

The 13th Annual General Assembly of the IAMU

**Expanding Frontiers -
Challenges and Opportunities in Maritime Education and Training**

A Code of Conduct for Shipmasters

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Abstract: In the aftermath of the recent “Costa Concordia” disaster several media reports raised the question whether Shipmasters are bound by some kind of “Code of Honour” or “Code of Conduct”. In other industries and professions such codes have been in existence for a long time. This paper addresses the following research questions:

- Is there a need for a code of conduct for shipmasters?
- What are the useful elements of such a code?
- Can codes of conduct be trained within MET?
- What are the appropriate training methods?

The methodology employed is a literature review in combination with a global online survey. The online survey was conducted among members of IFSMA including its National Member Associations.

Keywords: Code of conduct, MET, Shipmasters' responsibility

1. Introduction

Not long after the first information about the collision with a rock off the coast of the Italian island of Giglio and the subsequent sinking of the Italian flagged cruiseship MV “Costa Concordia” became public the media started to raise questions not only about the “how” and “whys” but also about the duties and obligations of a Shipmaster, particularly in cases of emergencies on board.

Of course there are legal responsibilities deriving from international and national law as well as the standing orders from the shipping company which already provide a framework of legal responsibilities of the individual shipmaster. But how has the Shipmaster to conduct

himself in situations where there is no provision made in the applicable law nor in the standing orders?

For example, immediately after it became public that the Italian master of the ill-fated “Costa Concordia”, Captain Schettino, had left the sinking vessel before all passengers were evacuated the question was raised about the legal provisions on how long a master has to stay on board. According to a brief survey amongst the IFSMA membership (representing 65 different nations) it seems that only the Swiss Shipping Law provides a clear statement that the master has to be the last to leave his ship. But this leaves the question of how to proceed open for the majority of the shipmasters.

Consequently the media started to make reference to a “Code of Honour” which would give guidance to the shipmaster in all circumstances where there is no defined legal provision available. As a result of a very brief survey amongst the members of the IFSMA Executive Council it appears that there is only one early draft of a “Code of Conduct” available which was proposed to IFSMA some ten years ago.

In order to stimulate the discussion about the necessity of a Code of Conduct for Shipmasters, but also to collect the professional views of shipmasters on the subject matter an Online-Survey was initiated by the Centre of Maritime Studies together with IFSMA, the International Federation of Shipmasters’ Associations.

The purpose of professional Codes of Conduct, the findings derived from the Online-Survey as well as some first thoughts on how to integrate the familiarisation with a Code of Conduct for Shipmasters into MET will be discussed in the following paragraphs.

2. Professional Codes of Conduct: Functions and selected examples

Professional codes of conduct or codes of ethics have been in existence for a long time. Most probably the ancient Hippocratic Oath can be regarded as the root for all modern professional codes of conduct. The Hippocratic Oath still requires physicians “to prescribe only beneficial treatments, according to his abilities and judgment; to refrain from causing harm or hurt; and to live an exemplary personal and professional life.”[1] Today, especially professions with a close interaction to their respective customers or clients tend to apply codes of conduct, sometimes only on the corporate level but in many cases also or exclusively on the level of their professional associations. For example, the American “National Association of the Deaf (NAD) and the Registry of Interpreters for the Deaf, Inc. (RID)” delivers to its members a very detailed code of conduct in line with the following definition: “A code of professional conduct is a necessary component to any profession to maintain standards for the individuals within that profession to adhere.”[2]

Examples for professional codes of conduct can also be found in maritime industry related professions. The Federation of National Associations of Ship Brokers and Agents (FONASBA) is one case in point: FONASBA has issued a general code of conduct which has been adopted by a number of its member associations. In chapter 3 of that general code, the following rules of the professional code of conduct are stipulated:

“Members will:

- (1.) ensure that all activities are carried out honestly within the highest standards of professional integrity,*

- (2.) *by proper management control, create and maintain a high standard of confidence that all duties will be performed in a conscientious and diligent manner,*
- (3.) *observe all national and international laws and any local regulations appertaining to the shipping industry*
- (4.) *operate from a permanent address with all the necessary facilities and equipment to conduct business in an efficient and timely manner,*
- (5.) *take great care to avoid any misrepresentation and ensure that all activities are subject to the principles of honesty and fair dealing,*
- (6.) *ensure that for all dealings, the necessary authority is held from the proper party and that no action will be taken which knowingly exceeds that authority,*
- (7.) *ensure that brokers, acting for an owner, shall only offer firm a vessel for any one cargo at any one time,*
- (8.) *ensure that charterers' brokers will only make firm bids of a cargo or cargoes to one vessel or one shipowners' broker at any one time,*
- (9.) *ensure that a vessel or cargo will not, in any circumstance, be quoted unless duly authorised by a principal,*
- (10.) *ensure that all business enquiries are bona fide by making all reasonable enquiries before placing them on the market.” [3]*

A recent and prominent example for the introduction of a new professional code of conduct is the MBA Oath which should give orientation and guidance to MBA (Master of Business Administration) graduates and has been sworn by almost 7,000 MBAs since its introduction in 2009.[4]. The MBA Oath is interpreted as “part of a larger effort to turn management from a trade into a profession” [5] Indeed, it has been argued that codes of conduct are constitutive elements of a profession [6] “A profession’s code of ethics is perhaps its most visible and explicit enunciation of its professional norms. A code embodies the collective conscience of a profession and is testimony to the group’s recognition of its moral dimension.”[7]. Frankel has categorized various functions of professional codes of conduct, out of which the following four were used in our survey: 1) Guidance: a code of conduct should be like a compass and provide direction for correct professional behaviour; 2) relation to the public: a code should be a “basis for the public’s expectations and evaluation of professional performance”; 3) professional socialization: a code should “help to foster pride in the profession and strengthen professional identity and allegiance” and 4), reputation: a code of conduct should help “to gain the public’s trust and enhance its status.” From a conceptual point of view three types of professional codes of conduct can be distinguished: 1) Aspirational codes (what are the ideals to strive for?), 2) educational codes, which comment and interpret in depth the norms stipulated in the codes and 3) regulatory codes with detailed governing rules. [7]

3. Online survey on Codes of Conduct for Shipmasters

In order to address the above mentioned research questions on a global scale, an online survey was conducted among members of IFSMA including its National Member Associations. The

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survey's questions were developed within a team of IFSMA members and university lecturers. When designing the survey, relevant literature as well as the results of various discussions between faculty and student participants in corporate social responsibility and leadership courses at the Bremen Centre of Maritime Studies were taken into account. A pre-test of the survey was carried out among IFSMA members and after some slight alterations had been made the final version of the survey was online between 04.24.2012 and 04.30.2012. Anonymity was guaranteed to the respondents.

In total the online survey was visited 201 times; 90 respondents (obvious double entries were omitted) answered all questions with regard to their personal profile, whereas the number of content related responses differed from question to question. There was only one female participant. Table 1 summarises the basic data of the respondents, such as age and current employment.

Age		IAMU-Region		Year of Master qualification		Present Employment	
65-82	21	Asia/Pacific	10	After 1999	16	At sea	26
55-64	30	Europe (EU)	42	1988-1999	27	Ashore	52
45-54	27	Americas	8	1977-1987	27	Other (retired etc.)	12
31-44	12	Africa / Central Europe	30	1966-1976	17		
				Before 1966	3		

Table 1: Basic data of the respondents (N = 90)

In reply to the question whether codes of conduct exist in their professional environment 46 respondents reported that such codes exist on a corporate level and 22 responses referred to professional association's code of conduct (e.g. National Shipmasters' Association).

The participants were asked how important a professional code of conduct for shipmasters is from their point of view. Table 2 shows the responses to that question.

Maximum Responses: 70 (partially skipped)	Very important	Important	Not important	Not at all important	Don't know
A professional code of conduct for shipmasters on a global level (e.g. IFSMA) is ...	40	24	3	2	1
A professional code of conduct for shipmasters on a national level is ...	32	25	6	4	1
A professional code of conduct for shipmasters on a corporate level is ...	31	27	6	2	1

Table 2: Importance of a code of conduct for shipmasters

In regard to the various functions of codes of conduct for shipmasters, as discussed in chapter 2, the respondents had to give ratings for the importance (see Table 3).

Maximum Responses: 75 (partially skipped)	Very important	Important	Not important	Not at all important	Don't know
Guidance:	47	25	3	-	-
Relation To The Public:	27	31	9	3	2
Professional Socialization:.	42	24	4	3	1
Reputation:	37	21	10	3	1

Table 3: Importance of a code of conduct for shipmasters

4. Potential Topics of a Professional Code of Conduct for Shipmasters derived from survey

In reply to the request “Please suggest up to ten crucial elements that should be incorporated in a professional code of conduct for shipmasters” a total of 279 responses were delivered by the participants of the survey. In order to reduce complexity the authors grouped - as a preliminary proposal - the responses as follows (the citations refer to a small selection of original comments made by respondents): **Fundamental issues:** It is required that links to other existing codes should be made clear. Within the code it has to be specified “who does it apply to and what happens if breached”, whereas one respondent even proposes that a code “should empower other parties to assess Master’s conduct and decide acceptable/ unacceptable conduct. It will have to provide a mechanism to countermand the Master, if the situation arises, via a third party (CEO/ senior Superintendent or other high ranking officer).” **Meeting legal and regulatory obligations:** A number of survey entries mention the necessity to follow existing laws, regulations and norms. One might argue that this should be taken for granted but, as mentioned in chapter 3, a code also has the function to clarify expectations. Thus it might make sense to include this kind of content into a professional code. E.g., one participant proposed to “ensure that ship operator/ owners’ expectations are properly understood and do not conflict with the law. Any deviation from this must be communicated in writing to those involved.” A lot of responses referred especially to **appropriate behaviour in relation to health, safety, security and the environment**. A fourth grouping can be derived from proposals which target **skills, competencies and knowledge**. Within that cluster, special emphasis is placed on **leadership skills** as well as on **cross-cultural competency**. A number of survey entries refer to the topics **Ethical- and social responsible behaviour** which can also be linked to **personality attributes** such as “respect”, “honesty”, “reliability”, “dignity” or “integrity”. As a final cluster for potential code elements **“Shipmaster’s profession”** is proposed which embraces entries such as “good ambassador of the profession” “active promotion of the profession as master and navigator” or “pride in the nautical profession”.

5. Codes of Conduct for Shipmasters in MET

The participants of the online-survey were asked about their professional opinion of whom they consider to be the most appropriate for any necessary training provided that a Code of Conduct for Shipmasters would be available, both for already existing shipmasters and future shipmasters.

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N = 58	multiple responses were possible
Individual Shipmaster:	26
A Maritime Education and Training provider:	24
A professional association (A National or International Shipmasters' Association):	40
The shipping company:	37
A peer (fellow shipmaster):	19
I don't know:	0

Table 4: Responsibility for Code of Conduct training for present Shipmasters

N = 53	multiple responses were possible
The individual:	14
Every Shipmaster:	23
A Maritime Education and Training institute:	36
A professional association (A National or International Shipmasters' Association):	26 + 19 ^[8]
The shipping company:	29
A peer:	11
I don't know:	0

Table 5: Responsibility for Code of Conduct training for future Shipmasters

Furthermore the question was raised whether or not the responders believe that it would be possible to train a Code of Conduct for Shipmasters.

N = 58	responses
Yes:	44
No:	10
I don't know:	4

Table 6: Can a Code of Conduct for Shipmasters be trained?

The huge majority of the responders believe that it will be possible to train shipmasters (present and future) in a Code of Conduct for Shipmasters. At the same time they consider in particular the National and International Shipmasters' Associations, the shipping companies and the maritime education and training institutes to be appropriate to take over the responsibility for this kind of training. Therefore it will become necessary to develop training scenarios and training material for these different settings to be available as soon as a final draft of a Code of Conduct for Shipmasters is existent.

One participant in the online-survey concluded "... In closing, the code will have to be embedded in the academic program to avoid it becoming another dusty file in the Master's

already overloaded library.” Therefore first thoughts on the potential integration of a training in the application of a Code of Conduct for Shipmasters into maritime education and training will be discussed.

Since learning a Code of Conduct is hardly an academic exercise but rather more something to be learned by experience a three step approach to the training of a Code of Conduct for Shipmasters within the framework of MET is suggested:

1. The students are introduced immediately after their enrolment to the Code of Honour of their own MET institute. This will enable the students to realize the concept of a Code of Honour and learn by their own experience the benefits of such a code since their actual behaviour and conduct over the course of their studies is rated against this code.
2. When the students enter into the STCW management level phase [9] of their nautical studies the Code of Conduct for Shipmasters is introduced to them. In all classes reference will be made to the Code of Conduct for Shipmasters. Furthermore practical experience in the use of this code can be made during simulator sessions where their professional conduct will be rated against both by the description of the STCW competencies but also against the contents of the Code of Conduct for Shipmasters.
3. At the end of their studies the students have to give evidence of the STCW competencies obtained. This competence based assessment could also be used to verify whether or not the students are able to apply the concept of a Code of Conduct for Shipmasters in their response to the given questions/problems.

6. Conclusions

Especially due to the limited time frame for the online survey the results have to be interpreted as preliminary results. Nevertheless it has become evident that there seems to be a need for a code of conduct which tackles particularly the Shipmaster’s responsibilities and duties on a global scale and independent from company level codes or already existing regulatory frameworks. Respondents expect a number of benefits to be derived from a professional Code of Conduct for Shipmasters. These can be summarized as follows:

- Minimum standard of expected behaviour
- Additional guidelines to standards such as STCW
- Professional behaviour in regard to safety and environmental protection, especially in cases of emergency
- Improved public perception and reputation of shipmasters (“Respect”)
- Role model for good leadership onboard ship
- Cornerstone for a professional culture
- Priority of professional duties (esp. in potential conflicts with company requirements)
- Protection against criminalisation.

32 respondents also see potential disadvantages of a professional Code of Conduct for Shipmasters. Some see it as “just another code” or fear “misinterpretation of the code and abuse by subordinates” or even see the threat that “it could be used in legal claims by lawyers and turned against the master.”

In this paper it was only possible to highlight some of the statements given by the respondents of the survey on a professional Code of Conduct for Shipmasters. In the intended process to elaborate further on the idea to implement such a code all arguments have to be discussed

more in depth. One challenge will be to agree on universal expected behaviour and it is suggested to refer to already existing frameworks such as the UN Global Compact [10] with its ten universal principles and adapt at least parts of it to the professional Code of Conduct for Shipmasters. Another universal framework was proposed by one of the respondents: The four-way-test of Rotary International [11]: “Is it the TRUTH? Is it FAIR to all concerned? Will it build GOODWILL and BETTER FRIENDSHIPS? Will it be BENEFICIAL to all concerned?”

Acknowledgments: The authors wish to thank Capt. Christer Lindvall, President of the International Federation of Shipmasters’ Associations (IFSMA), London for his valuable support and comments and Mrs. Roberta Howlett from the IFSMA Secretariat for proof reading.

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