

Statement by the Delegation of Malta at the  
IMO Maritime Safety Committee 76 Session – December 2002

The delegation of Malta refers to the incidents that have featured in the public media over these last days regarding six Maltese registered tankers some of which were, and the others could have been denied the freedom of trade and navigation, to the extent that one of these ships was even boarded out at sea, even though all these ships were trading legally and none of them posed any threat to safety of life at sea or the marine environment more than any other vessel also operating lawfully.

Malta cannot understand the official silence on these incidents even from the International Maritime Organisation.

The motor tankers *Byzantio* (built 1976), *Enalios Titan* (1978), *Express* (1980), *Gudermes* (1976), *Moskovskiy Festival* (1985) and *Yevgeniy Titov* (1986) are classed with top classification societies, in these cases, American Bureau of Shipping, Det Norske Veritas and Lloyd's Register of Shipping. Furthermore, all six ships carry valid certificates as required in terms of the relevant international conventions issued by one of these societies, as the case may be, on behalf of the Government of Malta.

Moreover, five of these tankers, at least in recent years, had not been involved in any casualty. Even more, these same ships had all been inspected several times by flag State control or under the port State control regime and the outcome of these inspections had always been positive with none of these ships ever being detained.

In particular, the *Moskovskiy Festival* had successfully passed a port State control inspection in Santa Cruz Teneriffe, Spain as recently as one month ago. This same ship has also been inspected in Gibraltar only a few days ago and was described by the port State control inspector as a fine ship.

Although the other tanker, the *Byzantio*, was said to have been involved in a casualty in April this year, this was only a contact while at anchor with a bunkering ship, when there was no impact and none of the two vessels suffered any serious damage and there were no injuries or any oil spillage. The *Byzantio* had also been detained in Ireland last August for deficiencies related to fire appliances and crew certification, certainly nothing related to the structure of the ship. Corrective action was taken and since then

this ship has successfully passed two port State control inspections in Rotterdam, Netherlands and in Tallinn, Estonia, a class inspection in Tallinn and a flag State control inspection also in Rotterdam.

It is pertinent to point out that all these six tankers form part of an international fleet of more than 5000 single hull tankers registered in and operating under several jurisdictions worldwide. It is to be noted that following a decision taken at an international conference convened by the International Maritime Organisation in April 2001 single hull tankers will be phased out, according to their year of built, starting in 2003 for ships delivered in 1973 or earlier, and continuing up to 2015 for ships delivered in 1989 or later.

Malta was one of the States that had supported this accelerated phasing out of single hull tankers. Malta also believes that if the need is felt to accelerate even further the phasing out of these ships, such a decision should be taken internationally after having taken into consideration the impact of such a decision. Shipping being by its very nature an international industry, action affecting international trade and transport should be taken internationally, avoiding as much as possible unilateral action and, even more so, arbitrary action that can only lead to chaos and disaster.

During a recent discussion at the United Nations on the subject of Oceans and the Law of the Sea one eminent speaker emphasised how oceans and the law of the sea have become inseparable. Malta wants to believe that in the beginning of this third millennium the maritime industry would continue to operate in a regulated regime of peace and order and does not revert to the law of might is right that prevailed in centuries gone by.

Malta, sitting astride one of the major arteries of shipping, has always supported and shall continue to support international action aimed at minimising as much possible threats to the marine environment and to the livelihood and quality of life of the people who could be affected by any catastrophe.

Malta expects that the International Maritime Organisation promotes implementation and adherence to all international maritime law by all States whether these are acting in their capacity as flag State, port State

or coastal State and by everybody, including in particular those bodies which have a special relationship with this Organisation.

Malta, as a responsible member of in the international community of States and in the execution of its functions as a maritime Administration, shall continue to strive towards ensuring safety of life at sea and the security of the world oceans and the protection of the marine environment as the common heritage of mankind. All this, however, through the rule of law and international concerted action.

Malta, reiterates its support for any action taken after an international dialogue between the strategic partners of the maritime industry in the interest of safer and more secure shipping and cleaner oceans.