

BALTIC PILOTAGE AUTHORITIES COMMISSION

31ST CONFERENCE

GDYNIA 30TH MAY 2012

Agenda Item - Information:

Revision of Res. A.480 and Res. A.486 : President & Duncan Glass

1. The North European Deep Sea Pilotage Authorities (NEDSPA) have co-operated in the development of revision to the existing IMO Resolution A.486 (XII) *“Recommendation on the use of adequately qualified Deep Sea Pilots in the North Sea, English Channel and Skagerrak”*. This Resolution was adopted 30 years ago.
2. It has taken many years to develop, agree and submit this revised version – as I have reported at the past 2 BPAC Conferences – and when we, the NEDSPA Members, UK Pilot representatives and other members of the UK Safety of Navigation Committee, had at last reached agreement, the UK MCA found that the competency for submission of a revised version of Resolution A.486, lay with the European Union.
3. Therefore with the assistance of the European Commission, the proposed revised Resolution has been submitted to the Maritime Safety Committee for consideration at its 90th Session as a joint submission from all 27 Member States.
4. The IMO MSC met in London from 16th to 25th May.
5. The Revised Resolution A.480 – on the use of Deep Sea Pilots in the Baltic was also submitted to MSC to the same session and is very similar in wording and intent.
6. It was hoped that both revised Resolutions would go forward as drafted to the SUB-COMMITTEE ON SAFETY OF NAVIGATION at IMO from 2nd to 6th July 2012 at its 58th session.
7. This joint submission from the EU Member States – Res.A.486 has been commented upon by: Liberia, the Marshall Islands, Singapore, the International Chamber of Shipping and the Cruise Lines International Association (Carnival) in a joint submission MSC/90/25/21, wherein those bodies and member states object to the inclusion of Annex 1 in the revised resolution and request that it be removed.

8. They claim that the *“Factors to be taken into account when considering the use of a deep sea pilot”* is subjective and causes them concern.
9. The UK Licensing Authorities have provided their delegation to IMO MSC with a written response to the objections raised in MSC 90/25/21 from the ICS and others, and circulated this response to NEDSPA Members and the BPAC Chairman and Secretariat, requesting their support for progressing the Revised Resolution A.486 without amendment.
10. The Annex 1 of the Revised A.486 is an important addition to the document; as it recommends a risk based approach to assessing whether to use a Deep Sea Pilot when transiting the English Channel, North Sea and Skagerrak, and lists some of the factors to be considered when making this decision. We strongly recommended that it be retained in the revised Resolution.
11. At the IMO MSC Meeting, there was an unprecedented and intense debate on the Revised Resolutions and Liberia, Marshall Islands, Singapore, International Chamber of Shipping (ICS) and the Cruise Lines International Association (CLIA) managed to get almost the rest of the world to support their attack on the proposed Revised Resolutions A.480 and A.486.
12. These Members and bodies were content to update the existing resolutions but they had strong arguments against the annex. The major objection was their opinion that the annex will increase the costs for the owners and that this is a first step for implementing mandatory deep sea pilotage in the North and Baltic sea.
13. The Netherlands and Sweden (with support from the other EU Member States) tried very hard to convince the MSC plenary of the absurdity in this statement and insisted that MSC should not discuss this issue in depth, only the formality to put it on NAV Sub-Committee agenda.
14. The arguments put forward from speaking countries were clearly irrelevant and it was very clear that the rest of the world wanted to show EU that they are able to coordinate as well. Russia, Panama, Bahamas, China, Antigua & Barbuda, Tuvalu and Venezuela all spoke on the issue and half of the plenary put up their cards! Unfortunately they managed to influence the chairman and the result is that NAV Sub-Committee can update the existing resolutions (A.480 and A.486) but is not allowed to include the Annex.
15. This outcome is highly unusual and unprecedented and was a very well coordinated attack on proposed Revision which strove to add a risk analysis element in an Annex to improve safety of navigation in the English Channel, North Sea and the Baltic.
16. A very disappointing outcome from many years of work, and a set-back for safety and deep sea pilotage. The consideration of updating the Resolutions will not take place until NAV 58 (2013).