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**IFSMA Register of Technical Consultants and Maritime Experts
(RTCME) now available on the Internet at "www.ifsma.org"**

**IFSMA 36th Annual General Assembly to be held in
Manila, Philippines - 17/18 June 2010**

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- ❖ **Secretary General**
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Appointed: 01/08/2001

- ❖ **Assistant Secretary General**
Captain Paul R Owen, FNI
Appointed: 01/10/1996

- ❖ **Administration Officer**
Mrs. Roberta Howlett
Appointed: 08/10/2002

RTCME Book

Please note that the printed version of the Register of Technical Consultants and Maritime Experts will not be produced this year. It continues to always be available on the IFSMA Website.

Some Thoughts from your Secretary General

By Rodger MacDonald, Secretary General

As the cases of the criminalization continue unabated and the issues of fatigue remain unresolved, we are asking ourselves if these issues are having a detrimental effect on finding quality recruits to join our industry. IFSMA held its customary workshop immediately prior to the annual Manning and Training conference which is held in Manila during November. I am pleased to say that it was very successful and a balanced group of interested stakeholders participated in the workshop and discussed the industry concerns relating to criminalisation and fatigue.

In addition to the IFSMA presentations on this subject two excellent papers were presented by Captain Soma Nair from Anglo Eastern who gave the important views from the shipmasters' perspective and Andreas Nordseth, the Director General of the Danish Maritime Authority, who gave an explanation of the research and development of a tool that the Administration has carried out on seafarers' working hours.

In the presentation given by Andreas he opened with the comment *'Shipping has never been more regulated, inspected and controlled on safety issues than today and yet fatigue continues to be a problem!* So the focus of enforcement (and management) is decisive of what is considered relevant and important. I couldn't agree more.

Andreas went on to explain that what is needed are the tools to analyze the actual workload on board. The Danish Authorities arranged for a study on board ships to be carried by specialists who were not involved in the maritime industry. So these researchers looked at the situation without any pre-conceived ideas, and then created a simulation model. This model consists of a variety of criteria that control the task flow on a ship and will be available soon to help administrations, owners and seafarers to have a realistic concept of the workload for each individual on board. There were some very

interesting comments from these researchers on what they discovered on board. Most of you will not be surprised I fear!

- Captains had a lot of redundant paperwork
- Input (typing) of identical data in 4 – 5 different formats according to recipients' specs.
- Duplication of paperwork on arrival at different ports within same country
- Huge differences in total work load between crew members
- Shortage of backup of certain key qualifications

Andreas went on to say that there is no doubt that shipping has seen tremendous advancement in technology as a result of the owners investing in meeting the challenges in this competitive world. But it seems that we have not addressed the process of operating this new technology on board the ships. So based on the DMA initiative and research the first thing the workshop delegates wished to see happen is:

- To examine the 'process' required for safe operations
- To distribute the work load evenly where possible
- Acknowledge that we do not want new regulations – we just need to implement the existing ones
- This will require all Flag States and owners to study the process on board and to take responsibility with regard to safe manning levels
- Reduce the paperwork burden on board ships today.
- The workshop debated the issues in depth and several positive ideas were put forward which I would like to share with you,

The fatigue aspect presented on behalf of the seafarers listed the following reasons and emphasized the fact that seafarers work long hours of work with irregular sleeping hours. They certainly suffer from negative internal and external environmental factors. In some cases such as fast container ships on East West

voyages, they feel the effects of changing time zones on fast vessels. Low manning has had a negative impact on social contacts on board and this creates boredom and loneliness. Also there is still a reluctance by some companies to provide a broadband internet service for social reasons, provide insufficient or no recreational activities on board. Of course there are high job demands and many seafarers suffer from high stress.

Key outcomes of the Workshop

In response to the other presentations and the discussions at large, the following was unanimously agreed - that recruitment and retention is difficult due to criminalisation, piracy, and the high workload for seafarers.

The workshop raised some other issues. Firstly, the concept of E-Navigation is still a mystery to many seafarers. The question was asked 'Are seafarers given any input into the user requirements for this new technology?' It was felt that ergonomics is rarely used in bridge design and there is a lack of a standardised layout. It was also noted that dealing with fatigue and criminalisation is not part of the training syllabus for seafarers. Indeed the shortage of officers also results in a lack of on-board training

The workshop concluded with the following plans of action.

- The industry must have a collective voice to focus on these issues and create the momentum to deal with them.
- Create a level playing field for quality shipping. This means that Flag States and Port State Control must carry out their responsibilities. But also the responsible bodies representing shipowners and managers should support the efforts to do away with sub-standard shipping
- IFSMA will continue to give all its possible support to seafarers when they are criminalised and continue to promote the Fair Treatment Guidelines so they can be reflected in national legislations to encourage courts to take the guidelines into consideration.
- Continue to research on the legal aspects of all

cases, and report incidents of criminalisation to IMO, ILO, etc.

- Make closer contact with other groups involved in the whole logistics industry and consider how we can learn how they deal with fatigue, etc
- IFSMA to research and submit papers to IMO on the administrative burdens on board and recommend reducing paper work by:
 - Eliminating duplication of paperwork
 - Driving for standardised international forms
 - Develop and use an internationally accepted electronic form of documentation
- Continue to participate and encourage the work within the IMO's working group on the human factor

I believe the issues we discussed are key barriers to recruiting the right candidates for our industry. I would welcome any comments from our members on what was discussed at the workshop. We have a lot to do and I will keep you posted on our progress.

In conclusion, may I wish you all the warmest Season's Greetings, and let us hope that 2010 will see a return to global prosperity - and remember this prosperity is dependent on our industry performing safely and efficiently.

International Seafarers' Charity Looks to Improve Facilities for Visiting Seafarers

Sailors' Society representatives Jan Webber and Helen Alexander recently returned from a fact-finding and fundraising visit to Mumbai, where they met with leading shipping personnel, trustees of charitable organisations and captains of industry, including representatives from GAC, Inchcape Shipping and Tata, owners of well-known companies Tetley and Land Rover. The ladies were guests of Ince & Co, who funded the trip, and at whose conference Jan and Helen addressed a prestigious audience in excess of 100 delegates. Ince & Co. also made a presentation of £1,000 towards the work of the Sailors' Society, illustrating their commitment to the partnership.

Jan and Helen attended a number of receptions, conferences and meetings, where the Sailors' Society's work was discussed in detail and pledges of support were made towards the US\$1.35M, needed for the Sailors' Society India Collaboration programme – a campaign to improve seafarers' facilities in the region and for the charity's ongoing worldwide funding needs.

There is more demand for such services as a result of Asia's strong and continuing growth. Director of Fundraising and Marketing for the Sailors' Society Jan Webber explained: "We need funds for our continuing work internationally, as well as the Collaboration Programme in India, which is integral to our development plans. We understand and recognise that we cannot undertake this expansion without the support and commitment of interested parties in India, in particular those associated with, or benefiting from, the shipping industry. "We are already working closely with the International Transport Federation Seafarers' Trust and the International Committee for Seafarers' Welfare South Asia, which wholly endorse the need for these services." Jan Webber added: "Sailors' Society already has a presence in Kakinada and Visahapatnam, with two Port Chaplains, Reuben and Ravi Paul, based full-time in the region. Our aim is to improve services for seafarers in the ports of Kandla, Jawaharlal Nehru (JNPT), Murmugoa, Mangalore, Cochin, Krishnapatnam, Gangarvaram, Paradip and Haldia.

Each of these ports serves well over 1,000 shipping movements per annum, with few if any services for seafarers. Ideally we want Port Chaplains and ship visitors in all of these Ports – a friendly face for seafarers who spend many months at sea with little, if any contact, with the 'outside' world, often only seeing the inside of the port. We want to use the money from our campaign to provide minibuses to transport these seafarers around the ports and local areas. We would also like to be able to provide facilities such as telephone and internet access, so seafarers can contact families and loved ones".

The week long trip provided plenty of opportunities for Jan Webber and Helen Alexander to speak about the need to help seafarers and also about the Sailors' Society's work around the world, where other collaborations with local shipping companies and businesses have been successful for over 190 years.

Piracy and Hijacking

By Captain A.K. Bansal. Ind Mem.

History

Piracy is nothing new. Phoenicians are known to have resorted to piracy for well over a thousand years from 1550 B.C. They are known to have started threatening ships in the Aegean sea and the Mediterranean, from as early as 13th Century BC. This continued even after they were absorbed into the Persian Empire in 539 BC. Even commerce of the Roman Empire was threatened by pirate states along the Anatolian coast in 1st century B.C. Julius Caesar was kidnapped by Cilician pirates in 75 BC. Caesar is said to have doubled the ransom demanded for him by the pirates. But after ransom was paid to release him, Caesar raised a fleet, and captured the pirates. Saint Patrick was also captured and enslaved by Irish pirates. In 846 AD Muslim pirates sacked Rome and damaged the Vatican. Vikings of Scandinavia were pirates in medieval Europe. In 937 AD Irish pirates sided with Scots, Vikings and the Welsh to invade England.

British Admiralty Law defined Piracy as 'petit treason.' King Henry III took a severe view of Piracy. The first person convicted and hanged for piracy was William Maurice, in 1241. Piracy was defined as felony during the reign of Henry VIII. Pirates were subject to summary execution. The classic era of piracy was in the Caribbean from 1560 to the mid 1720's, mainly out of conflicts over trade and colonization among rival European powers of the time, including England, Spain, Portugal and France.

Some of the best-known pirate bases were in Tortuga, Port Royal and the Bahamas. Caribbean pirates were mostly British, Dutch and French. Notorious among them were Sir Henry Morgan, Sir Francis Drake, (both knighted in Britain) and Edward Teach. Alice Fish, known as 'Pirate Aunti' and Anne Bonny were notorious women pirates. Piracy was eliminated in these areas in the 18th century.

20th / 21st Centuries

In accordance with widely accepted traditions from ancient times, the high seas belong to no one but to all the 6700 million humans on this earth today. UNCLOS 1982, accepted this tradition under its Article 87, except that under its Articles 2 & 3, it reserved a 12 mile strip of the seas along each coast to be sovereign territory of the Coastal State and named it, "Territorial sea."

Under International Maritime Law, piracy is defined as an international crime punishable by all nations over which universal jurisdiction applies. This definition includes actions against a ship, aircraft, persons or property. Art 105 of UNCLOS, limits seizure of pirate ships, property and arrest of persons, "On the high seas, or in any other place outside the jurisdiction of any State." But such seizure can be carried out only by warships or military ships. These concepts have been made Law in 159 Countries which have ratified UNCLOS.

Under UNCLOS, all ships come under the Law of the Flag State when on the high seas, but under the Law of the Coastal State in its territorial waters, regardless of the flag of the ship or nationality of those on board. Thus even though a State can extend its municipal Law over its subjects on the high seas and charge them under its own laws, it cannot charge foreigners unless such acts are done within its territorial waters or are recognized under International Law. In any case customary International Law restricts use of force on the high seas. This weighs heavily in favour of Piracy especially if the coastal State does not act against its own nationals, if piracy is committed on the high seas. If piracy is committed within territorial waters of a coastal State, it is 'armed robbery' at best. On the other hand, a pirate can be brought to justice by any state into whose jurisdiction he comes. But if a foreign flag ship is attacked outside territorial waters of a coastal State, it cannot legally intervene as the attack is outside its jurisdiction and the ship is not of their nationality.

The Flag State of the ship cannot effectively

intervene, because she may be situated miles away from its territory. It also depends upon its will and means to do so. If it is an FOC State, both WILL and MEANS would be lacking simply because owners of THAT ship have bought the right to fly that flag of Convenience. Since nationals on board are also NOT of the Flag State, it has no other interest in it. The State whose Nationals are on board cannot intervene because the ship is under Law of the Flag State. Navies and Merchant Ships of third countries cannot intervene, because they may have no legal rights to do so. Modern pirates know these concepts of International Maritime Law well. Therefore, more often than not, they only hijack FOC ships, crewed by nationals of other countries, outside their own territorial waters and mostly get away with it.

Today, Seaborne Piracy is a menace in major shipping routes, such as the Gulf of Aden and Malacca Straits, through which 90% of world trade moves in over 50,000 unarmed merchant ships. Due to Somalia's civil war since 1990's, waters off this coast have also become a major threat to international shipping. The luxury cruise liner Seaborne Spirit was attacked with rocket launchers & machine guns, 115 km off the coast of Somalia, by heavily armed pirates in 2 speedboats from a mother ship, damaging her ship side. The Master took evasive action, ran over one of the pirate boats and sailed away.

News came on September 28 2009, that Somali pirates have deliberately killed Master of the M.V. *Barwaqo*, because he refused to divert when she was attacked close to Mogadishu. Three crew members and a policeman were also injured in the subsequent shoot-out. The total of such deaths up to now is 11. One each in 2006 and 2007, four in 2008 and five so far in 2009. In 2007, one of the crew of a Taiwanese-flag fishing vessel was also murdered, apparently in retaliation for reluctance of the owner to pay the ransom demanded.

There was also the case of one Indian seafarer shot dead on board *Sea Princess II* in April 2009 with his body thrown in the water, even after the handover of ransom.

This may have been a backlash after three pirates were killed by US Navy snipers, to recapture

Master of *Maersk Alabama* this April and may become worse. However, as a general rule, pirates calculate that seafarers are worth more alive than dead as owners would have extra pressure to get them released by paying ransom.

IMB statistics show that there were 239 piracy attacks in 2006 and 263 in 2007. Over \$150 million in ransom money appears to have been paid to hijackers during the 12 months prior to November 2008, from which date Somali pirates began hijacking ships well outside the Gulf of Aden and mainly those headed south towards Mombasa, Kenya. On Nov. 15, 2008 VLCC 'Sirius Star,' loaded with oil worth \$100 million, and carrying a 25 man crew, was hijacked 450 miles off Kenya. She was released on Jan 9, after a ransom of \$ 3 Million was paid. Another case of ransom and release is that of the Ukrainian ship 'Faina', carrying tanks and ammunition. She was hijacked in September 2008 and released on Feb 4 2009, when \$4.2 million was paid as ransom.

Traditionally, ships sailed under flag of the country where they were owned, with Officers, Engineers and crew of the same nationality. That placed a strong obligation on the Govt. of the flag State to protect them. But this scenario changed during the British Empire, when British flag ships, usually carried British Officers and Engineers with Indian Crew who were excellent seafarers but much cheaper to employ.

Under American Law only ships built in the USA and crewed exclusively with American nationals can fly the American flag. US owners are free to buy ships built outside the USA and engage cheaper crew from other countries, if they do not want their ships to fly the American Flag. Because it spelt savings of large sums of money, the Americans invented Flags of Convenience (FOC). This meant that a ship owned by American nationals, purchased the right to fly the Flag of a small country but owners retained the right to appoint crew on board, her commercial operations and earning interests.

They secure themselves by insuring their ships in the International market but avoid paying high American taxes and continue to employ cheaper crew and earn high freight rates. They

also take advantage of the waiver of 50% duty on repairs performed on American-flagged ships in foreign ports. Because repairs in USA are expensive, it is a great advantage.

Belen Quezada was the first such ship to register in Panama in 1919. The Maritime world followed suit from 1922. The Liberian Registry was formed in 1948, again with the help of US owners. Today there are many FOC states and over half of the merchant ship tonnage of the world flies FOC and engages officers, engineers and crew of different nationalities, creating a motley of irreconcilable legal interests. But of course, owners avoid most rules, regulations, high taxes and high cost of labor in their own countries. Furthermore, as FOC ships have no REAL nationality, their multinational crew, are beyond the reach of any single national seafarers' trade union for the rights of seafarers such as minimum wages, minimum manning, safety and social standards. This allows owners to enforce long work hours under unsafe conditions and yet pay low wages.

Since the Flag of a State entitles protection of the ship and all on board by that country, France has twice rescued French citizens taken hostage by the Somalis from French vessels with French crews, giving France a clear duty. Because FOC ships do not belong to nationals of the flag State, and crew on board are multinational, that protection is lacking. FOC states ratify most International Conventions, but do not, or are unable/unwilling to enforce them. For example in December 2001, the Mauritius Flag, M.V. Nisha was intercepted by H.M.S Southerland, in international waters off the Sussex coast, about 30 miles south of Beachy Head, when heading for the Tate & Lyle sugar refinery in Silvertown, east London.

Owned by Indian owners, but sailing under FOC, the only country which could object to British commandos boarding an unarmed merchant ship on the high seas, was the Flag State which was too weak to even make a protest.

Indian owners could not do much because the ship was under a Flag of convenience. The Indian Govt. used this as a fig leaf to hide its

impotence and did not protest under the pretence that she was a foreign flag ship, even though Indian owned with an entire Indian crew. Fortunately, that lasted only few days. Otherwise there may have been public protests. There was quite a hue and cry in India against inactivity of the Indian Govt. to rescue 18 Indian Crew including Capt. Goel, when the 'Stolt Valour' was hijacked by Somali pirates. Even the Supreme Court of India passed strictures against the Govt, for not doing enough. They were ransomed two months later when \$2.5 million was paid, no thanks to the Indian Govt.

Under existing laws, a Sovereign State can take action against pirates in its territorial waters, regardless of their nationality or nationality of the ship. But to take action against pirates and to prosecute them, for acts of piracy on the high seas even if just outside their territorial waters, is a complex legal issue under the legal principle of freedom of the high seas.

The decision of a war ship, to intervene or not, in the case of a ship which is hijacked on the high seas, is not only a function of the flag alone, but also depends upon the nationality of the crew on board. There are instances where naval units off the Somali Coast have refused to assist ships threatened in the Gulf of Aden, because of the flag of the ship and nationalities of the crew. If a warship goes to assist and injures or kills someone, legal complications may arise. Recently, the British Foreign Office advised their Navy not to detain pirates of certain nationalities because they might claim asylum in Britain under British human rights legislation, if their national laws include execution or mutilation as punishments for their crimes.

Thus, no one is willing to solve the immediate problem, under the pretext of worries about conflicting legal interests and nationalities which may give rise to confrontations between countries. Pirates know the International Maritime Law well and mostly hijack FOC ships, with multinational crew, outside the territorial waters of any country, legally "on the HIGH SEAS."

There has been a complete arms embargo

against Somalia since 1992. At the 101st Council of IMO, India called for a UN peace keeping force to tackle piracy off Somalia. From August 2008, a combined task force, has taken on the role of fighting Somali piracy by establishing a Maritime Security Patrol Area (MSPA) within the Gulf of Aden. On October 7, 2008, UN Security Council adopted resolution 1838 calling on nations to cooperate with TFG to enter Somali territorial waters, to apply military force and use all necessary means to fight piracy. Soon thereafter resolution 1851 authorized similar measures on land under chapter 7 of the U.N. Charter. Under a recent agreement with the US, Kenya is establishing a special judicial unit to try captured pirates.

On October 23, 2008 Russia announced that it too will join international efforts to combat piracy. The Chinese Navy has deployed an anti piracy task force to protect shipping lanes beyond its territorial waters. On Feb 12 2009, it was learnt that Singapore will also be sending a warship and two transport helicopters to join an anti-piracy force in the Gulf of Aden. News also came that day that a US Navy ship arrested two boat loads of pirate suspects in the Gulf of Aden. When the Indian-flagged ship 'Prem Divya' was attacked by armed men in a skiff who fired at the vessel and tried to board, the 'Vella Gulf', a guided missile cruiser heard a distress call and sent a helicopter which fired a warning shot. The pirates tried to flee, but the 'Vella Gulf' and another US warship closed in, boarded the small craft and arrested the suspects.

Earlier, The 'Vella Gulf's boarding team searched another skiff and found weapons including AK47s and rocket-propelled grenades. Seven pirates who were suspected of an attack on the Marshall Islands-flagged, 13,107 DWT tanker 'Polaris' were arrested. The tanker's crew identified the pirates. On Feb14 2009, Russian Cruiser 'Peter the Great' seized three suspected pirate boats in the Gulf of Aden and captured 10 armed suspects off the island of Socotra.

All these are encouraging signs that the International Maritime Community is now able to

find ways and means to curb this menace. As a result, the IMB anti-piracy centre announced that even though six vessels had been attacked in two days, none of the attempts were successful and that the number of successful hijackings has been reduced.

The risk of the owner of cargo on board a hijacked ship is also an issue. But because both the ship and cargo are insured in the International market, it ensures that their owners do not lose money. Traditionally ransom paid due to piracy is covered under GA contribution. Early cases support this view. In *Hicks v. Palington*, Moore's QB R 297 1590 AD, the court in England held that cargo given to Pirates by way of ransom was a sacrifice which could properly be General Average. The rationale was held to be that any reasonable payment made to hijackers to secure release of the ship and cargo, represents a GA sacrifice made by the ship to enable her to save the entire Maritime Adventure. Payment of ransom has not been illegal per se under English law since the repeal of the 1782 Ransom Act.

In 1840 in *Peters. v. The Warren Insurance* the US Supreme Court deemed, "ransom a necessary means of deliverance from a peril insured against, acting directly upon the property." In the *Royal Boskalis Westminster NV v Mountain* (1999) QB 674, it was held that any reasonable payment made to hijackers to secure the release of the ship and cargo, represents a GA sacrifice and can be recovered as contribution from cargo and other interests. The Norwegian Marine Insurance Plan 1996 (2007) makes no distinction between 'piracy' and 'war' and covers losses for piracy as 'war risk.'

The German Commercial Code provides: "when in a case of arrest of the ship by enemies or pirates, ships and cargo are ransomed, whatever is paid as ransom forms part of GA together with the expenses incurred for maintenance and ransom of hostages." (S 706.6) But with the escalation of piracy, many marine insurance policies are now expected to include piracy as a war risk at extra premium.

A new policy would cover loss of earnings of

charterers, ship owners and cargo owners, if a vessel is seized by pirates. Of course this means that insurance costs have escalated. Therefore it is now dawning on owners with huge investments that FOC ships may be commercially convenient but are not safe. Furthermore, it may not be worth while to save on taxes and other restrictions in their own countries, to flag their ships elsewhere and pay high insurance costs.

This has caused a rethink amongst some ship owners at risk from piracy, to switch away from flags of convenience to their own National registries. That is a healthy development. But the world Merchant fleet continues to rely heavily on seafarers from Eastern Europe, India, Japan, Philippines and other countries. THAT leaves the International Maritime Community in a bind.

Piracy Statistics

The first nine months figures from the IMB Piracy Report show a dramatic increase in actual and attempted piracy attacks in three key areas: Gulf of Aden 100 incidents, Somalia 47 incidents and Red Sea 15 incidents. Others areas of the world do not show much change.

A further breakdown of these figures reveals that for Gulf of Aden/Red Sea area there were 18 vessels hijacked, 56 vessels were fired upon and 41 had an attempted boarding. Whereas off the coast of Somalia the figures were 13 vessels hijacked, 27 fired upon and 6 attempted boarding. All the above vessels were underway at the time – non were at anchor.

Looking at the crews of these vessels – in the Gulf of Aden 287 were taken hostage and off Somalia 198 taken hostage.

Every type of vessel is at risk from bulk carriers and tankers to yachts. Although no passenger vessel has so far been successfully boarded by pirates.

At the end of the period in question – September 2009 – Somali pirates were holding four vessels for ransom with 80 crew members as hostages.

With the increased number of warships patrolling the Gulf of Aden and with ship's Masters adhering to the recommended advice and deploying anti

piracy precautionary measures, the number of successful hijackings in the Gulf of Aden has dropped recently. However, the attacks are continuing with serious concerns as the Somali pirates are firing their RPG and automatic weapons indiscriminately to intimidate the Master of the vessel to stop. Pirates are now more desperate to hijack ships. The attacks are taking place further out to sea, off the east and south coast of Somali including off Kenya, off Tanzania, off Seychelles and off Madagascar and as far north as off the coast of Oman/Arabian Sea.

Piracy, Seafarer Shortage and Climate Change

Piracy, seafarer shortage and climate change were the main issues IMO Secretary-General Efthimios E. Mitropoulos discussed with Government Ministers he met in the Syrian Arab Republic and the Islamic Republic of Iran, during a recent four-day visit.

In Damascus and Lattakia (Syrian Arab Republic), he met the Minister of Transport, Dr. Eng. Yarob S. Badr, and Deputy Minister for Maritime Transport, Dr. Emad Abdul Hay.

In Lattakia, he addressed the students of the Arab Academy for Science, Technology and Maritime Transport, Syrian Branch. Promoting IMO's "Go to Sea!" campaign, he congratulated the students for their choice of seafaring as their career and encouraged them to stay in the profession after their graduation and first stage at sea.

In the Islamic Republic of Iran, he met with the Transport and Foreign Affairs Ministers and the Secretary of the Supreme National Security Council, Minister Saeed Jalili, with whom he discussed the issue of piracy off the coast of Somalia and in the Gulf of Aden along with the need for full compliance with the International Ship and Port Facilities (ISPS) Code, both on board ships and in port facilities. He thanked the Ministers for the decision of the Iranian Government to dispatch naval vessels to the Gulf of Aden to support the international efforts to prevent and suppress piracy in the area.

In discussions with the Minister for Roads and Transportation, Dr. Hamid Behbahani, Foreign Affairs Minister, Mr. Manouchehr Mottaki and the Deputy Minister and Managing Director of the Ports and Maritime Organization, Dr. Ali Taheri, Mr. Mitropoulos sought support for the forthcoming Climate Change Conference (COP15) to entrust, as

the Kyoto Protocol has done, IMO with the reduction of greenhouse gas emissions from shipping operations.

On 15 September, he flew to the Iranian port of Anzali on the Caspian Sea, where he expressed appreciation for recent joint exercises on search and rescue and oil spill prevention and response, between the Islamic Republic of Iran and the Russian Federation; and urged the Islamic Republic of Iran to expedite its ratification of the International Convention for the Control and Management of Ships' Ballast Water and Sediments, 2004.

6Degrees e-Journal Sets Sail from IDOPA

The International Dynamic Positioning Operators' Association (IDPOA) has launched the first dedicated journal focusing on Dynamic Positioning (DP). 6degrees features content on DP Operators, recruitment, training and certification as well as operations and equipment.

Since its launch in June, IDPOA has been working hard to be at the forefront of the human element in DP and issues affecting the profession. The launch issue of 6degrees, is the culmination of this early developmental phase for the professional, membership association.

Comment and analysis comes from senior fellows of the association, and leading lights of the global DP community, the e-journal aims to drive dialogue about DP, while developing best practice and increasing professionalism in this rapidly developing part of the shipping industry.

IDPOA has forged strong relationships across the shipping industry and welcomes contributions to 6degrees from experts on all sides of the DP sector. With IDPOA recently becoming members of IMCA, Ian Giddings updates readers on the organisation's work, and from the Nautical Institute Captain Mark Pointon highlights elements of their training scheme.

Captain Rod Short joins the discussion on the subject of professionalism, welcoming IDPOA as affiliate members of GlobalMET and to a partnership of shared mutual goals, relating to professional development and excellence in maritime education and training.

Executive Director of IDPOA, Steven Jones said,

“We are pleased to be sending the only dedicated and focussed e-journal about DP to our membership. This year has been about an evolution in the role of DP Operators. Having the Association to provide representation and the journal to communicate our message is vital in moving forward.”

He added, “IDPOA is about innovation and progression. We support our members in the wider industry, and we also look to provide formal DP Operator input that has long been missing on issues such as training, certification, technical changes, careers and professionalism”.

The journal also features articles from Mark Bragg, Ian Smith and Sean Hogue and covers topics including the struggle to get sea-time, incident reporting and social networking, along with details of a radical new proposal from Bluewater for the ULTIMATE DP project which could see the role of DPO's changed beyond all recognition.

6degrees is available quarterly. The launch edition can be viewed at the following link http://www.dpoperators.org/6degrees/6degrees_issue_1.pdf. Further information about the International Dynamic Positioning Operators' Association (IDPOA), is available at www.dpoperators.org

Mooring and Anchoring Ships Volumes 1 & 2

Mooring accidents are causes of great concern to those in the maritime industry, both ashore and afloat. Good practice is urgently needed to prevent deaths and injuries, particularly in trades such as dry bulk and containers.

To address this need The Nautical Institute published two practical guides in October. The books have been published following an industry initiative supported by the International Maritime Organization and the International Chamber of Shipping.

Mooring and Anchoring Ships is published in two volumes and was launched at a seminar in London which highlighted industry concerns.

Volume 1, Principles and Practice by Ian Clarke MNI, looks at the theory behind good practice and explores how shore and sea staff can avoid personal injury and breakaway incidents.

Volume 2, Inspection and Maintenance by Walter Vervloesem AMNI, looks at good practice with hundreds of colour photographs to illustrate the right

way to carry out procedures.

The foreword is written by The Secretary General of the IMO, Efthimios Mitropoulos, who said there had been ‘little formal presentation’ of mooring. The books are also supported by the major international associations concerned with ship operations.

Mr Mitropoulos said the IMO had been concerned about mooring accidents for some years and said that the Institute’s books were ‘remarkable volumes’ that cover a complex subject that has never before been properly explained.

At the seminar, held by the Institute with the UK Harbour Masters’ Association, Karl Lumbers of the UK P&I Club said his research showed large mooring accidents had cost the Club more than \$34 million over the last 20 years. These claims were the seventh highest injury suffered by ships’ crews by both number and value and the third highest in average value per claim. He described some of the injuries as “truly horrific” involving not only deck crew but catering staff, engine room staff and apprentices.

Provision of suitable onboard arrangements for running mooring lines is often neglected and the result is poor arrangements that resemble knitting patterns rather than sensible means of securing ships alongside, he said.

Walter Vervloesem AMNI, author of *Volume 2, Inspection and Maintenance*, finds problems, deficiencies and bad practice during ship inspections or mooring-related claim investigations.

“The fact is that problems are identified on almost every ship,” he said. “This is an indication that good maintenance, proper inspection and safe operation practices are overlooked by those in charge of the mooring stations, and, more worryingly, are actually systematically being overlooked by all involved in a ship’s voyage – including ship’s crews and staff, superintendents, class, flag states and port state control.

“This further shows the importance of providing specific information on mooring practices and mooring equipment and underpins the statement that the subject of mooring needs to be addressed by all interested parties throughout the international shipping industry from the design stage to berthing.”

Further information and ordering may be found at www.nautinst.org.

Lorry Attempts to Leave RoRo Ferry

From MAIB report 21/2009

Synopsis

On 28 January 2009, an articulated road tanker crashed through a stern door of the High Speed Service vessel *Stena Voyager* shortly after the ferry had commenced a scheduled crossing from Stranraer, Scotland, to Belfast, Northern Ireland. The vehicle's semi-trailer came to rest on the vessel's port water jet units; its tractor unit remained on the vehicle deck. The ferry was quickly stopped and her crew were able to make the vehicle secure. *Stena Voyager* then returned to Stranraer but her passengers had to remain on board overnight because the position of the road vehicle prevented her berthing stern to the linkspan. The passengers were disembarked by the fire service the following day using a telescopic rescue platform. The semi-trailer was removed by crane later the same evening. There were no injuries but the ferry's stern door was lost overboard.

The driver of the road tanker had not applied the vehicle's parking brakes and had left it out of gear. Although the vehicle had been lashed to the deck and its rear wheels chocked, the securing arrangements were not in accordance with the vessel's securing manual, and they failed to stop the vehicle from rolling backwards when *Stena Voyager* became trimmed by her stern as she accelerated. Neither the ferry's deck securing points nor the vehicle's ferry securing points, to which the lashings were attached, accorded with the applicable international and national codes of practice. The lashing straps were also of insufficient strength, and tests have shown that the chocks could not have been correctly positioned.

A recommendation has been made to the Maritime and Coastguard Agency (MCA) and the Vehicle and Operator Services Agency (VOSA), intended to ensure that road hauliers are made aware of the need to make their vehicles safe to transport by sea. Further recommendations have been made to the MCA aimed at ensuring that the securing arrangements and practices on board all high speed craft carrying freight vehicles comply with their cargo securing manuals and the applicable codes of practice, and confirming that procedures include robust measures to ensure that the parking brakes of all vehicles have been applied. Recommendations have also been made to Stena Line and Turner (Soham) Ltd to improve the ability of these companies to meet the guidelines of the codes of practice relating to the secure stowage of freight vehicles at sea.

Report of 2nd Straits Co-Operative Forum

Report by Capt Ramu Naidu Sanasi, Ind Mem.

The meeting of the 2nd Co-Operation Forum under the Co-Operative Mechanism on the Straits of Malacca and Singapore was hosted by Singapore at the Grand Copthorne Waterfront Hotel, Singapore from 14th to 15th October 2009 and opened by Singapore's Minister of Transport.

The meeting was between the 3 Littoral States of Singapore, Malaysia and Indonesia and user States and other Stakeholders and was attended by 27 States including the European Commission, 8 NGO's, IMO, besides the 3 Littoral States.

After the Batam Joint Statement of 2005, a series of conferences were held (based on a proposal by the Secretary General of IMO in 2004) under IMO's initiative for the protection of Vital Shipping Lanes. These International Conferences were held in Jakarta in 2005, Kuala Lumpur 2006 and Singapore 2007 for the Safety of Navigation and the Environmental Protection of the Malacca and Singapore Straits. These meetings paved the way for the establishment of increased Cooperation between the 3 Littoral States and the User States and other Stake holders for the safety of navigation and environmental protection in the straits of Malacca and Singapore all in accordance with UNCLOS Article 43.

The Cooperative Mechanism consisting of :

- 1) Cooperation forum for discussion between Littoral States, User States, Shipping Industry and Other stakeholders
- 2) Project Coordination Committee on the implementation of Projects in cooperation with sponsoring users and
- 3) Aids to Navigation Fund (ANF) was established to receive financial contribution for the renewal and maintenance of aids to navigation

were established at the Singapore meeting in 2007. The Cooperative Mechanism's point of contact is the Tripartite Technical Experts Group (TTEG).

The 1st Cooperation Forum under the Cooperative Mechanism was held in Kuala Lumpur, Malaysia in May 2008 by the three Littoral States followed

by an International Symposium on Safety and Protection of the Marine Environment in the Straits of Malacca and Singapore in November 2008 held in Kuala Lumpur by the Round Table of International Shipping Associations (ICS, Intertanko, BIMCO, Intercargo, etc) and the Nippon Foundation.

The 1st Cooperation Forum :

- i) Agreed on rules of procedure,
- ii) Discussed 1st meeting of Aids to Navigation Fund (ANF) and other activities of Project Coordination Committee(PCC)
- iii) Discussed various issues relating to the Straits of Malacca and Singapore:
 - Status of Aids to navigation
 - Situation on Safety of Navigation
 - Development of various efforts to protect marine environment
 - Marine Electronic Highway (MEH)
 - The developments of 6 projects agreed upon in 2006
 - 1) Removal of Identified Wrecks
 - 2) HNS Preparedness and Response
 - 3) Demonstration project of Class B AIS on small ships
 - 4) Setting up Tide Current and Wind Measurement System (may take 4 years)
 - 5) Replacement of Aids to Navigation after conducting Assessment survey (may take 10 years)
 - 6) Replacement of Aids to Navigation damaged by the Tsunami in 2004 (may take 4 years)

The **International Symposium on Safety and Protection of the Marine Environment in the Straits of Malacca and Singapore** was held in Kuala Lumpur in November 2008 by the Roundtable of International Shipping Associations and the Nippon Foundation:

- To explore new projects and new mechanisms

- To listen to the opinions of Governments and of the Industry itself and
- To see how Littoral States' performance can be enhanced to meet local expectations

The 2nd Cooperation Forum held at Singapore on 14th and 15th October 2009 under the Cooperative Mechanism for the Straits of Malacca and Singapore :

A Joint Technical Arrangement (JTA) was signed between the Littoral States of Singapore, Malaysia and Indonesia and IMO to formalize the IMO's continued commitment to the Cooperative Mechanism. The JTA highlights

- The importance of continued progress of the Cooperative Mechanism,
- Sustain stakeholders continued interest in the Cooperative Mechanism and
- To demonstrate Relevance of Cooperative Mechanism.

The JTA institutionalizes the interface between the Cooperative Mechanism and the IMO Straits of Malacca and Singapore Trust Fund. Greece has made an initial contribution of USD 1 million to the fund.

The IMO highlighted the complementary role of the IMO Malacca and Singapore Straits Trust Fund which would support the mobilization of resources by the Littoral States on the implementation of the project on Aids To Navigation in the Straits underlining the timeliness and importance of Cooperative Mechanism.

Letters of Recognition were presented to Australia, China, Greece, India, Japan and the United States for their contribution to various projects under the Cooperative Mechanism by the Singapore's Transport minister on behalf of the Littoral States.

The Littoral States welcomed the increased industry participation in the Cooperative Mechanism, noted the importance of the Cooperative Mechanism in keeping the Straits open and facilitating global commerce.

The following are among the items discussed:

1) **Developments in the Co-Operative Mechanism and the Straits of Malacca and Singapore**

China, India and Japan reaffirmed their com-

mitment to Cooperative mechanism and reiterated the critical role of the Straits in the International trade and the critical necessity to ensure that the Straits remained open, safe, secure and clean for Shipping and the importance of the Cooperative mechanism as a structured and sustainable framework for cooperation between the Littoral States, User States and Other stakeholders of the straits.

- **Aids to Navigation Fund (ANF)**

Malaysia updated on the activities of ANF. The UAE, Nippon Foundation, Malacca Straits Council and Middle East Navigation Aids Service have contributed to the ANF.

China intends to contribute to the ANF fund.

10 year plan maintenance programme was developed in April 2009.

Merits of the ANF included its voluntary nature and transparency and accountability in its operation and maintenance of Aids to navigation.

- **Developments in Straits projects**

It was reported that good progress has been made in the Six Straits Projects. This included the successful completion of various trials and surveys and the organization of training activities for formulating operating procedures and best practices.

- **Update on Marine Electronic Highway**

Stage 1- Demonstration project

Stage 2 – Full scale development project

Indonesia highlighted its implementation plan, which is expected to be put in place by early 2010, and included the procurement of navigation equipment under the World Bank Fund. (AIS, Tide Station, Ocean Data Buoy and DGPS)

AIS shall be placed at Tanjung Medang and Iju Kechil .

The project sites will be revised to avoid duplication of equipment in locations involved with TSS.

- **Protection of vital Shipping lanes- Cooperative Mechanism**

IMO presented its perspective on the role played by the Cooperative Mechanism in the protection of vital shipping lanes. The Forum noted the following:

- The Cooperative Mechanism was based on the original proposal from the IMO Secretary General. In November 2004, the IMO Council agreed that IMO had a vital role to play in the protection of vital shipping lanes.
- IMO is committed to the implementation of the Cooperative Mechanism
- The IMO Malacca and Singapore Straits Trust Fund had the aim of facilitating contributions to projects under the Cooperative Mechanism, and its complementary to funds established under the cooperative mechanism
- Link between the Cooperative Mechanism and MEH project and the possibility that the MEH full scale initiative could be part of the Cooperative Mechanism in future

2) **New projects**

An Emergency Towing Vessel (ETV) service in the Straits of Malacca and Singapore was presented as a new Straits Project, concept by the Littoral States to seek the Forum's input and further develop and materialise the concept in future.

3) **Initiatives to Enhance Safety Of Navigation in the Straits of Malacca and Singapore**

Wreck Removal in the Straits of Malacca and Singapore/Bathymetric Survey and wreck investigation training by India.:

- The identification of 11 critical wrecks under the project
- India's proposal of bathymetric survey and wreck investigation training in support of Straits Project 1
- Malaysia's initiative to conduct 'Pilot wreck monitoring Survey' on one of the wrecks and invitation to stakeholders to contribute to

future surveys.

- India's presentation on the range of training courses offered at the National Institute of Hydrography in Goa.

4) AIS – B in the Straits of Malacca and Singapore

- Report of Demonstration Trial of AIS-B transponders on small vessels in the Straits of Singapore by Singapore, Australia, and the Republic of Korea also participated in the Project
- The overall coverage of AIS B transponders was reasonably good and were able to work well in a dense and crowded traffic environment such as the Singapore straits.
- Further feedbacks from ship masters was to be collected

5) Aids to navigation in the straits of Malacca and Singapore

Maintenance of Aids to navigation in the straits was presented by Japan. Contributions has been made by Japan, from both private organizations and the Japanese Government to enhance navigational safety in the straits and to Aid to the navigation fund.

6) Indiscriminate anchoring in the Straits of Malacca and Singapore

The frequent submarine cable failures/damage in the area between Traffic Separation Schemes and Port Limits (OPL's) was reported to have been caused by the vessels indiscriminate anchoring in these areas.

The TTEG has approved a joint TTEG circular on Prohibition of Anchoring in the Straits of Malacca and Singapore to address the indiscriminate anchoring problems in the OPLs.

Vessels found anchoring in Non Anchorage Areas will be prosecuted, fined and Compensation for damages to submarine cables sought.

7) Site assessment Survey for Setting up Wind/Tide/Current Measurement System for the Straits of Malacca and Singapore to enhance Navigational Safety and Marine

Environmental Protection(Project 4)

China and India presented their findings from the site assessment survey carried out at the six proposed locations of the tide, current and wind stations which were identified as high risk areas in the straits. The strategic location for current and wind measurement sensors for providing realistic real time information for wind, tides and current to be evaluated.

The setting up of a wind/tide/current measurement system for the Straits will enhance search and rescue model prediction, improving prediction accuracy of oil/chemical spill trajectory and potentially assisting ships in the voyage planning.

China and India recommended more accurate data on tide, current and wind patterns. The IMO highlighted that Project 4 could leverage on MEH database and information exchange mechanism together and disseminate information to ships.

8) HNS Preparedness and Response (Straits Project 2)

The objective of the HNS project is to enhance Marine Environmental Protection, Preparedness and Response capabilities of the Littoral States against any incidents in the Straits.

Malaysia presented the latest developments in the implementation, cooperation and capacity building on the Hazardous and Noxious Liquid Substance preparedness and response in the Straits.

Australia is contributing to the establishment of the HNS Data bank and the methodology to develop a computer-based risk assessment and China is contributing towards capacity building "Train the Trainer" and will be organizing an HNS response training course in 2010.

Future Cooperation could involve user States and key stakeholders of the Straits, namely through the funding of the HNS Data bank and Response centres, and the provision of technical expertise in areas of capacity building and development standard operating procedures.

The USCG highlighted the HNS training programme conducted for the Littoral States in 2008 and indicated its willingness to coordi-

nate similar programmes in future to enhance international and interagency collaboration as part of USCG's contribution in support of the Cooperative Mechanism.

HNS response centres will leverage on and complement existing mechanisms and resources. The Forum affirmed the importance of utilizing existing resources so as to maximize new resources contributed to Straits Projects.

9) Straits of Malacca and Singapore as a Vital Shipping Route

Germany highlighted the importance of the Straits as a vital shipping lane for Germany, that the security in the Straits was a global task and that Germany was willing and able to play an active role therein.

Germany contributed USD 50,000 via IMO Malacca and Singapore Straits Trust Fund and also offered in-kind assistance to Cooperation Mechanism

The European Commission delivered a presentation on European Union's view on critical maritime routes and its support for IMO in the promotion of regional cooperation and coordination for improving safety and security of navigation. The European commission is willing to finance such initiatives, in particular the Cooperative Mechanism, and that such initiatives should ideally be applied to other regions of the world.

The European Commission pledged to contribute 400,000 to 500,000 Euros to the development of the HNS databank, MEH and AIS Class B projects.

10) Panel Discussion on Safety of Navigation:

The Round Table of International Shipping Associations welcomed the innovative approach of having panel discussions by the industry and that the focus should be on long term engagement and cooperation rather than finding quick fix solutions. The following were discussed with regard to safety of Navigation in the straits:

- Traffic Separation Scheme
- Small vessel traffic
- E Navigation

11) Panel Discussion on Environmental Protection:

The following were discussed:

- Port Reception facility
- Oil and Chemical Spill Response
- Ballast Water Management
- Bio Fouling Management

The forum agreed on the need for robust preventive measures in risk management and mitigation and States should refer a common International Framework such as that provided by IMO, in the development and implementation of such measures even if such measures were to be implemented in a regional setting.

The Littoral States would take into account advancement in technology in enhancing navigational safety, environmental protection and traffic management in the TSS.

The technical matters on safety of navigation and environmental protection issues in the Straits in the Forum was proposed to be discussed informally through correspondence, intersessionally, and the outcomes submitted to the next Cooperation Forum for its consideration and appropriate action. The Nippon Foundation has indicated preparedness to organize an intersessional meeting, if required, subject to consultation with the Littoral States and the Round Table of International Shipping Associations.

The 2nd Cooperation Forum meeting ended with the Chairman thanking all delegations for their positive contributions and support.

The 3rd Cooperation forum will be held in Indonesia in 2010.

Centre for Seafarers Welfare Visakhapatnam

The following message was received from N. Reuben Paul, Director, Centre for Seafarers Welfare (A Member of ICSW, UK) Port Chaplain- Sailors Society, UK – Visakhapatnam, India.

Loving greetings from the Centre for Seafarers Welfare Visakhapatnam, India.

We are pleased to inform you that we have formed a new charity called “Maritime Charitable Trust” at Visakhapatnam in India to look after the welfare needs of seafarers at Indian ports and at sea.

The main objective of the trust is to unite all the seafarers including ratings and officers and to provide them with the highest quality of welfare services. I would like to take this opportunity to request you to kindly extend your cooperation and support to our charity for the welfare of seafarers.

Complacency and the Plight of the Seafarer

By Rodger MacDonald, Secretary General

First published in Quarterpoints, Lloyds List, Wednesday 1 July 2009

The Marine Accident Investigation Bureau report concerning the collision of the general cargoship *Scot Isles* with the bulker *Wadi Halfa* saddens any professional seafarer, although some of my seafaring colleagues suggested that the findings of the report did not surprise them.

As a committed believer that fatigue is a major factor in maritime accidents and that this is directly related to the acceptance of ‘unsafe’ manning levels, I have had to admit that fatigue was definitely not an issue in this case. I have therefore had to study this report and I have questioned myself on what can be learned from the MAIB’s findings.

It was the statement in the report that “complacency continues to be a recurring safety issue in accidents investigated by the MAIB. Shipowners should recognise the risks posed by complacency and ensure that their vessels operate with effective bridge teams at all times” that really got me thinking.

As I understand it, complacency is a smug feeling

of self-satisfied security, often while unaware of some potential danger or defect, and being satisfied that all is well and totally ignorant of a potential dangerous situation or condition. As far as the facts of this accident are reported, I totally agree that complacency sums it up perfectly.

But just a minute; I am sure few will disagree with me that this definition pretty well defines many politicians and bankers who work not a million miles away from my office in Lambeth Road. It is this that made me think that in the case of the bankers and politicians, the general public has lost all respect for these people who used to be pillars of society. From their actions, or lack of them, I am sure these so-called leaders have lost respect for the people they are supposed to serve.

Has the lack of respect of professionals, both by the public and within their own professions, been the actual cause of complacency?

In my lifetime I have seen the decline in respect for seafarers. Not many people outside our industry recognise the skills and competencies required to safely transport the vast majority of the world’s trade. So when the popular press tells the world at large that the seafarers have been unjustly criminalised, involved in accidents and incidents beyond their control or that they have fallen victim to piracy, does anybody care?

The politicians certainly show no sign of caring. In spite of being signatories to international treaties that should defend seafarers against these injustices, they hide behind their sovereign laws with judicial systems that care more for finding a scapegoat for their national failings.

While there was no evidence of fatigue in the *Scot Isles* case, fatigue does remain a major contributor in many maritime accidents. Even the European Union shows hypocrisy when one of the main goals of its working hours directive is to ensure that no employee in the EU is obliged to work more than an average of 48 hours a week — yet the strongest drive against reducing the hours of work for seafarers comes from European administrations.

If we all agree that working long hours is unsafe for truck or engine drivers, why is it safe for seafarers to have to work 96 hours a week?

Some shipowners today also demonstrate how they have also lost respect for seafarers when they are happy for their seagoing employees to be supplied

by crewing agencies. While there are many excellent crewing agencies, I wonder if this potential conflict of loyalties has in turn caused the seafarers to lose respect for the owners.

Looking back to my seafaring days, I know I had tremendous pride in my profession, had deep loyalty to my company and trust in my colleagues. Complacency was never an issue because I knew that if I had not acted responsibly I could face professional sanction. Losing the respect of my colleagues was far more a deterrent to complacency than being criminalised. Perhaps if we all started respecting our professional responsibilities within the industry, we might regain the respect of the world at large, which our industry truly deserves.

Navigation in Port of London

General Directions For Navigation In The Port Of London 2009

Port of London, River Thames, Notice to Mariners 19/2009

Three-yearly Review

Following extensive consultation within the port community, the Port of London Authority (PLA) has completed its scheduled 3-year review of General Directions for Navigation in the Port of London. During the consultation process, a number of responses were received, duly considered, and where appropriate, incorporated into the revised Directions. The Chamber of Shipping and the PLA Board have formally approved the new General Directions.

General Directions for Navigation in the Port of London 2009 come into force on Tuesday 1 September 2009, on which date the existing General Directions 2006 will be revoked.

Main Changes

General Directions 2009 incorporate a number of changes from the 2006 publication. The main changes include:

GD 3: Definitions - The amendment of several definitions and the introduction of some new definitions in support of revisions elsewhere in the document.

GD 4: Use of VHF Radio - Extends the exemption from the requirement to use and carry VHF to vessels under oars.

GD 6: Machinery and Equipment Condition and Readiness, Oily Water Sepa-

rators and Bilge Systems, Significant Changes to Draught and Trim – Introduction of the requirement to ensure that no ballasting etc, which significantly alters the draught, trim or handling characteristics of the vessel, takes place without the prior knowledge and agreement of the pilot.

GD 7: Automatic Steering - Amendment to exclude an authorised pilot undertaking the role of qualified helmsman, and requires the helmsman to be present on the bridge to take the steering if required.

GD 9: Marking of Passenger Vessels - Excludes the integration of pictures, text and advertisements into the high visibility marking.

GD 11: Local Navigation - Restricts Local Navigation to, an authorised pilot, PEC Holder or holder of a Local Navigation Certificate. It is also proposed that the Direction should not apply to Pleasure Vessels or in an emergency.

GD 13: Reporting Vessel Movements in the Thames - Updates the vessel reporting requirements following changes to reporting points.

GD 14: Vessel Traffic Management in the Knock John Channel - Includes changes to a number of reporting points.

GD 15: Vessel Traffic Management in the Princes Channel - New General Direction. Introduces specific traffic management requirements, following the dredging and deepening of the Princes Channel.

GD 22: Reporting Restricted Visibility – New Direction addressing the requirement for vessels to report occurrences of restricted visibility. Prompted by a recent MAIB incident investigation report.

GD 27: Navigation in the Thames Barrier Control Zone - Amends and updates reporting requirements in line with associated General Directions.

GD 33: Requirement for Operational AIS - Clarification on the use of AIS and Thames AIS when vessels are alongside, and introduces the requirement for vessels constrained by their draught to transmit the appropriate AIS status when on passage in the Thames.

GD 34: Speed Restrictions – New General Direction. Introduces the requirement to comply with any speed restriction or speed

reduction imposed by the Harbourmaster

GD 35: Compliance with a VTS Instruction - New General Direction. Introduces the requirement to comply with a VTS Instruction issued by a VTS Centre and clarifies that all such VTS Instructions are essentially Special Directions.

Copies of the new General Directions have been promulgated to port users. In addition, the document can also be downloaded from the PLA website – www.pla.co.uk.

Stranded Ship and Crew in Hull is Cared for by the Apostleship of the Sea

Apostleship of the Sea is concerned to see that their recent prediction that “the current world financial difficulties and economic downturn will mean more cargo ships will be affected and the incidents of ships left ‘stranded’ will increase” has started to become a serious reality.

Currently this can be seen in the case of the cargo vessel MV EW Snowden, this ship was arrested and held in Hull after the parent company, Eastwind Maritime, based in New York went into liquidation in June. Around the coast of the United Kingdom ships are anchored off ports awaiting orders. The EW Snowden is fortunate to be in an area that the Apostleship of the Sea had a ship visiting port chaplain who was on hand to provide practical and pastoral support.

Anne McLaren, Chaplain to the Port of Hull had been onboard ship to visit the crew. She has made sure that the crew had food, and continued to support the crew in any way she could until the port agents and the ship owners reached an agreement. The crew was kept in good spirits and hopeful of a positive outcome; that they would be repatriated and have their wages paid. Past experience has shown in the industry this is not always the case but everyone works towards this outcome.

In situations such as this, seafarers are sometimes left with little, if any recourse and are quite literally at the mercy, or lack thereof in the more unfortunate cases, of the ship owner.

The Marine Society Achieves Advice & Guidance Accreditation

The Marine Society has achieved the Matrix Standard. This is a nationally recognised quality mark for organisations which provide information, advice and guidance. It is a first in the maritime sector and is awarded by the UK Government's Department for Business, Information and Skills.

The charity provides a range of services to enhance the learning, professional development, well-being and lifestyle of seafarers. Dealing with 5,000 enquiries from seafarers annually, The Marine Society is a respected source of freely available, authoritative, impartial and confidential advice and guidance on any matter of concern to professional seafarers.

Brian Thomas, director of professional seafarer operations says:

“We pride ourselves on making sure that seafarers receive the best help possible. This rigorous Matrix assessment of how we do what we do, which is an ongoing process, allows us to measure our effectiveness. Now we can unequivocally demonstrate that the information, advice and guidance we offer is consistently of the highest standard and conforms to best practice in the field. In an uncertain world that is a source of satisfaction for us and it will be reassuring for seafarers, too.”

The Marine Society is an important partner for the IFSMA MSc Degree course.

One Liners

I planted some birdseed. A bird came up. Now I don't know what to feed it.

I had amnesia once -- or twice.

I went to San Francisco. I found someone's heart. Now what?

Protons have mass? I didn't even know they were Catholic.

All I ask is a chance to prove that money can't make me happy.

If the world were a logical place, men would ride horses sidesaddle.

What is a "free" gift? Aren't all gifts free?

They told me I was gullible ... and I believed them.

The Admiralty Manual of Seamanship

The Nautical Institute published a new book on seamanship during November, detailing new advances in safety equipment, survival procedures and best practice. The Admiralty Manual of Seamanship is another in the series published by the NI on behalf of the Royal Navy. The book and CD are aimed at both merchant and naval training schools.

Recognised throughout the world, the Admiralty Manuals have become the leading authority on seamanship, navigation, firefighting and survival. The new November 2009 edition of The Admiralty Manual of Seamanship has been brought up to date by author Mr Vic Vance, a retired Royal Navy Warrant Officer Seaman Specialist. This is the 10th edition and its pedigree stretches back to 1908. Each edition catered for the needs of its own time and was built upon the wisdom of its predecessors.

“It is no exaggeration to say that in the past the high standards of seamanship in the Royal Navy have ensured military and commercial successes internationally and ensured that ships have sailed safely for centuries,” Captain James Robinson told a reception to mark the launch of the book.

The 2009 edition is rooted firmly in the 21st century and caters for modern conditions at sea, he explained. It is fully updated and now includes additional information previously covered in The Admiralty Submarine Seamanship Manual and The (Admiralty) Royal Fleet Auxiliary (RFA) Seamanship Manual.

“Seafarers are faced with the changing demands of technology, regulation, commercial pressure, reduced training and reduced sea time,” continued Captain Robinson. “These pressures place challenges on the art and craft of seamanship.”

The fundamental principles of good seamanship, such as handling lines and dealing with the vagaries of the sea are unchanging and these sound principles underpin every facet of The Admiralty Manual of Seamanship, he said.

“We know from our own experiences, from feedback from our members and from other industry organisations that there is concern about the teaching of seamanship as the subject comes under pressure from other subjects on the curricula of training colleges.”

And Captain Robinson added: “As crew comple-

ments on merchant vessels get smaller those who haven't had seamanship training, such as cooks, are called upon to undertake operations such as mooring. “Inexperienced people can cause accidents or be injured during unfamiliar operations. We urge all vessel operators to ensure that basic training in seamanship is undertaken by all sailing on vessels. This manual will be a valuable resource for all.”

The new edition covers up-to-date seamanship knowledge and techniques, relevant to all vessels. It is appropriate for all vessels from the smallest warships to the largest merchant ships. It is also relevant to submariners.

The book is expected to be used as a textbook and reference work for shipping companies, individual ships and all nautical colleges; it is closely aligned with the UK's Maritime and Coastguard Agency (MCA) examination syllabuses and is used by the MCA as a standard reference.

The 1,000-page manual is split between a 700 page book and a CD containing all chapters. It is comprehensive in content and lavishly illustrated with many hundreds of high quality colour graphics and photographs. It covers sea terminology, anchors, cables and buoy work, rigging and deck gear, towing, boats, replenishment at sea, sea survival, towed bodies and their deployment and recovery, seamanship organisation, maintenance and helmsmanship.

For example, at the theoretical level, the manual describes the many terms used by British seamen that have, in the course of time, become part of the English language. Parts of a ship and general deck arrangements lead the reader on to ship launch, docking and general seamanship terminology. Having explored the various parts of an anchor and associated cables the principle of securing an anchor to the seabed is described. Anchors vary in design and performance and the most common are illustrated. A capstan is the backbone of any type of anchor work. The reader will find comprehensive details about a capstan and its use, associated equipment and fore-castle arrangements in a variety of ships.

At the practical level, there are comprehensive sections on many varied Seamanship evolutions from the improvised rigging of Derricks, Shear Legs, Gyns and Ropeways.

There is detailed guidance in the correct use of lifesaving equipment and Raftmanship, intricate detail on Bends and Hitches, Wire and Rope splicing and safe use of Shackles, Hooks and Blocks and

Tackles.

This revised edition is thoughtfully subdivided into subject areas within Chapters. The information is presented simply and with the utmost clarity. The hundreds of colour illustrations, often shown in sequences, take the reader through operational tasks step-by step, so that the procedures may be clearly understood and easily committed to memory. This book is there to be used to organise and solve operational seamanship problems of all sorts. As such, it provides both the underlying principles of good seamanship and modern techniques to use equipment and apply technique safely. This book is a manual in the true sense of the word and is an ideal big companion to the Naval Handbooks for Survivors and Sailmaking, also published by The Nautical Institute.

An accompanying CD contains all the chapters and so augments the book with its easy search facility.

Admiral Soar concluded: 'We all share the same need to carry out seamanship tasks safely at all times and, to this end; it gives me much personal pleasure to commend this publication'.

For further details and to order a copy visit www.nautinst.org.

Shipbuilding Continues to Fall

Fall in shipbuilding is set to continue for some time, says the OECD Council Working Party on Shipbuilding

The economic downturn has hit shipbuilding hard. New orders have contracted by up to 90% and cancellations have increased, which is likely to result in significant excess shipbuilding capacity. This outlook is unlikely to improve for some time. There was agreement that governments should avoid actions that increase protectionism or distort the shipbuilding market, and that serious efforts should be made to restart the paused Shipbuilding Agreement negotiations.

Statement from Ambassador Harald Neple (Norway), Chairman of the OECD Council Working Party on Shipbuilding (WP6)

The OECD Council Working Party on Shipbuilding met in Paris on 9-10 July 2009 to discuss the impact of the global economic crisis on shipbuilding, government responses to the crisis and possible future

measures to deal with the longer term effects. The meeting concluded that:

- In virtually all economies, the unprecedented financial crisis has led to a sharp contraction in investment, economic activity, employment and international trade. While initially shipbuilding was to some degree insulated from these effects because of very strong order books, in the last six months new orders have fallen by over 90% and cancellations are increasing. There is therefore growing concern about significant overcapacity.
- Few of the economic stimulus packages introduced by governments have directly benefited the shipbuilding industry. So far support provided to the shipbuilding sector has largely been restricted to improving liquidity through loans, and providing guarantees in order to assist buyers to finance orders and shipyards to finance new construction.
- There was a need for concerted action to address the growing problem of overcapacity in the shipbuilding industry, and participants agreed that governments should avoid measures that increase protectionism and distort the shipbuilding market.
- Market distorting factors will be examined in detail at a workshop to be held back-to-back with the December 2009 meeting of the WP6, and the detailed Inventory of support measures maintained by the WP6 will be updated in preparation for that workshop. Non-OECD economies with significant shipbuilding sectors would be invited to participate in both the updating of the Inventory and the workshop.
- In view of the rapid development in the market all participants agreed to full transparency of any government measures that may affect the shipbuilding industry.
- There is considerable uncertainty as to the timing of any improvements in the shipbuilding sector, but a sustained recovery is unlikely for some time, given the oversupply in the world's commercial shipping fleet, the size of the order-book that will continue to add to that fleet as new vessels are delivered, and the potentially large excess in shipbuilding capacity.

The shipbuilding industry has been hit late, but very heavily, by the economic downturn

The recent falls in orders, which are virtually unprecedented, were triggered by the economic downturn, but that impact too takes some time to filter through to the shipbuilding sector. There are two principal reasons for this.

First, the construction of ships is a significant undertaking with long lead times and the impacts of economic downturns need to work their way through the global demand and supply chain before ordering patterns for new vessels are affected, so that changes in economic conditions do not impact immediately on the industry.

Second, shipbuilding has experienced an ordering boom over the past decade, and most yards have strong order books. Although shipbuilders are now under pressure from ship buyers to cancel or defer contracts, the order books have to some extent cushioned the immediate impact of the crisis.

However, there has been strong evidence over the last six months that shipbuilding has not escaped the effects of the economic crisis. The Baltic Dry Index, a measure of the demand for dry bulk capacity, and an indirect proxy of global economic trends, fell dramatically (from a peak of around 11,000 to below 1,000) in the second half of 2008, although it has to some degree recovered in the first half of 2009, although it is not clear whether this recovery will be sustained. This is a very strong indication that the supply of shipping exceeds demand, and this, together with the significant orders already held by shipbuilders has meant that new vessel orders have now virtually dried up.

New orders reported fell from 22.2 million cgt (cgt = compensated gross tons), an internationally used unit of measurement that provides a common yardstick to reflect the output of commercial shipyard activity in Q3 2007, and 12.3 million cgt in Q3 2008, to just over 1 million cgt in each of the last quarter of 2008 and the first quarter of 2009, a fall of around 90% from its peak. Virtually every shipbuilding economy has experienced an almost unprecedented fall in new orders, with some economies having reported no new orders at all in the last 12 months. New order patterns of the last six months have been erratic, indicating a weak and uncertain market. Expectations are that this will continue for some time.

Korea, Japan and China remain the largest shipbuilding economies, and their combined orderbooks totalled around 151 million cgt at the end of March 2009; more than 80% of the total world orderbook.

This represents around 48 months of production, based on 2008 production results, but, it is unclear how seriously those order books will be affected by requests for cancellations or deferment.

There is considerable concern that excess shipbuilding capacity, which was already looming as a problem despite the full order books, may now become significantly more serious, as capacity freed up by ship completions will no longer be absorbed by new orders.

Impact of government interventions

Some governments have responded by extending loans and credit guarantees to both yards and ship buyers. Their aim is to minimise bankruptcies among enterprises unable to deal with the combined effects of tightening capital and liquidity and a collapsing order book.

Reports on support measures benefiting shipbuilding, indicate that governments have so far largely resisted providing direct or indirect subsidies to their industries. Instead, they have preferred to inject liquidity into the shipbuilding market, and providing guarantees to facilitate the completion of newbuilding contracts.

While some government support was understandable in the circumstances, and especially the given support offered to other sectors of the economy, participants nevertheless recognised that government interventions can have undesirable consequences on markets, and that measures for assisting industries must be transparent, temporary and WTO consistent, to minimise distortion on trade and investment.

There were also calls for the early resumption of negotiations at the OECD aimed at a Shipbuilding Agreement to provide additional disciplines on subsidies and other support measures, and market distorting practices. Those negotiations, which involved both OECD and non-OECD economies, were paused in 2005.

As well as the OECD members, the meeting was attended by Romania as a full participant, and Brazil, China, Russia, Chinese Taipei and Ukraine as ad-hoc observers. Together, the participants accounted for around 95% of world shipbuilding production in 2008.

OPK Shipyards Deliver the New Icebreaker "St. Petersburg"

United Industrial Corporation (OPK) shipyards have delivered a diesel electric line icebreaker "St. Petersburg" to Rosmorport (Russian Maritime Port). A solemn ceremony of the signing of the takeover certificate and making the colors of the Russian Federation on the icebreaker was held at the Baltiysky Zavod plant, a part of OPK.

The participants of this ceremony were Vladimir Putin, President of the Russian Federation, Igor Levitin, Russian Minister of transportation, Valentin Matvienko, the Governor of St. Petersburg, Sergey Pugachev and Lyudmila Narusova, members of the Council of Federation of the Federal Assembly of the Russian Federation, Alexander Gnusarev, OPK Chairman of the Management Board, Andrey Fomichev, CEO of the Baltiysky Zavod plant.

According to the certificate the icebreaker is the property of Rosmorport. It's planned to start its exploitation in the Gulf of Finland in the winter of 2009.

OPK shipyards build fundamentally new multifunctional icebreakers, analogues of which no other Russian company has built earlier. The multifunctional Moskva icebreaker was completed by OPK and delivered in December 2008, which became the first vessel to be built at a domestic plant for the last 34 years.

The St. Petersburg icebreaker is the second diesel-electric line icebreaker, built by OPK at the request of Rosmorport. It constitutes a two-decked vessel with two propulsors of a total capacity of 16 MW. Due to this peculiarity it has high mobility and passability. In addition to these characteristics, the icebreaker is equipped with such a particular outfit to fulfill the search for sunken ships at the depth of 300 meters. The shape of the vessel's hull has been especially designed with application of the latest solutions for decreasing the power input in ice-breaking operations and improving seaworthiness. The icebreaker is designed for escorting large tankers (50 m beam); towing operations for vessels in icy and open waters. The high mobility lets the icebreaker carry out salvage operations during rough weather. The displacement totals about 10,000 tons, the length totals 116 meters, the width 26,5 meters, the draft 8,5 meters and the speed totals 17 knots.

The icebreaker has been tested and inspected by specialists of the Baltiysky Zavod plant. OPK's shipbuilding assets have 80 years of operational experience in the construction of icebreakers. In March 2007, the Baltiysky Zavod plant finished executing a historical contract for the construction of the world's biggest atomic icebreaker "50 let Pobedy".

Grounding and Subsequent Loss of RoRo "Riverdance"

From MAIB report 18/2009

On 31 January 2008, the Bahamas registered ro-ro cargo vessel, *Riverdance*, grounded and became stranded on the Shell Flats, off Cleveleys Beach, Lancashire. The prevailing severe weather conditions prevented the vessel from being refloated, and subsequent attempts to salvage her failed. *Riverdance* was finally cut up in-situ. Fortunately, the crew were all safely recovered and there was no pollution.

The following is a summary of the main causal factors and key events that were identified during the investigation:

- The true weights and the disposition of the vessel's cargo were not known.
- The stability of *Riverdance* was not calculated before sailing from Warrenpoint.
- Ballast was never adjusted regardless of cargo or expected weather.
- The vessel was known to be tender.
- Some openings on the weather deck were not closed off in anticipation of the expected poor weather.
- The vessel was proceeding in following seas at a speed slightly slower than that of the following wave train. Under these circumstances, a reduction in the vessel's stability can occur and more pronounced rolling can be experienced.
- As the vessel approached more shallow waters, the seas became steeper and rolling increased further. This resulted in a small shift of cargo to port.
- The vessel sustained a series of large rolls to port which caused additional trailers and their

contents to shift.

- In an attempt to bring the vessel's head into the wind, the master decided to make a broad alteration to starboard. This exacerbated the port heel causing the deck edge to immerse, possibly allowing water to enter the vessel through openings on her weather deck. Ingress of water would have further reduced the vessel's residual stability.
- The port main engine tripped due to the excessive list and, with only one engine, there was not enough power to bring the ship's head into the wind. The vessel lay beam on to the wind and seas, rolling heavily with a large list to port as she drifted towards shallow water. The weather deck on the port side continued to be intermittently immersed.
- The vessel took the ground and returned to an almost upright position. An attempt was made to redistribute the ballast to compensate for the expected port list once she refloated on the rising tide.
- Because the disposition of the weights on board the vessel was unknown, the amount of ballast transferred was based on the master's estimate. The owner's shore based crisis management team did not have access to accurate stability information. Had this been available, they would have been able to provide better support to the master.
- Attempts to use the engines to refloat the vessel were unsuccessful and resulted in *Riverdance* drifting closer to the shore.
- *Riverdance* grounded again and began to roll progressively more heavily to starboard until she came to rest on her starboard bilge. During this period the vessel lost all power and the crew were evacuated.

A number of safety issues were identified and recommendations were made during the course of the investigation.

One Liners - Continued

Teach a child to be polite and courteous in the home and, when he grows up, he'll never be able to merge his car onto a freeway.

Two can live as cheaply as one, for half as long.

Greek AMVER Tanker Rescues 2 Near Bermuda

An Amver participating Greek tanker was diverted as part of an international search and rescue effort for two sailors reportedly in distress over 600 miles northeast of Bermuda on June 21, 2009.

The sailors, one American and one Briton, were on a voyage to the Azores when they encountered trouble and activated a SPOT handheld emergency communications device. SPOT personnel notified United States Coast Guard rescue authorities who immediately checked the Amver system for available ships.

Amver, sponsored by the United States Coast Guard, is a unique, computer-based, and voluntary global ship reporting system used worldwide by search and rescue authorities to arrange for assistance to persons in distress at sea.

The Astro Saturn, a Greek flagged tanker, was diverted to rescue the two sailors on the 33 foot sailboat Maelstrom. Coast Guard rescue personnel also turned to international rescue authorities to help locate the sailing duo.

Captain Michail Eleftheriadis turned his fully loaded tanker, operated by Maran Tanker Management of Athens, Greece, towards the distress location. Captain Eleftheriadis reported the weather conditions were quite severe with winds blowing in excess of 20 knots and seas at Force 5.

The Astro Saturn made radio contact with the Maelstrom and began planning the rescue. Captain Eleftheriadis maneuvered the Aframax tanker alongside the sailboat and his crew began rescue operations lowering a pilot ladder to the survivors. "Once we had the two sailors safely aboard the tanker we left the sailboat adrift," stated Captain Eleftheriadis.

With Amver, rescue coordinators can identify participating ships in the area of distress and divert the best-suited ship or ships to respond. Prior to sailing, participating ships send a sail

plan to the Amver computer center.

Vessels then report every 48 hours until arriving at their port of call. This data is able to project the position of each ship at any point during its voyage. In an emergency, any rescue coordination center can request this data to determine the relative position of Amver ships near the distress location. On any given day there are over 3,600 ships available to carry out search and rescue services. Visit <http://www.amver.com> to learn more about this unique worldwide search and rescue system. You can read more stories on the Amver blog at <http://www.amveruscg.blogspot.com>, follow Amver on Twitter at <http://twitter.com/Amver> or join Amver on Facebook at <http://www.facebook.com/amver>.

EMSA News

First OSCAR-MED operation catches two polluters 'black-handed'

From 12-16 October, the CleanSeaNet satellite service participated in the first OSCAR-MED surveillance operation along the Genoa-Barcelona axis. All the countries of the Western Mediterranean basin took part, under the coordination of the Regional Marine Pollution Emergency Response Centre (REMPEC). Three spills were detected by satellite, then identified and confirmed by aircraft. Two ships discharging mineral oil within an Ecological Protected Zone are being investigated by the French authorities.

Port State Control: Calculators For The New Inspection Regime Now Online

Identifying badly performing ships is a vital aspect of the new inspection regime for Port State Control. The EMSA website now features a Ship Risk Profile (SRP) calculator and Company Performance Calculator to assist Member States in prioritising which ships need inspection. The tools enable users to provide ships with a risk weighting, and determine their future risk profile in accordance with Directive 2009/16/EC.

WMU Graduation

On Sunday, 4 October, WMU's Chancellor and IMO Secretary General, Mr Efthimios Mitropoulos, conferred postgraduate degrees on the World Maritime University's Class of 2008. Paul Clark, Under-Secretary of State for Transport in the UK, was the Guest of Honour. The first graduate of the WMU PhD program, Michael Ekow Manuel of Ghana, received his degree, along with 84 students graduating from the Malmö-based MSc program in Maritime Affairs, and 18 from the distance-learning Postgraduate Diploma in Marine Insurance.

During the ceremony, the annual special awards to students were announced:

- Deepak Raj Sharma of the Indian Coast Guard won the Chancellor's Medal for Academic Excellence
- Meenaksi Bhirugnath of the Ministry of Public Infrastructure, Land Transport & Shipping in Mauritius won the C P Srivastava Award for International Fellowship
- Anete Logina of the Maritime Authority of Latvia won the Pierre Léonard Prize for the Best Female Student
- Deepak Raj Sharma of the Indian Coast Guard won the Lloyd's Maritime Academy dissertation prize
- Jean-Pie Gauci-Maistre of GM International Services Ltd, Malta, won the Informa Law dissertation prize

The graduates of 2009 bring the total to 2,855 from 158 countries and territories, all making a tremendous impact on the global maritime sector.

One Liners - Continued

Experience is the thing you have left when everything else is gone.

What if there were no hypothetical questions?

One nice thing about egotists: They don't talk about other people.

When the only tool you own is a hammer, every problem begins to look like a nail.

A flashlight is a case for holding dead batteries.

What was the greatest thing before sliced bread?

Statement by IFSMA at IMO STW ISWG

The following statement was given out at the recent Inter-sessional Working Group at IMO

Dear fellow IMO representatives. We are here to consider how to improve safety at sea through improvement to the STW-Convention and there are few other places where the human element plays such a role and MUST therefore be taken into consideration. This is of common interest not only for us in this building but for all that are concerned about seafarers and the maritime environment. Chapter VIII does lay down the rules on how the seafarer shall conduct his watches and also, and most importantly, the fact that he shall be rested when he is performing his duty on the bridge or elsewhere on the ship. Our work here at the IMO does give us a chance to improve safety at sea and to make it possible for the seafarer to live by the rules we lay down. The Secretary General has on numerous occasions reminded us to take the human element into consideration and at this meeting it must be more important than ever to do exactly that.

IFSMA is deeply concerned about the issue of fatigue and the fact that fatigue and accidents are closely connected and therefore we do feel it absolutely out of order when this congregation even discusses the possibility that seafarers in certain cases can be able to work 98 hrs without rest. This will be the result if the proposition in paper STW 40/14/add 1, on pages 210 and 211 para. 9 is adopted. This EU proposition is actually a very serious attack on safety at sea and on the seafarer's health and life.

IFSMA is aware of the fact that running a watch of 98 hrs non-stop is not humanly possible, but that is sadly enough not the issue here. The issue is that if paragraph 9 is adopted that leaves it possible to do exactly that. There will be no recommended rest periods or maximum allowed periods of standing a watch if this paragraph is accepted and that would put IMO in a very strange position considering that the main purpose of IMO is to make the sea safer and cleaner.

Taking into consideration the strict rules that exist on European roads when it comes to work hours allowed for truck drivers - that is 9 hrs a day with an exception of 10 hrs twice a week. It is strange that the authors of this proposition consider that there is so much difference between a seafarer and a truck driver. We do realise that there are differences in

the nature of the work but we do not accept that the human element is any different and we do not accept that the issue of fatigue is any different for a truck driver, IMO representative or a seafarer.

Set against the background of the ever-increasing number of groundings and collisions along our vulnerable coasts this seems like an absolute contradiction of the work that IMO is set to do especially considering the protection of the environment and the focus on the human element that forms part of this work.

The hours of rest is today 10 hrs with the possibility to divide the period of rest into two whereof one should be no less than 6 hrs. Any suggestions that gives the seafarer less rest than 10 hrs in any 24 hrs period is a downscaling of the existing standard and should not even be taken into consideration in this house since it is against the mandate given to us by the IMO Maritime Safety Committee.

We have faith in the representatives in this room and we do honestly believe that the proposition of a 98 hrs continuous period of work must be a human related error and therefore we ask you all to correct this error.

With respect to the safety at sea and the environment we thank you for listening.

Book Review - "Captains Legal"

I am always pleased to see a book that will help Shipmasters meet the responsibilities which are piled upon them, as increasing international legal pressures can make their lives very difficult. One such book has come onto the market and apart from concisely and clearly explaining the legal aspects of maritime law, it makes a really good read. The book is *Captains Legal* and is written by the same author, Captain Michael Lloyd, that brought us another excellent book *In Command*.

As its name implies the author rightly focuses the contents on the issues from the aspect of the serving Shipmaster, but I will also be recommending this book to students of the Maritime Diplomas that I am involved in. Highly recommended! The book is printed by *Witherby Seamanship* and is available from www.witherbyseamanship.com

Lawhill Maritime Centre — Moving Day

From ICSW Monthly News Update

The Lawhill Maritime Centre in Simonstown SA (part of Cape Town), is a school that provides a maritime education and training to children from the townships. The TK Foundation together with the ITF Seafarers' Trust and Seafarers UK have provided grants to the school. On 12 August, with much excitement, the school moved from containers into Phase One of a new purpose built building with accommodation.

In Phase One, the boys are being accommodated in the space that will be the Galley, the Dining Room and the Girls' Recreation Room. The girls moved into their proper accommodation. The move was made very quickly, yet with extreme care so as not to damage any items or any part of the new structure. Everyone co-operated as the boys moved first, carrying their bunks, cupboards and personal possessions. After supper, they formed groups to carry the girls' bunks and cupboards, while the girls carried their own possessions.

By 20:00 on that evening, the dust had settled, and 34 tired boarders had also settled into their new quarters. Brian Ingpen expressed the deep gratitude felt by everyone for the generosity of those who have made this possible.

Phase Two has already started as the old container structure is being demolished and the first trench for the new foundations has been dug.

International Maritime Solid Bulk Cargoes Code

The International Maritime Solid Bulk Cargoes (IMSBC) Code and Supplement, 2009 Edition, is now available from the International Maritime Organization (IMO).

The IMSBC Code, and amendments to SOLAS chapter VI to make the Code mandatory, were adopted by IMO's Maritime Safety Committee in December 2008. The amendments are expected to enter into force on 1 January 2011.

The IMSBC Code supersedes the Code of Safe Practice for Solid Bulk Cargoes (BC Code), which was first adopted as a recommendatory code in 1965 and has been updated at regular intervals since then.

The aim of the mandatory IMSBC Code is to facilitate the safe stowage and shipment of solid bulk cargoes by providing information on the dangers associated with the shipment of certain types of cargo and instructions on the appropriate procedures to be adopted.

The IMSBC Code may be applied from 1 January 2009 on a voluntary basis, and the new edition is recommended reading for Administrations, shipowners, shippers and masters and all others concerned with the standards to be applied in the safe stowage and shipment of solid bulk cargoes, excluding grain.

The IMSBC Code includes:

- * Fully updated individual schedules for solid bulk cargoes
- * New individual schedules for such cargoes as direct reduced iron fines, spent cathodes and granulated tyre rubber
- * New provisions about sulphur
- * References to the most recent SOLAS amendments
- * Relevant updated information from the 2008 edition of the International Maritime Dangerous Goods (IMDG) Code

This publication presents additional information that supplements the IMSBC Code, including the Code of Practice for the Safe Loading and Unloading of Bulk Carriers (BLU Code) and Recommendations on the safe use of pesticides in ships applicable to the fumigation of cargo holds.

One Liners - Continued

My weight is perfect for my height -- which varies.

I used to be indecisive. Now I'm not sure.

The cost of living hasn't affected its popularity.

How can there be self-help "groups"?

Is there another word for synonym?

Where do forest rangers go to "get away from it all"?

The speed of time is one-second per second.

Is it possible to be totally partial?

What's another word for thesaurus?

Is Marx's tomb a communist plot?

ICS Launches New Website On Shipping And CO2

The International Chamber of Shipping (ICS), which is the principal global trade association for shipowners, has launched a new internet website – www.shippingandco2.org

The purpose of the site is to explain what the shipping industry and its regulator - the United Nations' International Maritime Organization (IMO) - are doing to deliver a significant reduction in shipping's CO2 emissions.

The launch of the site coincided with IMO World Maritime Day (24 September) - the theme of which is *'Climate Change - A Challenge for IMO Too'*.

The ICS website explains that the consensus of opinion within the shipping industry is that it may be possible for ships to reduce CO2 emitted per tonne kilometre by perhaps 15%-20% by 2020, through a combination of technological and operational developments aimed at reducing fuel consumption. In the longer term, advances in alternative fuel technologies may deliver further improvements.

Shipping is already the most carbon efficient mode of commercial transport, about 30 times more efficient than air freight. However, the shipping industry fully accepts that the CO2 emissions reduction that ships must aim to achieve should be at least as ambitious as the emissions reduction agreed under any new United Nations Climate Change Convention, which will be discussed in Copenhagen, in December.

The website explains that shipping is an inherently international industry which depends on a global regulatory framework to operate efficiently, and that meaningful reductions in CO2 emissions will be best achieved if nations agree that the development of detailed measures for shipping should be directed by governments at IMO - but in line with the outcomes agreed for the sector under any new UN Climate Change Convention.

The website also contains information about the development of Ship Energy Efficiency Management Plans, potential Market Based Instruments, and other resources relevant to shipping and CO2 emissions reduction. In addition, the site includes a video explaining the relationship between shipping and world trade, as well as links to general information about shipping and its environmental performance.

Greenhouse Gas Measurement

Evergreen leads maritime task force by deploying the first ships in the Pacific Greenhouse Gases Measurement Project

As announced 12 months ago, in a move that reflects its commitment to a better environmental future, Evergreen Line is cooperating with Cambridge University in the UK and the National Central University (NCU) in Taiwan on the Pacific Greenhouse Gases Measurement (PGGM) project. It will deploy a number of ships to measure hydrocarbon and halocarbon emission levels over the whole of the Pacific region

The first vessel to participate in the programme, Evergreen's 5364 TEU Ever Ultra, has just completed her initial data-gathering voyage and her arrival on 4 July in the new container port of Taipei was marked by a press conference attended by representatives of important political and academic institutions associated with this project and with other environmental programmes.

Ever Ultra had just completed a voyage taking in the ports of Kaohsiung, Xiamen, Hong Kong, Yantian, Shanghai and Ningbo. After the ceremony, she headed south from Taipei towards the Middle East Gulf, continuing to measure hydrocarbon and halocarbon emission levels as she passes down the Asian coastline, the western edge of the Pacific Ocean.

The PGGM project is combining data from the FORMOSAT-3/COSMIC satellites, commercial aircraft and with Evergreen Line's participation, from container vessels. This is enabling scientists to monitor in three dimensions the distribution of greenhouse gases over the Pacific. This data will be extremely valuable for scientists now estimating the total emissions of greenhouse emissions in the Pacific region and represents one of the key contributions from Taiwan in the context of global warming and climate change.

Speaking at the ceremony in Taipei, Wang Kuo-ying, director of the NCU's Centre for Environmental Studies, said:

"This is an unprecedented effort that will over the next 20 years observe the global distribution of greenhouse gases, which will put Taiwan's greenhouse gas observation on the same track as international studies."

Stressing that Taiwan is determined to join international forces in battling global warming, Mr Wang added:

"This is the best present that Taiwan can give to

the world.”

By the end of 2009, Evergreen expects to have three ships gathering data on specific routes covering the Pacific, Caribbean and US Atlantic Coast, and the Indian Ocean and Middle East Gulf. K.W. Nieh, Evergreen Group spokesman, said:

“The Evergreen Group is committed to playing its part in the battle to restrict global warming. Striking a balance between providing transport services and being environmentally sensitive is not easy but Evergreen’s strong sense of social responsibility will ensure that the company will seriously consider every possible way of minimising its global footprint thus enabling its customers to develop greener supply chain systems.”

Somali Pirates Kill Another Seafarer

Lloyds List - Friday 25 September 2009

Somali pirates have deliberately killed a merchant seafarer for the second time this year, with reports of the murder of a master who refused to divert from his planned course after they boarded the ship close to Mogadishu.

Three crew members and a policeman were injured in a subsequent shoot-out.

Security experts have long feared that increased use of force by naval patrols could generate a backlash that would mean more frequent resort to violence on the part of the Somalis, especially after three pirates were killed by US Navy snipers during the recapture of *Maersk Alabama* this April.

But so far the reaction has proved relatively restrained, with the pirates perhaps calculating that seafarers are worth more alive, and experts stress that it is still too early to say for sure whether a trend has been established.

The known seafarer death toll in the current Gulf of Aden piracy crisis now totals at least 11, with one death in each of the years 2006, four in 2007 and five in the year to date.

In April 2009, Somali pirates shot dead an Indian seafarer on board *Sea Princess II* and then threw his body in the water. Worryingly, the crime was committed even after the handover of a ransom.

In 2007, one of the crew of a Taiwanese-flag fishing vessel was also murdered, apparently in retaliation for the reluctance of the owner to pay the ransom demanded.

The victim of the latest outrage - which took place yesterday - had not been identified by name at the

time of writing, but is understood to have been a Syrian national.

The ship involved has been identified as *Barwaaqo*. The nearest match on the Lloyd’s MIU database is Panama-flag *Barwaaqo* a 7,849 dwt, 1972-built general cargoship associated with Hamadeh Shipping. No contact details are given for the company, which is based in Tartous in Syria.

Reuters quotes Abdiasis Hassan, minister for ports in Somalia’s transitional federal government, as stating: “The pirates killed the captain after he refused to turn the ship. Usually, we send police when commercial ships draw near the port but the pirates were already on board and opened fire injuring one policeman.”

Troops from the African Union peacekeeping mission AMISOM and Somali police then intervened and took control of the vessel. AMISOM spokesman Barigye Ba-Hoku said: “Our soldiers opened fire on two boats that were trying to hijack the ship. We got messages asking for our help and we helped to rescue the ship.”

The overall fatality statistics from the last five years, provided by the International Maritime Bureau in London, need to be interpreted with caution, as they include deaths from all causes, including ill health during captivity. An IMB representative declined to comment on the latest killing until more details became available.

But a source at a prominent maritime security company, able to provide armed guards for ships transiting the Gulf of Aden, commented: “So far there has been a few deaths. There’s been accidents, ricochets off bulkheads, shots fired through bulkheads and accidental deaths due to illnesses on board.”

In particular, he pointed to the Russian master of Ukrainian ro-ro *Faina*, who succumbed to a heart attack after his ship was last year hijacked with a consignment of Soviet era tanks on board.

“Hijackings are very tense periods and the most dangerous period in these situation. If violence or death is going to happen, it is likely to be in this period. For something like this to happen during the boarding is unsurprising, really.”

There have also been suggestions of revenge attacks, especially after the *Maersk Alabama* case earlier this year, although this has clearly not reached the level that some have predicted, the source went on.

“For the moment this looks like an isolated incident. It doesn’t look like they are deliberately targeting

ships' captains. From what I know about the incident itself, it seems like it is something that could have happened in the heat of the moment.

"We have no evidence that people are being deliberately executed. Obviously these threats are made. But hopefully this is not something that is going to escalate to the same level of violence you would see in Nigeria or somewhere."

World Maritime Day

Message by IMO Secretary General

Despite the inertia that characterized initial reactions to early warnings concerning global warming and ocean acidification, it is encouraging that, albeit belatedly, we have now come to acknowledge that increased concentrations of greenhouse gases and the resulting increases in global temperatures are altering the complex web of systems that allow life to thrive on Earth: cloud cover, rainfall, wind patterns, sea levels and ocean currents, and the distribution of plant and animal species, are, to various degrees, all being affected.

Mankind is on the horns of a dilemma. For, whether we like it or not, our collective way of life has become unsustainable and we need to do something about it and soon. The choices we have made about the way we lead our lives have been slowly eating away at the very support system that enables us to live and breathe. This cannot, and should not, go on. We need to make some tough decisions, we need to make them now and we need to act on them as one, with total and undivided commitment today and in the future. Faced with facts we cannot argue against, we need to consider our priorities and accept that we have to make certain sacrifices; we need to start putting "life" ahead of "lifestyle".

As a result of past and current emissions of what we now know to be "greenhouse gases", climate change seems to have become inevitable. The climate does not respond immediately to external influences but, after 150 years of industrialization, global warming now has momentum and it will continue to affect the earth's natural systems for hundreds of years, even if greenhouse gas emissions are reduced immediately and their levels in the atmosphere stop rising.

To introduce a maritime analogy, climate change is like a giant oil tanker, in that, to stop it, or even to alter its course, not only takes a massive force but also a considerable amount of time and distance even though it only takes a light push on the right button on the engine panel or the autopilot to actually initiate the action of stopping or changing course. In the analogy, the oil tanker is the world going about its business as usual, the massive force would be the world community forcing world leaders to act, and the push on the right button would be Ministers and Heads of State acting decisively and in concert when they meet

in Copenhagen in December of this year to agree on a new treaty instrument to combat, as a successor to the Kyoto Protocol, climate change.

At IMO, we are heavily and consistently engaged in the fight to protect and preserve our environment both marine and atmospheric. Having, in 2008, achieved a breakthrough in our efforts to reduce air pollution from ships, we are now energetically pursuing the limitation and reduction of greenhouse gas emissions from shipping operations indeed, when considering which theme to choose for this year's World Maritime Day, we unanimously opted for "Climate change: a challenge for IMO too!", in recognition of the intense focus this topic is receiving within the Organization, especially this year.

Our work on this hugely important subject stems from the genuine concerns for the environment of our Member States and the industry organizations that help us make balanced decisions in the pursuit of the Organization's objectives not to mention those entrusted to us under the United Nations Framework Convention on Climate Change and its Kyoto Protocol, which specifically provide that the limitation or reduction of emissions of greenhouse gases from ships should be pursued through IMO.

To that end, IMO has established an ambitious but achievable action plan and is now working towards the finalization of a robust regime that will regulate shipping at the global level and contribute to the deceleration of climate change. Much progress has been made by our Marine Environment Protection Committee on the development of an Energy Efficiency Design Index for new ships and a Ship Energy Management Plan for all ships (which includes guidance on best practices for fuel-efficient ship operations) and an Energy Efficiency Operational Indicator (which helps to determine the fuel efficiency of a ship).

All these efforts, together with a progress report on our discussions on potential market-based mechanisms, will result in a comprehensive package of measures that IMO will be able to convey to the Copenhagen Conference I mentioned previously.

Aside from the regulatory arena, which is IMO's main field of competence and responsibility, the shipping industry itself has made considerable progress, from a technical perspective, to address energy efficiency issues. A range of technologies is available that could reduce the emissions from new ships, per tonne/mile, by 15 to 25 per cent, depending on the ship type and size. Some of these are cost-effective in times of high oil prices, while others are not so. The challenge is to provide the industry with incentives to reward carbon efficiency beyond simple fuel-bill reduction and to correct any inefficient behaviour.

Since carbon emissions and fuel efficiency are directly linked in simple terms, the less fuel burned, the smaller the volume of carbon emissions the efforts to develop

propulsion systems and propeller designs that can reduce fuel consumption by about 10 per cent, while delivering the same power output as their predecessors installed some ten years ago, should be duly recognized. Concurrent improvements in hydrodynamics and vessel hull design have also succeeded in reducing fuel consumption by between two and four per cent.

The complexity of shipping also serves to illustrate just how difficult it is to make the right choices in our desire to play our part in the world efforts to protect and preserve the planet. For example, some argue that reducing a ship's speed by 10 per cent will cut emissions, on average, by 20 per cent and, for some ships, by even 30 per cent; however, to then transport the same quantity of cargo in the same timeframe would mean using more ships and the alternative would have obvious implications for a world accustomed to "just in time" delivery.

And larger ships, while offering undoubted economies of scale, will also have implications for port capacity and facilities, which would need to adjust accordingly - not to mention the knock-on effects of networks of "feeder services", using smaller ships, which would bring their own environmental concerns. The lesson in all this is that we need - before we rush to conclusions - to understand fully the net environmental benefits of all the initiatives, mechanisms and practices that aim at reducing climate change - not just in the shipping arena, but across the board. There should always be a holistic consideration of all the parameters both positive and negative - of any solution proposed.

Climate change will, of course, affect everybody. No one can be immune to it. By the same token, responsibility for finding the solution cannot, realistically, be laid at the door of any particular country or group of countries, nor of any particular region or continent - neither should it be pursued through only one or a few human activities. We are, perhaps as never before, all in this **together**. Successfully addressing the climatic challenges facing us will be far from easy; but the consequences of failing to do so are far too dire to contemplate.

To achieve the desired goals in the fight against climate change, the solutions we will opt for need to be realistic, pragmatic, workable, cost-effective and, above all, well-balanced, implemented through mechanisms that are clear, practical, transparent, fraud-free and easy to administer. I know that there are difficult and complex issues involved, not just from the technical standpoint but from a political perspective too, as they have sensitive connotations, particularly for developing countries, and that is something we cannot ignore. If the solutions proposed are to be truly effective in combating climate change, they must be universally applied - and, for this to be achieved, there is a need for global involvement and endorsement by consensus.

In a speech to industry leaders in India in February

of this year, United Nations Secretary-General Ban Ki-moon accurately summed up the situation, when he said, "Industrialized countries bear a great deal of responsibility for the state of the planet today. And they must bear their share of the burden when it comes to paying for solutions. But, at the same time, countries, which did not contribute as much to global warming, still have a responsibility to address it. I don't think this is the time for finger pointing." Unquote.

Were I to paraphrase President Obama's speech at the Cairo University on 4 June, this is how I would address those who represent industrialized countries and those who represent emerging economies and the developing world: "The two groups are not exclusive and need not be in disharmony with each other. Instead, they overlap and share common principles and objectives: for a safer, more secure and, certainly, cleaner, greener and healthier environment. Humbled by the task before us to do our duty towards our environment, I ask the IMO Members and industry organizations to endorse the belief that the interests we share as citizens of this planet are far more powerful than the forces that drive us apart. All of us share this world for but a brief moment in time. The question is whether we spend that time focused on what pushes us apart or whether we commit ourselves to an effort - a sustained effort to find common ground and to focus on the future we seek for our children; whether to continue the controversy as to who is to blame for the state of the planet and who should take the first step or how we should all, **together**, use our gifts to halt the destruction of our common heritage and bequeath, to generations to come, a world we will be proud of."

The message is clear: to succeed in combating climate change, we must work together and play our part with the seriousness that the circumstances demand. If the problem pays no heed to man-made borders, then neither can the solution. We all have a responsibility to take bold, comprehensive and coordinated action that not only jump-starts the recovery of the planet but also launches a new era of serious and meaningful engagement to prevent a crisis, like the one we are facing at present, from worsening or recurring. Working together, with a sense of responsibility for future generations, the agreements the Copenhagen Conference will be able to make later this year can have genuine and lasting value.

From the human perspective, difficult issues such as poverty, disease, uneven economic development and population growth are additional factors that serve to exacerbate and complicate the problem. Climate change and our response to the multi-faceted problems it represents has really become "the defining challenge of our age." Let there be no doubt that, as the 2009 World Maritime Day theme proclaims, it is a challenge for IMO too and that we - Member States, international shipping and Secretariat - are fully engaged in helping to redress it.