

Fundamental changes are needed in the governance of maritime safety

By Jenni Kuronen

The risk of a large oil accident in the maritime traffic of the Gulf of Finland and of the Baltic Sea has aroused wide concern in society. Many efforts by several actors have been done to prevent an oil accident or to decrease its harmful consequences. International actors, such as EU or HELCOM, states, NGO's, researchers and the companies in the sector all seem to share the concern.

Several preventive policies have been adopted to control the sea traffic in the Gulf of Finland, for example Mandatory Ship Reporting System (GOFREP) and the deep-water (DW) route on the southern side of Suursaari. New risk control options are also under development, for example Tanker Safety Project initiated by the John Nurminen Foundation, and the development of real-time risk analysis systems (e.g. *EfficienSea* Project). In addition, several new suggestions have been made on how to improve maritime safety in the GoF, for example extension of the VTS center authority and requirement of a winter navigation certificate.

Although the goals of all these efforts are undoubtedly good and they might be needed in the short-term, over a longer period of time this may result to burdening the shipping industry with excessive rules and additional costs, which reduce the risks of accidents only little. The amount of maritime safety regulation is extensive already now, ranging from safety of humans, ships, cargo and environment to security issues, and from international level (International Maritime Organization IMO) to regional (e.g. European Union) and national level. Still, accidents and incidents happen at sea and it seems that there are some fundamental problems in the maritime safety policy system.

International shipping industry needs international rules. Maritime safety issues are to a great extent handled in the IMO, which is the organization of United Nations. The work of IMO is based on national representation and on the implementation of regulation by flag states. Flag states have very different standards in implementing the regulations. The system allows the existence of flags of conveniences, which in turn enable operation for obscure and uncaring shipping companies. Nation states are many times promoting their national interests in IMO instead of promoting maritime safety interests. As a result, the regulation process in IMO tends to be slow and the result is often a compromise of compromises. Incapability of IMO to provide fast and effective responses has lead to the activity of other actors to regulate maritime safety, for example of the European Union.

Traditionally maritime safety regulation focuses on technical aspects and it tends to be reactive instead of proactive: regulations are revised when a major accident has happened. Often this kind of post-accident policy is not very comprehensive and some particular technical risk gets too much attention. The shipping companies have to make expensive repairs to ships, although some technical feature may not be the risk in itself – more crucial is how that feature is taken into consideration in the operation of a ship.

Actually, it is a commonly repeated statement that over 80 % of sea accidents are caused by human error. Still majority of the maritime safety regulation addresses all the other issues except human factor – probably because

human factor issues are considered difficult. Human factor issues do not only deal with the actions of a single seafarer – it also includes broader issues such as safety culture, organizational culture and safety management. Many times a human based error is only the final link of a long and complex chain of organizational and operational errors both onboard of a ship and onshore in the shipping industry and in the shipping companies. The competition and economic pressures in the shipping sector are fierce. New regulations often add, for example, to the bureaucracy and paperwork in the ships. Workloads of seafarers increase and they suffer from fatigue, which is already a remarkable risk to maritime safety.

In short, maritime safety risks stem largely from the structure, social organization and economic pressures of the shipping industry. Many of the current maritime safety regulations are more like band-aid solutions instead of actually interfering with the causes of safety problems. If maritime safety policy is wanted to be truly effective, fundamental changes in the system are needed. First, international regulation system must be built so that it doesn't allow sub-standard shipping in any part of the world. Second, the regulation processes in IMO must present interests of maritime safety and the shipping industry itself instead of national, protectionist interests. Third, and the most important from the point of view of human factor, are the spontaneous activities of companies in maritime safety issues. Command-and-control policies can improve the situation but not make the needed fundamental changes. If a shipping company acts responsibly, takes care of safety issues properly and has motivated and committed personnel, detailed maritime safety regulations are not needed to ensure maritime safety. Maritime safety is also an interest of seafarers and the shipping companies, but the circumstances have to support the safe working environment in the shipping industry. Thorough reflection is needed on how shipping companies can be encouraged to operate responsibly and how unhealthy competition in the shipping industry can be prevented.

Although for us, who live in the vicinity of the Gulf of Finland and the Baltic Sea, safety at sea is of great importance and a large oil accident would be highly undesired, we have to remember that for seafarers, the Gulf of Finland and the Baltic Sea are only part of their journeys and maritime safety is as important issue elsewhere as it is in the Baltic Sea. The development of maritime safety policy regulation requires a comprehensive point of view.

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