

Tackling terrorism

The International Maritime Organisation has been working on the issue of maritime security since the end of last year, with a conclusion to come in December at the Diplomatic Conference. The recent incident involving the VLCC Limburg has given the industry a grim reminder of just how important this issue is

On October 6, 2002, an explosion occurred in the vicinity of the French-flagged, Euronav-owned very large crude carrier (VLCC) Limburg while she waited off the coast of Yemen for a pilot to board. The vessel rocked, fire broke out and oil began to spill from one of the tanker's cargo tanks.

As soon as news of the incident began to leak out, suspicions about the true cause of the damage were immediately raised, and speculation reached fever pitch after it was revealed that a junior officer had spotted a small craft approaching the tanker shortly before the explosion. Within the space of a few hours of the incident occurring, press reports were freely coupling the names of the Limburg and the USS Cole, which was rammed by a boat carrying explosives in Yemeni waters on October 12, 2000, resulting in the loss of 17 crewmembers and extensive damage to the vessel itself.

The French government acted quickly to investigate the incident and was careful not to intimate that it thought that terrorism might be the root cause. The Yemeni government, meanwhile, declared that it believed that the explosion had occurred from within the vessel.

According to Capt Peter Raes, director of France Ship Management, a subsidiary of Euronav and the company which oversees the technical management of the Limburg, the company's position was difficult, as the situation was so politically sensitive. "I knew after two hours that it was a terrorist attack. We were there with the whole crew, the ship was in Yemeni waters - as long as I didn't have proof, I couldn't speak out," he says.

From the first, he says, he believed that the vessel had been the victim of a terrorist attack, as the Limburg was a brand new double-hull VLCC and the explosion had managed to rip through both hulls.

It has now been proven to everybody's satisfaction that it was indeed a terrorist attack. "The conclusive evidence was that 90 per cent of the ship was inward. We found debris onboard as well," says Capt Raes. In addition, traces of TNT were found onboard the damaged tanker.

The Limburg has now been released by the Yemeni government and at the time of writing is in Fujairah transshipping its remaining cargo and awaiting further examination.

IMO moves forward

Ever since 9/11, more than a year before the Limburg incident occurred, the International Maritime Organisation (IMO) has been working hard to push through the amendments to Chapter XI of the Safety of Life at Sea (SOLAS) Convention, which deals with maritime security. The amendments and other measures proposed earlier in the year included the following:

1. To accelerate the implementation schedule for the mandatory fitting of Automatic Identification Systems (AIS) for all ships of 500 gross tons (gt) and above;
2. To amend SOLAS Chapter XI to include special measures for maritime security;

3. To require the carriage, through the ISM Code, of ship security plans by all ships of 500 gt and above engaged in international voyages;
4. To include a requirement for a ship security officer in the ISM Code;
5. To incorporate a requirement for a company security officer;
6. To incorporate a requirement for port facility security plans, but addressing only the ship-port interface;
7. To incorporate a new requirement for port vulnerability assessments;
8. To work with the International Labour Organisation (ILO) to update seafarer identification documents;
9. To engender transparency of ship ownership.

The topic was further discussed at an intersessional meeting of IMO's Maritime Safety Committee (MSC75), which took place on September 9-13, 2002. The main focus of this meeting was the ship-port interface, arguably the most difficult aspect to deal with in terms of security.

The Maritime Security Working Group (MSWG) of MSC put forward an International Ship and Port Facility Security (ISPS) Code, as part of SOLAS Chapter XI, consisting of two parts, one mandatory and one optional. According to IMO, "The overall objectives of the Code are to establish an international framework involving cooperation between Contracting Governments, Government agencies, local administrations and the shipping and port industries to detect security threats and take preventive measures against security incidents affecting ships or port facilities used in international trade."

The industry is, however, displeased with several aspects of Part A of the proposed Code. The use and cost of armed guards in ports, for example. Currently, the cost of these guards are being allocated to the shipowner. The International Association of Tanker Owners (INTERTANKO) has pointed out that as the port receives the benefit of these guards, it is "utterly unfair" that the cost should be borne by the shipowner. In addition, there are safety concerns surrounding the use of loaded firearms near loading or discharging tankers.

The industry is also keen to ensure that the cost incurred by ports to improve their security measures and facilities should not be passed on to the shipping industry, directly or otherwise.

Under discussion as well is the idea of engraving IMO numbers on vessels' hulls in order to prevent hijackers from 'renaming' them.

But the overarching issue remains: even with the best ship security plan in the world and the best trained ship security officer and having taken every precaution possible, what happens if the security at a particular port is lax and an incident occurs? The system being proposed involves the categorising of ports on a scale of 1 to 3, with 1 being highest security and 3 being highest risk. What assurances will the industry have that the governments responsible for ports, as well as the commercial ports, will take the initiative and ensure the security of their facilities?

According to one industry participant, the national aspect of port security is what complicates the issue. "Obviously there are some ports that have very strict security plans. But I still have to wonder how the whole thing will fall into place and how some of these governments will apply it.

"Again, you're coming into the sovereignty thing. How deep can industry go into a port and say, well, your security is not there?"

"What concerns me is the attitude of the US towards these ports that do not have security plans. The contracting governments will do the security assessment of the facility and from that assessment will be the requirement for a plan. But even within the IMO rules, there is the fact that a ship calling at a port that doesn't have a security plan can be taken non-compliant. The emphasis is always coming back onto the ship."

What class can do

Both flag and class will be getting involved as well. It will fall to flag, in some cases an arm of the government, to determine the level of security a ship should maintain when going into specific ports. There are questions about how flag will carry out this responsibility, but it already looks extremely likely that class will step in, in the capacity of Recognised Security Organisations (RSOs), an extension of the Recognised Organisation (RO) status that many classification societies already hold. Class is already working on developing the necessary competencies and outlining what will fall within their remit as RSOs.

"Most of the major members of IACS [International Association of Classification Societies] have indicated that they are interested in becoming qualified as RSOs and getting authorisation to carry out these duties," says Jack Spencer, vice-president of technology for ABS. "What we're doing at ABS is getting ourselves ready for this, and we're looking at what the Code and the requirements are calling for and figuring out how we can best prepare ourselves for this job. And of course in December, when this is finalised at IMO, we'll have a much better idea of what is going to be expected of us and how we can best respond to what the needs are."

What flag can do

Where flag has already proven to be effective, at least in the case of France, is in the accident investigation surrounding the Limburg. According to Capt Raes, the French government was instrumental in helping the company to investigate the incident and to get the vessel released once the investigation was concluded. "I really wonder what would have happened if I had been with a flag of convenience," says Capt Raes. "The ambassador helped us continuously and the French government as well. I can't stress enough how much that national flag helped us."

According to Capt Raes, the majority of Euronav's fleet is flagged in France and the entirety of the fleet flies European flags.

Flag can help in other ways as well by safeguarding owners. LISCR, for instance, has launched a new SmartCard initiative which identifies seafarers by their fingerprints in order to avoid certificate fraud and to close loopholes in the certification process for would-be terrorists seeking to find their way on to commercial ships.

Preventing attacks?

In spite of the good work being done at IMO at record speed (keeping in mind how long deliberations at IMO usually take), there are still questions remaining about how effective the new measures will be. Shipowners feel that they will effectively continue to be at the mercy of forces outside of their control.

"We ourselves are going to be moving now to develop a shipboard assessment and develop ship security plans and get people trained as security officers," says Mike Shuker, senior vice president of Greek tanker operator Ceres Hellenic. "But at the end of the day, nothing coming out of IMO or the US regarding shipboard security will stop anything like the Limburg."

The person who is in the best position to know agrees wholeheartedly. "I don't see any real thing the shipowner can do," says Capt Raes. "We're sitting ducks. With a ship like that stopping to take the pilot, we can't do anything unless the port authorities do something to defend the ships."

"The vessel had inert gas and a double hull, which definitely helped to limit the pollution; this was a brand new ship with everything working 100 per cent. Compared to the Cole we came off quite nicely. But the Limburg isn't a battleship. Even the Cole couldn't protect itself against this."