

RESPONSES TO THE DRAFT REPORT 'FALL FROM HIGHT - FATAL ACCIDENT ONBOARD THE ZEALAND ROTTERDAM'

Number	Party	Chapter/section	Text to be corrected (first ... last word)	Argumentation	Corrected	Dutch Safety Board response
1	Q-Shipping	5	'onto a platform below'.	'onto the main deck below'.	Yes	Correction to original text.
2	Q-Shipping	8	'offices in the Netherlands'.	'a head office in the Netherlands'.	Yes	Correction to original text.
3	Q-Shipping	8	'offices in Turkey'.	'a branch office in Turkey'.	Yes	Correction to original text.
4	Q-Shipping	8	'whereby inspections'.	'whereby technical inspections'.	Yes	Correction to original text.
5	Q-Shipping	8	'the Dutch offices were responsible'.	'both offices were responsible'.	Yes	Correction to original text.
6	Q-Shipping	8	One key reason ... in Western Europe.	We can think of no reason whatsoever why the vessel could not enter Europe. All requirements were satisfied and the vessel was able to bunker and run on low-sulphur fuel. The market for vessels of this type is often focused on transatlantic or Southeast Asian operations. The vessel entered both Japan and Australia in the past, without problems, and the rules there are often stricter in terms of emissions and crew legislation.	Yes	Reference to tightened environment requirements deleted. Text supplemented with the deployment of the ship outside Europe for commercial reasons. Text becomes: 'In the period prior to the accident, the vessel operated as what is known as 'tramp shipping' and was mainly deployed in transatlantic and Southeast Asia areas for commercial reasons. As a result, the frequency with which the vessel put into a Dutch or Western European port was low'.
7	Q-Shipping	8	with a crew of ... vessels of this type.	'with a crew of 13'.	Yes	Correction to original text.
8	Q-Shipping	11	'on all four ship's cranes'.	Preparation and attachment were carried out per grab individually. We suggest dropping the word 'simultaneously'.	Yes	Correction to original text.
9	Q-Shipping	14	The ring from which the grab ... to climb onto the grab.	In the event of hitching from the platform, the lifting block would be hung proportionally lower. In this specific case, the deckhand was hit and subsequently thrown downwards by the lifting block. We are therefore of the opinion that this would not have prevented the accident. In addition, the manufacturer's instructions enclosed state clearly that it is necessary to climb onto the grab, in order to place the ring in the correct position. It is then possible to climb down to the platform, but the deckhand probably remained in place out of laziness.	Partly	In that case, the fall would have been from 2 metres instead of from 6 metres. Moreover, it was not determined by the Safety Board, apart from the necessity of climbing onto the grab itself, that the deckhand remained on the grab longer than necessary. The movement of the lifting block could have taken place at any moment while the deckhand was present on the grab. Line 'It is also standard procedure the manufacturer's manual' deleted.
10	Q-Shipping	15	'As usual, the old crew ... Played a role'.	The new crew satisfied the qualifications applicable for a Dutch-flagged ship, or they would not have been able to sign on. This also means that so-called endorsement had been requested for their foreign certificate on the basis of the STCW convention. In addition, Turkish officers and crew members generally speaking have considerable knowledge and experience of bulk carriers. Vessels of this type are very popular among Turkish ship owners.	Yes	The crew had valid certificates (Dutch recognition of their certificates of competence). Added that the crew members had the correct certification.

Number	Party	Chapter/section	Text to be corrected (first ... last word)	Argumentation	Corrected	Dutch Safety Board response
11	Q-Shipping	16	It is up to the ship manager ... with regard to a common working language.	See our comment above with regard to the competence comment. All six persons had visited our offices in Istanbul. There was no indication at that time that problematic circumstances could arise with regard to working language. The deckhands clearly spoke less good English, but on the basis of professional working language were still capable of communicating.	No	Passage not deleted. The Indian investigation report revealed that among others the Turkish crew member present on the crane spoke insufficient English, so that a Filipino crew member had joined him in the crane cabin so as to translate the instructions issued in English via the walkie-talkie by the boatswain, using hand signals.
12	Q-Shipping	16	A number of Dutch shipping companies ... as a result save costs.	Are the Dutch shipping companies consulted relevant to vessels of this type and the sailing area, and are they not in fact more associated with for example coastal shipping or inland shipping? We see no reason why it is necessary to sail to a homeport, in this case Amsterdam, in order to achieve transfer to a new owner.	No	Passage not deleted. The shipping companies consulted were relevant for vessels of this type and this sailing area. In addition, the text also states 'It is however not uncommon for the transfer to take place in transit, as in this case ...'
13	Q-Shipping	17	The vessel involved ... The Netherlands or the surrounding countries.	Once again reference to the reason for sailing area. We are not aware of any environmental reason why the vessel should not enter the EU, except for commercial reasons.	Yes	Correction to original text. See reaction 8.
14	Q-Shipping	17	The annual inspections required ... ship manager Turkish office.	As a rule, the fleet was divided between the Dutch head office and the Turkish branch office. The Zeeland Rotterdam was also visited by the Dutch office. Geographical area and visa requirements were often decisive for who paid the visit. EU, Canada, China and US were often tackled by the Dutch office, and other areas by our branch office, where we also have a DPA assistant. The Dutch office and Turkish branch office were absolutely aware of such issues as loading and unloading on board and the distribution of work between the two offices had no negative influence on this. Regular circulars and bulletins on board emphasised the necessary safety aspects. The SOLAS training courses were followed and during inspections, crew members were called to account with regard to the correct use of safety equipment. In respect of the crew, we came across as a single company, and no emphasis was ever placed on two offices.	Partly	Text partially altered. The ship manager pointed out that various actions were taken to ensure correct use of safety equipment. Nonetheless, interviews revealed that in urgent cases, the crew would work without the correct safety equipment.
15	Q-Shipping	20	Before starting work ... played a role in the accident.	In our investigation we often see the factor time pressure recurring for this specific accident, but there is no single statement that suggests that the lack of a common language played a role.	No	Not altered, represents an opinion and not a factual correction (conclusion chapter).
16	Q-Shipping	20	In this connection ... among the new crew members.	We see no notable shortcomings in the ship-specific experience of the new crew. The crew had relevant experience and was certified for bulk carriers and in terms of CV should be appropriate for this type of vessel. The ship manager took its final responsibility seriously. As a result, the 6 new crew members among others visited our offices in Turkey, and were interviewed to gain a picture of the crew.	No	Not altered, represents an opinion and not a factual correction (conclusion chapter).
17	Q-Shipping	20	Because the vessel ... shipping company's Turkish office.	We fail to see the relevance of referring to the geographical location of the vessel for lack of supervision. Maybe relevant for ILT, but our vessels very rarely visit the Netherlands and we nonetheless satisfy all requirements from various flag states and classification societies with regard to physical ship visits.	No	Not altered, represents an opinion and not a factual correction (conclusion chapter). Interviews held by Indian investigators also show that the crew worked without the correct safety equipment in the event of time pressure. If this was known, the ship manager did not make enough effort to tackle the situation. However, possibly because the vessel rarely visited the Netherlands, this fact was not known. The fact that all requirements are satisfied does not mean that there is no room for improvement.
18	Q-Shipping	21	Supervision of the on-board operations ... shipping company's Turkish office.	Technical supervision of on-board operations ... was entrusted to the shipping company's Turkish branch office.	Yes	Correction to original text.

Number	Party	Chapter/section	Text to be corrected (first ... last word)	Argumentation	Corrected	Dutch Safety Board response
19	Ministry of Infrastructure and Water Management	5	'onto a platform below'.	The deckhand fell from the grab onto the main deck. The grab was on a platform, positioned approx. 2.5 metres above the main deck.	Yes	Correction to original text.
20	Ministry of Infrastructure and Water Management	6	They carried out a brief investigation.	Reference to the Dutch report.	Yes	Correction to the Dutch text.
21	Ministry of Infrastructure and Water Management	10	'with dimensions in centimetres' -> with dimensions in millimetres	'with dimensions in millimetres'. It is unlikely that these dimensions are centimetres. This would otherwise be a very large grab.	Yes	Correction to original text.
22	Ministry of Infrastructure and Water Management	11	... its unloading location in the port of Mumbai.	... its unloading location at sea near the port of Mumbai'. Unloading had to be carried out in barges. The vessel did have to change location, but unloading would still take place at sea, and not in the port of Mumbai.	Yes	Correction to original text.
23	Ministry of Infrastructure and Water Management	11	... procedures for unloading in the port in Mumbai.	... procedures for unloading. See reaction 11.	Yes	Correction to original text.
24	Ministry of Infrastructure and Water Management	11	... on a platform that protruded two metres above the deck.	... on a platform that protruded two and a half metres above the deck. There are 8 steps on the ladder, 300 mm apart, which totals 2.4 metres and there is a small height difference between the last step and the platform. All together therefore totalling approx. 2.5 m.	Yes	Correction to original text.
25	Ministry of Infrastructure and Water Management	11	The boatswain, another deckhand who had recently come aboard and a Filipino deckhand (the victim) were stood close to the grab.	'The boatswain, another deckhand who had recently come aboard and two Filipino deckhands (including the victim) were stood close to the grab'. The ILT investigation revealed that the Filipino deck boy was also stood close to the grab.	Yes	Correction to original text.
26	Ministry of Infrastructure and Water Management	11	At around 16.40 hours ... welded onto the grab.	The observer also walked past the workplace and issued instructions to use the heaving lines. The observer was the future first officer. The observer was also involved in the work but before the accident actually happened had walked back across the deck. He was looking for the first officer.	Yes	Correction to original text. Text becomes: 'At around 16.40 hours, the boatswain and the two deckhands were at work attaching the hook to the front crane on the grab platform. One of the deckhands (the victim) had climbed onto the grab via the steps that had been welded onto the grab. The officer who was on board as observer also became briefly involved in the process, but walked away to find the first officer'.
27	Ministry of Infrastructure and Water Management	11	The boatswain used a heaving line to guide the crane hook.	The two deckhands used a heaving line to guide the crane hook. Statements from the ILT suggest that two deckhands were holding the heaving line, and not the boatswain.	Yes	Correction to original text.
28	Ministry of Infrastructure and Water Management	14	... to be unloaded in the port of Mumbai.	... to be unloaded into barges that were due to come alongside at the unloading location, near the port of Mumbai. The unloading was not carried out in the port, but at sea in barges that came alongside.	Yes	Correction to original text.
29	Ministry of Infrastructure and Water Management	15	With regard to the qualifications of the new crew members, there was no consultation between the parties.	The Turkish officers were in possession of Dutch recognition of their certificate of competence.	Yes	Added: 'The crew had valid certificates (Dutch recognition of their certificates of competence)'.

Number	Party	Chapter/section	Text to be corrected (first ... last word)	Argumentation	Corrected	Dutch Safety Board response
30	Ministry of Infrastructure and Water Management	16	There were sufficient English-speaking crew members on board to satisfy the minimum crewing requirements. However, the supernumerary crew members, who were unable to speak good English, were deployed during the trip, to carry out work on board.	"There were sufficient English-speaking crew members on board to satisfy the minimum crewing requirements. However, the supernumerary crew members, who were unable to speak good English, were deployed during the trip, to carry out work on board. Three of the five crew members who were unable to speak good English fulfilled a task, as required according to the Minimum Safe Manning Document (MSMD). This may be correct in terms of numbers, but there were precisely enough officers on board, including the Turkish third officer and the Turkish chief engineer. 4 deckhands had to be on board, with STCW qualification II/4. There were 5 deckhands on board, who satisfied this requirement, including 2 Turkish deckhands. In other words, there were at least 3 crew members on board who were unable to speak good English, who occupied a position as required in the MSMD." "	Yes	Correction to original text. 'supernumerary' deleted; 'However, the crew members who were unable to speak good English, were deployed during the trip, to carry out work on board and three of them fulfilled a task as required according to the MSMD'.
31	Ministry of Infrastructure and Water Management	17	'Although these crew members were supernumerary, they were nonetheless deployed to carry out work on board'.	Only 2 of these 5 crew members were supernumerary. In addition, all 5 crew members were deployed to carry out work on board.	Yes	Sentence deleted: 'Although these crew members were supernumerary, they were nonetheless deployed to carry out work on board'. Indeed, only a part of the crew unable to speak good English was supernumerary.
32	Ministry of Infrastructure and Water Management	18	One major difference is that in flag state inspections, the performance of both the ship and the relationship with ship management are considered, at system level. In general terms, the flag state inspection can be seen as a form of licencing, within the supervisory means available. The ILT carries out these inspections on Dutch-flagged ships.	Incorrect. Until the new supervision is introduced, flag state inspections are almost exclusively object inspections, and not inspections at system level. The inspections on board are undertaken in a comparable way to port state inspections, with a clear focus on specific national requirements. These inspections have nothing to do with licencing, and are completely unconnected.	Yes	Text rewritten in line with the reaction. Text becomes: 'Port State inspections are performed internationally, in that seagoing vessels worldwide are inspected by national inspectors. Within the forms of supervision, this can be considered as supervision of compliance. These inspections are carried out on board, irrespective of the flag state under which the vessel is sailing, with the exception of vessels sailing under the flag of the inspecting port state. To allow these inspections, Memoranda of Understanding (MoUs) have been drawn up worldwide, within which the results of inspections can be exchanged. For European Member States, a compulsory EU Directive applies, that is effective within the (greater) region of the Paris MoU'.
33	Ministry of Infrastructure and Water Management	18	These inspections are carried out on board irrespective of the flag state under which the vessel is sailing.	These inspections are carried out on board, irrespective of the flag state under which the vessel is sailing, with the exception of vessels sailing under the flag of the inspecting port state.	Yes	Text added.
34	Ministry of Infrastructure and Water Management	18	Europe is subject to the Paris MoU.	For European Member States, a compulsory EU Directive applies, that is effective within the (greater) region of the Paris MoU.	Yes	Text adopted, footnote added with reference to the EU Directive.
35	Ministry of Infrastructure and Water Management	18	By means of its flag state inspections, the ILT determines whether vessels comply with the Maritime Labor Convention ... number of approved organizations.	For vessels of 500 GT and higher, the certifying inspections (and issue of the MLC certificate) are performed by classification societies on behalf of the Minister. For vessels with no compulsory certification (below 500 GT), the regime is such that they are inspected by the flag state, and the report of this inspection serves as evidence that they comply (for a period of not more than 3 years).	Yes	Footnote added about ships below 500 GT.

Number	Party	Chapter/section	Text to be corrected (first ... last word)	Argumentation	Corrected	Dutch Safety Board response
36	Ministry of Infrastructure and Water Management	19	'This includes the ... itself cannot be visited'.	... that rarely if ever visit the Netherlands, at least an office audit will be carried out to determine the effectiveness of the management measures aimed at monitoring the safety and environmental requirements and determine the safety structure. Changes: - Not inspection, but an audit. - Aim of determining the effectiveness of measures, not to reduce the blind spot.	Yes	Text rewritten in line with the reaction. Text becomes: 'This includes the development of a new selection tool and vessels that rarely if ever visit the Netherlands will at least be submitted to an office audit. The aim is to monitor the safety and environmental requirements and to determine the safety structure'.
37	Ministry of Infrastructure and Water Management	19	The Human Environment and Transport Inspectorate (ILT) as the Dutch maritime supervisory body comes up against the same kinds of problems as ship managers, when carrying out flag state inspections, due to a structural lack of capacity for carrying out flag state inspections on board Dutch vessels abroad.	Sentence unclear. The ship manager and its responsibilities with regard to the provision of means for ensuring safety cannot be compared with the responsibilities in respect of government tasks. Please delete.	No	Passage not deleted. Sentence has been added: 'The responsibility of the ship manager cannot be compared with the responsibilities in respect of government tasks'.
38	Ministry of Infrastructure and Water Management	19	In this case, responsibility for safe operations on board the vessel and the prevention of this specific accident above all lay with the ship manager/captain and the crew.	Inserted 'captain' instead of 'crew'.	No	The captain is part of the crew.
39	Ministry of Infrastructure and Water Management	21	The investigation ... on board the vessel.	Reference to the Dutch report.	Yes	Correction to the Dutch text.