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World Maritime University : World Maritime Day

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WORLD MARITIME UNIVERSITY

WORLD MARITIME DAY

19 September 1989

The Secretary-General has asked me to convey his deep regret that because of the heavy pressure of work and unavoidable commitments in IMO headquarters, he is unable to personally join in this celebration of World Maritime Day by the faculty and students of the World Maritime University. He nevertheless conveys his best and heartfelt wishes to you on this auspicious occasion which is of special significance to IMO, marking as it does its thirtieth year of operation. Thirty years which have been of tremendous note.

No other period in the shipping industry has seen such dynamic change offering vast opportunities for development and almost equally numerous occasions testing the patience, diligence and resourcefulness - indeed sometimes the mettle of those who work every day in the numerous sectors of this vast industry.

No person of even the greatest foresight could have envisaged thirty years ago just how international shipping and all the ramifications of the maritime industry would develop. At that time shipping had four main constituents - the passenger liners, cargo liners, tramp ships and oil tankers. The vast bulk of world trade was carried in ships flying the flags of the major maritime powers of the day. About 50% of trans-Atlantic passengers travelled by sea. The largest ships afloat were passenger ships and their coveted prize was the Blue Ribband.

In the midst of this highly traditional shipping scene IMO emerged, known first as the Intergovernmental Maritime Consultative Organization - IMCO.

The first task undertaken by IMCO was to convene an international conference to revise the provisions of the International Convention for the Safety of Life at Sea.

This was no small undertaking for a newly formed Organization as you will appreciate. It was, at the time, the most comprehensive treaty instrument on maritime matters. It has since perhaps been overtaken in complexity but certainly not in size by the 1982 United Nations Convention on the Law of the Sea.

The technical work of the 1960 Conference was carried out by ten Committees supported by a drafting committee. In addition to formulating an entirely revised SOLAS Convention, and a revised version of the International Regulations for Preventing Collisions at Sea, the 1960 Conference gave comprehensive direction to the future work of IMO by adopting no less than 56 recommendations covering the entire field of work of the fledgling Organization.

Some of the problems recognized at that time assumed greater importance and were seen in a different context in later years. For example, the Conference recommended that Contracting Governments should take steps to ensure that, when ports in their countries are used by ships belonging to countries that are not parties to the Convention, such ships should be required to conform to standards not lower than those of the Convention. This gave early recognition to the role that would later be played by port States in enforcing the provisions of IMO conventions.

Other problems which were made the subject of recommendations by the 1960 Conference have proved difficult of solution.

In this category the recommendation that IMO should initiate studies on the extent to which it would be reasonable and practicable to apply subdivision and damage stability requirements to cargo ships presented a most difficult task, work on which has only recently reached fruition.

IMO therefore emerged from the 1960 Conference with a daunting work programme, a Secretariat of 17 persons all told and no machinery to deal with technical problems other than the Maritime Safety Committee. The Maritime Safety Committee at that time consisted of a body of fourteen Members elected by the Assembly, not less than eight of the Members being the largest shipowning nations. These elections did not get off to a good start.

Differences of opinion on the interpretation of article 28(a) of the IMO Convention emerged and it was resolved to submit to the International Court of Justice for an advisory opinion the following question of law:

Is the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization, which was elected on 15 January 1959, constituted in accordance with the Convention for the establishment of the Organization?

At its second session in April 1961, the IMO Assembly considered the Advisory Opinion of the International Court of Justice, resolved that the Maritime Safety Committee elected on 15 January 1959 should be dissolved and constituted a new Maritime Safety Committee in accordance with article 28 of the IMO Convention as interpreted by the International Court of Justice. That experience was salutary and I am happy to say that since that time IMO has been able to settle all differences of opinion "in house". In fact we have since become a model for the United Nations system in managing to achieve a consensus of opinion on even the most controversial of matters.

One of the earliest tasks undertaken by the Maritime Safety Committee was the compilation of the International Maritime Dangerous Goods Code. Basic regulations incorporating all principles concerned had been established as part of the SOLAS Convention. However, as in the previous 1948 Convention these basic provisions were required to be supplemented by detailed instructions issued by each Contracting Government.

The need for uniformity or at least harmonization of these detailed provisions had been appreciated in 1960 but the task was immense and it took many years of work to produce the first edition of the IMDG Code. This first edition was approved for international use by the IMO Assembly in September 1965. It was however, incomplete, there being no provisions for class 1 - explosives, class 2 - gases or class 7 - radioactive substances. These provisions were published later as soon as work was completed on them.

Also in September 1965 approval was given to the Code of Safe Practice for Solid Bulk Cargoes.

These codes together with their associated SOLAS provisions, formed for some time the basis of IMO's technical work in the carriage and care of cargo.

However, during the 1960's the transport of goods by freight containers developed with great rapidity, since shipping companies engaged primarily in the liner trades saw great potential in this form of transport not only in achieving a much faster turnaround of their ships but also in avoiding to a large extent the loss by pilferage experienced in break-bulk cargo movements. It also did not take them long to appreciate the great potential of door-to-door transport of goods and merchandise and to exploit the multimodal transport concept.

The investments required in building the specialized ships and in building up the necessary stock of freight containers were vast. The industry realized that the entire chain of transport could be disrupted and the feasibility of the concept destroyed if the acceptance and movement of containers became subject to a miscellany of differing national laws, rules and regulations. Clearly what was needed was an all-embracing international treaty which would establish uniform standards for the acceptance of freight containers as being sufficiently safe to move through a country's port, road, rail and inland waterway systems.

These problems were discussed by the Maritime Safety Committee which, with the approval of the IMO Assembly, prepared a draft convention for consideration by a conference jointly convened by the United Nations and IMO. The ensuing Container Safety Convention of 1972 applies to freight containers used in any mode of transport with the sole exception of those containers specially designed for air transport.

When one considers the wide ranging application of this IMO convention and the wide use which is made of the IMDG Code across the full spectrum of the transport industry, one begins to appreciate that the impact of IMO's work on all links in the transport chain is quite remarkable.

From ancient times the loading of ships had presented safety problems of another nature - namely overloading.

Without some restriction on the amount of cargo a ship may carry the commercial pressures would push aside the caution of masters and ships would proceed to sea in an unsafe condition.

Although legislation was initiated in the 19th century by Samuel Plimsoll whose name is still closely associated with load line marks, the first international convention dealing with load lines was not established until 1930.

Early work of the IMO culminated in a revised International Convention on Load Lines which was adopted in 1966. This entered into force on 21 July 1968, has been accepted by 117 States with 98% of world tonnage and has been amended on several occasions. These amendments have recently been incorporated in the Protocol of 1988 relating to the International Convention on Load Lines, 1966. In addition to incorporating the earlier amendments which had not entered into force, this protocol will harmonize the survey and certification provisions with those of the SOLAS and MARPOL Conventions.

In the meantime work had been going on within IMO on a wide range of important matters, some of them stemming from a series of fires in passenger cruise ships in the early sixties and others arising from the catastrophic grounding and subsequent loss of the Torrey Canyon in 1967.

The massive pollution resulting from that disaster brought home to IMO Member States the hazards involved in the ever-increasing transport of oil in ships of great size the tanks of which, if bilged, could release vast quantities of oil.

This disaster gave rise to increased emphasis being placed on the solution of problems related to the protection of the marine environment and associated legal problems which had been encountered or were immediately perceived as a result of this experience.

At this stage the only IMO Convention dealing with pollution was the International Convention for the Prevention of Pollution of the Sea by Oil which had been adopted in 1954. Although this convention, which entered into force in 1958, was adopted before IMO came into existence, the Organization had assumed responsibility for it in 1959.

In 1969 IMO adopted two conventions on related legal problems. The first was the International Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties which deals with the rights of States to take action to prevent or mitigate the danger of pollution by oil following accidents involving ships outside territorial waters. It entered into force in 1975 and a Protocol which entered into force in 1983 extends the Convention to other hazardous substances, such as chemicals.

The second convention adopted by IMO in 1969 was the International Convention on Civil Liability for Oil Pollution Damage which came into force in 1975 and is designed to ensure that adequate compensation is available to persons who suffer from oil pollution by placing the liability for compensation upon the owner of the ship from which the oil escaped or was discharged. In 1984 a protocol substantially increased the compensation available.

Still following on from the reaction to the Torrey Canyon disaster the International Convention for the Establishment of an International Fund for Compensation for Oil Pollution Damage was adopted in 1971 to provide for further compensation to victims of oil pollution when the limits of compensation payable under the 1969 Civil Liability Convention have been reached. A Protocol further increasing the compensation available was adopted in 1984.

In 1972 the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, better known as the London Dumping Convention, was adopted at a conference convened by the United Kingdom. Following its entry into force in 1975 IMO has been responsible for the duties associated therewith.

1973 saw the adoption of IMO's most effective measures against pollution of the marine environment, the International Convention for the Prevention of Pollution from Ships later modified by its Protocol of 1978 and now referred to as MARPOL 73/78. The Convention deals with pollution by oil, noxious liquid substances carried in bulk, harmful substances carried in packaged forms, sewage and garbage.

The Protocol of 1978 introduced more stringent requirements dealing with the prevention of oil pollution. As a result, MARPOL 73/78 contains an extensive range of effective measures to prevent or reduce accidental as well as operational pollution.

The MARPOL 73/78 Convention, in common with all other IMO Conventions, is periodically amended to keep up to date with technological progress.

Another subject which received the early attention of IMO was the matter of tonnage measurement.

Although not directly concerned with safety and pollution prevention, tonnage measurement nevertheless has safety and pollution prevention implications, since the criteria for applying various requirements for equipment etc. are based on ship's tonnage.

Additionally tonnage is widely used for the assessment of harbour and canal dues. Thus it is of vital interest to the shipowner, port and canal authorities each having their own distinctive point of view.

Several systems of tonnage measurement were developed over the years, but none of them was universally recognized. In 1969 IMO was successful in having the first ever international convention on tonnage adopted. It is an indication of the complexity of the subject and its commercial impact that the convention has a very high requirement for entry into force calling for its acceptance by 25 States with not less than 65% of the world's gross tonnage of merchant shipping. It finally entered into force in 1982.

The development by IMO in the sixties and seventies of a comprehensive framework of international conventions and other multilateral treaties included the revision, in 1974, of the SOLAS Convention. In the fourteen years which had elapsed from the adoption of the 1960 version serious fires had occurred in passenger cruise ships. This and other developments had caused the Assembly of IMO to adopt various amendments to the SOLAS Convention which were circulated to the Contracting Governments for acceptance. In order for these amendments to enter into force, two-thirds of the Contracting Governments had to deposit an instrument of acceptance with IMO. Despite every effort made, this level of acceptance was never achieved with respect to any of the amendments which were adopted in 1966, 1967, 1968, 1969, 1971 and 1973.

Clearly this situation was entirely unsatisfactory and if allowed to continue indefinitely would discredit the Organization. As a result a conference was called in 1974 to revise the SOLAS Convention to incorporate all the previously adopted amendments and, most importantly, to introduce into the convention an entirely new and untried procedure for its amendment.

This new method, the so-called tacit acceptance procedure, has proven most successful in achieving the orderly and timely amendment of SOLAS. This allows the Organization to be responsive to the development of technology and the changes in the expectations of Governments, the news media and the general public which inevitably take place following any disaster. As I have just mentioned in respect of the Torrey Canyon disaster, numerous initiatives were undertaken by IMO to prevent or limit the effects of any recurrence. Similar action generally follows any major incident.

This is not to say that all safety and pollution prevention standards are developed in response to disasters and similar occurrences. Over the years IMO developed a programme of wide ranging studies aimed at the establishment of new international standards or the improvement of the existing standards.

In carrying out these studies IMO makes extensive use of the research carried out by its Member Governments and by international organizations in consultative status such as the International Association of Classification Societies.

One of the most far reaching steps ever taken by IMO was the initiation of feasibility studies on maritime satellite communications. Mr. Clarke, a visionary of the 1940s, had foreseen the possibility of establishing radiocommunication networks by using geostationary satellites. The IMO studies quickly established that there was indeed a great potential for the development of an international maritime satellite radiocommunication system.

In a very short period a draft convention and operating agreement were prepared. Following two conferences held in 1975 and 1976 these innovative international agreements were adopted. On 16 July 1979 the Convention on the International Maritime Satellite Organization entered into force.

In February 1982 the INMARSAT system became operational. The occasion was celebrated at a small ceremony in the INMARSAT Headquarters in London which was graced by the presence of Mrs. Marconi, widow of the radiocommunications pioneer who had transmitted the first radio signals across the Atlantic Ocean at the turn of the century.

It took some time for IMO to develop and adopt the revisions necessary to the 1974 SOLAS Convention so as to allow the introduction of a completely modernized distress and safety radiocommunication system for shipping. However, in 1988 three conferences were held by IMO in the period from 31 October to 11 November 1988. Two of these dealt with amendments to the SOLAS Convention and its 1978 Protocol which will allow the phased introduction of the new global maritime distress and safety system during the period from 1 February 1992 to 1 February 1999. The use of Morse in radiotelegraphy will thereby be discontinued. It will be replaced by high quality short, medium and long-range voice communications and telex over radio using narrow-band direct-printing techniques.

Manual radio watches will be replaced by automated watchkeeping and in many services a distress call will be automatically put through to the appropriate search and rescue co-ordination centre at the push of a specially marked distress button.

The establishment of the highest practical international standards is a central function of IMO. However, international standards are of little use unless they are implemented on a broad basis and in a proper fashion.

IMO Member States recognized this at an early stage and introduced a programme of technical co-operation aimed at assisting Member States to develop the human resources necessary to operate, manage and administer fleets of modern ships.

Maritime training has been accorded the highest priority by IMO and has formed the heart of the IMO technical co-operation effort.

Initially IMO responded to the need for the establishment of national maritime training academies and also provided assistance in establishing regional or sub-regional academies where this offered the best solution to the maritime training problems of an area.

Since 1980, IMO has assisted in the establishment or improvement of 81 national maritime training academies in 57 developing countries and 3 regional academies covering Africa and the Arab States.

In the field of maritime training the crowning achievement has been without doubt the establishment of the World Maritime University. The support given this institution by all IMO Members and the shipping industry has been remarkable and the enthusiasm and dedication of the entire faculty and student body is heartwarming.

Since its inauguration in 1983, over 500 students from 97 developing countries have joined the World Maritime University.

Of these, 296 students from 80 nations have already graduated and taken up senior positions in their countries as:

- advisers to their Ministers
- maritime administrators
- ship surveyors and inspectors
- port managers
- technical shipping managers.

It is a great pleasure to meet WMU graduates when they come to IMO Headquarters as representatives of their countries.

There can be no doubt that the growing number of WMU graduates participating in IMO meetings will contribute further to the IMO spirit of co-operation and understanding which already exists.

In October of this year the IMO International Maritime Law Institute in Valletta Malta will commence its first course to twenty students drawn from all parts of the world.

The courses offered by this Institute will fill a gap which has existed in the provision by IMO of post graduate training and will encourage the improvement and dissemination of knowledge and skills in international maritime law and maritime legislation to deal with new demands in international shipping and in maritime affairs in general.

Additional training facilities are also provided at the IMO International Maritime Academy in Trieste Italy. This Academy commenced operation on 27 February of this year when 20 students from all regions of the developing world participated in a programme of related IMO model courses on port state control maritime search and rescue administration, MARPOL Annexes I and II and marine accident and incident investigation. Additional short courses were also provided on computer application and English. This programme of courses is being offered again from 4 September to 1 December 1989.

I have made particular mention of IMO's successes in maritime training and in these regards I wish again to convey the personal gratitude of the Secretary-General, Mr. Srivastava and the Organization as a whole for the outstanding support given to the World Maritime University by the Government of Sweden, the City of Malmö, the Government of Norway, Finland and many other Member States of IMO as well as the UNDP.

Also I must express similar gratitude to the Governments of Italy and Malta for their outstanding contributions to the establishment and operation of the IMO International Maritime Academy in Trieste and the IMO International Law Institute in Valletta.

In summary I think that IMO in its first 30 years has proven to be a dynamic and efficient Organization which has been successful in first of all establishing the comprehensive framework of international law which is so essential to the orderly and safe conduct of international shipping affairs.

The success of IMO in achieving agreement and concerted action amongst its Member States has been recognized both within and outwith the United Nations system. This success is wholly due to the efforts of, and wholehearted support given to the work of IMO by all Member States.

The main activity in establishing new conventions and in revising conventions adopted prior to the establishment of IMO was concentrated in the sixties and seventies.

In the early eighties the IMO Assembly decided the Organization should concentrate on the global implementation of those international standards which IMO had already established. Thus the eighties with some exceptions has been a period of consolidation.

A balance has nevertheless been maintained since progress in the development of shipping and other maritime activities cannot be stopped and international standards must in consequence be adjusted.

Recently two important initiatives have been taken which I believe will strongly influence the work of the Organization in the nineties.

The first was a recent expression of concern by Canada, the Federal Republic of Germany, Italy, Japan, the United Kingdom and the United States and the European Community that national, regional and global capabilities to contain and alleviate the consequences of maritime oil spills be improved. They urged all countries to make better use of the latest monitoring and clean-up technologies and to adhere to and implement fully the international conventions for the prevention of oil pollution of the oceans.

A meeting was held yesterday in IMO Headquarters to elaborate on these views and the States concerned and the EEC are now putting forward two resolutions to the forthcoming sixteenth Assembly.

The first proposes that the Marine Environment Protection Committee should develop a convention on oil pollution preparedness and response covering such matters as the:

establishment of an international information centre within, or under the auspices of the Organization

encouragement of establishing a national response centre in each Member State

development of shipboard contingency plans

encouragement of establishing pre-positioned oil spill response equipment

fostering of international co-operation and co-ordination of research and development efforts in marine pollution response, and

development and maintenance of an inventory of pollution response equipment available on a worldwide basis.

It is proposed that a conference to adopt such a convention would be held by autumn 1990.

The second resolution would:

URGE governments to implement and rigorously enforce the existing international conventions relating to safety of life at sea, protection of the marine environment and training of seafarers,

INVITE governments to submit the outcome of casualty investigations and such related studies so as to enable the technical bodies of the Organization to consider whether changes may be necessary to reduce the possibility and severity of such incidents,

REQUEST the Maritime Safety Committee and the Marine Environment Protection Committee to examine, in particular, the role of the human element in such incidents,

REQUEST further the Committees to review the results of on-going international studies on tanker design and other related topics.

The second initiative which is also of great significance is another resolution put forward to the forthcoming sixteenth session of the Assembly by Denmark, Finland, Iceland, Norway and Sweden. This resolution draws attention to the high risks experienced in the fishing industry world-wide and stresses the need for action to be taken to establish mandatory measures of a similar comprehensive nature to those applied to merchant shipping and to the need to establish an adequate data base on the loss of life within the fishing industry as a whole.

IMO's priorities for the 1990's may therefore well emerge as being the improved protection of the environment and improved safety for fishermen.

Resources will no doubt be scarce and we will all have to concentrate on those matters which are of critical importance. The assistance of the student body assembled here today is essential in this important work.

In what will seem, in retrospect, a very short period, the students present here today will be returning to their home countries and continuing in their careers in maritime or port administration, in maritime education or in one of the various sectors of the maritime industry itself and I would avail myself of the opportunity to address a few remarks to them.

On your return home, you will find it only too easy to become totally immersed in the day to day operations of the organization of which you will become part.

It will take considerable effort to give proper attention to planning the future work of your organization as a whole or that of the section in which you work. However, the success of that effort is essential to the well being and effectiveness of your Organization. In giving attention to planning please remember that detail can be the death of strategic planning. Responsibility for detail should be delegated to those actively involved in the functions concerned. Nevertheless when you do assume responsibilities at a senior level do remember the observation made by the Commandant of a large coastguard organization. On becoming Commandant he had assumed that whatever direction he gave would automatically be carried out. As he later put it "experience taught me to follow-up - follow-up - follow-up."

Thank you for your kind attention; good luck in the future, and may I reiterate the Secretary-General's best wishes to you all for World Maritime Day.