

# INTERNATIONAL FEDERATION OF SHIPMASTERS' ASSOCIATIONS



## 41ST ANNUAL GENERAL ASSEMBLY

VIÑA DEL MAR, CHILE, 16-17 APRIL 2015

### MINUTES AND ANNEXES

#### **41st AGA Proceedings PART B**

With the Compliments of  
The Secretary General

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# MINUTES OF THE 41<sup>st</sup> ANNUAL GENERAL ASSEMBLY

## Viña del Mar, Chile

The 41<sup>st</sup> Annual General Assembly was held in the Hotel San Martin, Viña del Mar, Chile, on Thursday 16<sup>th</sup> and Friday 17<sup>th</sup> April 2015 at the invitation of IFSMA Association Nautilus (Chile).

### LIST OF DELEGATES

#### EXECUTIVE COUNCIL

Willi Wittig (Germany)	Deputy President (Acting Chairman)
Marcel van den Broek (Netherlands)	Vice President
Marcos Castro (Argentina)	Vice President
Fritz Ganzhorn (Denmark)	Vice President
Calvin Hunziker (USA)	Vice President
Dominique Perrot (France)	Vice President

#### FROM MEMBERS OF ASSOCIATIONS (Listed by country)

Castro, Marcos	CCUOMM & ExCo	Argentina
Cuyt, Jef	KBZ	Belgium
Raildo Viana do Nascimento Junior	SINDMAR	Brazil
Dimitrov, Dimitar	BSA	Bulgaria
Turner, Peter	CMMC	Canada
Gamper, Juan	Nautilus (Host President)	Chile
Águila, Lorenzo	Nautilus	Chile
Ávalos, Waldo	Nautilus	Chile
Beth, Carlos	Nautilus	Chile
Bolbarán, José Luis	Nautilus	Chile
Fimmen, Olaf	Nautilus	Chile
Flores, Luis	Nautilus	Chile
Góngora, Eduardo	Nautilus	Chile
Guital, Erich	Nautilus	Chile
Ibarra, Cristián	Nautilus	Chile
Kompatzki, Erico	Nautilus	Chile
Leddihn, Victor	Nautilus	Chile
Matamala, Sergio	Nautilus	Chile
Miranda, Francisco	Nautilus	Chile
Morales, Hipólito	Nautilus	Chile
Pregnan, Patricio	Nautilus	Chile
Quiroz, Luis	Nautilus	Chile
Reyes, Rodrigo	Nautilus	Chile
Silva, Jorge	Nautilus	Chile
Soto, Mario	Nautilus	Chile
Villarroel, Juan	Nautilus	Chile
Ganzhorn, Fritz	DMO & ExCo	Denmark
Perrot, Dominique	ACOMM & ExCo	France

Wittig, Willi	VDKS & Deputy President & ExCo	Germany
Kojima, Shigeru	JCA	Japan
Broek, Marcel van den	Nautilus International & Exco	Netherlands
Foo, Robin	SMOU	Singapore
Bayrakdar, Mehmet Birol	TOGSM	Turkey
Colak, Tugsan Isiacik	TOGSM	Turkey
Hunziker, Calvin	CAMM & ExCo	USA

### INDIVIDUAL MEMBERS

Raildo Viana do Nascimento Junior	Brazil
Dickie, John	UK (Ind Mem & Secretariat)
Owen, Paul	UK (Ind Mem & Secretariat)

### SECRETARIAT

Captain John Dickie	Secretary General
Captain Paul Owen	Assistant Secretary General

A list of apologies received is held at the IFSMA Office.

### AGENDA ITEM 1 – Welcome

Captain Juan Gamper, President of Nautilus (Chile), welcomed all present to the 41<sup>st</sup> Annual General Assembly, being held in the Hotel San Martin, Viña del Mar, Chile. He outlined the programme arranged for members and their partners during the next two days and wished all a fruitful meeting.

Captain Willi Wittig, Deputy President, in the absence of our President, Captain Hans Sande, replied to Captain Gamper, thanking him for his warm welcome and gave his opening address. The full text of his address can be found in the IFSMA Annual Review.

### AGENDA ITEM 2 – Adoption of Agenda

The Agenda was adopted without amendment.

### AGENDA ITEM 3 – Adoption of the Minutes to the 40<sup>th</sup> AGA

The Minutes to the 40<sup>th</sup> Annual General Assembly held in Sandefjord, Norway on 5-6 June 2014, were adopted without amendment.

### AGENDA ITEM 3a – Matters Arising from the Minutes to the 40<sup>th</sup> AGA

Nothing raised.

### AGENDA ITEM 4 – Establish Drafting Group

The Drafting Group was established and comprised: Peter Turner, Calvin Hunziker and John Dickie. The drafting group was approved.

**AGENDA ITEM 5 – Secretary General’s Report and Hon Auditor’s Report****SECRETARY GENERAL’S REPORT**

The **Secretary General** (John Dickie) gave his report, which is reproduced in the IFSMA Annual Review 2014-2015. He updated and expanded on various matters covered therein.

**AGENDA ITEM 6 – IFSMA ACCOUNTS**

**John Dickie** (acting as Honorary Treasurer) firstly drew attention to the Voting Rights page in the Part A Document and stated that the following amendments should be made: Japan is now in good standing, Turkey is now in good standing, finally USA is now in good standing. Hopefully by the summer all Member Associations will be up to date with their subscriptions. He added that the rental payment was higher due to the new office lease agreement.

John continued by outlining the figures in the Profit and Loss Account for 2014 and the Balance Sheet for 31 December 2014, both of which were presented in the AGA Part A document, together with the Honorary Auditor’s Report. He took the delegates through the various figures produced in these documents. He remarked that the new office lease required additional expenditure, however our tenant CIRM assisted with the costs. On 31<sup>st</sup> December 2014 we had a total of £59,818.44 in the IFSMA bank accounts and £77,994.00 in other investments, giving total of liabilities and equity of £137,812.44.

**Peter Turner** asked about the negative items in the 2014 Final Budget sheet, John explained this was mainly due to the tax requirements. Regarding Corporation Tax, this is only payable on investment and interest income. **Dimitar Dimitrov** asked what the new office manager is being paid, John answered £15,000 per annum.

Willi Wittig drew attention to the Hon Auditors report.

The Secretary General’s Report and Hon Treasurer’s Report were both **approved** by acclamation.

It was proposed and agreed to reappoint Rodger MacDonald as the Hon Auditor for another year.

Willi reminded that the 2015 budget was approved at the last AGA and that we need to consider the 2016 budget. He invited John to go through these documents.

John explained the present position for the 2015 budget figures and any changes expected to the end of year figures, in particular the reductions in expenditure he anticipated. Noting that IFSMA is a not-for-profit organisation he added that we could expect a small surplus at the end of the year.

Willi commented that the 2015 budget is meeting our requirements and that last year’s AGA should be congratulated for approving it.

**Peter Turner** asked if there had been any consideration to moving the office out of London. John replied that it depended on the interpretation of the term in Article 2 in the Statutes and Bye-Laws “The Headquarters of the Federation shall be located in proximity to the IMO Headquarters.” We will keep the situation under review.

**AGENDA ITEM 7 – Proposed budget for 2016**

Will then asked John to present the proposed budget for 2016.

John explained the figures proposed for the 2016 budget. He took the meeting through each item listed.

**Marcel van den Broek** asked about the differences in expenditure compared to the previous year. John replied that there will be significant savings for AGA costs, and printing costs as we move more towards electronic communications. **Carlos Beth** asked about income from associations, commented that it was a little on the high side. John replied that this was our best estimate of what the income will be and that we would be within £1,500 of the £90,000 estimate. **Juan Gamper** asked about equipment rental. John replied that we have now decided to dispense with the postal franking machine.

The 2016 Budget was approved.

**AGENDA ITEM 8 – Selection of Venue for 42<sup>nd</sup> AGA in 2016**

Willi announced that we had received two invitations for next year's AGA, one Ireland (IIMM) for Cork and the other from Turkey (TOGMA) for Istanbul. **Birol Bayrakdar** then spoke and introduced the Turkish invitation. In the absence of an IIMM representative John took the floor to introduce the Irish invitation. He introduced the invitation to Cork in Ireland and reiterated that it was up to the members at this meeting to decide where they wanted to hold the next AGA. He opened the floor for discussion.

After considerable discussion it was agreed to hold a secret vote to decide on the 2016 venue. Willi also noted that we have invitations for 2017 (CAMM) in Washington DC, USA and for 2018 Buenos Aires, Argentina (CCUMM).

The Secret Ballot was held immediately after the lunch break – it was agreed that Carlos Beth and Paul Owen would count the votes – they reported the results as follows: Ireland 5 votes and Turkey 17 votes.

Therefore the General Assembly had decided to hold the 42<sup>nd</sup> AGA in Istanbul, Turkey at the invitation of the Turkish Ocean Going Masters Association.

**AGENDA ITEM 9 – Review of IFSMA Resolutions from 40<sup>th</sup> AGA**

The **Secretary General** (John Dickie) reported on the Resolutions passed at the 40<sup>th</sup> AGA.

***IFSMA RES 1/2014 – Port of Refuge***

He recounted recent problems for vessels seeking a port of refuge. A paper was prepared for presentation at IMO Maritime Safety Committee, however, the EU requested us not to present it and instead to support their own paper. Depending how matters proceed, we will either re-present the paper, shelve the paper or support the EU paper at the next MSC.

***IFSMA RES 2/2014 – Criminalization of Shipmasters***

Assumptions are made before the full facts are known. Also guilt of crew by media driven frenzy. In the SEWOL incident the Korean President lead the way in condemning the Master and crew. Japan Captains Association had been talking to the Korean Masters Association

about joining IFSMA, however, after this incident all went quiet. The main problem is with domestic passenger ferries. Our President wrote a letter stating our outrage on this subject, which was widely published in many countries. The IMO Secretary General, Hon Member Koji Sekimizu, has recommended that domestic ferries adopt IMO regulations, however, that is as far as it can go as this cannot be enforced. We raise awareness to Shipmasters of the risks they take if they do not have appropriate insurance cover and when the company's P&I cover will not assist them.

**Fritz Ganzhorn** asked if we had been in contact with the Korean Shipmasters association – John replied yes, he added there is a different culture in Korea.

#### ***IFSMA RES 3/2014 – Marine Accident Investigations***

See written report in the Annual Review

#### ***IFSMA RES 4/2014 – Domestic Ferry Safety***

See written report in the Annual Review.

### **AGENDA ITEM 10 – Multinational Crews in Merchant Ships**

**Prepared by Captain Jaime Barrientos and presented by Captain Sergio Matamala, Nautilus Chile.**

#### **Q&A**

Following a question for a Nautilus (Chile) member, **Juan Gamper** asked if we could recommend to IMO that at least two persons on board be of the same nationality on each vessel. **Willi** replied that the EU regulations would not support this proposal and he doubted that such a recommendation to IMO would be successful. **Marcel an den Broek** said that the reason for multinational crews is money and you need to look at the system in your own countries for solutions, on a ship you are a small part of the world and you need to, for example, interest Chilean shipowners to only hire Chilean crew or to make it difficult for Chilean shipowners to hire non-Chilean crew but this raises the risk of the Chilean shipowners flagging out. **Cristián Ibarra** stated that, as a pilot, he has seen the problem on ships where the crew do not talk to each other, he asked if there were any statistics. **Willi** replied that he did not know of any statistics where multinational crews have been found to be the cause of accidents but he did know of multilingual crews being cited as a cause. He knew of many training courses in the airline industry where different nationalities were trained to work together. He knew that Seafarers International Research Centre (SIRC) at Cardiff University, had studied the language problem at sea and they have many papers free to download on this subject. **Peter Turner** said that he comes from a country of immigrants and did not think safety was the main criteria here, he referred to the need to understand the ethnicity of fellow crew members. If we have multinational crews then we have to look after them. **Fritz Ganzhorn** said that many Danish vessels do not have Danes on board any more and other vessels only have Danish officers on board. The two issues they find are lack of competence and lack of socialising often due to different cultural backgrounds. The Master has a vital role in making a team out of a multinational crew. Apprentices should be brought up with other native Shipmasters to make them in turn good Masters. **Cristián Ibarra** added that, the other day he was on a ship where the third mate did not speak English with a Chinese Master and he did not know how they could communicate. **Calvin Hunziker** commented that some training schools for seamen produce officers who do not speak

English. The international language of the sea is English, during the last five years of piloting he found increasingly Masters that did not speak English. We need graduates that know what they are saying and what they are doing when they leave the training school. **Dimitar Dimitrov** said that, in his experience, the ISM Code covers this adequately and in his experience the situation is improving. **Juan Gamper** said that if an accident occurred then the Master would be blamed if the first mate did not or could not understand an order. **Willi** replied that Port State Control had the responsibility for the enforcement of acceptable communications through the ISM. **John Dickie** said that Masters do not always have the proper support with the training of their officers. At IMO an NGO, that shall remain nameless, asked for a Model Course to teach the COLREGS to certified deck officers, how did they become STCW certified if they did not know the COLREGS? **Jef Cuyt** added that multinational crews is one thing but multicultural crews is another, for a crew with part Christian, part Indian and part Muslim persons, in his opinion, that is the challenge.

### AGENDA ITEM 11 – Places of Refuge

Presented by Captain Peter Turner, CMMC, Canada

#### Q&A

**Calvin Hunziker** asked if Canada is going to allow Ports of Refuge how do you account for a vessel making a passage in the Straits of Juan de Fuca where two administration are involved. **Peter** replied that vessel may require an escort when making such a passage. However, if there was a risk of pollution from the vessel seeking port of refuge then quite rightly the US Coast Guard may wish to intervene. Such assessments must be made, both Canada and the USA need to be consulted. **Carlos Beth** raised the Beagle Channel which may have similar problems. **Peter** replied giving the example of the UK SOSREP who took the decision on where a vessel was able to take a place of refuge on a beach. **Jef Cuyt** giving the example of the Tasman Spirit and the Karachi 8, the recommendation should also apply to the Salvage Master and others. **José Luis Bolbarán** commented now vessels have a deeper draft this makes it more difficult. **Peter** replied that he agreed with this and added that these days a 'Place of Refuge' is referred to instead of a 'Port of Refuge'. A coastal State may refuse entry due to risk of pollution. A cohesive group may have to decide where a vessel may go for refuge. **Dimitar Dimitrov** also recommend that coastal Vessel Traffic Services be trained for these situations, he gave the example of when a vessel in difficulty was refused entry to the Bosphorus and eventually sank with the loss of 25 lives. **Peter** replied that whoever has the responsibility to make such decisions must understand the implications of those decisions. There should be a single source within a country where the Master's request for refuge is considered and that need not necessarily be in a VTS. **Birol Bayrakdar** recalled the decision Dimitar referred to and noted that the vessel did not provide correct information and commented that if the correct information had been provided then the vessel would likely have been allowed to enter the Place of Refuge. **John Dickie** regarding the giving of information or misinformation, the Bulgarian ship may have given information in Bulgarian and received answers in a different language, there must be an understanding of what the Master is saying. There is a need to simplify communications so it is easier to understand what is happening on a ship.

**AGENDA ITEM 12 – Enhancing Competence of Inexperienced Navigating Officers****Presented by Shigeru Kijima, Japan Captain’s Association**

The presentation consisted of a short talk followed by a video presentation.

Shigeru announced that a DVD of the Video should be available upon request and asked members who were interested in obtaining a copy to contact him.

**Q&A**

**Willi Wittig** commented that he often sees trainee officers who have been to sea and are used as cheap labour, so the company should not be surprised that when they return to a ship as a junior officer they are inexperienced and often useless due to lack of appropriate training. **Robin Foo** asked if shortened sea-time had any influence on this problem. In reply **Shigeru** explained the Japanese training system. **Dimitar Dimitrov** suggested that motivation might be a problem. **Shigeru** added that they wanted to make another video to assist the Master, he felt it was important for the Master to check for himself the ability of his third mate. **Willi Wittig** responded by recounting the results of a study his University had carried out, you can reduce the training time if you have a high probability for training experiences, trainees should not just be left on normal watches, but whenever a learning experience occurs they should be called to participate. In the open sea you do not have much chance to learn. At the end of the project it became clear that you could condense the training time if you plan ahead and grab every occasion when there is a learning experience available.

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At the conclusion of the first days’ business, Juan Gamper, presented a commemoration gift to each Association attending. He also announced the arrangements for that evening for the Annual Dinner.

The Annual Dinner took place on the evening of the first day. At the dinner the Deputy President Willi Wittig presented Juan Gamper, President of Nautilus Chile, with an IFSMA Plaque, to commemorate the holding of the 41<sup>st</sup> Annual General Assembly in Viña del Mar.

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**Day 2 – Friday 17<sup>th</sup> April****AGENDA ITEM 13 – Returns, Questions & Interpretations for MLC 2006****Presented by Dominique Perrot, ACCOMM, France and Vice President****Q&A**

**Chilean Member** There are many items covered by the MLC, it is hard to complain to the company, 24 hours is not enough time in one day for all the paperwork, He had heard that the IMO is concerned about this and trying to reduce the paperwork by passing more of it to the Ship’s Agents. His concern is the amount of time that is required. **Willi Wittig** Good example of how this maritime industry works, but no instructions, absolutely ridiculous. **Dominique** added that Port State Control officers have responsibility for checking full compliance. **Willi Wittig** commented that the discussion reminded him of our Antwerp



Resolution 4/2007 ‘Administrative Workload on Shipmasters.’ He believed IFSMA and other organisations should perhaps raise this concern again at the IMO and other international bodies. The discussions continued for a while. In conclusion **Fritz Ganzhorn** stated that the MLC has some good parts in that it has the ability to control crew contracts, their welfare and how they are treated on board. He also recounted an incident where the pilot was passed a note by a crew member, the vessel was inspected by Port State Control at the next port of call, this led to the resolution of the particular problems.

#### **AGENDA ITEM 14 – The Master’s Burden**

**Presented by Marcel van den Broek, Nautilus International, Netherlands and Vice President**

#### **Q&A**

**Chilean Member** Is there any protection for Shipmasters? **Marcel van den Broek** replied that insurance is included in his membership. **Willi Wittig** added that IFSMA had developed an insurance scheme for Shipmasters, unfortunately the uptake was so small by members that the scheme was withdrawn, they await any interest from members. **Fritz Ganzhorn** added that protection for Masters is also included in his membership. He also sees a problem with the amount of paperwork, a tremendous amount of time is required to ensure the safety of the vessel, so much time can be spent in front of a computer and not on the bridge. **Dimitar Dimitrov** A Bulgarian Chief Officer and Ukrainian Shipmaster were detained in prison for a few months in Greece for Customs irregularities. The owner was also prosecuted and imprisoned and then the Master and Chief Officer were released. **Peter Turner** reminded that the P&I Insurance is primarily to protect the Shipowner and not the Master. **Willi Wittig** agreed that this is an important point. **John Dickie** added that it is a matter of perception that Masters believe that are protected by the companies P&I Insurance, however there are many examples of the Master being sacrificed by the owner so that the ship can sail. **Marcel** recommended always speaking up and going to the press, adding that in recent cases the Master was found guilty in the early stages and that then it was too late to recover the situation. **Calvin Hunziker** commented that as officers in his pilotage organisation they were trained in how to handle the media and suggested that IFSMA Associations join together and hire a media expert to tell them how to deal with the media and how to answer the medias questions correctly and in a positive way to assist the Master who has come into some difficulty, he found it was very important to get out there in the beginning and ‘nip it in the bud’ to divert the attention away from the Master onto the ship aground or the collision and not on who is at fault. This is something that each organisation can do on their own. **Shigeru Kojima** recounted his experience with the press after the SEWOL accident.

#### **AGENDA ITEM 15 – The Role of Remote Sensing to Detect Oil Pollution**

**Presented by Tugan Isiacik Colak, TOGMA, Turkey**

**Chilean Member** These days vessels are being tracked by satellite, for pollution but also for course and speed. **Tugan** replied not only for oil pollution but also for hijacking and drug trafficking. **Dimitar Dimitrov** Added sometimes satellite monitoring can lead to the wrong decisions, especially in dense traffic. He gave the example of satellite photos of oil pollution from one ship being blamed on another ship in the same area. He knew of a Master falsely accused of pollution by the French authorities and it took two years to clear him. **Tugan** answered that photographs can be taken by satellite or by aircraft, but must also be followed

up by Port State Control inspection. **Peter Turner** Noted that Synthetic Aperture Radar can detect traces of oil pollution on the sea surface, but he knew of other phenomena that produced similar surface irregularities such as the formation of ice. **Tugsan** answered that particular wavelengths and pulse lengths are able to penetrate the ice and therefore avoid false results, so oil pollution can also be detected even in Arctic and Antarctic waters.

#### **AGENDA ITEM 16 – Proposal for SMCP Extension: Pilotage and Tug Assistance**

**Presented by Willi Wittig, VDKS, Germany and Deputy President**

Willi presented a summary of what had been happening since the original paper was presented.

#### **Q&A**

**Dimitar Dimitrov** stated that discussion had been held in his country with tug Masters and they are reluctant to use English because they are not fluent in this language, so to solve this problem when I am the pilot I make sure I inform the Master what the tugs are doing. **Willi** explained that, advanced notice to Masters is not being replaced, use of the SMCP will solve the language problem by the use of 20 phrases, which takes two days for tug Masters to learn, making it easier for all to understand what is happening to the tugs and the ship. In reply to a question from **Tugsan**, **Willi** stated that posters are being developed. **Biröl Bayrakdar** asked when it will come into force. **Willi** replied that that this depended on IMO progress. In reply to a question from **Juan Gamper** where he raised the subject of the linesmen ashore, **Willi** replied that the triangle Master/Pilot/Tugmaster has most risk due to the vicinity of the berth and other vessels.

#### **AGENDA ITEM 17 – Master/Pilot Relationship – The Role of Both in Risk Management**

**Presented by Calvin Hunziker, CAMM, USA and Vice President**

#### **Q&A**

**Dimitar Dimitrov** asked if there were any cases in his pilotage area where the pilot is liable after an accident. **Calvin** replied that in the USA most pilotage areas have limited the liability of pilots to US\$5,000 or less. **Dimitar** added that in his country the limitation is 10 times the pilotage fee which is about the same amount. In his port when the wind speed is above a certain limit the port is closed, sometimes you have gusts of wind but the average wind speed is less, so the VTS will tell us to proceed if the average speed is within the limits which can cause problems. **Jef Cuyt** cited the Cosco Busan collision in San Francisco harbour. **Calvin** replied that in this case the Pilot was not charged with causing the accident but with falsifying his license application, he suffered from sleep apnoea and was prescribed appropriate drugs, he had not declared all his prescribed drugs and he was not taking all his medications. **Fritz Ganzhorn** commented that when pilotage was compulsory and the pilot took over command of the ship, effectively making the Master the second in command, whereas for non-compulsory pilotage the pilot is an advisor to the Master. **Calvin** replied that in the USA there are no non-compulsory pilotage areas.

**AGENDA ITEM 18 – Modern Container Terminals****Presented by Dimitar Dimitrov, BSMA, Bulgaria****Q&A**

**Chilean Member** Regarding the weight of containers asked if the speaker knew anything about new regulations. **Dimitar** replied that new regulations are coming onto force; he added that one of the most important parts of the container terminal is the gate, personally he always used the terminal data rather than the shippers data. The booking departments of container lines rely on the information provided by the shippers. When you are preparing the loading plan and the weights are not correct, you run the risk of loading the ship below the plimsoll marks, then the only option is to discharge some of the containers. **John Dickie** added that in many cases the calculations used for large ships scantlings are extrapolated from smaller ships. Even with an allowance for over carriage of weight the MOL Comfort should have been safe, but it wasn't. From 1<sup>st</sup> July this year the new regulation comes into force for declaring the total weight of a container and its contents, we know we will have problems but at least we are moving in the right direction. **Tugsan** asked if there was an automatic system for tracking containers **Dimitar** replied not in his country, but he quoted some other Mediterranean ports where this was carried out.

**AGENDA ITEM 19 – Results of the Round Table in SAR****Presented by Dimitar Dimitrov, BSMA, Bulgaria**

Dimitar presented a brief summary of the results of this Round Table event.

**AGENDA ITEM 20 – Shackleton vs Pardo****Presented by Juan Gamper, Nautilus Chile**

The presentation was accompanied by a slide show of photographs taken during the expedition and rescue mission.

**AGENDA ITEM 21 – Report from the Drafting Group**

Willi Wittig thanked Peter Turner, Calvin Hunziker and John Dickie for their work in producing the Resolutions and presented them to the general Assembly for approval.

***Res 1/2015 Multinational Crew and Communications***

After discussion adopted

***Res 2/2015 Costal States Provide a Single Point of Contact for Situations Involving Vessels Requesting a Place of Refuge***

After discussion adopted

***Statement on MLC 2006 Ratification by Chile and Flag States that have not Ratified***

After discussion adopted.

Both AGA Resolutions and the Statement were adopted – see Annex.

The Drafting Committee were thanked for their excellent work and given a round of applause.

#### **AGENDA ITEM 22 – Any Other Business**

**John Dickie** raised the subject of African migrants fleeing across the Mediterranean Sea, there is one reported incident where Muslims threw Christians overboard. He is concerned about what could happen when migrants are rescued by Merchant Vessels. He added that the situation is becoming more complex with guns and other weapons amongst the migrants with the risks of the crew being assaulted. **Calvin Hunziker** remarked that during the Vietnamese Boat people incidents he recalls eventually being told by his company not to pick them up and that he could see similar situation being reached in the Mediterranean. **Willi Wittig** added that you should always be careful judging people by their religious affiliation.

#### **Close of 41<sup>st</sup> Annual General Assembly**

The Deputy President, Willi Wittig, briefly summarised the events of the last two days. He thanked our hosts Nautilus (Chile) who did a marvellous job, and together with the team from the hotel, for their excellent arrangements for the AGA and also the delegates for making it such a successful General Assembly.

He looked forward to seeing all at next year's Annual General Assembly in Istanbul, Turkey and wished everyone a safe journey home, the Deputy President then closed the 41<sup>st</sup> Annual General Assembly.

**ANNEX****General Assembly Resolutions**

(Also available in separate publication)

IFSMA RES 1/2015 (41<sup>st</sup> AGA)

**Multinational Crew and Communications**

**The delegates of the 41st IFSMA Annual General Assembly held in Viña del Mar on 16 and 17 April 2015**

**Noted** that shipping throughout the world employs multinational crews

**Noted** that delegates expressed concern that safety may be compromised due to a break down in communications in the workplace, including emergency situations,

**Recalled** that a similar situation was alleged to have contributed to the Costa Concordia incident,

**Strongly** recommends that seafarer's command of English be commensurate with their responsibility and the language proficiency identified in the STCW.

IFSMA RES 2/2015 (41<sup>st</sup> AGA)

**Coastal States Provide a Single Point of Contact for Situations Involving Vessels Requesting a Place of Refuge**

**The delegates of the 41st IFSMA Annual General Assembly held in Viña del Mar on 16 and 17 April 2015**

**Noted** at the 2014 Annual General Assembly (Referring to Resolution 2014/1), the delegates approved a resolution in support of places of refuge in respect of situations such as the MARITIME MAISIE incident,

**Recommend** that Coastal States provide a single point of contact for situations involving vessels requesting a place of refuge.

See Next Page for AGA Statement

IFSMA STATEMENT (41<sup>ST</sup> AGA)

**Statement on MLC 2006 Ratification by Chile and Flag States that have not Ratified**

The delegates of the 41st IFSMA Annual General Assembly held in Viña del Mar on 16 and 17 April 2015 support the statement that:

- Considering, for example, the delicate situation in which the Chilean Merchant Marine has fallen in recent years, as a result of flagging out vessels,
- Being aware that Chile, and some other flag States, that have not ratified the Maritime Labour Convention 2006 (MLC), leads to non-enforcement of these regulations by Chile and other Port State Control (PSC) authorities, as a result of which the requirements of the MLC are not applied, thereby reducing the aims of the MLC.
- The delegates noted, with concern, the poor response of the regulatory bodies of these States, which impacts on safety and conditions on board ships of non-signatory States, urges Chile, and all other flag States, to ratify MLC 2006.