

# SHIPBOARD DRUG & ALCOHOL ABUSE: STCW REGULATION AND RISK MANAGEMENT GUIDELINES

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## INTRODUCTION

Drug and alcohol (D&A) use at any level impairs human judgement, reaction time, physical coordination, perception, and communication. If 'use' turns to 'abuse', then resulting impairment can lead to ship groundings, collisions, injury, and death. This Risk Bulletin discusses the shipboard D&A abuse problem, the STCW regulations, and the risk management guidelines available to assist control.

## BACKGROUND

D&A abuse is a problem that affects all industries. However, shipping is particularly vulnerable due to the long hours of work, disrupted sleep and associated fatigue, isolation from family and high-

stress levels experienced by many seafarers. These are all factors that can lead to crew D&A abuse and consequent loss of work safety focus, personal esteem, and productivity.

Examples of abuse consequences are provided by the significant number of ship groundings which have occurred in the European coastal trades. The circumstances repeat themselves in that they often start with an alcohol intoxicated bridge watch officer.

The impact of the bridge officer's intoxication is then magnified by navigation watch failures including no 'hours of darkness' bridge lookout, no engagement or even the disablement of the Bridge Navigation Watch Alarm System (BNWAS), and no engagement of both radar range and ECDIS 'off track' alarms. The result has frequently been a ship grounding at full speed with outcomes that include oil pollution, crew injury, cargo damage and salvage charges and/or wreck removal costs. All distressing, disruptive and very expensive.

The ship grounding incidents mentioned have been investigated by flag state authorities and recommendation made to prevent recurrence. Despite this, they continue to occur. So, what can be done to prevent D&A impaired watchkeepers from running their ships aground or colliding with other ships? And, very importantly, what can be done to prevent all other types of shipboard D&A abuse related incidents – including fall injuries and suicides – from happening?

As discussed below, the STCW Convention (or equivalent NCVS regulatory compliance) along with adherence to ICS, ILO, and industry OCIMF Guidelines are critical to both risk management success and seafarer well-being.

## REGULATION: THE ISM CODE AS SUPPLEMENTED BY ICS GUIDELINES AND ILO RECOMMENDATIONS

Members will be aware that the ISM Code (implemented between 1998 to 2002) requires shipowners to have a flag state approved management system which ensures safety and pollution prevention.

NOTE: The ISM Code provides both mandatory and recommendatory requirements on board all vessels over 500 GT engaged in international trade. Similar obligations and recommendations often apply under flag state NCVS regulations for all vessels in domestic trade. An important example is Indonesia's NCVS, Chapter 9, Operational Management.

The ISM Code requirements are further detailed by the ICS publication 'Guidelines on the Application of the ISM Code. These Guidelines clearly state that shipping companies must implement *"Alcohol and other drug policies and procedures"*.

NOTE: The ICS Guidelines are formally recognised by the IMO and the [6<sup>th</sup> Ed. 2024](#) will soon be available. Members should ensure that the latest edition is readily accessible to their DPAs, ship managers and masters.

In turn, the ICS Guidelines are supported by the ILO publication [Drug and Alcohol Abuse Prevention Programmes in the Maritime Industry](#). This is an important document which provides detailed advice to shipowners and masters on the D&A problem, associated responsibilities and the essential components of a D&A abuse prevention system and its implementation. It includes abuse identification and intervention, training and education, counselling and rehabilitation and D&A testing.

NOTE: The ILO D&A publication is specifically referred to in the latest version of the STCW Code as noted below.

## REGULATION: THE STCW CONVENTION

The ISM Code, the ICS Guidelines and the ILO D&A Abuse Prevention requirements were reinforced by the mandatory provisions of the [2010 Manila Amendments to the STCW Convention](#), Section A-VIII/1, Fitness for Duty, Para. 10., which specifies that:

*"Each Administration [Flag State] shall establish, for the purpose of preventing alcohol abuse, a limit of not greater than 0.05% blood alcohol content (BAC) or 0.25 mg/l alcohol in the breath or a quantity of alcohol leading to such alcohol concentration for masters, officers and other seafarers while performing designated safety, security and marine environmental duties."*

NOTE: For comparative purposes only, the blood alcohol concentration limit for driving a car varies globally from 0.00% to 0.08% with a global average of 0.06%.

As to application, the STCW Convention applies to "all seagoing ships" which are defined by Article II (g) as: *"a ship other than those which navigate exclusively in inland waters or in waters within, or closely adjacent to, sheltered waters or areas where port regulations apply."*

NOTE: The STCW Convention clearly applies to vessels in international trade. For domestic trade vessels, the STCW definition above is subject to flag state interpretation. Members who operate

domestic trade vessels (e.g. harbour tugs) should check STCW Convention or NCVS Regulation applicability directly with their flag state authority or appointed ROs.

Implementation advice on the mandatory blood alcohol limit is provided by the Manila Amendments 2010 to the STCW Code at Section B-VIII/1, Guidance Regarding Fitness for Duty at Paras. 6. through 9. Edited extracts are provided below:

6. *Seafarers found to be under the influence of drugs or alcohol should not be permitted to perform watchkeeping duties or duties that involve designated safety, prevention of pollution and security duties, until they are no longer impaired in their ability to perform those duties.*
7. *Administrations [Flag States] should ... establish screening programmes as necessary which:*
  - a. *identify drug and alcohol abuse;*
  - b. *respect the dignity, privacy, confidentiality, and fundamental legal rights of the individuals concerned; and*
  - c. *[consider] relevant international guidelines.*
8. *Companies should ... implement a clearly written policy of drug and alcohol abuse prevention, including prohibition to consume alcohol within four hours prior to serving as a member of a watch, either by inclusion in the company's quality-management system or by means of providing adequate information and education to the seafarers.*
9. *[Companies]... should [consider] the guidance contained in the ILO publication Drug and Alcohol Prevention Programmes in the Maritime Industry.*

NOTE: Members whose vessels are regulated by the STCW Convention or NCVS equivalent should have already created and implemented a D&A policy as either a separate policy document, as part of a quality system such as ISO 9001 and/or as part of their ISM Code or NCVS equivalent Safety Manuals and Procedures. Members need to ensure that all such D&A policies and procedures are in full compliance with current STCW regulation, ICS guidelines and ILO recommendations.

## OCIMF: INDUSTRY GUIDELINES

The Oil Companies International Marine Forum (OCIMF) is an association of oil companies focused on the ocean shipment of oil and gas as well as offshore exploration and production. Its recently updated publication, [Guidelines for the Control of Drugs and Alcohol in the Maritime Industry](#),

3<sup>rd</sup> Ed., March 2024, provides useful advice for all shipowners and masters, regardless of vessel type.

The OCIMF Guidelines include a helpful glossary of terms used and concise information illustrated by colour diagrams and tables, all within 22 pages. OCIMF's approach is to divide the control process into three separate but linked elements consisting of: 1. Company policy, 2. Company standards and 3. Company procedure. A comparative table of example elements is provided to illustrate this process along with a detailed explanation of their suggested scope and content.

In terms of Policy, OCIMF's introductory advice is as follows:

*"At a minimum, organisations should have a policy that addresses expected and prohibited behaviours or actions if needed, details of drug and alcohol sampling and testing procedures, and disciplinary measures. OCIMF recommends a more comprehensive policy, which also addresses the wider health and safety and wellbeing issues arising. This should include prevention, education and awareness, leadership behaviours and culture, treatment and rehabilitation, and employee consultations in the framing and development of the policy."*

OCIMF also consider legal requirements in different jurisdictions and the need to obtain local advice on regulations and prohibitions which may even extend to prescription drugs being used by the crew.

OCIMF also advise on Standards and Procedures with a close eye on ensuring that the latest advances in pre-employment and unannounced sampling and testing are utilised to the benefit of all concerned.

In summary, OCIMF have created an updated and readable set of Guidelines which support the obligations imposed by both the STCW Convention and ISM Code as well as the recommendations made by the ICS Guidelines and the ILO's D&A Management publication.

## CONCLUSION AND TAKEAWAY

Clear D&A policies, standards, and procedures – inclusive of pre-employment and unannounced testing and disciplinary measures – are essential. Additionally, seafarer well-being obligations require a firm focus on D&A abuse prevention and the training and education required to enable early detection and provide positive intervention.

As discussed, shipboard D&A abuse and its effective control presents a large and complex issue. Members are therefore encouraged to confer with their ship managers, inclusive of DPAs and HR personnel, to carefully assess their D&A policies, standards and procedures and ensure full regulatory and associated guideline compliance. None of these requirements are easy. However, properly accomplished, the returns in relation to crew retention and productivity as well as enhanced safety, claim reduction and charterer/shipper satisfaction should turn the effort and time needed into a solid investment and a tangible return.