*Edinburgharian PANDI Management Limited, as Managers*
*Edinburgharian PANDI Association Limited*
*2nd Capital City, Independence Avenue, Victoria, Mahe, Seychelles*
*Email: epi@epi-a.com*
*Website: www.epi-a.com*

***Notifications 202302***
***Friday, August 18, 2023***

## *Look out for risk of collision with fishing vessels in Chinese waters*

***Dear Members:***

**Every year we handle claims of collisions between merchant and fishing vessels in Chinese waters. As the seasonal fishing ban comes to an end in China, ship operators and masters are advised to take additional precautions when planning a voyage to and from Chinese ports due to the increased number of fishing vessels in Chinese waters.**

**Lifting of seasonal fishing bans**

According to the 2023 notice of the Ministry of Agriculture and Rural Affairs of China, fishing ban in the East and South China Sea between latitudes 26◦ 30' N and 12◦ N is going to end on 16 August 2023, the ban for the Bohai Sea and Yellow Sea North of latitude 35◦ on 1 will be lifted on 1 September 2023. For the remaining sea areas, the Yellow Sea and East China Sea between latitudes 35◦ N and 26◦ 30' N, the ban will be lifted on 16 September 2023.

**Risk of high severity**

Considering the difference in size and momentum between merchant vessels and fishing boats, such incidents can result in not only severe damage to the fishing boats but also loss of life. According to China MSA, during the period 2019 to 2021, collisions between merchant and fishing vessels have resulted in 248 fishermen losing their lives.

In some cases, the bridge watchkeepers on merchant vessels may not even realize that they have collided with fishing boats, as in the below case study.

**Case study**

During the hours of darkness while navigating in the eastbound traffic lane of Laotieshan Channel, a Panamax bulk carrier collided with a fishing boat. As a result, 10 fishermen lost their lives and the fishing boat sunk. The incident happened shortly after the seasonal fishing ban was lifted in this area. There was a high concentration of fishing boats in the area which made it difficult for the merchant vessel to navigate. The watchkeepers did not realize they had collided with a fishing boat and continued with the voyage without providing assistance to the crew of the sinking fishing vessel.

Key findings of the investigation were as follows:

- The merchant vessel was sailing at its sea speed, which was 13.9 knots.
- Auto pilot was being used for collision avoidance and the OOW left it very late to avoid a close quarter situation with crossing fishing traffic.
- The watchkeepers on the bridge were assessing the situation based on AIS data.
- The AIS of the fishing boat was found to be inoperative, and the vessel was inadequately manned.

*Edinburgharian PANDI Management Limited, as Managers*
*Edinburgharian PANDI Association Limited*
*2nd Capital City, Independence Avenue, Victoria, Mahe, Seychelles*
*Email: epi@epi-a.com*
*Website: www.epi-a.com*

**Typical causes of collisions with fishing vessels in these waters**

**Vessel maneuverability in high traffic density area:** Often the vessel is proceeding at high speed, and the engines are not ready for maneuvering. As a result the OOW hesitates to reduce the speed to avoid a collision. High speed can result in reduced time for decision making and greater damage to the vessels.

**Bridge watchkeeping:** The watchkeepers on the merchant vessel may be occupied with other non-essential tasks or there may not be enough assistance on the bridge for the OOW, i.e. the manning may be inadequate. Often the lookout doubles up as helmsman and may also be doing safety rounds in the accommodation thus compromising safe navigation. The crew on fishing vessels may not have the appropriate certificates and may be engaged in fishing activities instead of in navigation.

**High reliance on AIS:** Fishing vessels in China are often equipped with AIS, however it may be inoperative or transmitting incorrect information. With AIS overlay on RADARs or ECDIS, the OOW on the merchant vessel places a lot more emphasis on AIS information instead of using the ARPA function. AIS can complement but not replace target tracking on ARPA / RADAR for collision avoidance.

**Communication with fishing vessels:** The watchkeepers on merchant vessels may try to attract the attention of the fishing vessels through VHF radio, ALDIS lamp or the ship's whistle/horn. At times, they may not be successful for various reasons, such as language difficulties, the fishing crew might not hear the foghorn etc.

**Last minute actions:** Merchant vessels sometimes leave it to the last minute before taking avoiding action. This can result in a collision, for example if the helm order given is not enough to achieve a large rate of turn.

**Marking of nets:** Besides colliding with fishing vessels, merchant vessels may also face claims by fishermen due to damage to fishing nets. Fishing nets are difficult to detect as they may be poorly marked. Nighttime detection of the nets may be easier if they display lights. Day time visual sighting, on the other hand, can be a real challenge. Nets with radar reflectors can be useful, but this is not a common practice and mariners have to rely on timely visual sightings of the markers. We understand the use of AIS markers is increasing. This may also clutter the RADAR and the AIS display.

**Recommendations**

**Voyage planning:** Designated fishing zones should be noted during voyage planning and marked on the charts. Attentions shall be paid to the MSA recognized high risk areas of collision between merchant vessels and fishing boats, such as the Second batch of High Risk Areas of collisions between merchant vessels and fishing vessels published jointly by Fujian MSA and Fujian Ocean and Fishery Bureau.

**Bridge team composition:** We also recommend increasing bridge watchkeeping level in advance to ensure that the OOW has sufficient assistance at night as well as during day. Other onboard activities for relevant crew members should be planned accordingly to ensure that members of the bridge team are well rested for navigation-related duties.

**Safe speed:** In areas of high fishing density, proceed at a safe speed with engines ready for maneuvering. The Officer of the Watch (OOW) should be empowered to adjust the speed as necessary.

**Use of RADAR/ARPA:** Make full use of radar and sound fog signal when navigating in fog, even when no fishing boats are sighted on the radar. The use of radar can be vital when navigating in these waters. General practice of long ranges scanning using the S-band radar to identify clusters of fishing fleet and using the X-band on small range for collision avoidance can be effective.

**Keeping clear of clusters:** Where the OOW can detect a cluster of fishing boats, it is advisable to alter course well in advance to avoid navigating through it.

**Attracting attention of the boats:** If the vessel needs to gain the attention of the fishing boats for any

*Edinburgharian PANDI Management Limited, as Managers*
*Edinburgharian PANDI Association Limited*
*2nd Capital City, Independence Avenue, Victoria, Mahe, Seychelles*
*Email: epi@epi-a.com*
*Website: www.epi-a.com*

reason it should use whistle and day lamp. Establishing contact via VHF might prove difficult.

**Actions in case of a collision:** Should a collision occur or is suspected to have occurred, remember to do the following:

- render all possible assistance to the fishing vessel
- contact nearest VTS/MSA
- maintain a record of all evidence including VDR data

*Copy from Gard P&I Club*