



SMAIC

STATE MARINE ACCIDENT
INVESTIGATION COMMISSION

ANNUAL ANALYSIS

2014

MARINE CASUALTIES AND INCIDENTS



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1. Introduction

The State Commission on Maritime Accident Investigation was established by the Act of 31 August 2012 on the State Commission on Maritime Accident Investigation (Journal of Laws, item 1068). The Commission launched its activity on 6 May 2013 upon the appointment by the Minister of Transport, Construction and Maritime Economy of a third one of the statutory five members of the Commission.

The investigation of marine casualties and incidents is conducted by the Commission under the Act and the Code of International Standards and Recommended Practices for the investigation of marine casualties and incidents adopted by the Maritime Safety Committee of the International Maritime Organization (Casualty Investigation Code).

The objective of the investigation of a marine accident or incident is to determine its causes and circumstances to prevent future accidents and incidents and improve the level of the safety at sea.

In the course of investigation the Commission does not determine liability nor apportion of blame to persons involved in the marine accident or incident and the investigation reports shall be inadmissible in any judicial or other proceedings whose purpose is to attribute blame or liability for the accident referred to in the report. It means that none of the organs adjudicating in such proceedings cannot refer to the information included in the report of the Commission.

The Commission shall examine any very serious or serious marine casualty. A very serious casualty is an accident which results in the total loss of a vessel, a human death or an extensive damage to the environment. A serious casualty is an accident which results, among other things, in the damage to the propulsion of a vessel, an extensive damage to the superstructure, changes in the ship's stability, a damage to the underwater part of the hull, a damage to the environment, including pollution and a failure resulting in the need to tow the vessel or to apply help from the land.

In the event of a serious marine casualty the Commission may withdraw from the investigation after a preliminary assessment of the reasons for its occurrence. In the event of an accident other than a very serious or less serious marine casualty or incident, the Commission decides to undertake the investigation or to renounce it. When making the decision the Commission shall take into account the gravity of the occurrence, the type of



a vessel or cargo, and whether the results of the investigation shall contribute to the prevention of marine casualties and incidents in the future.

The Commission shall investigate marine casualties and incidents, which involve vessels of Polish nationality, vessels of foreign nationality if the accident occurred on the Polish internal waters or the territorial sea. The Commission is obliged to initiate the investigation of the accident in relation to which Poland is a significantly interested state, i.e. in the event when Polish seafarers suffered death in a marine casualty.

2. Information about the Commission

In 2014 the State Commission on Maritime Accident Investigation (*Polish abbr.* PKBWM) was composed of the following persons:



Cezary Luczywek
– the Chairman of the Commission



Marek Szymankiewicz
– the Secretary of the Commission



Krzysztof Kuropieska
– the Member of the Commission



Tadeusz Gontarek
– the Member of the Commission

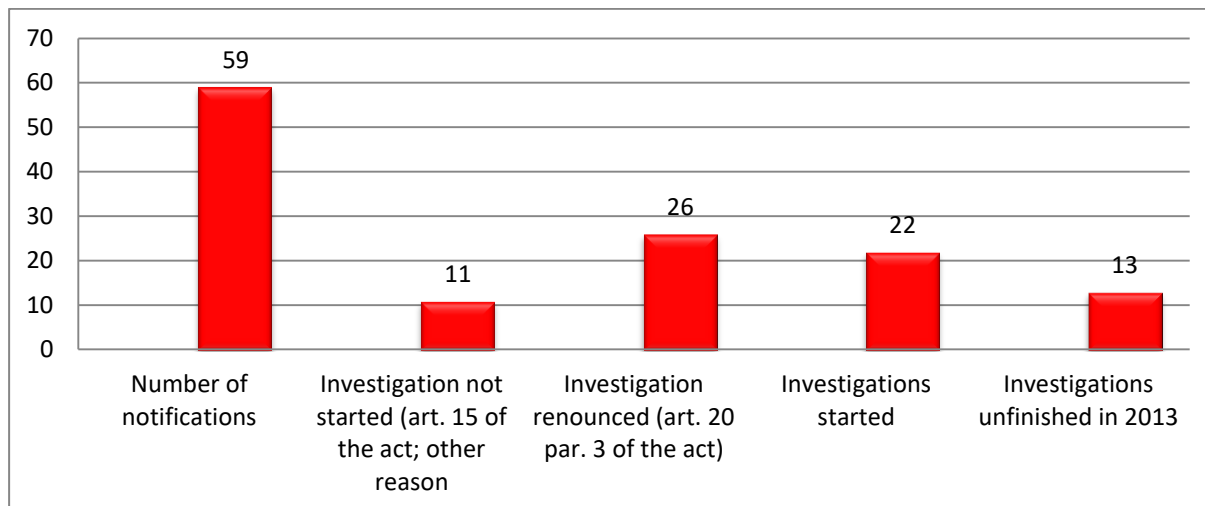
PKBWM is an independent body. It acts by the minister in charge of maritime economy but it is not a section of the Ministry. The Commission has its headquarters in the capital city of Warsaw. The mailing address and contact data of the Commission are the following:

Państwowa Komisja Badania Wypadków Morskich
ul. Chałubińskiego 4/6
00-928 Warszawa
Tel.: +48 22 630 19 05, mobile: +48 664 987 987 (24h)
E-mail: pkbwm@mir.gov.pl
www.komisje.transport.gov.pl



3. A Number of Notifications of Marine Casualties and Incidents and Investigations

In 2014 the Commission received notifications about 59 marine casualties and incidents.



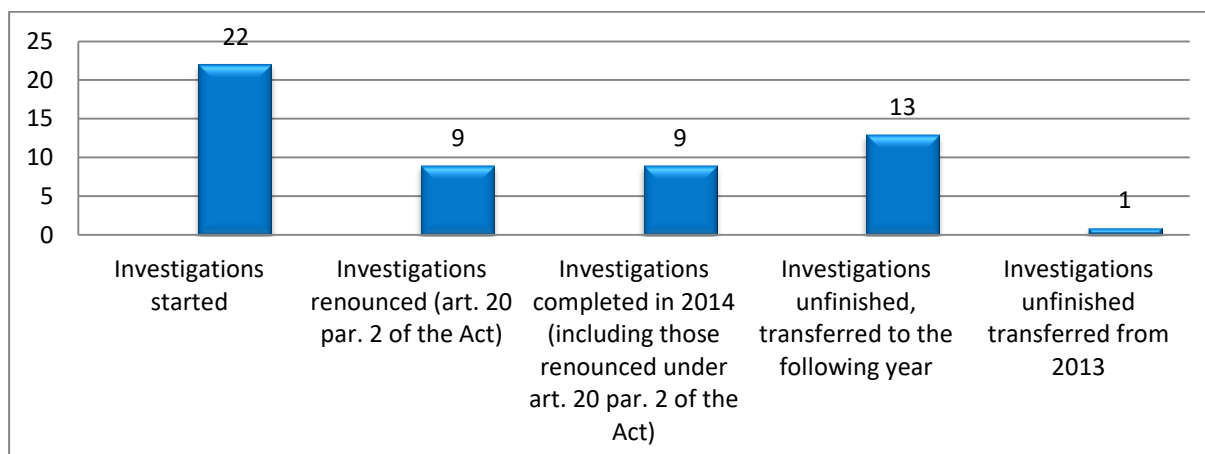
The Commission did not undertake the investigation in eleven cases. In one case, the Commission considered that the event, of which the Commission had been informed did not meet the criteria of a marine casualty included in the definition of a marine casualty in the act on the State Commission on Maritime Accident Investigation.

In the remaining 10 cases, the accidents were not investigated by the Commission. Under art. 15 paragraph 2, point 2 letter b and c of the act on the State Commission on Maritime Accident Investigation they were not very serious marine casualties and they concerned recreational boats or a small fishing vessels.

Given the gravity of the occurrence, the type of a vessel or carried cargo the Commission refrained from the investigation in 26 cases, recognizing that the results of the investigation would not contribute to the prevention of marine casualties and incidents in the future.

In the remaining 22 cases, the Commission initiated the investigations.

After making the initial assessment of the causes of each of these 22 cases, in 9 cases, the Commission decided to renounce the investigation recognizing that further examination would not contribute to the improvement of the safety at sea. These investigations were considered completed by the Commission.

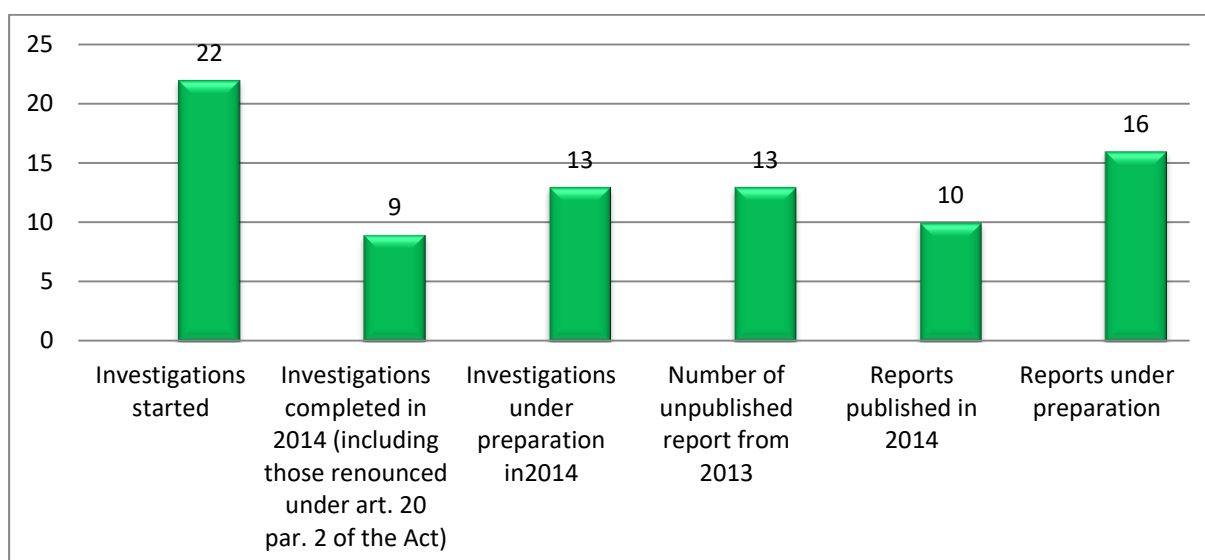


In the remaining 13 cases the Commission took the decision to continue the investigations.

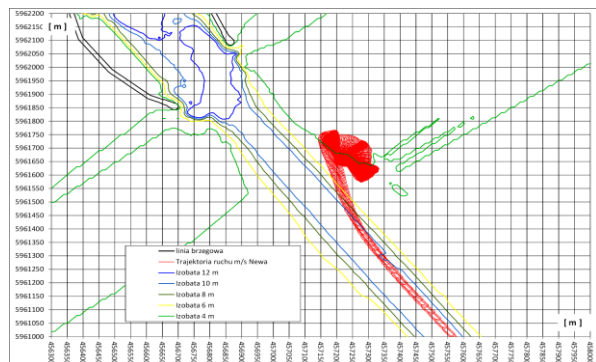
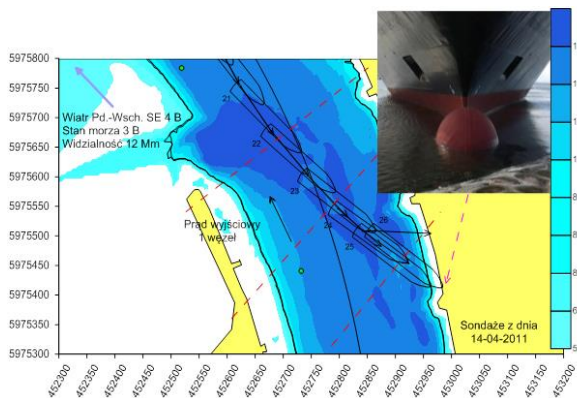
4. A Number of Investigations Completed in 2014 and a Number of Published Reports

In 2014 the Commission completed 10 investigations and published final reports. All investigations concerned casualties which occurred in 2013. The remaining 3 investigations from the previous year concerning the dump barge “SM PRC 105”, the vessel “Annemieke” and the tugboat „Virtus” and publication of final reports were carried forward to the following year.

The Commission started works over 13 reports from investigations of accidents which happened in 2014 and continued works over 3 reports from the accidents of 2013. The publication of these reports was planned for the first quarter of the following year.



The reports published in 2014 refer to such accidents as among others, grounding of the vessel “Godafoss” onto the breakwater escarpment in the port of Świnoujście (an upper left photograph below), a tear of a hull on a shallow (which was not marked on a map) by a bulk carrier „Twinkle Island” (a lower left photograph below), a fire of a motor yacht „Miss Alicja” (an upper right photograph) and grounding of the “Newa” in the Piastowski Channel (a lower right photograph).

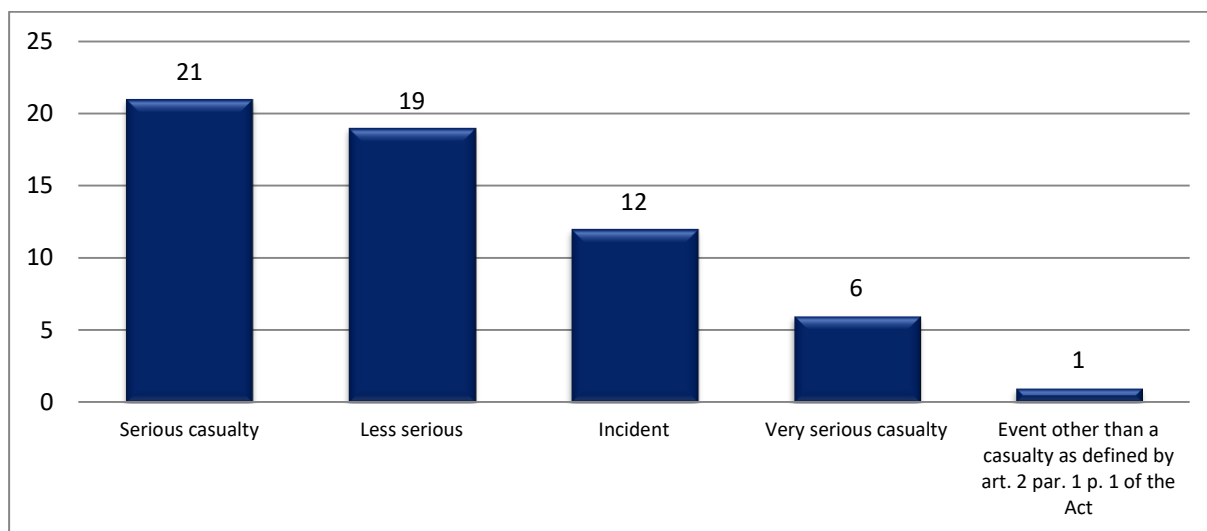


5. A List of Marine Casualties and Incidents according to Type

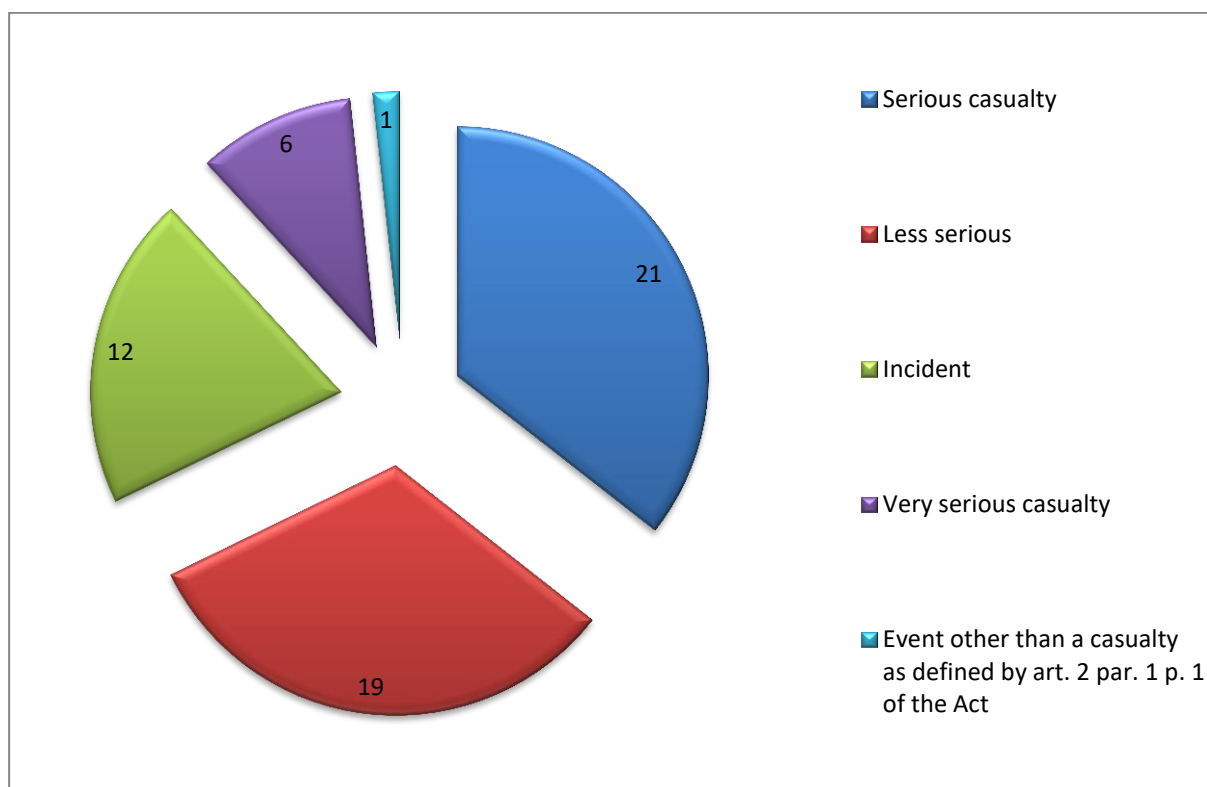
From among 59 events reported to the Commission, 6 turned to be very serious marine casualties as stipulated in the Casualty Investigation Code and the act on the State Commission on Maritime Accident Investigation.

One event – the disappearance of a passenger from the ferry “Stena Vision” on her way from Sweden to Poland was qualified by the Commission as an accident other than a marine casualty or incident.

21 notifications referred to serious marine casualties. 19 events were qualified by the Commission as marine casualties, 12 notifications were classified as marine incidents.



Proportional division of particular types of accidents is presented below.



Among very serious marine casualties the Commission was investigating 2 drownings, a case of a death of a diver, and for 3 times the cause of the total loss of a vessel.

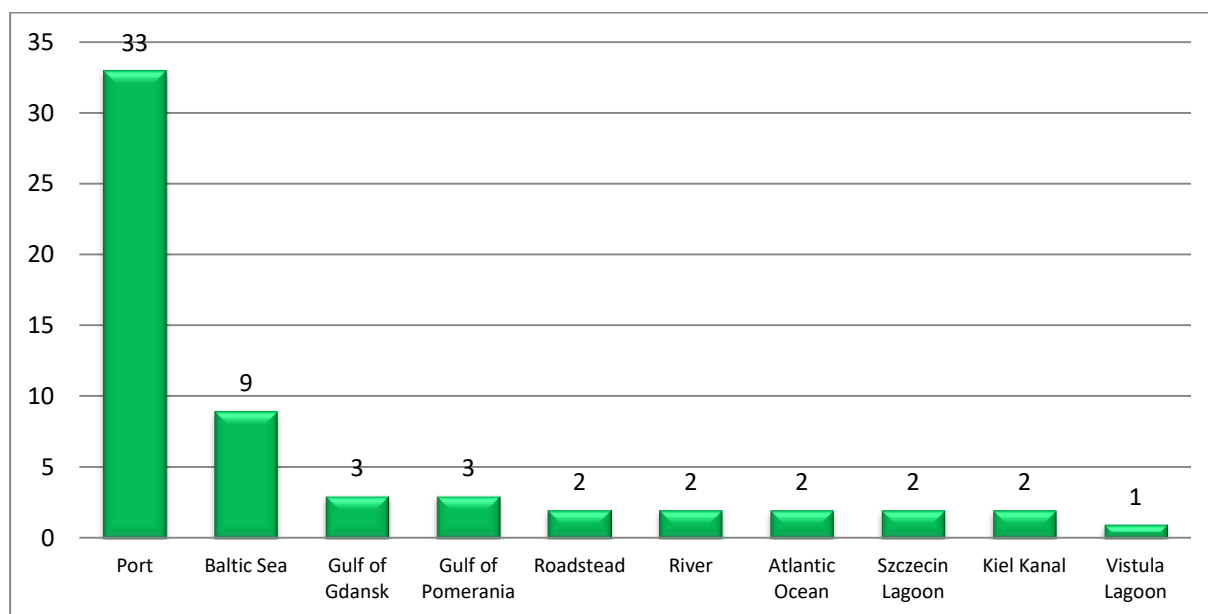
Fatal accidents with people referred to: falling overboard of 2 members of a sailing yacht „FJ/420” on the Vistula Lagoon, drowning of a pumper working on the tank barge „BA-MSR-7” in the port of Świnoujście, and a death of a skin-diver while wreck diving from the motor yacht “Nitrox”.

The investigation of a total loss of a vessel referred to: sinking of the motor yacht “Never Satisfied” (left photograph below), a fire on a motor yacht “BGSPORT” in the port of Gdynia (right photograph below), and sinking of the yacht “Prodigy” at the Atlantic Ocean.

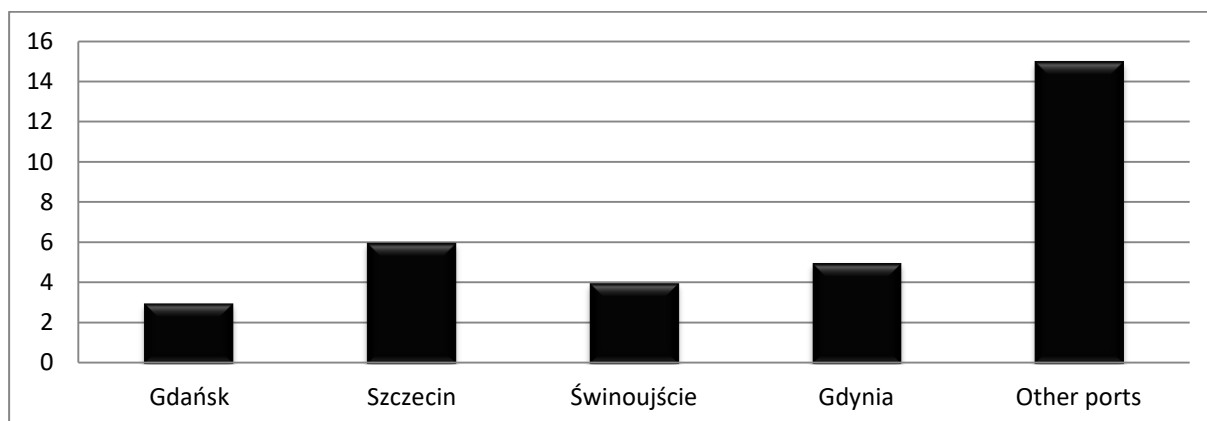


6. Regions where Marine Casualties and Incidents Occurred

From among all marine casualties and incidents which were registered by the Commission as many as 33 occurred in ports, while 30 in the Polish ports and 3 in the foreign ports.



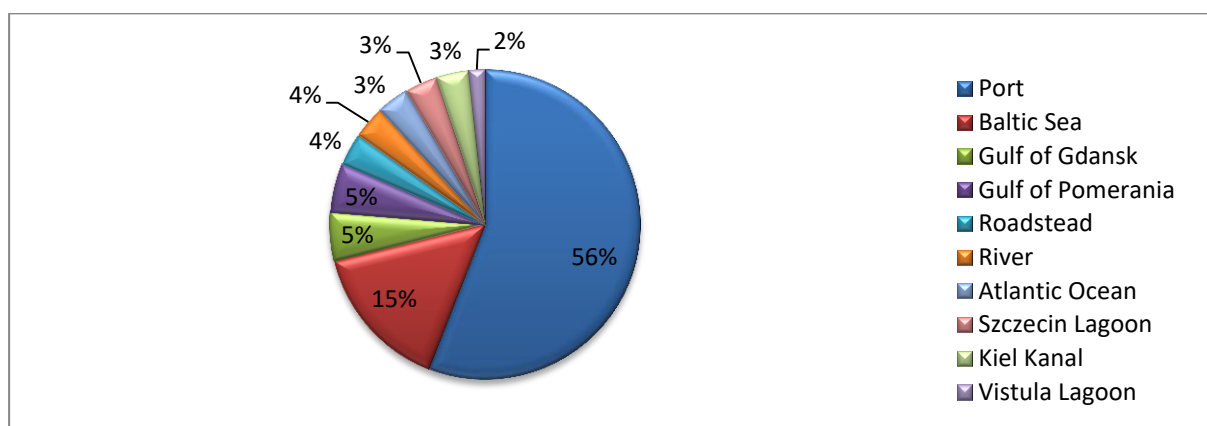
From among 33 accidents in ports, 18 occurred in four major Polish ports. From the remaining 15 accidents 3 occurred in the foreign ports of Denmark, England, and Sweden.



Accidents in ports accounted for more than half (56% - as shown in the diagram on p. 9) of accidents which occurred in 2014. They concerned situations in which vessels were in motion (e.g. “Langballig”, under the flag of Vanuatu, which leaned her stern against the underwater part of the breakwater embankment in the port of Świnoujście, and cases of ships standing (moored) at the quay (e.g. the fire on the “Amaranth” of the flag of Cyprus in the port of Szczecin).

Almost every seventh accident, which was investigated by the Commission took place in the Baltic Sea.

Cruising yachts were the only ones which were involved in the accidents in the Gulf of Gdańsk and Szczecin Lagoon. The sinking of the yacht "Prodigy" took place in the Atlantic Ocean. 3 accidents took place in the Bay of Pomerania. One involving a sea-going vessel, the other one a sailing yacht and the third one an undecked fishing boat. The Vistula Lagoon was a scene of a very serious marine casualty involving a sailboat “FJ/420”.

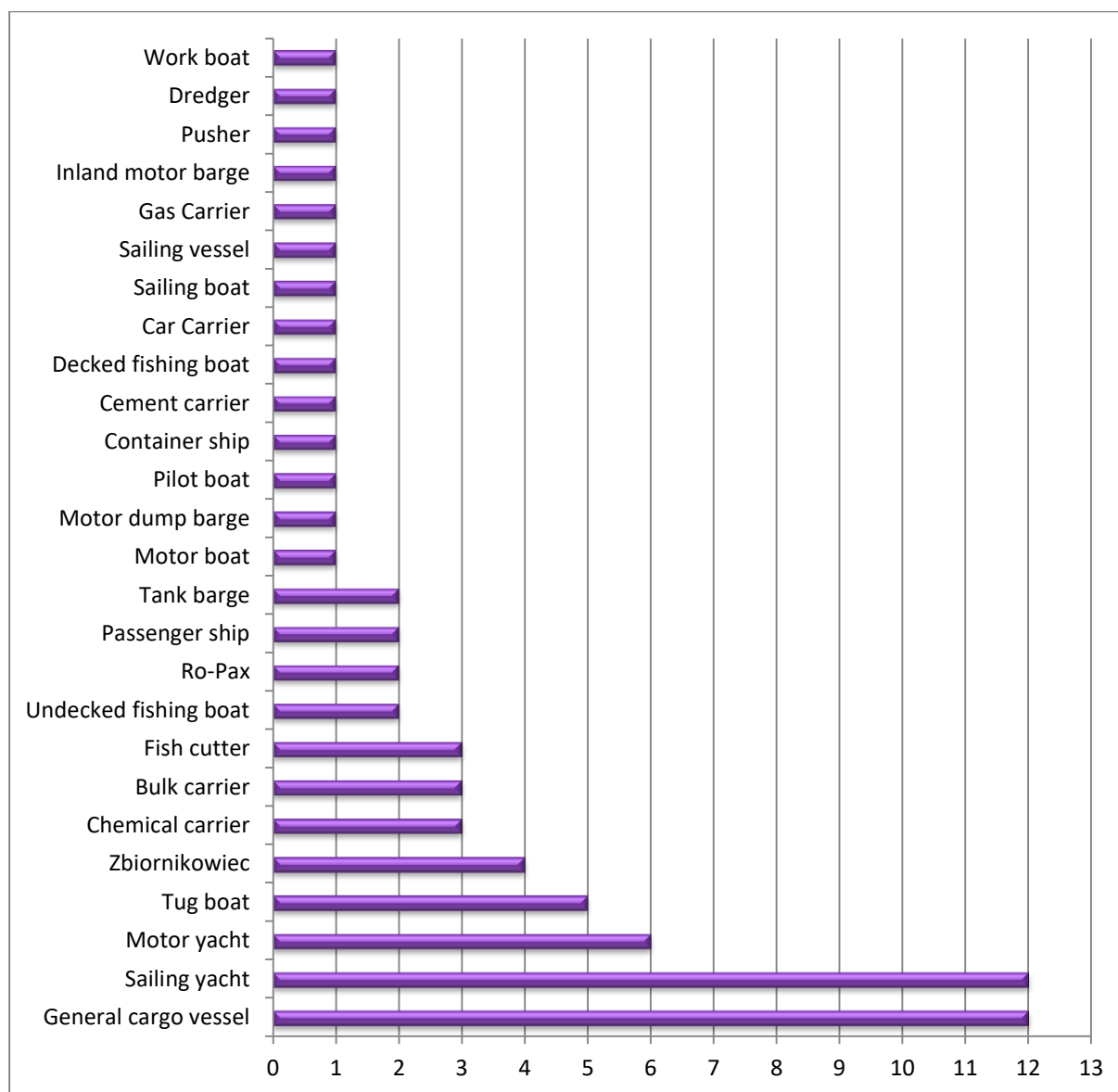


The diagram above presents a percentage share of each of the regions mentioned-above in a total number of 58 marine casualties and incidents reported to the Commission.



7. Types of Vessels Participating in Marine Casualties or Incidents

There were involved 70 vessels in 58 marine casualties and incidents reported to the Commission. The two largest groups were general cargo ships and sailboats (12 units each). There were half as much of motor yachts. Among other merchant vessels there were 4 tankers, 3 chemical tankers and 3 bulk carriers, 2 car and passenger ferries and 2 passenger ships, as well as 1 container ship, 1 cement carrier, 1 ro-ro vessel and 1 gas tanker.

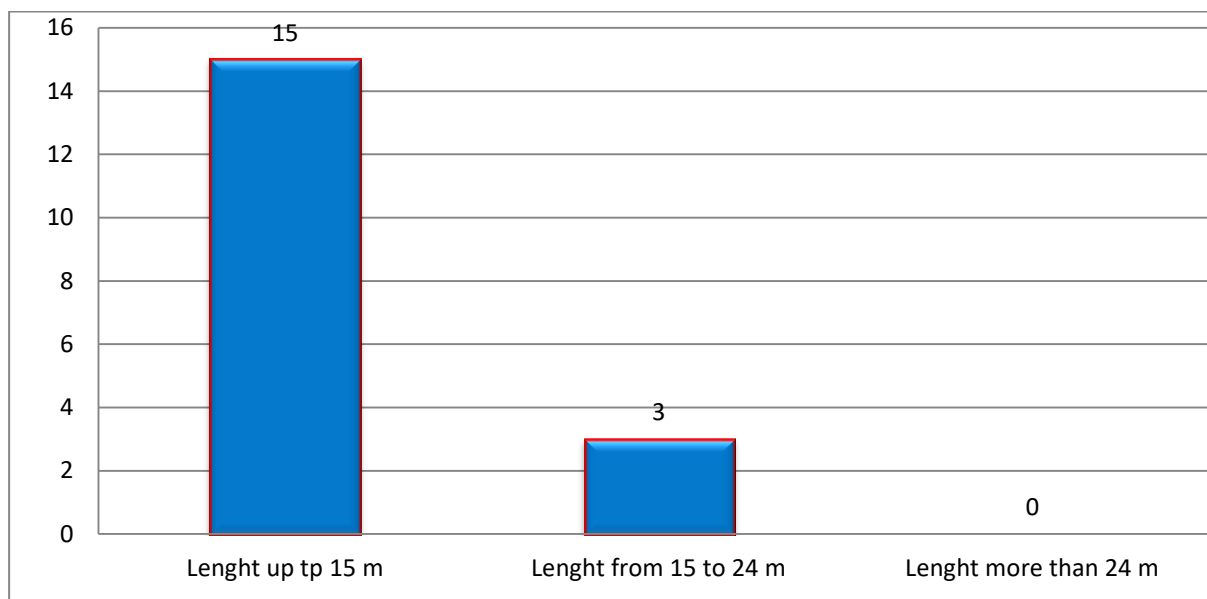


Tug boats were involved in the marine casualties and incidents 5 times. The Commission noted 6 cases that involved fishing vessels (3 fish cutters, 2 undecked and 1 deck fishing boat).



Accidents of yachts

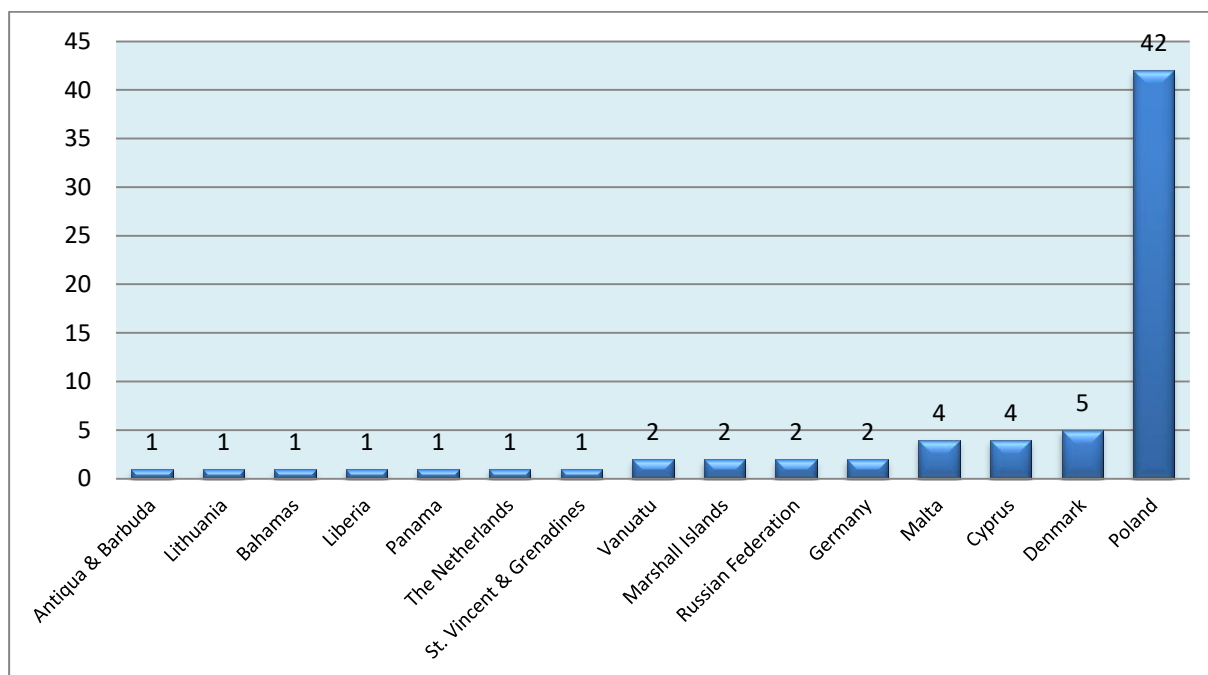
In 2014 the Commission accepted notifications about 18 events that concerned yachts. In one case, the Commission classified the event as a marine incident. In other cases there were 4 very serious marine casualties including 3 cases of total loss of a yacht, 7 serious marine casualties and 6 marine casualties. In 7 cases, the Commission withdrew from the investigation recognizing that the investigation would not contribute to the prevention of such type of casualties in the future.



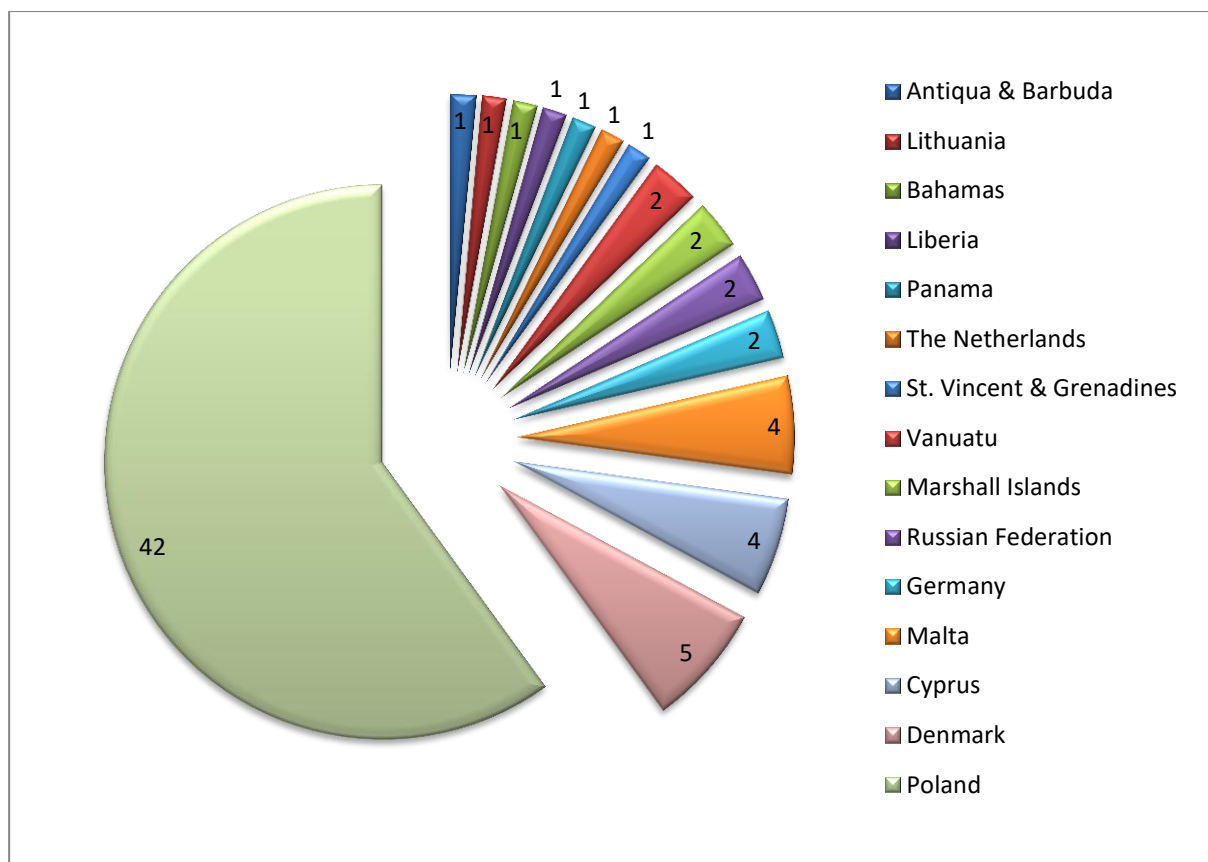
The investigation of very serious marine casualties of the yachts “Prodigy”, which had sank in a storm in the Atlantic Ocean and “Polonus”, which had run aground in the Antarctic, were not completed in 2014 and the publication of final reports from those investigations was postponed until next year.

8. Division of Vessels according to the Flag

Of 70 vessels involved in the marine casualties and incidents registered by the Commission, more than half, because as many as 42 vessels flew a Polish flag. 18 vessels belonged to the EU Member States.



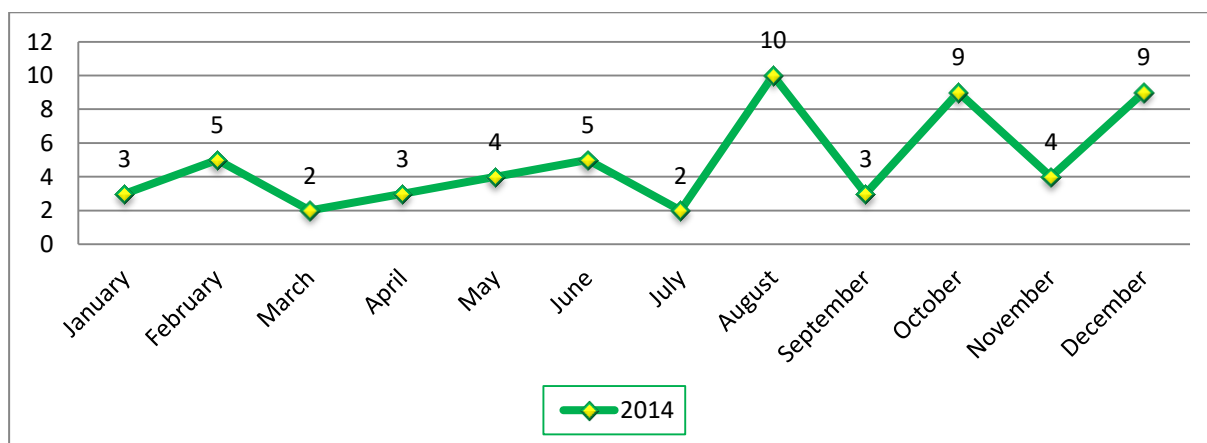
One vessel was under the flag of the Russian Federation, and the remaining 9 vessels belonged to countries considered to be the so called “flags of convenience”.





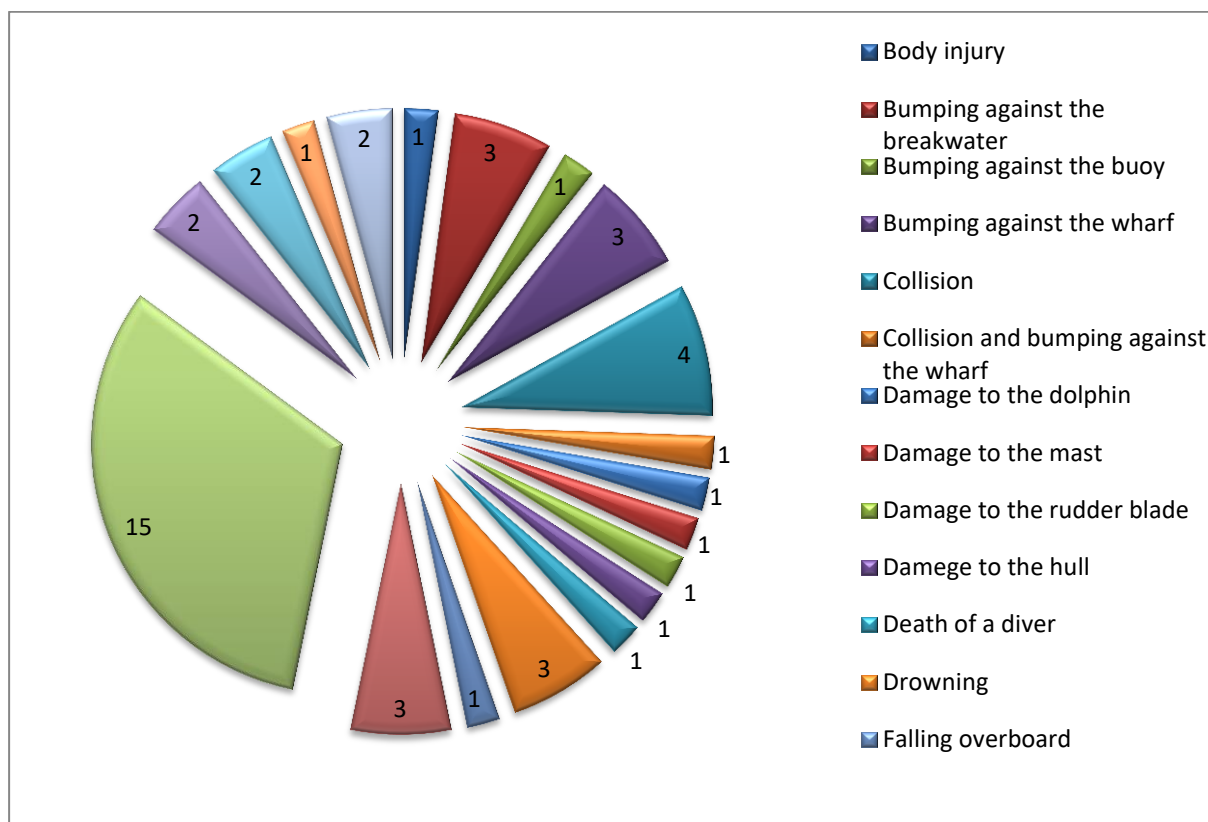
9. Distribution of Marine Casualties and Incidents over a Year

The Commission compared the number of marine casualties and incidents in each month over a year and found that more accidents occurred in the second half of the year than in the first one. A month with a record number of accidents (10) was August. This is due to the increased number of sailboats used for navigation during the sailing season (most of the accidents involving boats takes place from May to September).



10. Consequences of Marine Casualties and Incidents

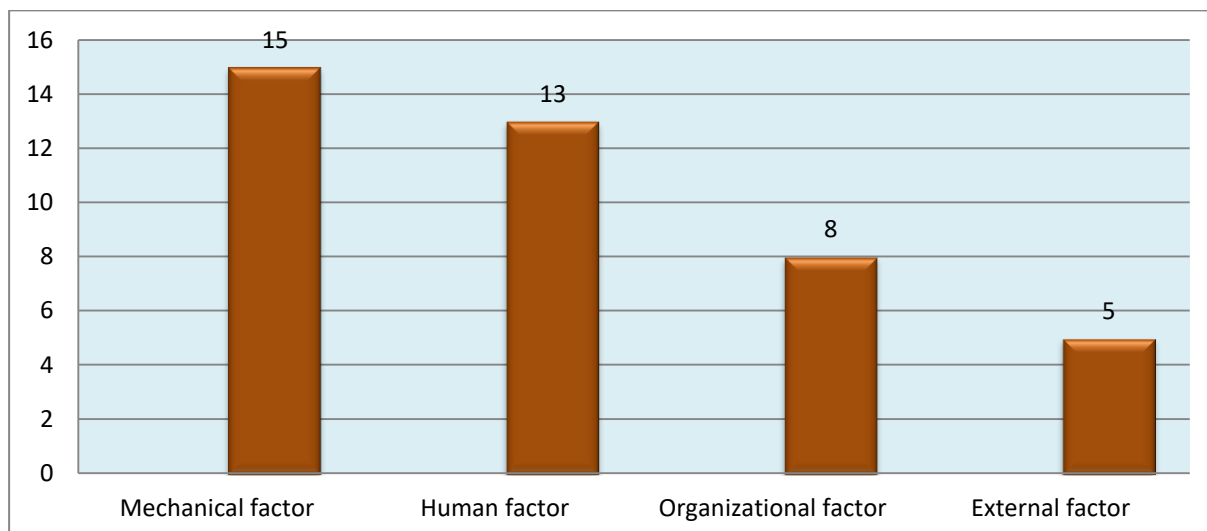
Of the 47 events other than marine casualties and incidents reported to the Commission, the Commission established the following: 15 groundings of vessels (of which 7 of cruising yachts), 4 collisions, 3 fires, 3 impacts of vessels against a breakwater, 3 drownings, 3 impacts of vessels against a quay while mooring (in the ports of Szczecin and Świnoujście), 2 cases of sinking of a unit but not totally lost, 2 cases of sinking and losing a unit, and 2 cases of pulling an immobilized sailing yacht.



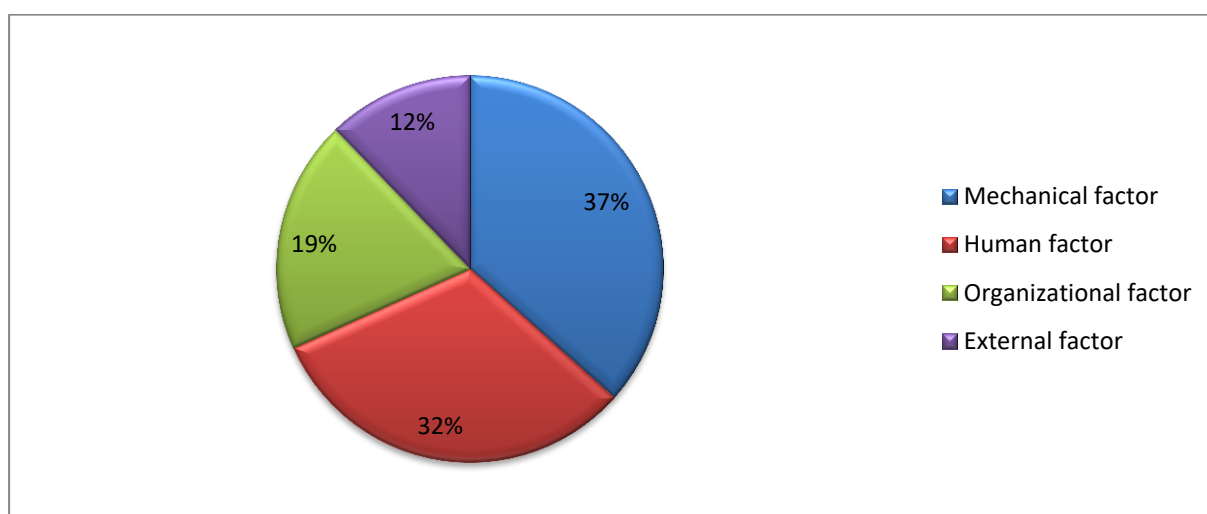
Also, the Commission found a number of other individual events, which are the following: a case of falling overboard of the crew members of a sailing yacht (because of a badly mounted balance board), a case of damaging the hull of a motor yacht, a case of damaging the mast of a sailing yacht, a case of damaging the rudder blade of a sailing yacht, a case of hitting of a buoy anchored on a river by the ship “Progress”, a case of taking water through unsecured hatches of the working boat “Turbot” and the need to call for help from the land, a case of colliding and hitting the quay by a tug boat, a case of damaging a dolphin in the port of Gdańsk by the tug boat “Virtus” pressed to the dolphin by the vessel “Overseas Yellowstone”, a case of injury and the death of a skin-diver during wreck diving from the ship “Nitrox”.

11. Causes of Marine Casualties and Incidents

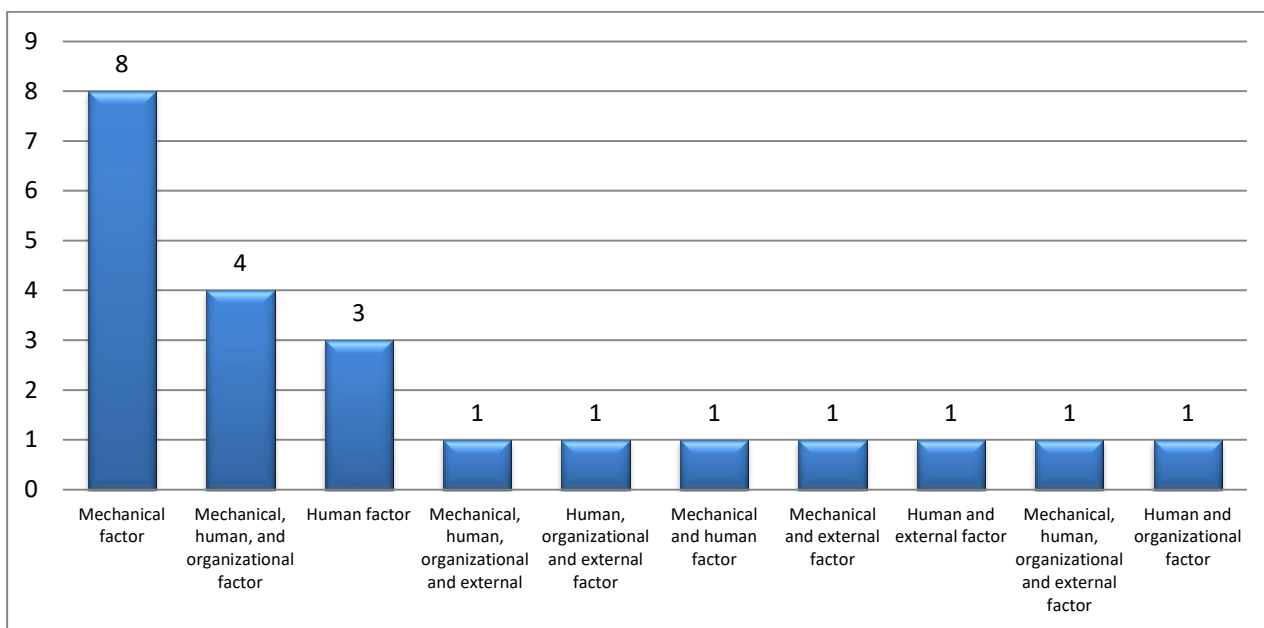
In 22 investigations undertaken by the Commission, the majority, because as many as 15 cases of accidents were influenced by mechanical factors. In 13 cases, there was a human factor involved, in 8 cases - an organizational factor and only in 5 cases the accidents were caused by external factors, i.e. mostly unfavorable weather conditions.



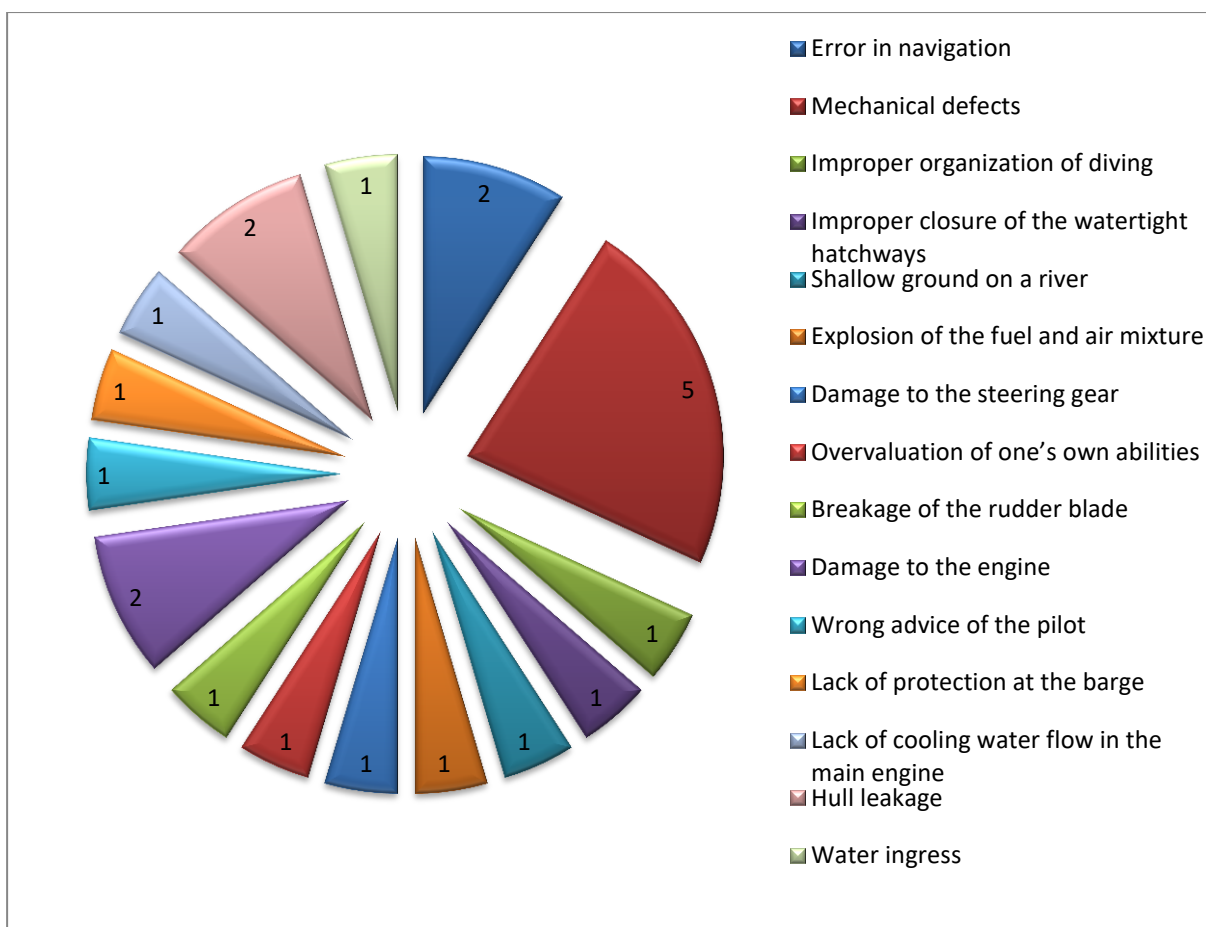
The percentage specification of particular factors influencing the occurrence of the accident in the total number of accidents is presented in the following diagram:



In 8 investigated accidents the Commission found that a mechanical factor was the only factor that contributed to their occurrence. 3 times the cause of the accident was just a human factor. None of the other factors, i.e. organizational or external ones was in any case, the only factor that had an influence on the accident.



The diagram below presents descriptions of causes of all marine casualties and incidents which were investigated by the Commission:

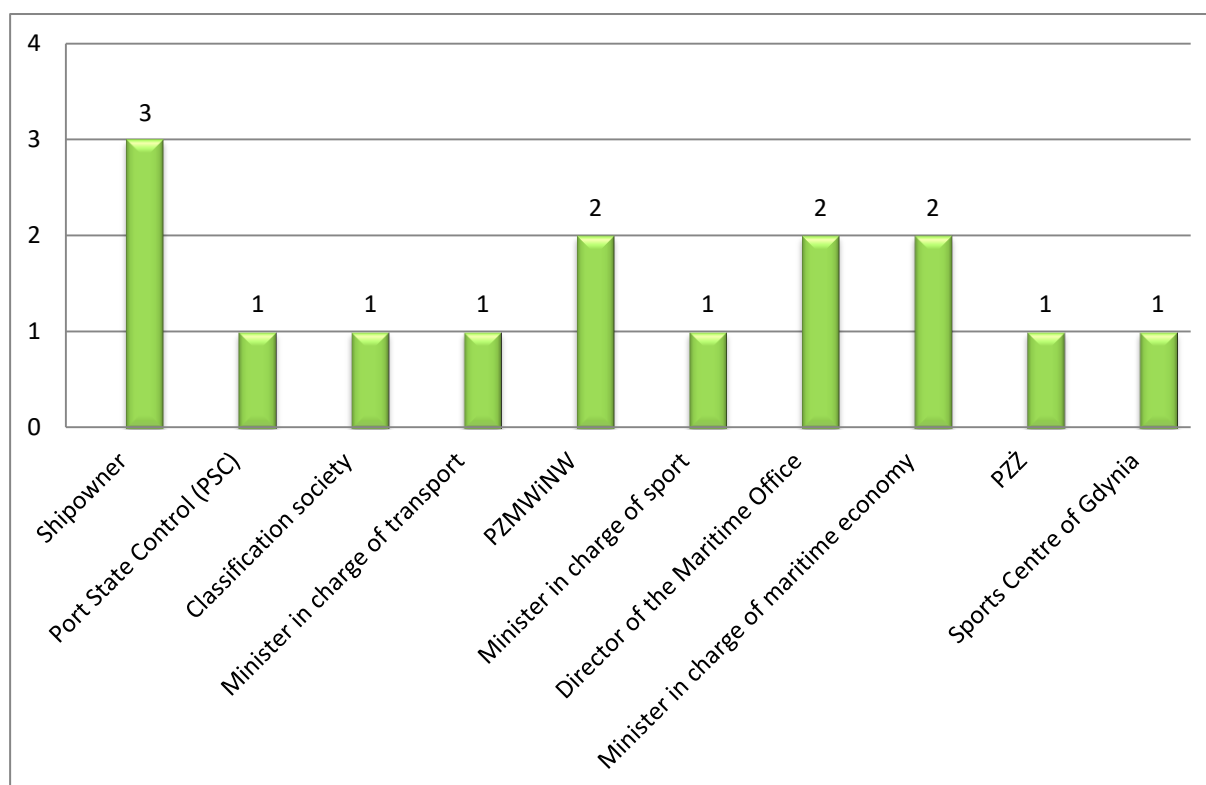




The most common cause (5 cases) was a mechanical defect in one of the mechanisms of a vessel. In 2 cases, the accident occurred due to the engine failure, an error in navigation and the hull leakage. Other, individual causes of accidents are shown in the diagram above.

12. Safety Recommendations

The Commission sent safety recommendations to 15 entities, which in the view of the Commission can contribute to the prevention of marine casualties and incidents in the future. The largest group were the owners of vessels that have been involved in the accidents. Two recommendations were sent respectively to the minister responsible for maritime affairs, to directors of maritime offices and to the Polish Motorboat and Water Ski Association. In the remaining cases the Commission sent recommendations to the Port State Control (PSC), to the ship's classifier (recognized organization), to the minister responsible for physical culture, to Polish Yachting Association and to the Sports Centre of Gdynia.



**A list of recommendations which should be commented on to the Commission in 2014.**

According to the act on the State Commission on Maritime Accident Investigation, the entities to which the Commission is sending recommendations are obliged to notify the Chairman of the Commission within 6 months from the date of delivery of the final report of the acceptance of recommendations issued by the Commission or of the reasons for their rejection. First recommendations included in the final report on the ferry “Karsibór III” were developed and announced by the Commission in November 2013. Subsequently, in May 2014 the Commission sent recommendations related to “Godafoss” to 3 entities: the minister in charge of maritime economy, the Director of the Maritime Office in Szczecin and to the Szczecin Pilot Station.

The description of the reasons for rejection of recommendations and safety measures by the entities to which the recommendations had been sent.

In April of 2014 the Commission received from the owner of the ship “Karsibór III” of the Żegluga Świnouska who had received the recommendations, a notification of the inability to comply with those recommendations of the Commission which concerned the modernization of the waterfront the ferry “Karsibór III” bumped against during the accident due to the lack of sufficient funds.

In the period from September to November 2014 the Chairman of the Commission received information from all the entities to whom the recommendations related to the accident of the ship “Godafoss” were sent about the actions, taken or planned, aiming at the implementation of recommendations, and explaining which recommendations cannot be fulfilled and why. The Commission accepted explanations and determined that further actions of the entities in this respect should be monitored by the maritime administration.

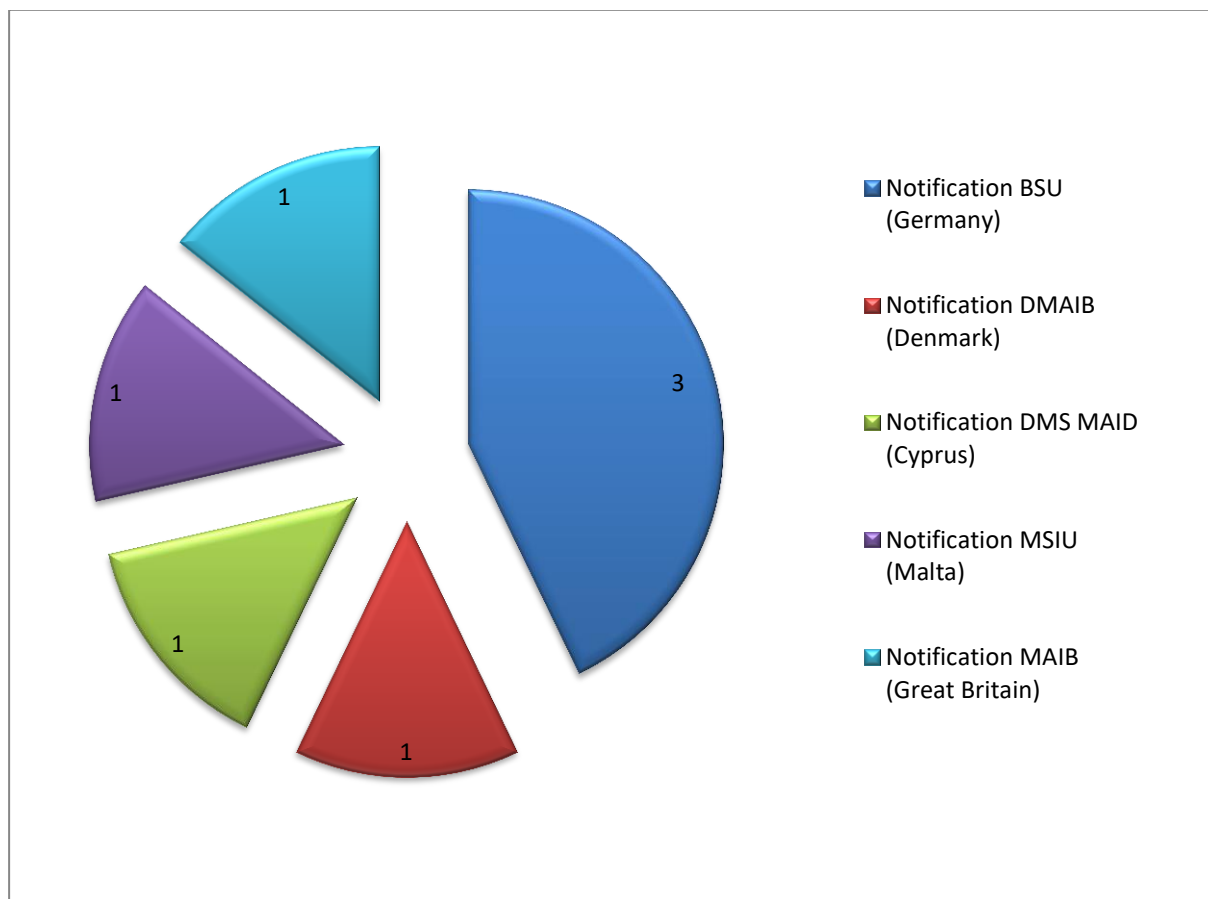
13. Warnings about a Possible Danger (Early Alert)

In 2014 the Commission neither issued any warning about a possible danger (early alert) nor it sent any notification of this type to the European Commission.



14. Cooperation with Substantially Interested States

In 2014 the Commission received 7 notifications about marine casualties and incidents and 16 times it notified about such accidents other states recognized by the Commission as substantially interested.



The Commission cooperated with substantially interested third countries. The Chairman of the Commission met the representatives of the government of the Bahamas twice in 2014 and he spoke about the investigation results and the report on the accident (collision) of the “Baltic Ace” and the “Corvus J,” in which Polish seafarers were killed and which took place in the North Sea in December 2012.