

REACTIES OP CONCEPTRAPPORT: 'AANVARING VOOR DE KUST VAN DENEMARKEN - LESSEN UIT DE AANVARING TUSSEN DE HELGE EN DE WILD COSMOS'

Leeswijzer: De vierde en vijfde kolom geven de letterlijke tekst weer van de reactie van inzagepartijen. In de laatste kolom staat een toelichting van de Onderzoeksraad voor Veiligheid op de wijze van van de reacties van partijen.

Nr.	Partij	Hoofdstuk/ Paragraaf	Te corrigeren tekst / aangehaalde tekst	Argumentatie / onderbouwing reactie	Overgenomen	Toelichting Onderzoeksraad voor Veiligheid
1	Bahamas Maritime Authority	Introduction	At darkness.	During the hours of darkness.	Ja	English text changed to "during the hours of darkness".
2	Bahamas Maritime Authority	Introduction	Left the ship on a liferaft.	Abandoned ship and boarded a liferaft.	Ja	English text changed to "abandoned ship and boarded a liferafts".
3	OWH Shipmanagement	1	Delete "minor" after "The Wild Cosmos had" and before "damage to its bow".	Whether damage is minor or not is subjective. The owners of Wild Cosmos are claiming damages from the owners of the Helge for in excess of USD 1 million.	Ja	The word "minor" removed.
4	MF Shipping Group	1	Volledige naam van de manager is MF Shipping Group.		Ja	Naam van de manager veranderd in "MF Shipping Group".
5	MF Shipping Group	1	Volledige naam van de manager is MF Shipping Group.		Ja	Naam van de manager veranderd in "MF Shipping Group".
6	OWH Shipmanagement	1	Insert "and obtained" after "The BMA also request" and before "additional information from".	To make it clear that the additional information requested was produced by OWH Shipmanagement.	Ja	Text changed into "'The BMA also requested and obtained additional information from the German ship manager OWH Shipmanagement'".
7	OWH Shipmanagement	1	Delete "the internal investigation that had been carried out by" after "This information included" and before "the ship manager, OWH Ship Management" and replace with "This information included information provided by the ship manager, OWH Shipmanagement".	Given that the civil claims between the two vessels are to be litigated through the English Courts, it would be preferred if OWH's "internal investigation report" was not expressly relied upon and referenced by DSB's report. Also, OWH Shipmanagement's name needs to be corrected.	Ja	Sentence removed. Corrected ship managers name added to sentence above.
8	OWH Shipmanagement	2	Delete "18 knots (33.3 km/h)" and replace with "16 knots (29.6 km/h)".	The VDR of Wild Cosmos suggests that the vessel was travelling at 16 knots, not 18 knots.	Ja	Speed corrected to 16 knots.
9	OWH Shipmanagement	2	Delete "ran into" after "and" and before "the Helge" and replace with "collided with".	"Ran into" suggests fault or blame. "Collided with" is neutral.	Ja	"Ran into" replaced with "collided with".
10	OWH Shipmanagement	2	Delete "In the collision, the Wild Cosmos first hit the starboard rear of the Helge with her port bow after which the Wild Cosmos slid further forward along the starboard side of the Helge, severely damaging the vessel in several places." and replace with "The two vessels collided by the Wild Cosmos' port bow first coming into contact with the starboard quarter of the Helge, after which the Wild Cosmos then slid further forward along the starboard side of the Helge, damaging the vessel in several places".	Again, "hit" suggests fault or blame. Use of the term "severe" when describing the Helge's damage also suggests that the Wild Cosmos' damage was not severe, when - in financial terms at least - it was/is severe.	Ja	"Severe" removed form sentences. Sentence changed into "When the two vessels collided, the Wild Cosmos' port bow first came into contact with the starboard quarter of the Helge, after which the Wild Cosmos then slid further forward along the starboard side of the Helge, damaging the vessel in several places".

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11	Bahamas Maritime Authority	Course of events	"make reference in text to cross in diagram".	Refer to cross in image and consider increasing size of font of "X".	Ja	Text changed to "The collision took place in the area near the 'X' - mark".
12	Bahamas Maritime Authority	Course of events	waves?	Question as to whether it should be waves or referring to current?	Nee	The speed had been adjusted to the wave conditions.
13	OWH Shipmanagement	2	N/A.	It is suggested that inserting the Helge's maximum speed and RPM here would be helpful for context.	Nee	This information does not change the fact the Helge was running at reduced speed.
14	OWH Shipmanagement	2	Delete "front" after "coming in from the" and replace with "bow".	Terminology.	Ja	English text changed to "bow".
15	Bahamas Maritime Authority	Course of events	Electronic navigation system.	Consider its full description prior to abbreviation "Electronic Chart Display and Information System".	Ja	English text changed to read "Electronic Chart Display and Information System".
16	OWH Shipmanagement	2	Delete "well" after "lookout was not feeling" and before "well".	Either the lookout was well or unwell.	Ja	The word "quite" has been removed.
17	Bahamas Maritime Authority	Course of events	There is no requirement to have a lookout during daylight, and being sent to his cabin.	This needs to be substantiated through evidence either from witnesses or company SMS. This paragraph also intimates that it is okay to be sent to bed (not in line with analysis or conclusions).	Deels	Reference has been added to the relevant section of the STCW code, and the fact that no substitute look-out was called.
18	Bahamas Maritime Authority	Course of events	N/A.	If the Wild Cosmos was 5 NM astern when the C/O started his "administrative work" he was absorbed by it for 30 minutes before the collision. If it was started when the lookout was sent down –this was 44 minutes – might be beneficial to point how easily time can be lost when absorbed in another task.	Ja	The estimated time elapsed between the initial observation at 5 NM and the collision has been added to par 4.4.
19	OWH Shipmanagement	2	N/A.	It is suggested that inserting which side of the Helge the Chief Officer says the Wild Cosmos was predicted to pass the Helge would be helpful for context.	Nee	The chief only stated CPA and not on which side he expected the Wild Cosmos to pass the Helge.
20	OWH Shipmanagement	2	N/A.	It is suggested that the contents of the logbook for the material time are replicated here - or it clarified that the Chief Officer was "filling in the logbook" for more than just that particular watch.	Nee	What was written in the logbook is not relevant to the occurrence itself.
21	OWH Shipmanagement	2	Delete "Figure 4 shows where the Wild Cosmos hit the Helge" and replace with "Figure 4 shows the position of the two vessels when the occurred."	Again, "hit" suggests fault or blame.	Ja	'Hit' replaced by "collided with".
22	OWH Shipmanagement	2	Delete "Figure 4: VDR footage of the collision (Source: OWH internal report)" and replace with "Figure 4: AIS reconstruction of the collision (Source: OWH)".	Figure 4 is not from the Wild Cosmos' VDR. Also, it would be preferred if OWH's internal investigation report was not expressly referred to: see above.	Ja	Tekst under figure 4 changed to "AIS reconstruction of the collision (Source: OWH)".
23	OWH Shipmanagement	2	Delete "The main damage had been done by then".	Supposition.	Ja	Sentence removed.
24	Bahamas Maritime Authority	Course of events	Gathered on the bridge.	For context it may be beneficial to indicate whether a verbal command or general emergency was sounded requiring them to report at the bridge.	Ja	Added sentence "He also sounded the general alarm".
25	OWH Shipmanagement	2	Delete "(Source: OWH internal report)" and replace with "(Source: OWH)".	See above.	Ja	Source replaced into "OWH".

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26	OWH Shipmanagement	2	Delete "He assumed these ships would remain free".	This sentence is not understood.	Ja	Text changed to "He assumed these ships would not pose a risk of collision".
27	OWH Shipmanagement	2	Insert "of the Helge" after "ballast tanks 3 and 4" and before "on the starboard side".	To make it clear that it was the Helge's ballast tanks - and not those of Wild Cosmos - which were breached.	Ja	Text changed to "ballast tanks 3 and 4 of the Helge".
28	Bahamas Maritime Authority	Course of events	"Established a tow line in the course of 9 September".	Consider rewording to " salvagers were on their way to the Helge and during the course of Friday 9 September established a towline".	Ja	English text changed to "salvors were on their way to the Helge and during the course of Friday 9 September established a towline".
29	OWH Shipmanagement	2	Delete "salvagers" after "Meanwhile" and before "were on their way" and replace with "salvors".	Terminology.	Ja	'Salvagers' replaced by 'salvors'.
30	OWH Shipmanagement	2	N/A.	It is suggested that it is made clear here that the "Timeline of the occurrence" has been put together with the assistance of the Wild Cosmos' VDR, but without any VDR evidence (and only crew witness evidence) from the Helge. This will help add weight to the evidence accordingly.	Nee	The timeline has been constructed with all available information.
31	OWH Shipmanagement	2	Delete "The Wild Cosmos has a collision with the Helge" and replace with "Collision".	The original wording suggests fault or blame.	Ja	Sentence changed to "Collison between the Wild Cosmos and the Helge".
32	MF Shipping Group	3.1.1	Volledige naam van de eigenaar is Erik Thun AB.		Ja	Naam aangepast.
33	MF Shipping Group	3.1.1	Volledige naam van de manager is MF Shipping Group.		Ja	Naam aangepast.
34	MF Shipping Group	3.1.1	De Helge is uitgerust met twee X-band radars.	De Helge heeft geen S-band radar, deze is niet verplicht op dit schip.	Ja	Tekst aangepast "De Helge is uitgerust met twee X-band radars, waarvan op de dag er een werd gebruikt, de andere radar stond uit'.
35	OWH Shipmanagement	3	N/A.	It is suggested that it is clarified why only the S-band radar of the Helge was in use on the day of the collision. For example, was the X-band on, but not used, or switched off altogether? If the latter, why - and was that standard practice on the Helge?	Nee	This has not been clarified during this investigation.
36	OWH Shipmanagement	3	Delete "The vessel is chartered by Cool Carriers AB of Sweden" and replace with "The vessel is commercially managed by Cool Carriers AB of Sweden".	Clarity.	Ja	Text changed into "The vessel is commercially managed by Cool Carriers AB of Sweden".
37	Bahamas Maritime Authority	Background Information	BNWAS.	May be wise to consider the inclusion of BNWAS in the table.	Nee	BNWAS is mentioned in footnote 4 page 8.
38	Bahamas Maritime Authority	Background Information	BNWAS.	"Whilst it is covered in 4.5, it might be beneficial to include requirements for activation and control of the BNWAS and its dormant time before alarm (if known)".	Ja	Added sentence "Reference is also made to the BNWAS which should always be switched on when the ship is underway".
39	MF Shipping Group	3.3.1	Volledige naam van de manager is MF Shipping Group.		Ja	Naam aangepast.
40	Bahamas Maritime Authority	Background Information	Gender specific.	Consider gender neutral text "their rather than his, people rather than men, them rather than him, seafarer rather than seaman etc".	Deels	In the Dutch version the male gender is used as default.
41	Bahamas Maritime Authority	Background Information	As above.	As above.	Deels	In the Dutch version the male gender is used as default.

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42	OWH Shipmanagement	4	Delete "The chief officer was aware of the Wild Cosmos's presence. This analysis focuses on understanding the chief officer's actions after observing the Wild Cosmos." and replace with "The chief officer says he was aware of the Wild Cosmos's presence prior to the collision. Given the absence of VDR evidence from the Helge, the following analysis therefore focuses on understanding the chief officer's actions assuming he had observed the Wild Cosmos prior to collision".	It is suggested that in order for the report's analysis of the Helge chief officer's actions (or inactions) to be properly considered, the assumptions on which it is based need to be expressly caveated. Here, that includes accepting the Helge chief officer's evidence in the absence of VDR evidence from the Helge.	Nee	There is no evidence to suggest that the chief officer of the Helge was not aware of the Wild Cosmos.
43	Bahamas Maritime Authority	Background Information	As above.	As above.	Deels	In the Dutch version the male gender is used as default.
44	OWH Shipmanagement	4	Delete "it" after "not felling well and" and before "twilight was starting".	Typographical error.	Ja	In the English text deleted the word "it".
45	OWH Shipmanagement	4	Delete "rearward" after "but the" and insert "sternwards" after "view" and before "towards".	Terminology.	Ja	In the English text replaced "rearward" with sternwards".
46	MF Shipping Group	4.4	Volledige naam van de manager is MF Shipping Group.		Ja	Naam aangepast.
47	OWH Shipmanagement	4	Delete "swerve in front" and replace with "keep clear of" before "the ship that is being overtaken".	Terminology.	Ja	In the English text replaced "swerf in front" with "keep clear of".
48	OWH Shipmanagement	4	Delete "The shortest approach distance" and replace with "The CPA".	Terminology. Also, and again, it is suggested that the side on which the Wild Cosmos was predicted to pass the Helge should be included for context.	Ja	In the English text replaced "the shortest approach distance" with "closest point of approach".
49	OWH Shipmanagement	4	Delete "statements" and replace with "evidence."	Use of the term "statements" suggests formal statements have been taken from the Wild Cosmos' Captain and Chief Officer or that those statements should be appended to the report. "Evidence" is preferred.	Nee	The information received via the BMA contains written statements from the captain and chief officer of the Wild Cosmos.
50	OWH Shipmanagement	4	Delete "internal report" after "(Source: OWH)".	See above.	Ja	Source replaced into "OWH".
51	Bahamas Maritime Authority	Analysis	Port windows?	In the image and in the red square the bridge windows obscured are the starboard windows and not port as indicated.	Ja	Error corrected, "port" replaced by "starboard".
52	OWH Shipmanagement	4	N/A.	Query if this should be Figure 8, rather than Figure 7.	Ja	Numbering of figures corrected.
53	Bahamas Maritime Authority	Analysis	Must.	Consider changing word to "should".	Ja	In the English text replaced "must" with "should".
54	MF Shipping Group	4.6.2	Volledige naam van de manager is MF Shipping Group.		Ja	Naam aangepast.
55	OWH Shipmanagement	4	N/A	Query whether reference to Figure 12 given that the Figure on page 28 is stated to be Figure 8. See above / below.	Ja	Numbering of figures corrected.
56	OWH Shipmanagement	4	Delete "one" after "the" and replace with "S-band".	Clarity.	Ja	In the text replaced "one" with "S-band".
57	OWH Shipmanagement	4	N/A.	Query if this is Figure 8 or should be Figure 12. See above / below.	Ja	Numbering of figures corrected.

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58	OWH Shipmanagement	4	Delete "rwo motion sensor" and replace with "two motion sensors".	Typographical errors.	Ja	Corrected spelling in English text.
59	Bahamas Maritime Authority	Analysis	Typo "rwo".	Should be "two".	Ja	Corrected spelling in English text.
60	OWH Shipmanagement	4	N/A.	Query if this is Figure 9 or should be Figure 13. See above / below.	Ja	Numbering of figures corrected.
61	OWH Shipmanagement	4	N/A.	Query if the reference to Figures 15 and 16 is correct. See above / below.	Ja	Numbering of figures corrected.
62	OWH Shipmanagement	4	N/A.	Query if this is Figure 10 or should be Figure 14. See above / below.	Ja	Numbering of figures corrected.
63	OWH Shipmanagement	4	N/A.	Query if this is Figure 11 or should be Figure 15. See above / below.	Ja	Numbering of figures corrected.
64	OWH Shipmanagement	4	N/A.	Query if the reference to Figure 16 is correct. See above.	Ja	Numbering of figures corrected.
65	OWH Shipmanagement	4	Delete "the Helge was not plotted and would therefore not have generated an alarm".	The Wild Cosmos' VDR did not record the X-band radar and therefore it cannot be determined if the CPA alarm was on or if the Helge was not plotted. If this wording is to remain then it should be made clear the Helge was not plotted on the X-band radar.	Ja	Sentence deleted.
66	MF Shipping Group	5.4	Volledige naam van de manager is MF Shipping Group.		Ja	Naam aangepast.
67	MF Shipping Group	Bijlage C	Volledige naam van de manager is MF Shipping Group.		Ja	Naam aangepast.