

## SEA SENSE - EXPERT THINKING ON CRITICAL ISSUES

SAFETY4SEA, in association with the North of England P&I Club, discusses topical industry issues.

### Q: “It is 30 years since the Herald of Free Enterprise disaster hastened the introduction of the ISM Code. Do you consider the implementation of the code by the shipping industry to have been successful?”



**Efthimios E. Mitropoulos**  
IMO Sec-Gen  
Emeritus

The “Herald of Free Enterprise” sinking caused a public outcry and triggered a chain reaction at IMO. Although the contents of the ISM Code did not revolutionise the way shipping companies were managed, segments of the industry were rather sceptical as to the motives of those supporting the new instrument. It took “Estonia” disaster for the maritime community to decide to make the Code mandatory through reference in a new SOLAS Convention Chapter IX. Once mandatory, it applied on all ships it addressed. I consider its implementation to have been highly successful and its impact on maritime safety and pollution prevention beneficial as can be verified by the continuous improvement in both according to statistical information; however, the case of the Korean ferry “Sewol” being a tragic exception.



**Capt. Kuba Szymanski**  
Secretary General,  
InterManager

As a man who loves statistics, I would like to show a simple example: In 2008 at a global fleet of 40,000 ships, 130 ships sunk; in 2016, at a global fleet of 80,000 ships, less than 100 ships sunk. Could I reasonably say that the shipping industry has considerably improved its safety record? I believe so. Would that be possible without the strong safety foundation which the ISM Code plays a crucial part? Is there a room for improvement? Absolutely. Just ask any seafarer and she/ he would tell you what needs to be done: decrease paperwork; stop with the “compliance and blame culture” but understand the real causes; use our seafarers’ knowledge. Invite us to the decision making table, and let us together be part of the improvement process.



**Øssur Hilduberg**  
Head of DMAIB

From a purely regulatory standpoint has the implementation of the Code been successful. However, the consequences of the implementation have to some extent been counterproductive. The proceduralization of safety has let shipping companies and flag State administrations to believe that safety is about exercising social control of seafarers via bureaucracy. This thinking has created large safety management systems with little relevance for the everyday work on board. Safety management systems have expanded to include more than safety. The management of safety now includes the marketability, liability and reputational risks of organizations, which results in defensive reporting and demonstrating ‘safety on paper’ purely for compliance purposes. This takes the industry away from the core objectives of the Code.



**Capt. Fared Khan**  
Marine Director,  
Wallem Ship  
Management

The implementation of the ISM code has been partly successful but the application of basic standards from the Shipping industry and regulatory bodies is inconsistent. Organizations with committed sea and shore staff have seen tangible improvements in safety and in pollution prevention. Others focusing solely on compliance, rather than embracing the code for improvement, continue to have major casualties including fatalities, total loss of ship and increased insurance claims. Holding shore management accountable for safe ship operations has inadvertently taken the “seamanship” sense away from sea staff, creating a new generation dependent upon guidance from shore staff. To achieve its fundamental aim of raising the safety and pollution prevention standards for the whole industry, the code needs to effectively address the human element in maritime safety.



**Capt. Panagiotis Nikiteas**  
HSQE Manager,  
Anangel Maritime  
Services

Going back to the 1980s, poor management standards instigated the need for IMO to develop and implement international standards, first time involving shore-side, for the safe management of ships and pollution prevention. Since then, various studies from Academia, Clubs, Administrations and PSC MOUs, support that the ISM Code implementation had a statistically significant positive correlation with a reduction in major accident/incidents, less hull claims and improved inspection results. Although statistics support improvement, there are still voices claiming that, occasionally, the Code implementation is a “paper exercise”. It is without a doubt that the companies that have selected, through top management unconditional commitment, to embrace the Code at all levels, are enjoying tangible positive benefits in terms of efficiency and performance



**Colin Gillespie**  
Deputy LP Director,  
North Club

Yes. The ISM Code is a key element in ensuring that the world fleet is operated in a safe and environmentally friendly way. The systems, procedures and risk assessments within an SMS provide companies and seafarers with the framework for safe operations. This framework has served the industry well. Of course things aren’t perfect. North’s own claims analysis has revealed that incidents often occur when systems are not properly implemented. This is a behavioural - safety culture - issue. So while the ISM Code has led to a focus on systems and procedures it is not as successful in the active promotion of safety behaviours. Procedurally derived safety improvements are increasingly difficult to achieve and going forward the focus should shift towards safety behaviours and culture.



A safety column in association with the

