



EUROPEAN MARITIME PILOTS' ASSOCIATION vzw

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Position of the Maritime Pilots

With almost 5.000 pilots from 22 European countries the European Maritime Pilots Association represents the large majority of all pilots.

We are pleased with the 3rd Maritime Safety Package. Although this package not only deals with technical measures there should have been more emphasize on the human element.

Improved Accident and pollution prevention

As pilots we have certainly witnessed the positive effects of increased Port State Control under the Memorandum of Understanding of Paris. It is only through this common European approach that substandard ships have been almost banned from our ports. However there still is hardly any control on ships in transit that do not call at a European port. These ships pass along our coasts and through particular sensitive sea areas in sometimes extremely dense traffic and adverse weather conditions creating a serious risk of pollution. Pilots had already an obligation to report defects and deficiencies on board ships under Council Directive 95/21/EC. The confirmation and even extension of the role of pilots under the proposal for a Directive COM (2005) 588 is positive.

Though the number of substandard ships has been successfully reduced pilots still board ships with 'substandard' crews. Some ship owners seem to go for minimum manning, minimum training and minimum experience in an effort to reduce costs. This is clearly not enough and further measures focusing on the human element are required.

Pilots are certainly not to be confused with Port State Control Inspectors or surveyors but their background of Master mariner or experienced officer does enable them to observe defects or a general condition of the ship which calls for a more profound inspection by PSC. In this way pilots can help to better target ships for inspection, reducing the burden for high quality shipping and contribute to an early warning system for sub standard ships. This does not change anything to the normal task of the pilot (giving advise to the master), or change the relationship between the master and the pilot.

Contrary to point 4.3.3. of the Draft Report of the EESC Working Group, EMPA is of the opinion that there can be no confusion between the tasks of the pilot and the obligation to report defects. To our knowledge pilots have always strictly complied with the obligation to report defects as formulated in Directive 95/21/EC and we have no reports that this caused problems or harmed the master-pilot relationship. Although pilotage is offered against payment the pilots have clearly public service obligations of general interest. To perform his/her tasks independently, giving priority to safety and finding the right balance between the interests of one ship and the remaining traffic, a pilots judgment should be free of commercial pressure. For this reason competition amongst pilot services has always been avoided world wide. However EMPA recognises that there might be a problem for Deep Sea Pilots piloting ships in The Channel, North Sea and Baltic Sea. Due to the fact that Deep Sea Pilotage is not compulsory these pilots could be under some commercial pressure with those ship owners that operate low standard ships reluctant to take a Deep Sea Pilot because he/she might report defects.

For EMPA it is remarkable that almost all prevention measures focus on oil tankers. Meanwhile container vessels are becoming ever bigger with increased risks of pollution in case of an accident or grounding. In this respect it is worth mentioning that large container vessels have a bunker capacity of up to 12.000 tons fuel oil, equalling the cargo capacity of a large tanker shortly after WWII.

The 3rd Maritime safety package introduces Automatic Identification Systems on fishing boats. Again a technical safety measure. We should not forget that a large group, including pleasure craft and inland barges, remains unidentified. Moreover, we like to warn that in congested waters AIS is already responsible for an overload of information which can distract the navigator.

Although the number of claims from shipping accidents has reduced the impact of any accident is now often enormous. Human error is still the main contributing factor with fatigue and lack of communication high on the list. Therefore EMPA likes to emphasize that for accident and pollution prevention the EU should not only look into technical solutions such as extension of VTS or implementation of double hull tankers but also into the human element.

The encouragement by the EU of taking a pilot or even the introduction of compulsory pilotage in certain areas (Bosphorus, Danish Straits, English Channel) for certain 'high risk' ships would have an immediate effect on the safety level. Even if this requires a redefinition of the 'right of innocent passage' as stipulated in the UN Law of the Sea (Convention of Montego Bay of 1982) or the Montreux Treaty for the Bosphorus.

EMPA agrees that EMSA is the right tool to create a level playing field by monitoring conformity in the application of legislation in all Member States. Priority should be given to the implementation of existing IMO/ILO rules avoiding new, strictly European, rules.

Dealing with the aftermath of accidents

EMPA recognises the benefits of carrying out investigations following accidents. Most pilots organisations have already experience with analysis of accidents and incidents on a national level, using the results in their training programs and continued proficiency. However, pilotage is per definition about local knowledge and procedures. Therefore a team investigating an accident or incident where a pilot is involved should always include senior local pilots.

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