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By Dieter Berg
IUMI President

All aboard for innovation

In today’s fast-changing business environment, a year can be a long time. While I stated in 2017 that the shipping and logistic industry was lagging behind other industries, now I am excited to see rapid technological developments and a lot of start-up companies focusing on digital innovation and disruptive technologies. These include solutions to leverage big data and boost efficiency in ports, on vessels and throughout supply chains.

Increasingly, the concept of the digitalised port is becoming reality, as smart sensors, radars and satellites will be implemented to monitor real-time vessel traffic as well as truck and container movements. Port operators using data analytics are working hard to predict arrival time of vessels and avoid waiting time at ports, while automated cranes and optimised infrastructure promise to vastly enhance efficiency on land. The combined result is reduced congestion of ships, trucks and containers, avoidance of unnecessary emissions and significant cost savings.

New technologies are also driving digitalisation on board ships. Utilisation of interconnected systems and big data is increasing, not only to coordinate vessel movements with port operations, but also to improve the overall efficiency and management of the ship. Navigational technologies such as short-range laser, audio and sonar screening are improving vessel safety and sensor technology will enable pre-emptive engine and equipment maintenance. Autonomous and remote-controlled ships can be expected to play a role in the near future, too.

Throughout supply chains, emerging technologies like Artificial Intelligence (AI) and the Internet of Things (IoT) enable seamless coordination of manufacturing, storage and logistics. Based on the capacity of AI to predict what will happen in supply chains tomorrow, transportation, shipping and warehousing will become more and more productive. IoT and sensor technologies make it possible to utilise micro-data generated by mobile devices and macro-data from satellites, vessels and aircraft to optimise cargo movements. These rapid advances will be further accelerated by the entrance of new industry players with digital capabilities like Amazon or Alibaba.

For the marine insurance industry, these developments open huge opportunities for new products and services. Beyond developing special covers for new exposures such as cyber risks or supply chain risks, we need to get the big picture and holistically address the needs of the increasingly digitalised shipping and logistics industry.

The new paradigm calls for insurers that can think outside the box and strengthen their service position. By working closely with customers, marine insurers can use digital technologies and data analytics to develop preventive risk management solutions and expand the borders of insurability. As supply chains become more efficient, secure and transparent, many traditional risks will diminish while new risks arise.

Now that shipping and logistics are catching up with other industries in the digitalisation race, it’s our task as marine insurers to make sure we are up to speed too.
The International Maritime Organization (IMO) started deliberations on a regulatory scoping exercise for the use of Maritime Autonomous Surface Ships (MASS) in May. Just prior to a meeting of the Maritime Safety Committee (MSC), an international workshop was organised by Japan at the IMO headquarters to progress the work and facilitate the deliberations.

Following introductions by IMO Secretary-General Ki-tack Lim and Maritime Safety Director Heike Deggim, various projects were presented to a large audience of flag states and organisations in the main conference hall. Among the workshop suggestions were the need to clarify what is meant by an ‘autonomous ship’, and whether a separate code and interim guidelines should be developed.

The IMO has recognised that given the rapid technological developments it should take a proactive and leading role on MASS. Consequently, both MSC and the Legal Committee (LEG) have now agreed on scoping exercises to see if, where and how autonomous vessels will fit in existing regulatory frameworks.

Target completion year for the MSC exercise is 2020, while LEG will complete its consideration and gap analysis of conventions in 2022. A taskforce is set up to assist with the scoping exercises.

In the session this May, MSC focused on the framework of the regulatory exercise and agreed on a plan of work with terms of reference to an intersessional correspondence group. Although the purpose of the exercise will not be to develop new regulations, it is expected to touch on an extensive range of issues, including the human element, safety, security, interactions with ports, pilotage, responses to incidents and protection of the marine environment.
Report of 99th session of the IMO Maritime Safety Committee

The 99th session of the Maritime Safety Committee (MSC) met at the International Maritime Organization’s (IMO) headquarters from 16 – 25 May under the chairmanship of Brad Groves from Australia.

IMO was represented by Lars Lange (IUMI Secretary General), Helle Hammer (Managing Director at The Nordic Association of Marine Insurers (Cefor) and IUMI Policy Forum Chair), Astrid Seltmann (Analyst/Actuary at The Nordic Association of Marine Insurers (Cefor) and IUMI Facts & Figures Committee Vice Chair), and Hendrike Kühl (IUMI Policy Director).

A summary of the key agenda items:

**Maritime Autonomous Surface Ships (MASS)**

IMO took first steps to investigate how autonomous ships could be addressed in IMO instruments. The committee endorsed a framework for a regulatory scoping exercise, as a work in progress, including preliminary definitions of MASS and degrees of autonomy, as well as a methodology for conducting the exercise and a plan of work.

For more information on this agenda item and the MASS workshop which took place prior to the MSC meeting, please click here.

**Polar Code**

The International Code for Ships Operating in Polar Waters (Polar Code) entered into force in January 2017. In addition to the SOLAS and MARPOL regulations it provides requirements for ships sailing in the Arctic and Antarctic regions. The MSC considered how these additional safety measures might be applied to non-SOLAS vessels operating in polar waters. It was agreed that the development of such safety measures should focus on fishing vessels, pleasure yachts above 300 gross tonnes (grt) not engaged in trade, and cargo ships below 500 grt down to 300 grt.

The MSC instructed the Sub-Committee on Ship Design and Construction (SDC 6) to develop recommended safety measures for fishing vessels of 24 metres in length and over, with a view to aligning with the 2012 Cape Town Agreement; and pleasure yachts above 300 grt not engaged in trade.

The Committee further agreed to establish a working group at the next MSC session to consider how to proceed with the development of mandatory and/or recommended measures for ships operating in polar waters but not currently covered by the Polar Code. This exercise would likely involve the Sub-Committee on Navigation, Communications and Search and Rescue (NCSR). Member States and interested international organisations were invited to submit proposals to the next session.

**New ships’ routing measures**

The MSC adopted new and amended ships’ routing measures in the Bering Sea and Bering Strait, aimed at reducing the risk of incidents — the first measures adopted by IMO for the Arctic region where the Polar Code applies.

A traffic separation scheme and other routing measures in the Dangan Channel (China) and in the vicinity of Kattegat (Denmark and Sweden); and an area to be avoided off the coast of Ghana in the Atlantic Ocean were also adopted.

**Piracy and maritime security**

The delegates were informed about reported incidents of piracy and armed robbery against ships. It was stressed that the application of IMO guidance and best management practices to counter piracy and armed robbery against ships was effective and ought to be continued.

In 2017, 203 incidents of piracy and armed robbery against ships were reported worldwide, the lowest for over 20 years. Therefore, the current downward year on year trend continues, with a reduction of about 8% at the global level.

In the waters off the coast of Somalia, the committee noted that Somalia based piracy had been suppressed, but not eradicated. In 2017 a total of six incidents were reported. So far, in 2018 there had been two reported incidents of attempted piracy.

In the Gulf of Guinea, the number of incidents reported decreased to 48 in the IMO Global Integrated Shipping Information System (GISIS) database in 2017 (62 in 2016). However, in the first four months of 2018, the number of incidents significantly increased in the region. Of the 37 incidents reported, some resulted in the hijacking of ships and holding of crew members for ransom. On a more positive note, the committee noted that naval forces in the region were showing increased capability to intervene in such incidents.

The MSC also noted that, in response to the threats and recent incidents arising from the conflict in Yemen, such as sea mines and waterborne improvised explosive devices, the Combined Maritime Forces (CMF), ICS, BIMCO and INTERTANKO had published interim guidance on maritime security in the southern Red Sea and Bab al-Mandeb.

The MSC stressed that Member States needed to continue to provide naval assets and Flag States needed to continue to monitor the threat to ships flying their flag and set appropriate security levels, in accordance with the International Ship and Port Facility Security (ISPS) Code.

For more details please visit the IMO’s MSC website.
On 12 – 16 March, the International Maritime Organization’s (IMO) Sub-Committee on Ship Systems and Equipment held its 5th session (SSE 5) in London.

Key issues on the agenda of SSE 5 included:

— An agreement on draft requirements for ventilation of totally enclosed lifeboats;
— An agreement on the revision of LSA Code requirements for cargo ship rescue boats;
— Progress on life-saving appliances and arrangements for polar waters (draft interim guidelines);
— Mandatory requirements for onboard lifting appliances and anchor handling winches.

Of particular interest to IUMI was the discussion on “Preventing and extinguishing fires on roro passenger ships” which IUMI has issued a position paper on back in February 2017.

The sub-committee also continued its ongoing review of current SOLAS regulations and associated codes to minimise the incidents and consequences of fires on new and existing roro passenger ships, specifically in roro and special category spaces. A draft structure for interim guidelines was developed and IMO instruments which may need to be revised were identified. The sub-committee is looking, among other things, at risks arising from alternatively powered vehicles, including electric or hybrid vehicles, as well as those risks associated with electrical supply and connections to vehicles.

The sub-committee made further progress in developing draft SOLAS regulations and related guidance for onboard lifting appliances and anchor handling winches. The aim is to prevent accidents related to such equipment that may cause harm to persons or damage to ships, cargo, shore-based structures and subsea structures as well as to the environment.

A correspondence group was established to further develop related draft SOLAS regulations and guidance. Meanwhile, the MSC was invited to advise on specific issues, including the scope of application of the new provisions and the interim outcome of goals and functional requirements.
The official countdown to the marine insurance event of the year has commenced. In just under three months the annual IUMI Conference will come to Africa for the first time in 144 years and will take place in the truly diverse city of Cape Town (16 – 19 September 2018).

The world’s leading industry experts have been confirmed to present on this year’s common theme “Managing emerging risks and exposures – think the unthinkable” and this year’s conference looks set to be another huge success.

As every year, IUMI’s Facts & Figures Committee are rigorously preparing the highly anticipated 2017 world statistics presentation, which will take place on 17 September. IUMI’s Technical Committees are also busy creating informative and thought-provoking workshops that will look at the current issues marine insurers are facing, as well as to the potential future challenges. The current insurance market environment is volatile and now is the time for marine insurers to think outside the box and “think the unthinkable”. Topics this year include places of refuge, autonomous vessels, cyber risks, fires on containerships, to name a few.

The event will be held in the impressive world-class Cape Town International Convention Centre (CTICC) in the heart of the city. For more information and to register please visit the link below. We look forward to seeing you in Cape Town.

www.iumi2018.com
The IMO’s Marine Environment Protection Committee (MEPC) met for its 72nd session from 9 to 13 April 2018 in London. The following topics raised are of particular interest for marine insurers:

**Greenhouse gas emissions initial strategy adopted**

The MEPC adopted an initial strategy on the reduction of greenhouse gases (GHG) emissions from ships, setting out a vision to reduce GHG emissions from international shipping. This vision confirms IMO’s commitment to reducing GHG emissions and, as a matter of urgency, aims to phase them out as soon as possible in this century.

More specifically, under the identified “levels of ambition”, the initial strategy envisages for the first time a reduction in total GHG emissions from international shipping which, it says, should peak as soon as possible and to reduce the total annual GHG emissions by at least 50% by 2050 compared to 2008, while, at the same time, pursuing efforts towards phasing them out entirely. The strategy includes a specific reference to “a pathway of CO2 emissions reduction consistent with the Paris Agreement temperature goals.”

**Further work on energy efficiency requirements**

The MEPC adopted amendments to regulation 21 of MARPOL Annex VI regarding Energy Efficiency Design Index (EEDI) requirements for roro cargo and roro passenger ships. Draft amendments to regulation VI/19.3 proposed in relation to exemptions on EEDI for ice class ships were referred to the correspondence group.

**Mandatory data collection system for fuel oil consumption of ships**

MARPOL amendments to make mandatory the data collection system for fuel oil consumption of ships entered into force on 1 March 2018. They require data collection to start from 1 January 2019. MEPC 72 was updated on the status of the development of the IMO Ship Fuel Oil Consumption Database which was launched in March 2018.

**Implementation of sulphur 2020 limit - non-compliant fuel oil ban approved**

The 0.50% limit on sulphur in fuel oil on board ships (outside designated emission control areas or ECAs, where the limit is 0.10%) will come into effect on 1 January 2020. The MEPC approved, with a view to adopt at MEPC 73 (22-26 October 2018), draft amendments to MARPOL Annex VI to prohibit the carriage of non-compliant fuel oil for combustion purposes for propulsion or operation on board a ship.

IMO’s Sub-Committee on Pollution Prevention and Response (PPR) is currently developing guidelines to support the implementation of the 2020 sulphur limit.

**Heavy fuel oil in the Arctic**

The MEPC considered the development of measures to reduce risks of use and carriage of heavy fuel oil as fuel by ships in Arctic waters and agreed the scope of work for the Sub-Committee on Pollution Prevention and Response (PPR), which meets for 6th session PPR 6 in February 2019.

PPR 6 should develop a definition of heavy fuel oil (HFO); prepare a set of guidelines on mitigation measures to reduce risks of use and carriage of heavy fuel oil as fuel by ships in Arctic waters.

**Marine litter**

The MEPC agreed to include a new output on its agenda, to address the issue of marine plastic litter from shipping. Member Governments and international organisations were invited to submit concrete proposals to MEPC 73 on the development of an action plan.
It is often said that data is the oil to make the digital revolution successful. Without high quality data analytics, effective business decisions can’t be made. IUMI’s Facts & Figures Committee has overseen and produced a growing supply of marine data but has not until now focused on global claims data. Loss ratios are available from a small number of members but a comprehensive database of large claims accompanied by useful trend analysis has been an elusive dream.

This is no longer the case. Following the Hamburg Spring meeting and considerable planning and cooperation from IUMI members, a pilot project for a large loss database has been formally launched. The aim is to present the findings at the annual conference in Cape Town this year. To do this, the member associations of Belgium, Germany, Japan, Netherlands, Sweden and Singapore have agreed to supply their market’s data to an independent party, namely the Boston Consulting Group (BCG), who will then use the data to populate a new IUMI large loss template. A large loss is defined as $250,000 USD at the gross level. Both hull and cargo claims will be captured. The analysis conducted by BCG will include date, cause and location of loss, and types of vessel or cargo.

IUMI is ideally placed to tap the wealth of loss data in the market. Suitable non-disclosure agreements are in place and the IUMI Executive Committee has agreed a business case, available to all associations in their important discussions with their own members. This initiative aims to improve a marine underwriter’s decision-making and business operations. I am delighted to be the project manager of this exciting pilot and Don Harrell, chairman of the Facts & Figures committee looks forward to presenting the results to the whole membership at the annual conference.

By Dave Matcham
CEO of the International Underwriting Association (IUA), and member of the IUMI Facts & Figures Committee
The 50th SAGMaS (Stakeholder Advisory Group on Maritime Security) Meeting took place in Lisbon on 28 February 2018 and was hosted by the European Maritime Safety Agency (EMSA). A wide range of issues related to maritime security were discussed. Topics included the combatting of (organised) maritime crime, ferry security, piracy, and cyber security.

Several insightful presentations were given by stakeholders from different backgrounds such as the CSO Alliance, the European Union Agency for Network and Information Security (ENISA), Aquapol and European Community Shipowners’ Associations (ECSA). The meeting which was attended by participants from industry, EU and member states’ government officials and NGOs, provided a useful platform to engage on common maritime security concerns and discuss effective ways to tackle them.

In May, the 2nd Arctic Shipping Best Practice Information Forum was attended by representatives from over 40 interested organisations, in addition to the eight Arctic States (Canada, the Kingdom of Denmark, Finland, Iceland, Norway, the Russian Federation, Sweden and the United States). The Forum was founded in 2017 to help raise awareness and to promote the effective implementation of the International Maritime Organization’s (IMO) International Code for Ships Operating in Polar Waters (Polar Code).

Over the past year, many stakeholders have contributed information to the Forum and this has enabled the launch of a public web-portal, accessible at: www.arcticshippingforum.is

This comprises over 120 pieces of information from authoritative sources including the Arctic States, intergovernmental organisations, classification societies, the shipping industry, marine insurers, and non-governmental organisations. The submissions have all been checked by Arctic State experts, and so can be relied on as accurate.

For the first time, there is a central archive of dependable hydrographic, meteorological and ice data. The portal is intended to be regularly updated as new information becomes available. This resource will undoubtedly be of use to anyone considering an Arctic voyage and the risk assessment around it. Recent additions include detailed Danish guidance for navigation around Greenland and Norwegian charts for the corridor around Spitsbergen.

It is worth noting that still only five per cent of the Arctic is mapped to modern standards with the information on many charts dating back to before 1950, and those can incorporate a 25 per cent depth error and a 500-metre positional error.

The Forum agreed that more should be done to try to harmonise the standards of ship certification, accreditation for ice navigation and the Polar Water Manuals which ranged widely in depth and quality. It was noted that climate change is producing more and larger icebergs, meaning that careful voyage planning and watch-keeping will be of crucial importance.

The Forum also heard that the second stage of Polar Code work would soon begin at IMO by addressing the non-SOLAS vessels not previously included in the Code, namely yachts, fishing vessels and cargo vessels under 500 grt.
In March 2018 we prepared a report for the IUMI Loss Prevention Committee describing the risks and issues attached to the transportation of yachts as deck cargos.

Yachts are transported around the world by sea on a regular basis. There are three principal methods employed; carriage on deck, carriage below deck or in ISO containers, or carriage on road trailers driven on to roro ferries.

The report focuses on yachts carried as deck cargo, and in particular, where the cargo is lifted on board. Some specialised ships use a floating dock concept to float the cargo on and off. This technique offers several advantages in that the potentially hazardous lifting operation is precluded, and the construction of the ship affords the deck cargo additional shelter from the effects of wind and sea.

However, floating dock ships still must lash the yachts to the deck prior to a sea passage and have common risks and issues with conventional ships in this regard.

The report concludes that:

1. Although theoretically well-regulated and planned, the complex relationships between the actors involved undermines the concept of a single prudent uninsured and introduces multiple pathways for negligent behaviour to remain uncontrolled or even undetected.

2. Yachts are difficult to lash safely as they are large, voluminous, irregularly shaped and the strong points provided for mooring are unsuitable for lashing.

3. The cost of properly lashing yachts is avoided by the assumption that insurance will mitigate the losses caused by the lack of effective control and unwillingness by the industry to provide securing systems that are inherently safe on the grounds of cost.

4. The patterns of loss for risk carriers is a series of attritional “damaged on deck” type losses that occasionally spike into a large loss caused by the cargo going overboard. The pattern of attritional loss should indicate to underwriters with a high degree of certainty the likelihood of a large loss and the proper premium to charge. These accounts are inherently volatile.

For the full report please [click here](#).
IUMI responded to New Zealand’s latest consultation stating its “concern regarding the insurance market’s ability to service the requirements... conceivably there could be a problem for operators in New Zealand waters obtaining insurance cover.”

Earlier in the consultation, the London insurance market’s Joint Rig Committee, which represents offshore energy underwriters from both the LMA and IUA, wrote to New Zealand’s Ministry of Transport, which framed the proposed legislation, stating that “commercially available insurance products are not likely to be able to meet the full range of exposure contemplated by the proposed financial assurance regime.” Unfortunately the Ministry’s response was to increase the legislative limits from the initially proposed NZ$600m, and to bring forward the date of implementation.

New Zealand is well known for its protective stance toward the environment. In the past, this has led to losses that far exceeded insurers’ expectations, for example in the case of the loss of the vessel Rena. Market sources suggest the bill for removing the wreck currently stands at approximately US$450m.

Given the limited number of offshore operations in New Zealand coastal waters and the proposed end to all offshore activity, insurers offering coverage for the new limits would struggle to recoup losses should a large claim occur. Does this create a perfect storm for insurers?

As the US makes plans to open its entire coastline to offshore exploration and the UK applauds the discovery of new North Sea fields, New Zealand has recently announced its intention to ban all offshore exploration. This follows the implementation of new legislation introducing substantial marine liability limits and a strict liability regime.

On 12 April, New Zealand Prime Minister Jacinda Ardern announced: “There will be no further offshore oil and gas exploration permits granted.” Existing permits will not be renewed. Under the rules proposed all offshore energy activity in New Zealand waters will cease by 2030.

Of more immediate concern, current proposals would, from 1 June 2018, increase pollution liability limits for all oil and gas operators from NZ$27m (about US$20m) to a scaled limit of up to NZ$800m (US$588m), higher than any other nation. It will, in effect, demand a financial guarantee. In addition, New Zealand proposes strict liability.

New Zealand’s perfect offshore storm

By James Straker-Nesbit, Senior Executive, Underwriting, LMA Lloyds, and IUMI Offshore Energy Committee Secretary
I was first approached to gauge my interest in joining the IUMI Nominating Committee at the Paris conference in 2011. My initial reaction was that “this should be an easy job” following my time as a member of the IUMI Cargo Committee and as Chair of the Joint Cargo Committee in London. All I would have to do was sit in on a couple of meetings each year and attend the odd Technical Committee (TC) meeting at the spring and September conferences. Life would be easy.

What has followed has been somewhat of an education over the ensuing years. The modernisation of the IUMI organisation, initially instigated under Ole Wikborg’s leadership and driven further by Dieter Berg in his tenure as the current IUMI President, has meant that the skills required to serve as an active and valued Executive Committee (EC) member and, especially, President are substantially more challenging than I had initially envisaged in Paris.

This has meant that the Nominating Committee has had to agree those characteristics which define the best candidates to take IUMI on to the next stage in its evolution. As much as an individual might love to embellish their CV’s with ‘a stint on the IUMI EC’, the commitment, workload and drive required should not be underestimated. This is no more so than when considering the role of IUMI President. I’m sure both Ole and Dieter would not mind me mentioning that the amount of work required just to fulfil the basics of the role was much more than they had initially envisaged.

Indeed, the role of an EC member now requires, as a minimum, a commitment to the following;

— Acting as an ambassador for IUMI
— Being prepared to present to local markets on IUMI matters of interest
— Being prepared to represent IUMI on a global basis if the President is unavailable
— Attending a minimum of four meetings per year
— Taking ownership and delivery of particular IUMI projects e.g. education, political topics, etc.
— Being prepared to chair sub or working groups

I think it is fair to say that the perception of the Nominating Committee had been ‘chequered’ in the past...... “It’s a secret society”, “It’s who you know, not what you know”, “What are you really doing in my technical committee meeting?” I’d like to think we have tried to improve this perception more recently.

The new Articles of Association have certainly helped in defining roles and responsibilities and we have hopefully become more transparent. We have liaised with the member association secretaries, TC Chairs and council members to try to get better engagement to develop a continuous pipeline of talent for future EC members and Presidents of IUMI. Indeed, the role of the Nominating Committee is just that – to nominate candidates to the IUMI Council members for election at the Council meeting at the September conference. We can only do our job properly if the country member associations take an active role to assist us by identifying future talent and by proposing those suitably qualified candidates for consideration.

Through all of this, the assistance of the Technical Committee Chairs and members is greatly appreciated by allowing the Nominating Committee members access as observers to their meetings. We are always open to discuss what is required to be a successful EC member and would encourage anyone to consider whether this is something they would wish to be part of in the future.

New people and new ideas are key to IUMI’s future success and it is in all our hands to deliver.

By Tim Pembroke,
Director of Marine at QBE European Operations, and IUMI Nominating Committee Chair

The role of the Nominating Committee
How long have you been associated with IUMI?
I have been actively involved as a member of the Inland Fishing and Yacht (IFY) committee since 2013.

What is your IUMI role today and what does it involve?
Since September 2017 I have assumed the role of the Chair of the IFY committee. The role involves the IFY secretary, Marko van Leeuwen, and myself organising the IFY meetings. Together we try to inspire our committee members to participate actively, involving them greatly in the organisation of the IUMI workshops at the annual conference.

And what is your day job?
I am the Underwriting Manager Marine at Delta Lloyd Schadeverzekering, which is now part of the NN (Nationale-Nederlanden) Group N.V. In addition, to that I am Chair of the Marine Platform of the Dutch Association of Insurers and a board member of the IVR, an affiliate of IUMIs that focus on the inland hull market. I am also actively involved in everything related to the marine co-insurance market, such as education initiatives for example.

What benefits do you get from being associated with IUMI?
Firstly it gives me lots of energy. I also get to meet people from all over the world, build on my knowledge, and gaining even greater awareness of all the issues and challenges we are facing today and in the future. I can use this wealth of information in my daily business.

If you could change anything at IUMI what would it be?
That everyone attending the IUMI workshops were more actively involved – to care and share more. I would like the people to do something with the message they receive and to be leaders in their market. A lot of the marine underwriters do not have the opportunity to visit the IUMI conference and the knowledge gained at this event should be valued.

How did you reach your current position in marine insurance?
By working very hard! I also studied for seven years in the evening to acquire all my qualifications, including General Liability and Underwriting Agent. Additionally, I am always there when somebody needs my help, I would never say no, which has served me well.

And what do you do away from the office?
When I was young I did a lot of sailing, windsurfing, waterskiing, running and I had a Moto Guzzi which I loved to ride. Now however works keeps me busy, as does my house which is 100 years old and my 18-year-old son. We both like to go out shopping, look after our two cats from Crete and a French bulldog.

I also look after friends and family who need my help when it is necessary - which over the last five years happens more and more often. I volunteered at the refugee project here in my home town and take care of one of my neighbours down the road.

Finally I love to cook and organize dinner parties for my family, friends and neighbours. Somehow I cannot stop inviting people, I start with six and end up with 12 round the table. But I always cook too much anyway.

So in three words: work, caretaking and cooking.
On the first day of the 99th session of the Maritime Safety Committee (MSC) meeting, Lars Lange, Secretary General of IUMI, and Astrid Seltmann, Analyst/Actuary at The Nordic Association of Marine Insurers (Cefor) and Vice Chair of IUMI’s Facts & Figures Committee, once again were honoured to give a presentation to the International Maritime Organization (IMO) delegates.

Lars Lange informed the audience about IUMI’s work and publications, followed by Astrid Seltmann who updated the participants on vessel values and casualty trends. The presentations were very well received and IUMI would like to thank IMO for being given this opportunity for the third time.

Please [click here](#) to access Astrid’s presentation.

In April 2018 the IUMI Executive Committee launched the first IUMI Asia Forum. This new regular conference is a further element of IUMI’s education strategy and will take place annually in different locations in Asia. The concept behind this differs from the main conference in September as it contains a large amount of local content from the varying markets in the Asia region. The General Insurance Association of Singapore (GIA) was the host of this year’s Asia Forum. The two-day conference, with over 200 participants from Singapore and abroad in attendance, touched many highly topical issues relevant for marine insurers. For the first time this IUMI conference addressed not only insurers, but also business partners including brokers, clients and service providers. This further enabled attendees to have an in-depth dialogue on relevant market issues.

During the two day event many speakers provided an update on topics related to statistics and market developments, new technologies such as blockchain, unmanned shipping or smart logistics, highlighting their importance to marine insurance, as well as discussing specific challenges to the Asian market such as the development of the port infrastructure.

In a key note presentation, IUMI president Dieter Berg gave an update on matters relevant to IUMI and IUMI’s strategy for the future. The conference took place during Singapore’s annual maritime week and was supported by the Maritime Port Authority of Singapore (MPA).

IUMI is very grateful and thanks GIA of Singapore for organising this event so exceptionally well. IUMI is already looking forward to the second edition of the IUMI Asia Forum next year in another Asian country. Please pencil into your diary.
The insurance industry is utterly dependent on change. Change creates uncertainty, which creates unquantifiable risk, and the insurance industry has thrived off the resulting opportunities to pool this risk.

For a long time, this change has been largely unquantifiable, and the market leading insurers have built their success off the back of strong partnerships with their insureds. But, with increasing amounts of data (on just about everything) becoming available, insurers’ pursuit of prosperity has more recently become a race to the top in terms of who can accumulate the best information and make use of it.

The race to understand climate change
A global issue which is currently one of the biggest sources of uncertainty for insurers is climate change and, whilst politicians continue to debate the causes of the phenomenon, its effects are not up for discussion. Northern hemisphere sea ice extent, according to the National Snow & Ice Data Center (NSIDC), is currently at its lowest level (in terms of area) since records began.

Figure 1
Comparison of sea ice extent in the Bering Sea, March 2013 vs. March 2018

Quite aside from the environmental implications, this dearth of sea ice presents an extended window of opportunity for sea passage for ship owners, and data shows that operators are in fact capitalising on this opportunity.

Insurers, on the other hand, will be concerned with both measuring the impact on their exposure, and ensuring their policyholders are taking appropriate precautions for passage of such treacherous waterways.

A real-time view of risk

However, with onboard technology and more accurate GPS partly contributing to the increase in data availability, insurers are able to harness this data and monitor exposures on an ongoing basis, meaning that incursions into these zones can be brought to their immediate attention.

Read more on the Concirrus blog about how insurers can automate this process, and the competitive advantage it can bring.
BIMCO recently published the new 2017 standard Bareboat Charter Party Barecon. Various amendments were made and of particular note the insurance clause was redrafted. This was mainly changed following the decision of the UK Supreme Court in the *Ocean Victory* case (*Gard Marine Energy Limited v. China National Chartering Co Ltd and another* [2017] UKSC 35).

Clause 17 (a) (ii), (iii) and 19 (a) Barecon 2017 are to ensure that irrespective of the *Ocean Victory* decision, a recourse claim by the owners and/or their insurers against the Bareboat Charter and third parties is to survive a payment under the hull insurance, even if the Bareboat Charterer is co-assured. In the last sentence of clause 17 (ii) it is specifically stipulated that the payment of the loss insurance proceeds:

"...is no bar to a claim by the owners and/or their insurers against the charterers to seek indemnity by way of subrogation."

Insurers should be aware that the effect of this new stipulation will depend on the law applicable to the Bareboat Charter as well as to the insurance contract:

1. **The law governing the Bareboat Charter** will be decisive on (a) whether owner and charterer in their contract can avail any rights to the insurer as a third party which is not party to the Bareboat Charter. If the governing law does not allow such benefitting agreements, then the insurer will not acquire any rights under the Charter Party, regardless of what the clause says. And (b) it is decisive on whether payment of the insurance proceeds satisfies potential claims also against the Bareboat Charterer. If so, again there would be no room for any claim against the Bareboat Charterer.

2. **The law governing the insurance contract** will be decisive (a) on the question whether claims of the owner against the bareboat charterer are assigned to the insurer or whether the insurer can become subrogated to the owner’s claims in a situation in which the bareboat charterer is protected by the insurance policy as a co-assured, and (b) on the question whether the parties to a Bareboat Charter party can agree the waiver of the protection provided for the bareboat charterer in an insurance policy. If, under the governing law of the insurance contract, the first question is answered in the negative, then there is no room for a claim of the insurer at all, simply because they did not acquire any rights. If the second question is answered in the negative, then the insurer may have acquired rights, but would not be able to pursue them against the Bareboat Charterer.

Insurers are, therefore, well advised to consider the laws governing the Charter and the insurance contract in order to determine if and to what extent the new clause in the Barecon 2017 affects their position.
Five years ago, turbines of 3-4MW rated power set the standard. Today the largest commercially operating wind turbine is 7.5MW, while leading manufacturers are promising new larger machines (Siemens Gamesa 8MW by 2020; MHI Vestas 9.5MW by 2019; Senvion 10MW by early 2020’s; GE 12MW by 2021).

The partners of the Innwind R&D project foresee offshore wind turbines of up to 20MW rated power and 290m height by 2030. In the US, Sandia National Laboratories are even proposing 50MW turbines with rotor diameters of 400m. These new giant turbines are pushing the boundaries of technology in areas such as bearing design, gearboxes, blade aerodynamics and support structures.

**How are insurers to respond to this dramatic growth in scale?**

On the one hand, increased scale is key to maintaining the downward trajectory of offshore wind energy costs. Indeed, the winners of recent offshore wind project auctions are hanging their hats on larger machines being available at the time of construction in order to achieve project profitability.

Larger machines are also needed to develop offshore wind projects further from shore and in deeper waters where balance of plant costs is higher. Larger turbines are therefore key to maintaining and growing a successful offshore wind industry.

At the same time, however, the rapid growth in turbine scale has the potential to increase technical risks and failure rates. With gigawatt-scale offshore wind farms under development in the North Sea, a serial failure requiring a change-out of components in every turbine would bring tears to the eyes of even the largest underwriter.

**So how is the industry to balance the need for larger turbines with acceptable technical risk?**

Here we need to take a lesson from history. During the birth of the modern wind industry in the 1980’s, companies such as Boeing & United Technologies raced ahead to build megawatt scale machines, but the technological leap was too great and they ultimately failed. Instead it was companies such as Vestas who started small and incrementally developed larger machines who succeeded. The winners were the tortoises, not the hares.

So today, new technological developments need to proceed in a step-by-step manner. For each development there is a strong need to maintain quality control, effective risk management and contingency planning. By maintaining an evolutionary approach to turbine design, insurance premiums will not stifle innovation or future project development.

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By Dr Tim Camp, Director of Turbine Engineering
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Providing marine and engineering consultancy across the globe
www.loc-group.com
In IUMI’s March 2018 edition, Mike McLachlan of LOC considered the technical and practical implications of subsea cable damage claims. This article considers the legal implications of such claims.

Recent years have seen an increasing number of claims for cable breaks, which often involve complex issues of law and practice, as well as conflicts of law. The increase is unsurprising with over 400 subsea telecoms cables and 30 subsea interconnector power cables in service, and an increasing number of such cables connecting offshore wind turbines to shore. The claims most often arise from damage caused by vessels’ anchors and fishing gear.

The quantum of cable damage claims is invariably high, with for example damage repairs for power cables costing anywhere between £6m to £10m, in addition to substantial claims for consequential losses. Furthermore, it is reported that subsea cable failures account for 77 per cent of the total global cost of offshore windfarm losses.

Following a cable break, the first step is to gather evidence forensically, including video footage from Remotely Operated Vehicles (ROVs), data from real-time signal monitoring ashore, and vessel tracking data (Automatic Identification System (AIS) and Vessel Monitoring System (VMS) data).

The next step is then to consider where, as a cable operator, to bring that claim. Claims for damages to subsea cables are usually heard by the Admiralty Court. Whether the Court will have jurisdiction will depend on multiple considerations relating to matters of private international law.

If the Court does have jurisdiction (or jurisdiction is founded there) it is important to consider tonnage limitation which entitles shipowners and other interested individuals to limit their liability to a fixed amount calculated on the vessel’s gross tonnage, which will apply unless the cable operator overcomes the very high threshold for breaking limits.

Cable operators will be entitled to arrest the guilty vessel to secure their claim, until a limitation fund has been constituted. In practice, the vessel’s P&I insurers will often put up a letter of undertaking to avoid arrest.

To establish liability, a cable operator must prove that the shipowner was negligent, and the following elements must also be present: (1) the cable was damaged by mechanical means; (2) the vessel had actual or constructive notice of the position of the cable (e.g. from charts); (3) the vessel was at the cable fault location at the approximate time of the fault; (4) the vessel was engaged in an activity capable of causing the damage; and (5) no other vessel was in the same area at the approximate time of the fault.

Those who deliberately or negligently damage cables may also face criminal prosecution, but such prosecutions are understood to be a rare occurrence.
The future of marine regulations

By Wayne Steel,
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The Convention of the International Regulations for Preventing Collisions at Sea (COLREGs) was first published in 1972 at a conference of the International Maritime Organization (IMO). Since its adoption, amendments have been made to the regulation to ensure that it evolved alongside the industry.

Whilst the focus of this article is not on the theory of COLREGs, it may be prudent to provide a brief summary:

COLREGs was created to replace the pre-existing regulations and have since formed the foundation of the “rule of the road” at sea. They provide practical and legal instructions to seafarers regarding navigation. COLREGs govern specific scenarios typically faced by seafarers and provides guidance as to how those scenarios should be handled. The compliance of these rules theoretically ensures that a vessel is operated in a correct and safe manner in respect to collision avoidance.

To progress at the same rate as the ever-increasing advancements made in modern marine technology, it may be that there will need to be a simultaneous shift in maritime regulations in order to remain relevant.

The purpose of this article is to create a larger debate amongst the maritime community as to precisely how the evolution of technology may or may not affect regulations in the future. As a catalyst to that debate, I have briefly touched on a few scenarios which illustrate this point:

1. AI / Autonomous vessels

There has been much discussion about the introduction of autonomous vessels into the market.

Autonomous vessels may serve to combat human error, however, it remains to be seen whether their effect on maritime regulations will be positive. The question that arises then is whether there will still be a need for seafarers to be well versed in COLREGs and other maritime regulations?

Whilst COLREGs and other regulations may be seen as a firm set of rules, they also provide for the exercise of human judgment. For example: Under Rule 2b, a seafarer may depart from the rules to avoid an incident. Moreover, under traditional shipping law a ship’s master is obligated to render assistance to those in distress at sea.

This raises the problem of how autonomous vessels, which may be designed to comply strictly with rules, would respond when such a departure is necessary. The well-balanced dichotomy of COLREGs may be difficult to replicate with autonomous vessels.

2. Modern Technology

With the evolution of modern technology, comes the introduction of larger and faster vessels.

Rule 6 of COLREGs provides a guide as to how to determine the safe speed of a vessel at any given time. Will the rules in their current form regarding safe speed cater to these super vessels? Undoubtedly, the meaning of safe speed today will be vastly different to its future interpretation.

Furthermore, rules 13 and 18 respectively, provide for the safe overtaking and the right of way between power-driven and sailing vessels. Currently, over-taking vessels are required to give way to vessels being overtaken, in the same vein power-driven vessels are required to give way to sailing vessels. With the creation of these large and very fast super vessels, which may have reduced manoeuvrability, a strict adhesion to the current Rules may be difficult.
Further practical examples of how modern technology may conflict with the current rules can be found in Rules 5 and 19 of COLREGs.

Rule 5 provides for a “proper lookout by sight and hearing...”, however as technological improvements to bridge equipment (radar efficiency etc) are made, will the human factor as envisaged in this rule still be superior and necessary? The impact of modern technology will not only be confined to regulations, it may change the very practices of good seamanship as we know it.

Rule 19 provides for the conduct of vessels in situations of restricted visibility. Perhaps this will no longer be a concern considering the greater navigational assistance provided by technology.

In contrast, investigations into marine related incidents have been greatly assisted by the advancements made in modern technology with the introduction of systems such as ECDIS, AIS, VDR, to name a few.

3. Increased Liability

With the evolution of industry comes an increase in liability. Additionally, the value of cargo has and will continue to increase exponentially in the future.

This has a direct impact on the practical application of the regulations. The fear of increased commercial and possible criminal liability may lead to an upsurge of instances in which seafarers and vessel operators deliberately depart from regulations. Consequently, will maritime regulations surrounding this increased liability need to be re-considered in the future?

4. Pollution and environmental concerns

Today there is greater awareness of climate change and the protection of the environment.

We are seeing an increase in regulations designed to protect the environment and the relevant law is becoming severe. With this increased severity of the law, in practice might the prevention of a pollution incident take preference over compliance of the law?

In conclusion, whilst it remains to be seen as to how these advancements will practically impact maritime regulations in the future, what is clear is that they are unavoidable, and it is imperative for the industry to evolve alongside them.
EUNAVFOR activities in Med Sea

By Lars Lange
IUMI Secretary General

The European Union Naval Forces programme in the Mediterranean Sea – EUNAVFOR MED Operation Sophia – does an excellent job in ensuring safety and security in the area. This is primarily related to monitoring and search & rescue operations for migrants from the African countries crossing the sea under dramatic circumstances; and also to other relevant security operations, such as for example, off the coast of Libya.

In April 2018, IUMI was invited to a workshop co-organised by EUNAVFOR and the International Chamber of Shipping (ICS). The workshop provided an update on recent developments and activities and gave attendees, like IUMI, the opportunity to discuss with the naval forces the demands and needs of the interested parties in the Mediterranean Sea.

IUMI welcomes and supports the high professionalism and ongoing dedicated engagement of the naval forces in the area.

Classification societies and their work is extremely important to the role of marine insurers, and vice-versa. Accordingly, IUMI has a close collaboration with the International Association of Classification Societies (IACS). This cooperation has already been recognised during annual meetings between IUMI representatives and the IACS Chair, and through annual invitations to IACS Council meetings together with industry representatives. Additionally, IUMI has a seat on the Advisory Committee to the IACS Quality Certification Scheme (QSCS).

Recently, two new founded working bodies further enhanced the close collaboration. One is an annual technical cooperation meeting between senior IACS officers and industry representatives from various organisations such as IUMI. The other is a bilateral annual technical cooperation meeting between IACS and IUMI representatives. These meetings give opportunity to raise specific technical challenges which are relevant for industry representatives and which IACS might take into account in its work on guiding class rules such as recommendations, unified requirements (UR) or unified interpretations (UI) for the member associations.

A second meeting between IACS and IUMI in May 2018 touched on issues such as testing requirements for safety critical equipment, condition-based maintenance and fire risks due to leakage from low-pressure fuel pipes.

IUMI continues close cooperation with class

By Lars Lange
IUMI Secretary General

For the third time IUMI’s Technical Committee (TC) members were invited to travel to Hamburg for the annual Spring Meeting. The event is an opportunity for the TCs to discuss current issues on their busy agendas and to plan their workshops for the annual conference. Beyond that it is an excellent occasion to connect with IUMI members from around the world and to learn what the various TCs and Forums are currently working on.

During the plenary session, Knut Orbeck-Nilsen, CEO, DNV GL and IACS Chairman, discussed recent developments from the classification societies. Ralf Nagel, CEO of the German Association of Shipowners (VDR) shared his thoughts on German shipping and how to foster competitiveness in an ever-changing business environment. The TC and Forum Chairs then provided updates on the projects ongoing in their committees. The Spring Meeting ended with a memorable dinner in Hamburg’s Parliament which is located in the historic Town Hall.

IUMI 2018 Spring Meeting in Hamburg

By Hendrike Kühl
IUMI Policy Director
The International Salvage Union (ISU) has become a close partner of IUMI. Many topics and issues within shipping are relevant for both associations and are equally relevant to their member-ship. For example, proper rules and regulations to be put in place for ships in distress seeking a place of refuge; the prevention of fires on container and roro vessels; and the misdeclaration of cargo in containers that result in serious incidents.

During the recent ISU annual Associate Members’ Day on 14 March 2018 in London, IUMI Secretary General Lars Lange had the opportunity to address the ISU membership and their associate partners. He explained IUMI’s views, amongst others, on fires on container and roro vessels; and the misdeclaration of cargo in containers that result in serious incidents.

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In mid-May the organisers of the Marine Forum invited participants from the South African and international marine insurance markets to the 33rd Marine Forum which took place in Kievits Kroon, Pretoria, South Africa.

The programme featured a wide range of presentations, over a day and a half, and including different perspectives of hull and cargo underwriters when dealing with fire related claims; an introduction to the emergency response capacities of Lloyd’s Agencies after hurricanes Harvey, Irma and Maria struck the Caribbean; wide-ranging insights into the challenges of transiting cargo across Africa; and an update from IUMI.

Against the backdrop of this rather serious conference programme, the organisers set the scene of the overall event under the motto of “Star Wars”. Several underwriters turned into Jedi knights and Princess Leia at the gala dinner. The Marine Forum was an excellent warm-up, both in terms of the quality of the speakers as well as the social programme, for what promises to be a startling IUMI 2018 conference in Cape Town this September!

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33rd Marine Forum, Kievits Kroon, South Africa, May 11–12, 2018
By Hendrike Kühl
IUMI Policy Director

ISU Associate Members’ Day
By Lars Lange
IUMI Secretary General

CIRM 90th anniversary conference, San Sebastian, Spain
By Hendrike Kühl
IUMI Policy Director

The international association of marine equipment manufacturers (Comité International Radio-Maritime (CIRM)) held their 90th anniversary conference in San Sebastian on 24-27 April 2018. Many highly topical issues such as emerging e-navigation solutions, the future of maritime satellite communications, autonomous ships, and the increasing risk of cyber-attacks, were discussed during the three-day programme.

The discussions around cyber risks were particularly eye opening. A live demo showed how simple it is to hack into a mobile phone’s Wi-Fi connection. Seafarers who may be visiting cafés or other locations with unsecured Wi-Fi connections during port visits could be easy targets for such attacks.

In the session on the broader marine industry outlook IUMI was invited to provide an update on the marine insurance market.

By Hendrike Kühl
IUMI Policy Director
In May 2018, the Emirates Insurance Association held an International Marine Insurance Conference in Dubai. In the high level programme, certain topics and challenges were tailor-made for marine insurers from the United Arab Emirates (UAE), as well as presentations and discussions being delivered for the attendees from abroad. IUMI Secretary General Lars Lange was honoured to be invited to present on IUMI's work during the conference.

The International Marine Insurance Conference and IUMI used the opportunity to discuss final details about the forthcoming membership of the UAE to IUMI, which will be subject to IUMI Council approval during the IUMI conference in September 2018 in Cape Town. Once approved, the UAE will strengthen IUMI's engagement in the Middle East significantly.

It is with great pleasure we announce the appointment of Corinna Wintjen as IUMI’s new Executive Assistant. Corinna joins the growing IUMI team to provide office management and administrative support to the IUMI team.

Corinna joined the Hamburg office in late March 2018 and has already contributed greatly to the team. She is fluent in German and English and has worked for over ten years in similar roles. Corinna will be the first point of contact for any queries regarding the IUMI organisation.

A highly experienced, hardworking and dedicated professional, Corinna joins us following four years at Pastor Real Estate in London. Corinna is no stranger to shipping and has worked on board the magnificent Cunard Cruise Liners.

We are delighted to welcome her to the team and look forward to working together.

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