

# SAFETY AND CRUISE ACTIVITIES

by

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## ABSTRACT

This article has been inspired by the event of the cruise ship *Costa Concordia*<sup>1</sup> that was grounded on January 13<sup>th</sup>, 2012 off the Tuscan coasts. The shipwreck, in which 32 people lost their lives<sup>2</sup>, was carrying 4229 people<sup>3</sup> at the time of the accident. The accident happened on the Tuscan coast near the small island of Giglio. So this accident of *Costa Concordia* reminds inexorably of the *Titanic*'s wreck the night of April 13<sup>th</sup>, 1912. However, the wreck of *Costa Concordia* raises one more time questions around passenger safety. The safety of passengers depends on 2 main factors: safety appropriated to the ship and safety from the point of view of the navigating crew. Further to this accident two big authorities of the industry of the cruise that are CLIA<sup>4</sup> and ECC<sup>5</sup> adopted 3 big measures in order to strengthen the safety aboard passenger ships. These measures concern in particular the number of life jacket, which should be higher from now, for passenger on board. Studying the European local markets, we notice that, while Germany, Great Britain, and Italy are countries which record the strongest rate of cruise passengers,

## KEYWORDS

Safety, Cruise, Ship

## INTRODUCTION

This article has been inspired by the event of the cruise ship *Costa Concordia*<sup>6</sup> that was grounded on January 13<sup>th</sup>, 2012 off the Tuscan coasts. The shipwreck, in which 32 people lost their lives<sup>7</sup>, was carrying 4229 people<sup>8</sup> at the time of the accident. The accident happened on the Tuscan coast near the small island of Giglio.

It is important to note that the captain of the vessel wanted to impress a member of the crew and therefore change the initial route he was to navigate. That change is what let to the boat striking off a cliff off the coasts of Giglio Island. The impact dug a "30 meters" hole in the structure of the ship according to some observers and even up to "100 meters"<sup>9</sup> citing others. It only took a few minutes for the boat to sink.

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<sup>1</sup> Michel Neumeister, Le Journal de la Marine Marchande number 4806, 20th January 2012, pages 8-9

<sup>2</sup> Le monde March 02<sup>nd</sup> 2012

<sup>3</sup> Frédérick Auvray, Le marin, January 27 2012

<sup>4</sup> Cruise Line international Association

<sup>5</sup> European Cruise Council

<sup>6</sup> Michel Neumeister, Le Journal de la Marine Marchande number 4806, 20th January 2012, pages 8-9

<sup>7</sup> Le monde March 02<sup>nd</sup> 2012

<sup>8</sup> Frédérick Auvray, Le marin, January 27 2012

<sup>9</sup> Miche Neumeister, Le Journal de la Marine Marchande number 4806

Some passengers have described a chaotic scene onboard, due to the lack of earlier instructions from the captain to evacuate. This accident occurred during calm weather condition and a clear night sky<sup>10</sup>. This means that navigation conditions were perfect and it should have been a easy sailing night. The captain has changed the initial route without informing the proper authorities (his Managing Department<sup>11</sup>, the port authority<sup>12</sup>). This information was revealed during the legal proceedings, opened at GROSSETO, on October 15<sup>th</sup>, 2012, exactly 9 months after incident<sup>13</sup>. It is the first trial in which, the Captain of the ship and the company Costa Cruise<sup>14</sup> are indicted for manslaughter by carelessness and wreck. The trial primarily involved technical audiences, aimed at assessing responsibilities. According to the technical hearings (audiences), it has been mentioned that the Italian flag ship responded to all international safety standards. Its latest inspections were carried out in 2011. Consequently, no implication of a technical failure from the ship is suspected.

So this accident of *Costa Concordia* reminds inexorably of the *Titanic*'s wreck the night of April 13<sup>th</sup>, 1912. Of course the number of victims were not the same (around 1500 people lost their lives), because weather conditions<sup>15</sup> and technology were different at that time. Indeed, one of the direct consequences of *Titanic* accident, were the adoption of SOLAS Agreement<sup>16</sup> first version in 1918. The convention aimed to improve life conditions at sea, and also improve safety for navigation. This Convention has been regularly improved and amended. The last modification was in 2009.

Except these 2 cases of wrecks involving passenger ships, we can also quote the wreck of *Rabaul Queen*<sup>17</sup> which had fewer echoes in France like the *Costa Concordia*, but remained as catastrophic as the others. *Rabaul Queen* sank on February 2<sup>nd</sup> 2012, 16 kilometers of the coast of Papua New Guinea. The ferry had on board around 362 people<sup>18</sup>. This event happened weeks after the Italian liner's wreck. Contrary to the *Costa Concordia* the weather conditions were the origin of the tragedy. However, big waves and violent winds were not the only reasons of the origin of the accident. The age of the ship was also a cause, according to Papua Maritime Safety Department, which moved on the scene of the wreck to help the castaways. Hundreds of lives were lost.

However, the wreck of *Costa Concordia* raises one more time questions around passenger safety. Thorny question on safety is one more time in the front line. It is not only about the safety of people on board, but also about the safety of navigation itself given that the accident occurred while ship navigated about 150 meters of Tuscan coasts.

The safety of passengers depends on 2 main factors: safety appropriated to the ship and safety from the point of view of the navigating crew. Before these, we can easily notice that the solutions have been in place through European and international standard codes. First of which is the SOLAS<sup>19</sup> Convention as mentioned above. Through the convention for Safety Of Life At Sea the IMO wanted to impose safety standards at all levels: from the ship construction stages<sup>20</sup>, to navigating operations not to mention the equipment on board. The state flag, certifications, controls and regular inspections have also been area of concern. The aforementioned Convention recommends for example for its rule number 7<sup>21</sup>, an initial visit, before starting for passengers ships. The rule applies to all ships carrying more than 12 people. The objective here is to see safer ships navigating around the world. The reality however is unfortunately quite

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<sup>10</sup> *idem*

<sup>11</sup> [www.costacroisiere.fr/communique](http://www.costacroisiere.fr/communique)

<sup>12</sup> According to the international regulation, (SOLAS convention and ISPS Code) the captain of the ship has to inform port authority before his arrival.

<sup>13</sup> Sud-ouest Journal, october 15 2012

<sup>14</sup> During the trial, the captain Mr F. Schettino, 6 of crew members and 3 management members of the company were indicted.

<sup>15</sup> In opposition to the *titanic*, the accident of *Costa Concordia* happened while night was clear and sea was calm.

<sup>16</sup> Convention, for Safety Of Life At Sea, adopted by the International Maritime Organization (IMO)

<sup>17</sup> A ship of Rabaul Shipping, built in 1983

<sup>18</sup> Le Parisien

<sup>19</sup> It concerns the SOLAS Convention of 1974

<sup>20</sup> The chapter II-1 of SOLAS Convention of 1974, in particular its part B gives all details regarding passenger ship

<sup>21</sup> SOLAS Convention 2004 publication, page 22-23

different. More than 50% of global fleet does not subscribe to these standards. And we can find those ships navigating freely in Africa and Asia in particular without ever being called out.

More standards for STCW<sup>22</sup>, related to training and qualification of navigating crew were adopted. This convention was adopted on July 1978 and modified in 1995, then in 2010. The IMO is motivated by a will of harmonizing training that receive seamen around the world and also certificates that are issued to them. To make that a reality, the organization established an international standard which fixes a minimum level of training and allows for a uniformed code of training to be received by all seafarers.

On the Community plan, we retain mainly the directive 2009/45/ EC<sup>23</sup> of the European Parliament and of the Council. This new directive repeals the Directive 98/18/EC<sup>24</sup> of the Council of March 17<sup>th</sup> 1998. The standard of 2009 is a total revision of the European legislation for safety of passenger ship. Besides it is necessary to underline that the directive aforementioned and applicable to the only states of EU, is keeping with the standard of the OMI, reference of which it makes moreover in certain lines. This directive is a clear will of the European Parliament and of the Council, to increase safety in maritime transportation in community water.

Further to this accident two big authorities of the industry of the cruise that are CLIA<sup>25</sup> and ECC<sup>26</sup> adopted 3 big measures in order to strengthen the safety aboard passenger ships. These measures concern in particular the number of life jacket, which should be higher from now, for passenger on board. Both organizations wish that the maritime route is known and shared by the commanding crew. Finally access to the cockpit will be reserved from now on to crew members assigned to operational functions<sup>27</sup>, during all laborer operations. For its part, the IMO announced the day after the wreck, to be revisiting the topic.

Besides, the grounding on the Tuscan coasts of 11,500 tons also raised fears of environmental pollution. The various media ceaselessly reminded everyone that the small "island of Giglio is situated at the heart of marine national park"<sup>28</sup>, and registered in the UNESCO world heritage, because it shelters a fauna and a flora including certain endangered species that it is necessary to protect. The pumping operations which were necessary to seal the ship did not remove the fears ecologists had from the beginning. So, out of concern to protect this particular environment and in front of all technical options<sup>29</sup> allowing handling the wreck, the Italian authorities opted for the bailing out of the *Costa Concordia*. The ship will afterward be dragged up to an Italian harbor. However the name of this port which would welcome 11, 5000 tons of steels is not still unknown. Throughout the work on the wreck, the company Costa Cruise and the Italian authorities announced that regular sampling of the marine environment will be performed in order to detect and address possible contaminations as they occur.

Beyond the questions raised by the wreck of the *Costa Concordia*, the accident also generated a lot of interest for the cruising industry. After the wreck of one of these sea giants off Tuscan, specialist predicted the collapse of this industry. The cruising industry is a very dynamic market which has been expanding for several years<sup>30</sup>. It generates big

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<sup>22</sup> International Convention on Standards of training, Certification and Watchkeeping for seafarers

<sup>23</sup> Directive adopted on May 6<sup>th</sup> 2009 on safety rules and standards for passengers ship

<sup>24</sup> THIS Council directive (on safety rules and standards for passenger ships) had modified so many times. It had been amending particularly by directives **2002/25/EC**, of the Commission of March 5<sup>th</sup> 2002; **2002/84/EC** of the Parliament and of the Council of November 5<sup>th</sup> 2002; **2003/24/EC** of the Parliament and the Council of April 14<sup>th</sup> 2003 and **2003/75/EC** of the Commission of July 29<sup>th</sup> 2003.

<sup>25</sup> Cruise Line international Association

<sup>26</sup> European Cruise Council

<sup>27</sup> Europe1.fr

<sup>28</sup> Frederick Auvray, Le Marin, January 27<sup>th</sup> 2012

<sup>29</sup> Several technical options to treat the wreck: the ship abandonment, its means that let it slide in the sea bed. The second possibility would have been to bail out the ship and drag afterward in a port able of treating the wreck. The bailing out can be made by flotation or by fall. Finally the last possibility is the dismantling of the ship instead of the accident

<sup>30</sup> ECC : number of passengers carried between 2006 and 2011 represents an evolution of 77%.

cash flows and creates jobs worldwide. According to CLIA, it contributed for example in 2010 to the creation of 329,943 jobs in the USA, therefore allowing for a boost to the American economy.

Going back to the European market, we note that the cruising industry did not stop creating jobs in Europe. In 2011, the industry employed 300,000 persons in Europe. The explanation for this figure is not only in travel agencies and operators, but It is also in the shipyards. From this point of view, the European shipyards are very appreciated by buyers all over the world. And it is true because of the aestheticism and the safety. In this field, France plays the game well with its shipyards of Saint Nazaire which are rather, a good frame.

The ECC underlines that the part of Europe on the world market of the cruise will continue to increase. This organization reminds that around 27,8 millions of passengers visited at least one European port in 2011. And in 2012, the progress would be 10%.

Studying the European local markets, we notice that, while Germany, Great Britain, and Italy are countries which record the strongest rate of cruise passengers, France too plays its partition in this economy. The Delegate for France of ECC mentioned that France builds ever year a big passenger ship, report made since 2003. And he announced forecasts are mentioning 24 ships before 2016. On December 2012, STX, the French company, received an order from Royal Caribbean to build a huge liner that can load more than four thousands passengers<sup>31</sup>. This historical order represents more than 1 billion euros. It is obvious the French economy benefits from the dynamism of the cruise industry, because this sector represented 16,000 jobs in 2011, and 1,22 billion euros of spending. It means that the economic stakes in this industry sound considerable.

## REFERENCES

As shown in Footnotes

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<sup>31</sup> 20 minutes (newspaper), December 28th 2012