apart from the fact that the ILO requirements are broadly stricter than those required by STCW, the differences between the IMO and ILO regimes possibly complicate enforcement.
- Does account need to be taken of the new requirements in the ILO Maritime Labour Convention 2006 for flag States to issue a Maritime Labour Certificate that demands inspection of all the requirements of the ILO Convention, including work hours and manning levels?
- Should the Organization’s current review of the ISM Code examine the extent to which manning and work hour issues are adequately addressed by the Code? Is the increasing burden of documentation that seafarers are required to maintain also an issue?
- To what extent can the introduction of the IMO Member State Audit Scheme be expected to contribute to effective implementation by flag States of A.890(21)?
- Are the watchkeeping requirements in STCW Chapter VIII being adequately enforced? MSC 81/23/3 refers to incidents involving solo watchkeeping at night, which is contrary to the provisions of Section A-VIII/2 part 3-1, paragraph 15.
- Bearing in mind the recent discussion at STW 37 on a review of the STCW Convention, is the certification structure required by STCW sufficiently flexible to accommodate the types of shipboard organisation that might mitigate fatigue?
- Should further consideration be given to advances in technology, and in particular to the integration of bridge systems and its possible effect on reducing fatigue?
- Setting aside the issue of whether the substance of A.890(21) needs to be revised, should consideration be given to clarifying its mandatory status (e.g. by upgrading to become a Code)?

¹ IMO/ILO Guidelines for the Development of Seafarers’ Shipboard Working Arrangements and Formats of Records of Seafarers’ Hours of Work or Hours of Rest.

Action requested of the Committee

- 5 The Committee is encouraged to agree to the addition of a new work item on the work programme of the STW Sub-Committee to address fatigue and safe manning. However, rather than providing a definite instruction to STW 38 to review A.890(21), the Committee is recommended first to request STW 38 to consider other relevant issues and questions, such as those outlined in paragraph 4 above, in order to determine whether a review of A.890(21) is necessarily the most effective way to proceed.