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**REPORT INTO THE COLLISION
BETWEEN THE ANTIGUA &
BARBUDA REGISTERED GENERAL
CARGO & CONTAINER VESSEL
"HOLGER" AND THE IRISH
REGISTERED FISHING VESSEL
"CREDO DU MARIN" OFF HOOK
HEAD LIGHT, CO. WEXFORD
ON 24TH AUGUST, 1997.**

The Marine Casualty Investigation Board was established on the 5th, June 2002 under The Merchant Shipping (Investigation of Marine Casualties) Act 2000

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1. SYNOPSIS.

- 1.1 At approximately 0330 hours on Sunday 24th August 1997 the Antigua & Barbuda flagged general cargo and container ship, "Holger" IMO No. 9122227 of 3,999 gross tonnage, registered in Stade, Germany, while on passage from Dublin towards Cork, collided with the Irish registered fishing vessel No. D507, "Credo Du Marin" of 56.75 gross tonnage, 160 degrees true (SSE) x 10 miles from Hook Head light (See Appendix 8.1) during good visibility, light winds and flat calm sea. No injuries were sustained.

2. FACTUAL INFORMATION

2.1 DESCRIPTION OF THE "HOLGER"

IMO Number: 9122227
 Built: Hamburg 1995, General Cargo and 508 TEU container ship
 Class: GL
 Length: 101 meters
 Gross Tonnage: 3,999
 Machinery: 3,825 kW MWM with controllable pitch propeller and bow thruster propeller forward.
 Rudder Type: Becker.
 Owner: Holger and Herbert Szidat KG
 Am Seegraben 3
 D - 21680 Stade
 Germany

Crew:

NAME	RATING	NATIONALITY
Egge Mahler	Master	German
Yury Milyutin	Chief Mate	Russian
Ingo Lange	Chief Engineer	German
Reynaldo Canete	Bosun	Philippino
Salvador Geronco	Able Seaman	Philippino
Orlando Zonio	Able Seaman	Philippino
Efren Gumia	Ordinary Seaman	Philippino
Richard Alitre	Wiper	Philippino
Gregorio Basil	Cook	Philippino

2.2 DESCRIPTION OF THE "CREDO DU MARIN"

Built:	Brittany, France 1967
Port of Registry:	Dublin D 507.
Length:	59.3 feet
Breadth:	18.7 feet
Gross Tonnage:	56.75
Framework and Description of Vessel:	Wooden fishing vessel
Engine:	12 cylinder internal combustion engine manufactured 1982
Horse power:	430 hp
Speed:	maximum estimated at 10 knots in 1988.
Owner:	Seablue Fishing Limited 58 Upper Georges Street, Dun Laoghaire Co. Dublin.
Owner's rep:	Mr. George Burrell
Crew:	Mr. Richard Gore (Skipper) Mr. Bernard Finnegan Mr. Leigh Carroll Mr. Barry Hamill

3. EVENTS PRIOR TO THE INCIDENT

3.1 Events on the "Credo Du Marin" leading up to the incident.

"Credo Du Marin" sailed from Dunmore East in Co. Waterford at 0030 hours on Sunday 24th August 1997 to the West Bank fishing ground south of Hook Head. At about 0230 hours they shot away 150 fathoms of wire with otter board and 30 fathoms combination (scraper) and 2 x 28 fathoms side nets for trawling.

The correct trawling lights, green light over white light with side lights and a stern light were displayed and the tow commenced at approximately 0300 hours in Latitude 51 degrees 56.65 minutes North and Longitude 006 degrees 50.96 minutes West.

The fishing vessel was steering a course of approximately 205 degrees (SSW) and the towing speed in the region of 2.5 to 3 knots. The vessel was taken out of automatic steering and put in hand steering during towing operations. The Skipper was in the wheelhouse. The remaining 3 crew went to the cabin to rest until the tow was complete.

The Skipper stated that he had been well rested before sailing from Dunmore East earlier that morning.

The wind was very light and calm with good visibility (See Appendix 8.2). The lights in Dunmore East were visible 14 miles away.

One of the VHF radio sets was on channel 16 and the second VHF radio was roaming other channels. The Furuno Four Tone radar was on the 6-mile range.

Shortly after commencing the tow the lights of a ship were seen in the distance to the East. A target was observed on the radar at 3 miles and the target's two masthead lights and red sidelight were sighted visually. It appeared that the ship would pass astern and even if it was close astern it would not matter because the tow was fairly low in the water that the ship would not foul it.

Some minutes later the Skipper then noticed that the approaching ship was showing a green light. The Skipper thought the ship had altered course to starboard to cross ahead of the "Credo Du Marin" instead of astern. He kept watching the approaching ship and perceived that it was a large container ship. Because it was dark at the time he could not make out the colour of the hull or the name of the vessel.

When it then appeared that a collision was imminent the Skipper went hard over to starboard with the helm and took the engine control out of gear.

The container ship's starboard aft quarter then impacted heavily with the bow of "Credo Du Marin".

3.2 Events on the "Holger" leading up to the incident.

The "Holger" sailed from Dublin at 2030 hours on Saturday 23rd August 1997 with a draft of 4.8 meters forward and 5.90 meters aft for Cork, Tivoli Container Terminal.

The Captain and the Chief Officer share the watch keeping between them. The 0000 to 0600 hours watch is held by the Chief Officer.

The Chief Officer, who is said to hold a Russian Deep Sea Masters Certificate, came to the bridge at 2350 hours to take over from the Captain to stand the 0000 to 0600 hours watch.

The weather at midnight was fine and clear, no wind, calm sea and good visibility.

The VHF radio was on channels 6 and 16 with the port side radar set tuned on a 6-mile range. Frequent checks were made on the GPS (Global Positioning System) satellite navigation system.

At 0230 hours in GPS position Latitude 52 degrees 00.8 minutes North 006 degrees 31.0 minutes West the course was altered to 257 degrees (W x S) true with the ship's speed of 15.2 knots over the ground.

Between 0230 and 0330 hours "Holger" passed 2 eastbound vessels clear on the port side and there were some fishing vessels in sight. There were two to three to port and several more to starboard between "Holger" and the shore.

The Chief Officer maintains that at approximately 0330 hours he experienced pains in his stomach and needed to use the toilet. He also alleged that he checked around both visually and by radar to ensure that there was no traffic in the vicinity. He stated that he observed one target on the radar at a range of about 5 miles about one to two points off the starboard bow.

He could visually make out the green over white masthead light (trawling lights) and the two sidelights. No other targets were on the radar 6-mile range.

The Chief Officer stated that he was in the toilet, which is located in the chartroom area, for a maximum of 5 minutes and when he came out he checked his GPS position and then went to the autopilot with the intention of adjusting course up to the next way point when he saw a fishing vessel very close to the starboard side. It was about a quarter of the ship's length aft of the stem (bow) at a distance of 50 to 100 meters.

The fishing vessel was displaying deck lights and a red sidelight but no masthead fishing lights (green over white) were visible.

The Chief Officer stated that in an attempt to avoid a collision he altered course to port and then to starboard in an attempt to arrest to swing to port to avoid contact to the aft starboard area.

The Chief Officer stated he felt a bump similar to that of making heavy contact on to a quay when berthing. When he went to the starboard side of the bridge he saw the fishing vessel clearing the stern of "Holger".

The Chief Officer stated that he picked up the starboard VHF radio, which was set on channel 16 and attempted to call "Fish boat, Fish boat, M.V. "Holger"". He stated that there was no reply.

4. THE INCIDENT

- 4.1 At approximately 0330 hours, the "Holger" collided with the "Credo Du Marin". The aft starboard quarter of the "Holger" came into contact with the bow of the "Credo Du Marin"
- 4.2 The "Credo Du Marin" a wooden boat had sustained such damage that it was considered to be a Constructive Total Loss. (see Appendix 8.5)

5. EVENTS FOLLOWING INCIDENT

5.1 "Credo Du Marin"

Immediately following impact the 3 crew on "Credo Du Marin" got out of their bunks and came up on deck. At the time the Skipper did not think it was worth attempting to call the container ship as she was steaming away and would have felt the impact and therefore was well aware that a collision had occurred. His immediate concern was the safety of his crew and the vessel itself. The Skipper checked for leaking into the engine room and fish hold. They retrieved their tow at about 0410 hours and headed for Dunmore East at a reduced speed where they arrived at 0700 hours. Following their arrival at Dunmore East the owner of "Credo Du Marin" and the Dunmore East Co-operative member contacted Cork Harbour Radio Station.

There were no apparent injuries to the crew of the fishing vessel though "Credo Du Marin" itself sustained severe damage to the bow area that resulted in the fishing vessel being declared a constructive total loss.

5.2 "Holger"

The Chief Officer of "Holger" stated that following the incident he went off the bridge to inspect for damage. He had not yet informed the Captain. The Captain of "Holger" stated that the Chief Mate did not alert him until a half an hour after the collision.

At 0507 hours "Holger" contacted Cork Port Operations and Information Service to relay their ETA Cork Pilots and again at 0729 hours to inform Cork Harbour Authority that "Holger" had been in a collision with a trawler 10.5 miles south of Hook Head at 0335 hours.

The "Holger" arrived at the Port of Cork at 0800 on the Sunday morning and sailed at 1230 hours that same day for Rotterdam. The "Holger" sustained minor damage the nature being consistent with the collision.

Damage to the "Holger" was noted at Cork Tivoli Container Terminal on Sunday 24/08/1997, (see Appendix 8.5). The following report of the damage was made by the Assistant Harbour Master, Port of Cork.

"Starboard side after quarter between frames 25 and 31 bulwark set in to 210mm over a length of 2,600mm and vertical height of 660mm. Vertical bulwark stringer at frame 25 distorted at forward edge over a height of 1,700mm. Scrape marks over a total length of 7,500mm with evidence of green paint of the same colour that was subsequently noted on "Credo Du Marin". Bunker save all (bund) aft edge distorted over width 430mm."

N.B. The Inspector appointed under section 465 of the Merchant Shipping Act 1894 was informed of the casualty on Monday 25/08/1997 and therefore unable to interview the Master or Watch Keeping Officer of the "Holger" or visit the "Holger" as the vessel had departed Cork on Sunday at 1230 hours 24/08/1997 en route for Rotterdam. The Master was a German national and the Chief Officer Russian.

"Holger" was arrested in Rotterdam late afternoon 26/08/1997 regarding commercial matters in respect of the damage sustained to the fishing vessel "Credo Du Marin". The arrest was lifted on the morning 27/08/1997 following a bond for IR£260, 000 being deposited in response to the arrest.

In a letter 2nd December 1997 Antigua & Barbuda Commissioner of Maritime Affairs based in Germany deeply regretted the incident but stated that in their opinion on the basis of information available there was no clear evidence that "Holger" continued on passage to Cork without making contact with the fishing vessel "Credo Du Marin" and that the matter was in the hands of the Hull and Machinery Underwriters.

Federal Water and Shipping Administration North- Western Water and Shipping Directorate, Emden Maritime Board (Germany) advised the MSO Investigator by letter on 12th September 1997 that their Maritime Board's investigation into the Marine accident had been discontinued.

6. CONCLUSIONS AND FINDINGS

- 6.1 A proper lookout was not being kept on board the vessel "Holger". The Chief Mate of the "Holger" is expected to keep the 0000 to 0600 hours and 1200 to 1800 bridge watch at sea and is responsible for loading and discharge of cargo in port. In the 27.5 hours leading up to the collision that is from 0001 on the 23rd to 0330 on the 24th of August, the Chief Mate had 3 periods of rest amounting to a total of 7 hours. During the 27.5 hours he also had time off which he went ashore for shopping.

The investigation was unable to establish if it was usual practice to have a watch keeping rating on the bridge in support of the Watch-keeping Officer during periods of darkness, reduced visibility or increased traffic density.

- 6.2 It appears that "Holger" did not make adequate attempts to contact "Credo Du Marin" following the collision. There are no records from IMES (Irish Coast Guard) of VHF communication on channel 16 from "Holger" regarding this incident.
- 6.3 "Holger" did not make any attempt to return to the vicinity of the collision to ensure the safety of the personnel on board the fishing vessel.

7. RECOMMENDATIONS

- 7.1 Vessels in Irish waters should keep a proper watch on board at all times and a vessel should not be left "unattended" in this way for even a short period of time.

8. APPENDICES

8.1 Chart extract of area concerning the casualty.

8.2 Met Eireann Report for 24/08/1997 Hook Head area 0300 to 0400

8.3 Abstract from SOLAS Chapter V Regulation 10

8.4 Abstract from International Regulations for Prevention of Collision at Sea, 1972 - Rules 5 and 18(a);

8.5 Photographs:

(1) View of scuffing and mechanical damage with indentation of steelwork to "Holger" in area of starboard aft quarter. This photograph was taken while "Holger" was alongside Tivoli Container Terminal, Cork on Sunday 24/08/1997.

(2) The outboard vessel is "Credo Du Marin" at Dunmore East 26/08/1997.

(3) A closer view of the bow damage to "Credo Du Marin".

(4) A view of the bow damage to "Credo Du Marin" taken from a position aft of the bow area.

8.2 Met Eireann Report for 24/08/1997 Hook Head area 0300 to 0400

**Weather Report for the sea area near Hook Head
on the
24th August 1997 between 3 and 4 a.m.**

General situation.

A ridge of High Pressure over Ireland gave a slack north-easterly airflow over the Hook Head area.

Details.

Winds: North to North-East Force 2 to 3.

Weather: Dry but mainly cloudy, some fog overland, close to the coast.

Visibility: Good.

Seastate: SLIGHT.

8.3 Abstract from SOLAS Chapter V Regulation 10

Regulation 10

Distress messages: Obligations and procedures

- ☆(a) The master of a ship at sea which is in a position to be able to provide assistance, on receiving a signal from any source that persons are in distress at sea, is bound to proceed with all speed to their assistance, if possible informing them or the search and rescue service, that the ship is doing so. If the ship receiving the distress alert is unable or, in the special circumstances of the case, considers it unreasonable or unnecessary to proceed to their assistance, the master must enter in the log-book the reason for failing to proceed to the assistance of the persons in distress and, taking into account the recommendations of the Organization,* inform the appropriate search and rescue service accordingly.
- ☆(b) The master of a ship in distress or the search and rescue service concerned, after consultation, so far as may be possible, with the masters of ships which answer the distress alert, has the right to requisition one or more of those ships such as the master of the ship in distress or the search and rescue service considers best able to render assistance, and it shall be the duty of the master or masters of the ship or ships so requisitioned to comply with the requisition by continuing to proceed with all speed to the assistance of persons in distress.
- ☆(c) Masters of ships shall be released from the obligation imposed by paragraph (a) of this regulation on learning that their ships have not been requisitioned and that one or more other ships have been requisitioned and are complying with the requisition. This decision shall, if possible, be communicated to the other requisitioned ships and to the search and rescue service.
- ☆(d) The master of a ship shall be released from the obligation imposed by paragraph (a) of this regulation, and, if the ship has been requisitioned, from the obligation imposed by paragraph (b) of this regulation, on being informed by the persons in distress or by the search and rescue service or by the master of another ship which has reached such persons that assistance is no longer necessary.
- (e) The provisions of this regulation do not prejudice the Convention for the Unification of Certain Rules of Law Relating to Assistance and Salvage at Sea, signed at Brussels on 23 September 1910, particularly the obligation to render assistance imposed by article 11 of that Convention.

☆ The paragraph applies from 1 July 1997; otherwise, refer to *SOLAS, Consolidated Edition, 1992*.

* Refer to the immediate action to be taken by each ship on receipt of a distress message in the MERSAR Manual, as it may be amended.

8.4 Abstract from International Regulations for Prevention of Collision at Sea, 1972 - Rules 5 and 18(a);**RULE 5***Look-out*

Every vessel shall at all times maintain a proper look-out by sight and hearing as well as by all available means appropriate in the prevailing circumstances and conditions so as to make a full appraisal of the situation and of the risk of collision.

RULE 18.**Responsibilities between vessels.**

Except where Rules 9, 10 and 13 otherwise require:

- (a) A power-driven vessel underway shall keep out of the way of:
 - (i) a vessel not under command;
 - (ii) a vessel restricted in her ability to manoeuvre;
 - (iii) a vessel engaged in fishing;
 - (iv) a sailing vessel.
- (b) A sailing vessel underway shall keep out of the way of:
 - (i) a vessel not under command;
 - (ii) a vessel restricted in her ability to manoeuvre;
 - (iii) a vessel engaged in fishing.
- (c) A vessel engaged in fishing when underway shall, so far as possible, keep out of the way of:
 - (i) a vessel not under command;
 - (ii) a vessel restricted in her ability to manoeuvre.
- (d) (i) Any vessel other than a vessel not under command or a vessel restricted in her ability to manoeuvre shall, if the circumstances of the case admit, avoid impeding the safe passage of a vessel constrained by her draught, exhibiting the signals in Rule 28;
 - (ii) A vessel constrained by her draught shall navigate with particular caution having full regard to her special condition.
- (e) A seaplane on the water shall, in general, keep well clear of all vessels and avoid impeding their navigation. In circumstances, however, where risk of collision exists, she shall comply with the Rules of this Part.

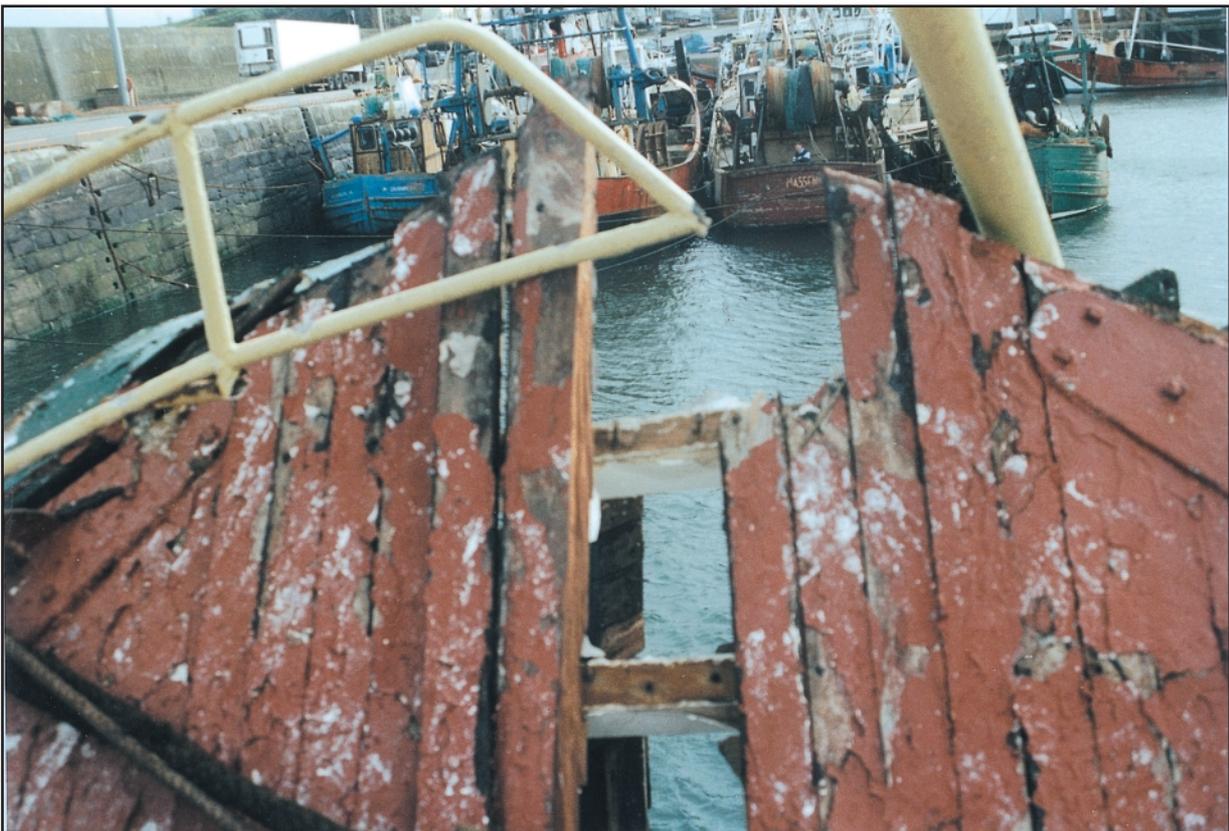
8.5 Photographs
Holger (top) / Credo Du Marin(bottom)



APPENDIX 8.5

CONTD.

- 8.5 Photographs
Credo Du Marin (top) / Credo Du Marin(bottom)



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Irish Coast Guard
GARDA CÓSTA na hÉIREANN



Mr Dick Heron
Secretary MCIB
Department of Communications,
Marine and Natural Resources,
Leeson Lane
Dublin.

25th Oct. 2003.

Re: MCIB18 – collision MV HOLGER and IFV CREDO du MARIN.

Dear Mr Heron,

The Irish Coast Guard has no comment or observation to make in connection with the Draft Report on the above incident.

Yours sincerely,

Eamon Torpay
SAR Operations Manager
IRCG HQ.

Department of Communications, Marine and Natural Resources, Leeson Lane, Dublin 2, Ireland.
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Dear Sirs,

Re: Draft Report into the Collision between m/v "Holger" and fishing vessel "Credo du Marin"
On 24th August 1997

We hereby acknowledge receipt of the above stated document mailed on the 06th October 2003.

Despite the fact that the collision occurred more than six years ago, the m/v "Holger" has been in the meantime deleted from our book on the 01st March 2000.

Yours very truly,

Captain Jose A. GILLIS
Deputy Director

