

ISPS - the latest

Here is our round-up of the latest frantic work to comply with the ISPS code

Goodbye to the age of innocence. The post-September 11 shakeout is gradually filtering down to impact most aspects of the transport business, and now it is the turn of the maritime sector.

The imposition of new security controls requires seafarers to adopt a new mindset. Ask any old salt, and he will tell you that it has traditionally been the easiest thing in the world, getting onboard a ship tied up in port.

In the unlikely event that a member of the crew was encountered near the head of the gangway, they would invariably stand aside to let the newcomer onboard without a query, especially if the stranger looked in any way officious.

With the air transport security regime now more or less in place, it is said that terrorists now regard maritime transport as an attractive target, i.e. a business activity which offers a comparatively low-risk way of causing major disruption and uncertainty.

Against this background, the introduction of the new International Ship and Port Facility Security (ISPS) Code, which enters into force on July 1, 2004, is meant to consign the laissez-faire attitude of ship crews to the history books and to make terrorists think twice about choosing ships and ports as a means of wreaking havoc.

Done deal

Adoption of the ISPS Code was one of the quickest rulemakings ever completed by IMO.

Although only finalised relatively recently, the Code has been available long enough for the maritime industry to have made substantial progress in the advance preparations required for proper implementation.

Such progress is needed if owners of ships and port facilities are to have the necessary security plans prepared and vetted and their systems certified in plenty of time for the implementation date.

Port states, which have promised that they will enforce the ISPS Code robustly, have left them in no doubt that they must move quickly.

Many port states are already running pre-implementation programmes, and issuing warning letters to owners where the relevant documents are not in place and other non-compliances are found.

Port state control regimes worldwide are adamant that there will be no relaxation from the requirements of the Code. Ships not in full compliance from July 1 stand a good chance of being refused entry into port.

Advance preparations

As part of the pre-implementation warning process, port and flag states are alerting owners that the preparation of a ship security plan (SSP) is a considerable undertaking, as is its vetting by a responsible security organisation (RSO) appointed by the ship's flag state.

The SSP needs to be in place on the ship, and to be used as a working document, for at least 60 days prior to July 1.

The completion of the necessary security training is another major commitment for which shipowners have been advised that they need to plan ahead to ensure it is completed in time.

All seafarers are required to undertake some basic training, while officers need additional training and the ship security officer (SSO) the highest level of training amongst shipboard personnel.

Shipping companies are allowed to devise their own SSO training programmes, but these need to be supervised by the shore-based company security officer (CSO). CSOs themselves need to have some type of "train the trainer" instruction. Most flags are specifying the need for at least a three-day training programme for SSOs and CSOs. RSOs are requiring CSO training to be audited.

Desultory progress

Once an RSO has verified that a ship is in compliance with the mandatory requirements of the ISPS Code, the flag state is entitled to authorise the issuance of an International Ship Security Certificate (ISSC).

The issuance of an ISSC is also now an International Ship Management (ISM) Code requirement.

The US Coast Guard and the 21 Paris MOU port states, amongst others, have said that, from July 1, 2004, they will not permit entry of ships without an ISSC to ports over which they have jurisdiction.

In a fashion that has become all too familiar, as evidenced by the laggardly implementation of earlier IMO initiatives, shipowners have once again dragged their feet in taking the steps necessary to ensure a smooth introduction of the ISPS Code. Despite the unambiguous warnings from the US Coast Guard and the Paris MOU, as of mid-February 2004 only 200 or so ISSCs had been issued, even though the number of ships worldwide that will require such certification if they are to continue to trade internationally stands at approximately 40,000.

Use the experience

In contrast to the singular lack of progress made by shipowners, port state inspectors and RSO auditor training programmes have been well-attended and running smoothly for several months.

The leading flag states, too, have developed and implemented the requisite backup systems and are keeping their shipowners and RSOs posted as regards their ISPS Code obligations through regular advisory notes and briefing sessions.

With their pre-implementation programmes up and running, port state control inspectors are building up an awareness of the ISPS Code. The six-month run-up to July 1 is also enabling the enforcers to finalise some of the still-outstanding question marks surrounding the new regime.

Not least of these is the need to agree precisely what constitutes "clear grounds" for non-compliance with the provisions of the ISPS Code.

In a similar manner to port states, RSO auditors are also quickly getting up to speed on the Code as their backlogs of SSPs requiring verification begin to build. In contrast, those shipowners yet to make a maritime security commitment are in danger of being left behind.

However, there are opportunities for shipowners to benefit from the experience of others, not least by analysing the warning letters they are being issued by the PSC authorities during the pre-implementation phase, especially where the non-compliances are outlined.

This feedback will not only help identify the trouble spots requiring remedial action but also leave owners in no doubt about the importance of July 1.

Tankers ahead

Of all shipowners, those engaged in tanker shipping have been least taken aback by the ISPS Code.

The inherent need for tankers to operate in compliance with rigorous safety regimes, not least when the ship is tied up at the jetty handling cargo, has stood tanker owners in good stead when implementing their SSPs.

Many of the elements of these plans are straightforward, commonsense measures already followed as part of tanker company safety policy.

Most in the maritime industry are realistic enough to understand that the Code is not a miracle cure for the terrorist threat. However, if properly implemented, it will reduce the opportunities available to those who seek to attack ships or use them to advance their causes, with scant regard for life or property.

Those promoting the cause of maritime safety also point to the unexpected safety benefits that will accrue from a strong commitment to the ISPS Code, as will a reduction of the piracy threat.

As an example, a no-nonsense approach to security in the airline industry is said to have made air travel, already a low-risk option, one of the safest activities in which mankind can engage.