International maritime organization essay sample

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Introduction:

International Maritime organization [formerly known as Inter-Governmental Maritime Consultative Organization] is a United Nations agency responsible for international conventions and regulations regarding the sea and shipping matters and rules which are reviewed by participating governments and observer organizations. Its main functions are to promote international cooperation on technical matters affecting shipping industry and to recommend and encourage adopting of the highest practicable standards of maritime safety and efficient navigation to foster international action to prevent pollution of the sea and to promote the availability of shipping services to world commerce without any discrimination. The motto of the International Maritime organization is to provide safe, secure and efficient shipping on clean oceans.

Since its inception, the improvement of maritime safety and the prevention of marine pollution have been the International Maritime organization's most important objective. The International Maritime organization is an organization of member states made up chiefly of flag states, coastal states and port states. To achieve its goal, International Maritime organization has promoted the adoption of some 30 conventions and protocols in the past 30 years and has adopted well over 700 codes and recommendations concerning maritime safety, the prevention of pollution and related matters. Though the agency was first authorized by a UN resolution in 1948 but was not established until 1958 and was christened with its present name in 1982.

During the middle of the 1990's, International Maritime organization had 167 member nations and three associate members. The agency is headed by a secretary-general. The principle policymaking body of the International Maritime organization namely " the assembly" holds meetings every two years at which all members have an equal vote. The assembly elects a 32-member council that meets twice a year to oversee the agency performance. The Maritime Environment protection committee and The Maritime Safety Committee are important subsidiary organs and International Maritime organization has its headquarters at London with around 300 international staff. [1]

The work of International Maritime organization is executed by committees or sub-committees comprised of representatives from member states. For conventions and any amendments to conventions, a draft instrument will be prepared and this will be submitted to a conference to which delegations from all states within the United Nations –including states that are not members of International Maritime organization are invited. The conference adopts a final text that is submitted to government for ratification. Implementation of requirements of a convention is mandatory for countries that are party to the conventions.

During June 1991, International Maritime organization developed voluntary guidelines to prevent the introduction of unwanted aquatic organisms and pathogens through ship's ballast water and sediment.

Port state control program

On December 2003, IMO agreed to nine amendments to its 1974 International Convention for the Safety of Life at Sea [SOLAS]. The conference agreed that all cargo over 500 metric tones engaged international voyages , all passenger vessels and mobile offshore oil and gas rigs and all port facilities must meet the new requirements by July, 2004. The code is mainly intended to enhance security for all ships, persons on Board [Passengers and Crew], offshore terminals and port facilities.

For instance, the Port of London has 70 terminals along 94 miles of the Thames and as per recent guidelines, any these port facilities are potential and it is wise not to designate entire port as a port facility, could save money but it may also result in unaddressed security vulnerabilities. For designated port facilities, the code mandates that a system of three securities –alert levels be set up to reflect normal, medium and high threat solutions. A level - one state of alert would involve the monitoring of restricted areas; controlling access to the ship; supervising the handling of cargo and ship stores; and opening communications among port and ships , so that message could be sent henceforth.

To establish what security level is necessary in each of its ports, each signatory government will have to carry out security assessments that recognize critical assets as well as areas, buildings and equipments where an attack could cause significant loss of life or damage to the port economy or the environment. An assessment must then include the identification of threats to these critical assets, helping to prioritize security measures. Finally, the assessment must find out a port's weakness in terms of physical

security, structural integrity, protection systems, procedural policies, communications systems, transportation infrastructure, utilities and other likely targets.

It is also proposed to speed up the schedule for the mandatory fitting of smaller freight ships on international voyage with automatic identification systems using global positioning systems and VHF radio frequencies, which would allow the ships to share data with the shore-based control centers. One another stipulation of SOLAS mandates that ship registration numbers be made visible on vessels to help port and shipping authorities identify them.

For instance, under cargo handling, to prevent cargo tampering and stop unauthorized cargo from being brought on board, procedures are stipulated for visual physical examination, scanning and detection equipment, docks or mechanical devises. Governments of the flag states are responsible for issuing to their registered vessels International Ship Security Certificates stating that those vessels comply with the new rules.

It is to be noted that though IMO has not toothed with enforcement authority but the states port authorities are motivated to introduce adequate security mechanism. Understanding the heavy cost that is involved to introduce security measures by the member states, IMO has allocated $ 1. 5 million fund to enable maritime security experts to visit flag states that need assistance in drawing up effective and internationally harmonized security procedures. Further, IMO regularly conducts regional workshops and invites flag state

For instance, U. S authorities may bar from American ports any ships deemed not to have an effective IMO-compliant security plan and operations. This also include ships with adequate security that have called at ports that do not have the proper safeguards in place and as a net result , ports with poor security standards could be reduced to receiving local traffic.

It has become mandatory to shipping companies that do not implement the new IMO standards could face legal and insurance liability. Ships that do not adhere IMO standards may face difficulty to get insured as the insurance companies may claim that such ship was not seaworthy. The port of Vancouver, Canada, for example, became the first in Canada to install the Vehicle and Cargo Inspection System to scan its shipping containers. Inside the busy Great Lakes St. Lawrence Seaway [GLSLS] between Canada and the United States, the Seaway's American and Canadian agencies have implemented an automatic identification system [AIS] which can pinpoint the position of a ship to within five meters.

As a measure of improving and implementing the IMO requirements , the Port of Houston has collaborating with NASA for integration of communication links as the NASA's satellite technology will facilitate to monitor ships approaching from Gulf of Mexico and local inland waterways. [2]

Safety of life at sea

After the Titanic disaster of 1912 which spawned the first international safety of life at sea [SOLAS] convention, which the most important treaty

addressing maritime safety. Now, the main task of International Maritime organization includes safety, legal matters, environmental concerns, technical co-operation, the efficiency of the shipping and the maritime safety.

Safety of Life at Sea [SOLAS] was achieved by IMO in 1960 and then IMO focused its attention to such matters such as the facilitation of international maritime traffic , the carriage of perilous goods and the load lines while the method of measuring the tonnage of ships was modified.

Another problem faced by IMO was the spillage of oil in the sea and Torrey Canyon disaster of 1997, in which more than 120, 000 tones' of oil was spilled on the sea showed the seriousness of the problem. After that IMO has introduced a series of measures to prevent pollution problems that is being caused due to oil spillage on the sea. It also started to address the incidental problems like cleaning of oil cargo tanks and the disposal of engine room wastes.

The resolution bearing no A 774[18] passed by the ' assembly' requested the member states to apply the voluntary guidelines to minimize the introduction of unwanted aquatic organisms and pathogens in ship's ballast water and sediment discharge.

Marpol

The most significant of all these measures was the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 relating thereto [MARPOL 73/78] and this covers also pollution by

goods in packaged form, by chemical goods, sewage, air pollution and garbage.

The treaties adopted in 1969 and 1971 as amended in 1992 and 2000 facilitated the aggrieved persons to claim monetary compensation for the effects of pollution caused by the spillage of oil in a simple and speedy process.

The International Maritime organization concentrates on standards for ship design, equipment, construction and manning –key treaties include SOLAS, the MARPOL convention for the prevention of pollution by ships and the STCW convention on standards of training for seafarers. Further, there are measures which recognize that accidents do happen, including rules concerning distress and safety communications, the International Convention on Search and Rescue and the International Convention on Oil Pollution Preparedness, Response and Co-Operation.

The first comprehensive anti-pollution convention that related directly to the reduction of international and accidental pollution by ships was the Protocol of 1978 relating to the International convention for the Prevention of Pollution from Ships, 1973. This convention was known as MARPOL which addressed the mitigation of pollution from oil.[3]

States' opinion of International Maritime organization as the only dependable voice in regulating maritime policy in general bestowed International Maritime organization rules on marine pollution more swift and broader legitimacy in the shipping community.

Counterfactually, a separate, strictly environmental secretariat administering OILPOL and MARPOL would perhaps have generated greater consequences to address marine pollution from sources other than vessels particularly land-based sources, an important chore that International Maritime organization has time and again considered as beyond its mandate. Such an organization, however, would have faced more industry resistance than did International Maritime organization in response to stringent rules because it would have had less legitimacy with the industry and the linkage with other maritime issues would have been minimized.

There are conventions which stipulate compensation and liability regimes including the International Convention on Civil Liability for Oil Production Damage, the convention prescribing the International fund for Compensation for Oil Pollution Damage and the Athens Conventions covering liability and compensation for passengers at sea.

Member states are responsible for inspection and monitoring of compliances . If a member country adopts voluntarily International Maritime organization's . Member State Audit Scheme and this is expected to play a major role in improving the implementation of International Maritime organization standards.

Further, International Maritime organization has a widespread technical co-operation program, which recognizes needs among resource-shy members and offers them assistance, like training. IMO has established three advanced maritime educational institutions in Malmo, Trieste and Malta.

The Global Maritime Distress and Safety System [GMDSS] helps a ship that is in distress which may be anywhere in the world can virtually assured of assistance despite the fact that the ship's crew do not have time to radio for help , as the message will be transmitted automatically. [4]

The International Safety Management Code and International convention on Standards of Training, Certification and Watch keeping for Seafarers are two important codes as they relate to human element in shipping.

The International Convention on Standards of Training, Certification and Watch keeping for Sea Farers which came into force from 1997 has greatly enhanced seafarer standards and IMO has given powers to check governments actions with parties required to submit information to IMO regarding their compliance with the convention.

New Conventions relating to the Marine Environment viz. anti-fouling systems [AFS 2001] and ballast water management [BWW2004] were adopted . Further, the International shipping, including the International Ship and Port Facility Security [ISPS] code was made mandatory under amendments to SOLAS which was adopted in 2002.

Amendments to the convention for the Suppression of Unlawful Acts [SUA] was made in 2005 which offers right to a state party who desires to board a ship flying the ship of another State party when such requesting party enough reason to believe that the ship or a person on board the ship, has been, or is about to be involved in, the commission of an offence under the convention.

Further classification societies based their classification criteria on International Maritime organization rules. Shipbuilders incorporated International Maritime organization rules into ship designs. International Maritime organization requirements are more concerned with labor, safety and other regulatory areas as well as pollution. The European, Latin American, Asia –Pacific and Caribbean Memorandum of Understanding has all been agreements to increase port state inspections for violations of all International Maritime organization agreements. International Maritime organization rules facilitated and encouraged this " nested cooperation" by offering ready-made and legitimate rules that nations could agree to enforce without having to negotiate their content.

It is to be noted that the first audits under the Voluntary IMO Member State Audit Scheme were completed at the end of 2006.

Conclusion :

After 9/11 attack on U. S. A , new amendments to the 1974 SOLAS convention were enacted and this amendment gave rise to International Ship and Port Security Code , which went into effect on 1 st July, 2004. Further, ISPS code mandated most ships and ports facilities engaged in international trade to institute and maintain strict security procedures as mentioned in port and ship specific Ship Security Plans and Port facility Security plans. The concept of the Code is to provide layered and redundant defenses against smuggling, piracy, terrorism and stowaways. IMO is accountable for publishing the International Code of Signals for use between naval and merchant vessels.

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[1] International Maritime Organization; Funk & Wagnall's New World Encyclopedia.

[2]Philip Fine, Keith Nuthall [2003], " IMO sets course for port securities", Security Management, Volume 47, Issue 4.

[3] Maritime Board, National Research Council, " Stemming the Tide ", National Academy Press, Washington D. C. 1996.

[4] http://www. imo. org/