

IMO's work on Human Element issues - Some thoughts

Jørgen Rasmussen

Visiting Professor World Maritime University

You could say that IMO's work on human element issues began formally in 1991 with the creation of the Joint MSC/MEPC Working Group on the role of the human element in maritime casualties, which has later been renamed the Joint Working Group (JWG) on the Human Element.

Actually, IMO had been working on human element issues long before that. Just think of the STCW Convention. What is true, however, is that the work had not been carried out in a very structured and holistic manner.

What is the situation now 18 years after the establishment of the group?

In order to evaluate that, I think it is a good idea to look at human element issues from two different angles:

- a practical/technical/operational angle;

and

- a visionary/philosophical angle.

The *practical part* could be seen as the 'easy' part. A few examples will give you the general idea:

During the Group's first years of work it concentrated primarily on matters related to safety management, Port State Control (PSC) on operational requirements and development of a common structure for shipboard emergency plans. The practical results of this work were, *inter alia*, the ISM Code and amendments to the guidelines on PSC.

The ISM Code has been attacked by many: it has been called a 'paper tiger', toothless', 'superbureaucratic', etc. It seems to me that many of the critics have not really read the Code or they have not understood the basic principles – some may not want to understand! The Code is not to be seen as the solution to all problems – but it is a valuable step forward. One basic and general principle is 'Keep it simple'.

In another part of IMO, the Sub-Committee on Bulk Liquids and Gases (BLG) has developed Guidelines on the Basic Elements of a Shipboard occupational health and Safety Programme. The Guidelines were approved by the IMO Committees and issued as MSC.-MEPC.2/Circ.3 in June 2006.

The impact on the industry of these guidelines is unknown to me, but it would be interesting if someone could have a look at it.

The *visionary part* has been more difficult. The JWG has developed a number of documents, among which resolution A.947(23) on the Human Element Vision, Principles and Goals for the Organization. This resolution has been supplemented by several circulars (MSC.-MEPC.7 series). One of the circulars provides a checklist to be completed by all relevant IMO bodies

before approving or adopting amendments to mandatory and non-mandatory IMO instruments.

Member Governments are also encouraged to complete this checklist before submitting proposals for development or amendments to IMO instruments and submit a completed checklist accompanying relevant proposals.

To the best of my knowledge, no systematic analysis has been carried out on order to evaluate the results of the use of the checklist. Again, this might be a worthwhile exercise.

Co-operation between ILO and IMO

For years I have been advocating a closer co-operation on human element issues between the two UN sister organizations. For reasons of bureaucracy or whatever, the establishment of a group with open-ended participation from both organizations and with an open agenda has not been possible.

During the recent MEPC session in June this year the IMO JWG on Human Element recommended to MSC that a Joint ILO/IMO Working Group be established with an extremely narrow agenda and a correspondingly narrow name.

This is very disappointing, not least seen in light of the Maritime Labour Convention, 2006 coming into force soon. We really need close co-operation and exchange of ideas and experience. It has to be remembered that in many cases the delegations of States to ILO are different from those going to IMO.