



PROBLEMS OF STCW 95 WHITE LIST UPDATING

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ABSTRACT

The commercial shipping has passed the first significant chart point on the way to comply the STCW 95 provisions, it was the 1st of August 1998, by this day Parties to the Convention submitted their reports to show that they had given full and complete effect to STCW 95 provisions.

The second significant event is the publication of so-called White List. The next one is the recognition of certificates and another date is the 1st of February 2002. By this date all seafarers must be educated and trained in compliance with the new standards and all seafarers must carry STCW 95 certificates.

After that every five years Parties to the Convention must report to IMO on the independent evaluation of training, education, assessment and certification activities to update the White List.

The paper presents the optimization procedure of collecting and evaluating this information based on logical mechanism of checking.

RECOGNITION OF CERTIFICATES

The procedure of recognition of certificates in accordance with STCW 95 provisions is Provisions of the Convention, the Secretary – General shall submit a report to this effect to

covered by “interlocking network of control mechanisms” , Dearsley [1] , and to review one of these mechanisms we have to go through this procedure step by step [2]:

1. In accordance with Article IV (1) (a,b,c) , Regulation I/7 and section A-I/7 each Party shall communicate the information to the Secretary- General of IMO.

2. By Article IV (2) the Secretary –General shall notify all the Parties of the receipt of any communication under paragraph (1)(a).

3. Following the section A-I/7 and paragraphs 5-7, the Secretary –General shall maintain the list of competent persons approved by the Maritime Safety Committee.

4. In accordance with provisions of section A-I/7, paragraph 9, when preparing a report to the Maritime Safety Committee ...the Secretary-General shall seek clarifications from the Party and identify any area in which the Party may have requested assistance to implement the Convention.

5. Following the requirements of section A-I/7, paragraph 8 the competent persons shall, on confidential basis, express their views in writing on submitted information.

6. When the complete information has been received and such information confirms that full and complete effect is given to the

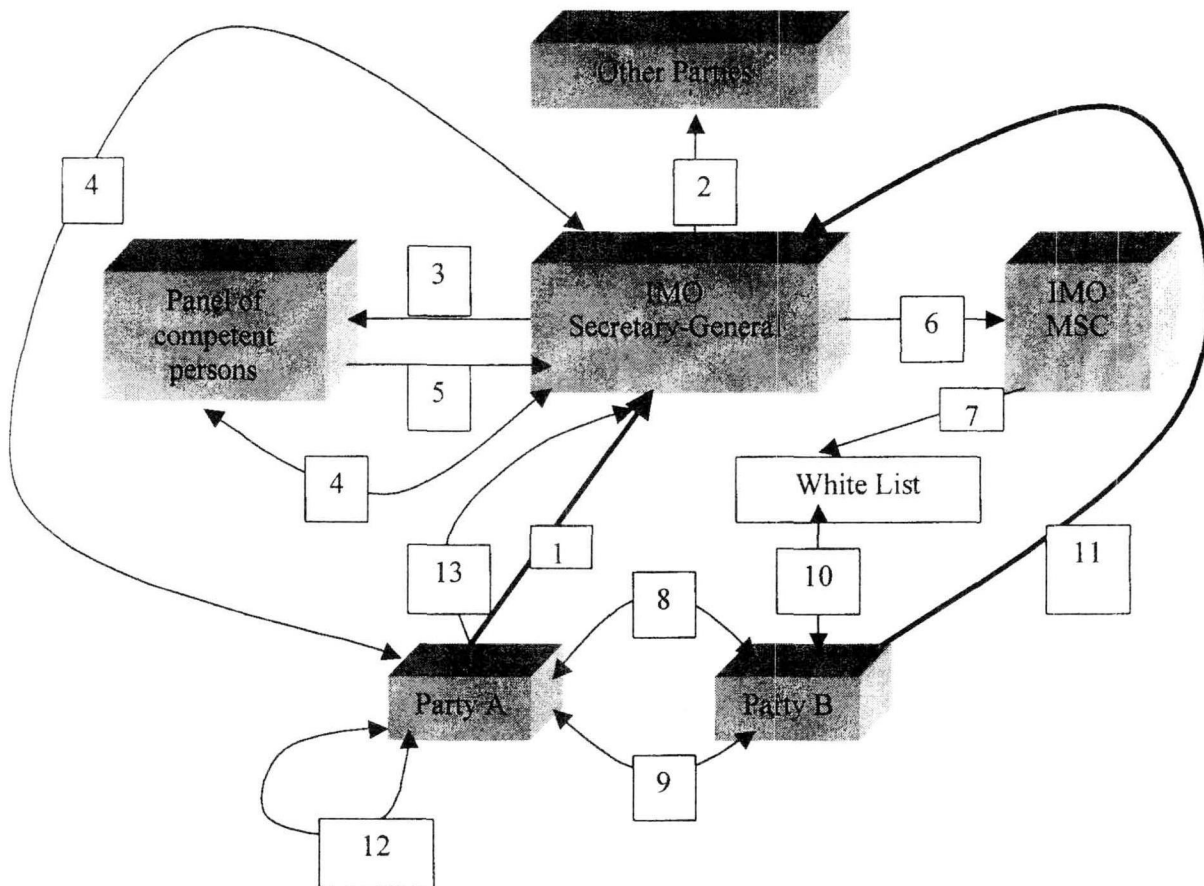


Figure 1. Information links in STCW 95 White List procedure

the Maritime Safety Committee (Regulation I/7, paragraph 2.)

7. Identification of White List at the session of the Maritime Safety Committee, (Regulation I/7, paragraph 3.1).

8. The Party shall arrange the control procedures under Article X in the ports of a Party (Regulation I/4).

9. To recognize the certificates of the other Party the Administration has to confirm, through all necessary measures, which may include inspection of facilities and procedures... that the STCW 95 requirements are fully complied with, (Regulation I/10, Regulation I/4, paragraph 1/1).

10. After the identification of White List in accordance with Regulation I/7, paragraph 3.2.

other Parties shall be entitled, subject to the provision I/4 and I/10, to accept, in principle that certificates issued by or on behalf of the Parties identified in paragraph 3.1 are in compliance with the Convention.

11. In accordance with the Regulation I/10, paragraph 3, information provided and measures agreed upon under this regulation shall be communicated to the Secretary – General on conformity with the requirements of regulation I/7. Regulation I/4.

So, the procedure of recognition of certificates, which goes through the White List is rather hard and long. Only the White List part takes in average 21 weeks, but maximum time is more than 1.5 year. The geometrical interpretation of this way is given by the graph in figure 1.

INDEPENDENT EVALUATION

To show that Party is continuing to give full and complete effect to the applicable provisions of the Convention required by regulation I/8 of STCW 95 and section A-I/7 of the Code it is necessary to arrange the independent evaluation and submit the appropriate report to the Secretary –General.

The following steps are to be made:

12. Paragraph 2 of STCW 95 regulation I/8, together with section A-I/8 of STCW Code, requires each Party to carry out an independent evaluation of its training, assessment and certification system at intervals of not more than five years.

13. Paragraph 3 of regulation I/8, together with paragraph 4 of section A-I/7 of STCW Code, requires that results of the evaluation be reported to the Secretary-General within six months of its completion.

14. Paragraph 4 of section I/7 of STCW Code briefly outlines the information to be included in the report.

15. Paragraph 8.2 of section I/7 of the Code states that the competent persons appointed by the Secretary –General are to express their views in writing on that report.

16. Beginning from step 6.

After that the situation is regulated by paragraph 3 of regulation I/7.

So, we can see, that the White List way is the part of the recognition of certificates procedure and independent evaluation has to repeat the same way through positions 1-11 in the figure 1.

The results of independent evaluation means the dynamic White List. It is not an easy way to go through such a procedure every five years and we have to use the first White List

experience not to waste a lot of time and not to make mistakes. To be effective the procedure of independent evaluation has to be prepared in advance and maximum formalized for inspection of competent persons. Singapore initiated the problem at the 31st session of STW Sub-committee, Singapore [3].

By our opinion the independent evaluation means the following:

- independent evaluation inside the country
- using of independent information sources such as:

- authorities
- maritime institutions (academies)
- training centers
- shipping and crewing companies
- regional PSC
- data bases of other countries, etc.

- independent evaluation of submitted to IMO report by the panel of competent persons.

INFORMATION FOR INDEPENDENT EVALUATION

To follow the above said we propose the set of information tables for independent evaluation (Appendix) and logical mechanism of their work that is on the graph in Fig.2.

By our opinion the items of evaluation may be as follows:

A. List of national documents issued in compliance with STCW 95 provisions .

B. General plan of the independent evaluation in accordance with paragraph 2, regulation I/8 of STCW 95.

C. Extent of compliance of national legislation to STCW 95 provisions.

A,B and C form the national legal base of STCW 95 and self-evaluation will help the

Party and competent persons to review the real situation in this area.

K. Countries recognizing the certificates of the Party.

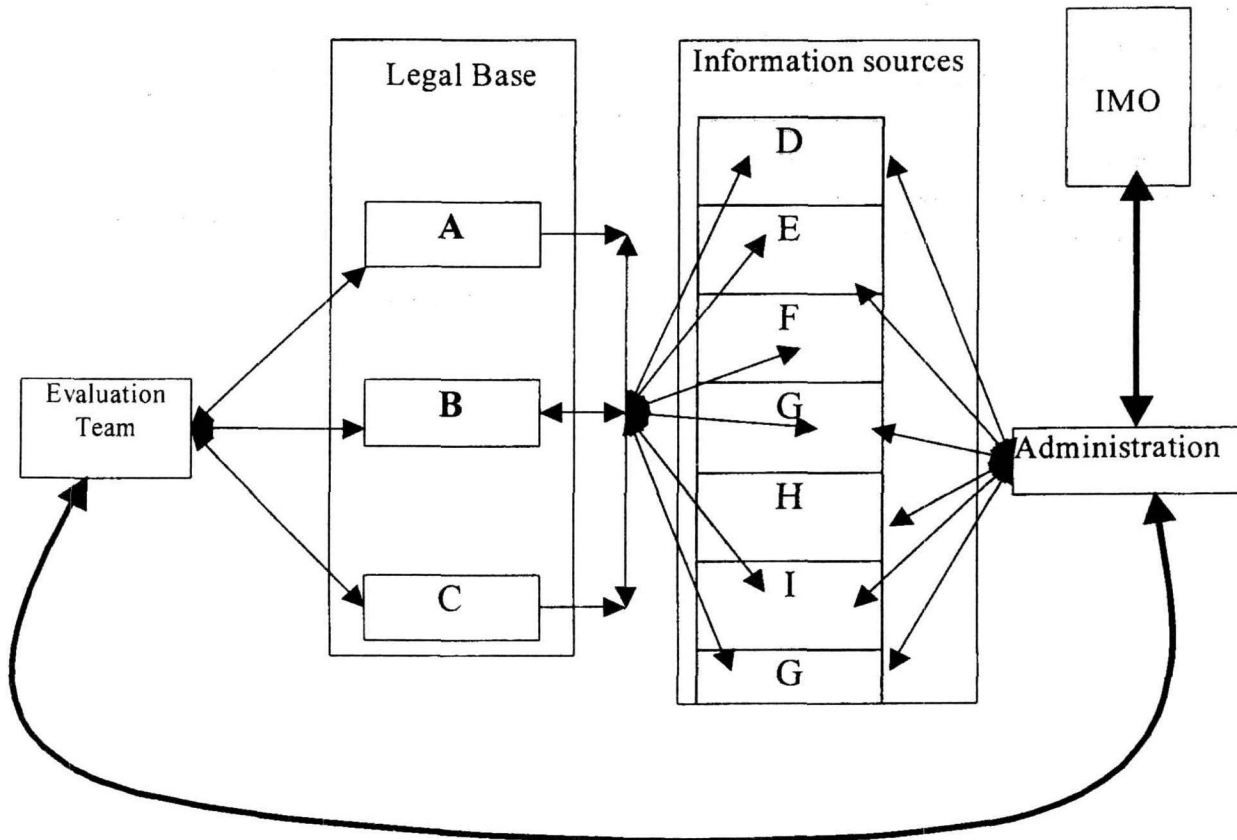


Figure 2. Logical links of an independent evaluation procedure

Independent sources of information will help to make the evaluation more effective firstly for the Party to be evaluated. These sources are:

D. Educational institutions (academies) carried out the education and training of seafarers.

E. Maritime training centers carried out the training of seafarers.

F. Shipping companies carried out the on board training of seafarers.

G. Authorities responsible for issue of certificates.

H. Port State Control

J. Countries which certificates are recognized by the Party.

K. Information sources about accidents related with non-fulfillment of STCW 95 requirements.

REFERENCES

1. Dearsly D. STCW 95: Are we getting there? Manning and Training Conference, 8 September, 1999.

2. STCW 95, Saint-Petersburg, CNIIMF ltd, 1996, 551 p.

3. Guidance on the preparation and review of independent evaluation required by STCW regulation I/8 and section A-I/7 of the STCW Code, STW 31 Working paper 31/5/3 submitted by Singapore.

APPENDIX

Information tables

F. List of national documents issued in compliance with STCW 95 provisions

N	Official name of a document	Date of entering into force
...		

B. General plan of the independent evaluation in accordance with paragraph 2, regulation 1/8 of STCW 95

	Object of evaluation	The team , carried out the evaluation	Qualification and experience of the evaluation team members	National legal base for evaluation (N from list A)

C. Extent of compliance of national legislation to STCW 95 provisions

STCW 95 regulati ons	Not applicable	Extent of fulfillment of STCW regulation			Document from table A covered the regulation		Deficiencies (if any in)	
		Not comply	Compl ies	Higher than requires	N	Paragrap h(s)	B rief descrip tion	Correc tive measures
...								

D. List of educational institutions (academies) carried out the education and training of seafarers

N	Institutio n	Type of diploma/certificate issued	Compliance to STCW 95 provisions		Actions and terms for improvement (if necessary)
			Compl ies	Not comply	

E. List of maritime training centers carried out the training of seafarers

N	Training center	Type of certificate issued	Compliance to STCW 95 provisions		Actions and terms for improvement (if necessary)
			Compl ies	Not comply	

F. List of shipping companies carried out the on board training of seafarers

N	Shipping company	Flag	Compliance to STCW 95 provisions		Actions and terms for improvement (if necessary)
			Complies	Not comply	

G. Authorities responsible for issue of certificates

N	Name	Type of certificate issued	Compliance of certification procedure to STCW 95 provisions		Actions and terms for improvement (if necessary)
			Complies	Not comply	

H. Detentions of ships by PSC during 5 years for non-compliance to STCW 95

N	Regional PSC	Number of ships	Shipping Company	Reasons for detention	Actions and terms for improvement (if necessary)

I. List of countries recognizing the certificates of the Party

N	Country	Date of recognition

J. List of countries which certificates are recognized by the Party:

N	Country	Date of recognition

K. List of accidents related with non-fulfillment of STCW 95 requirements:

N	Ship	Year	Shipping company	Type of accident	Which provisions of STCW 95 are infringed	Actions and terms for improvement (if necessary)