



International Federation of  
Shipmasters' Associations  
202 Lambeth Road  
LONDON SE1 7JY  
Tel.: +44 20 7261 0450  
Fax: +44 20 7928 9030  
Email: HQ@ifsma.org  
Web Site: "http://www.ifsma.org"

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## **I F S M A - NEWSLETTER**

### **The International Shipmasters Link**

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

**IFSMA 35th Annual General Assembly to be held in  
Rio de Janeiro, Brazil - -6-7 May 2009**

**An Electronic Colour Version (pdf) of this Newsletter is available at "www.ifsma.org"**

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## The IFSMA President and Executive Council

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- ❖ **President of IFSMA**  
*Captain Christer Lindvall, FNI - SWEDEN*  
*Elected: 23/05/1998*
  
- ❖ **Deputy President**  
*Captain Koichi Akatsuka - JAPAN*  
*Elected: 08/05/2006*
  
- ❖ **Vice President**  
*Captain Jerome Benyo, - USA*  
*Elected 08/05/2006*
  
- ❖ **Vice President**  
*Captain Marcos Castro - ARGENTINA*  
*Elected: 08/05/2006*
  
- ❖ **Vice President**  
*Mr. Mark Dickinson - UNITED KINGDOM*  
*Elected: 08/05/2006*
  
- ❖ **Vice President**  
*Captain Bjorn Haave - NORWAY*  
*Elected: 08/05/2006*
  
- ❖ **Vice President**  
*Captain Petr Osichansky - RUSSIA*  
*Elected: 01/06/2002*
  
- ❖ **Vice President**  
*Captain Patrick Vigneron-Larosa - FRANCE*  
*Elected: 08/05/2006*
  
- ❖ **Vice President**  
*Captain Willi Wittig - GERMANY*  
*Elected: 08/05/2006*

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## IFSMA Honorary Members

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- ❖ **Dr. C P Srivastava (K.C.M.G.) - UK**  
*Elected: 23/05/1985*
  
- ❖ **Captain Nic W C Rutherford - UK**  
*Elected: 15/05/1992*
  
- ❖ **Mr. William A O'Neil - UK**  
*Elected: 07/10/1993*
  
- ❖ **Captain Genji Yoshinaga - UK**  
*Elected: 23/05/1997*
  
- ❖ **Captain Hiroshi Kawashima - JAPAN**  
*Elected: 23/05/1998*
  
- ❖ **Captain Roger Clipsham FNI - UK**  
*Elected: 01/06/2002*
  
- ❖ **Mr. Efthimios Mitropoulos FNI - UK**  
*Elected: 12/05/2004*

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## The IFSMA Secretariat

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Headquarters contact details on front page.

- ❖ **Secretary General**  
**Captain Rodger M. MacDonald, FNI**  
*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*

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## Some Thoughts from your Secretary General

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Having been totally frustrated by the lack of progress at Standards of Training and Watchkeeping (STW) sub-committee to address IFSMA's concern on the minimum hours of rest issue the focus has turned to Design and Equipment (DE) subcommittee at IMO where we are addressing the problems of lifeboat drills. Here we have linked with other like-minded NGOs and the UK administration to put forward proposals that are intended to stop the unacceptable number of deaths and injuries caused during lifeboat drills.

Putting aside my opinion that davit launched lifeboats are archaic and new designs of lifesaving 'modules' should have been encouraged decades ago, we have to accept the fact seafarers are going to have to deal with these old fashioned lifeboats for years to come. The main bone of contention is the on-load release mechanism. Ironically, this concept was introduced in reaction to an incident on a North Sea drilling rig, and has caused problems for seafarers ever since. This mechanism, if not handled correctly, can release the lifeboat at any height.

Incredibly, there is no standard operating procedure for this system, and with over a hundred suppliers of this equipment, even the best training establishments cannot ensure seafarers have been taught the correct and safe procedures for the lifeboats that are installed on their ships. Furthermore, we have found that variations in procedures occur within shipping companies even with sister ships.

So the first basic aim is to standardise the functionality of the operation of releasing on-load hooks so that the actual human operation should be common to all types. This would standardise the training process and enable crews to change ships without having to have to re-learn the drill.

The second aim is to have concepts of on-load release that can only be operated when the lifeboat reaches a safe position with reference to the water. Also we need to ensure the 'safe or unsafe' situation is clearly signed and should be visible during light or dark situations and whatever signs are decided upon they should be standardised.

Our third aim is to get all administration to recognise that the Shipmaster has the legal authority to prevent a lifeboat exercise if he or she deems it

a risk to safety. There is a lot more work that we are doing on this life saving appliance in general, but the above aims are urgent, and surely common sense and certainly in the interest of our seafarers, do you not agree? So should we expect success at DE?

Sadly, after STW, I now have my doubts. What could possibly be more obvious in the interests of safety than to have the shipmaster and the watchkeepers alert and not suffering from tiredness or fatigue? At the present state of discussions, (thanks to the pressure of the EU administrations working en bloc) the wording in STCW sees 96 hours without rest as being acceptable. Fighting this madness, IFSMA was only supported by ITF and India at the working group. Is our Industry serious? Come on IMO, let's have some action and listen to the words of your own Secretary-General!

Quote from the IMO Secretary-General Efthimios Mitropoulos at the STW 38

*Referring to the outcome of recent analyses of accidents, which indicates, "due to inappropriate levels of manning and watchkeeping arrangements, particularly in short sea voyages, fatigue has emerged as a significant contributory factor in accidents".*

*Perhaps the time has come for the principles in the STCW to be re-assessed, possibly by the identification of factors which can evaluate manning levels on ships of similar types, size and trade.*

IFSMA totally endorses these views of the IMO Secretary-General.

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## 35th Annual General Assembly - Announcement

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It has been necessary to change the dates for the 35th IFSMA Annual General Assembly to be held in **Rio de Janeiro**, Brazil, at the Windsor Barra Hotel, to **Wednesday 6th and Thursday 7th May 2009**. The Annual Dinner will be held on the evening of 7th. This change in dates was necessary due a change in the dates of the next IMO Maritime Safety Committee meeting which clashed with the original AGA dates.

Last minute Papers for presentation at the AGA should be sent immediately to HQ. Also - don't delay booking your hotel, they are filling up fast!

## 2008 IMO Award for Exceptional Bravery at Sea presented to Brazilian seafarer

The 2008 IMO Award for Exceptional Bravery at Sea has been presented to a Brazilian seafarer for his heroic actions in saving fellow crew members from an explosive fire on a ship.

Mr. Rodolpho Fonseca da Silva Rigueira, of the drill ship Noble Roger Eason, was nominated by the Government of Brazil for his decisive, selfless action in rescuing six fellow crew members from a catastrophic fire which burst out on the vessel. The fire originated from an explosion, causing imminent risk to the lives of crew members in its vicinity; yet, instead of evacuating the area, Mr. Rigueira repeatedly faced the fire and very high temperatures to save his colleagues, at severe risk to his own life.

The Award, a silver medal depicting, on one side, a search and rescue operation with a sinking ship in the background and a helicopter rescuing survivors from the sea in the foreground, and with the IMO logo on the reverse side, was presented to Mr. Rigueira by IMO Secretary-General Mr. Efthimios E. Mitropoulos, during a special ceremony held at the IMO Headquarters on 1 December 2008, during the 85<sup>th</sup> session of the Organization's Maritime Safety Committee.

Accepting the Award, Mr. Rigueira said that it had "great meaning to my country and, particularly, myself. Words could not possibly convey the honour that I feel, or express the depth of my gratitude to you today. I am proud and honoured and very deeply grateful."

"I would like to take this opportunity to congratulate and rejoice with all of those who have also been awarded. As a seafarer, I believe that every one of us can make a difference. Every one of us should. Whether we make a difference or not depends on the courage to be true to ourselves and the faith to try, for the best interest of others as well as our own. I will continue to strive, every day of my life, to be worthy of this honour," he added.

In addition to the Award itself, certificates were presented to the following "highly commended" nominees or their representatives:

- the crews of the Hunter Region Surf Life-Saving

Association, Westpac Rescue Helicopter Service, nominated by the Government of Australia, for airlifting 22 crew members from the grounded coal carrier, Pasha Bulker, amid severe weather conditions, risking their own personal safety;

- the Maritime Rescue Coordination Centre (MRCC) Chile, supported by other MRCCs, crews and vessels, as nominated by the Government of Chile, in view of the exemplary multinational co-operation and coordination involved in the successful search and rescue and anti-pollution operations following the sinking of the cruise vessel **Explorer**, off Antarctica, thereby saving 154 passengers and crew members and avoiding potentially substantial environmental damage. The MRCC Chile, as coordinating centre, was supported by the MRCCs of Argentina, the United States, the United Kingdom and Uruguay; the crews of the **MS Nordnorge** (Norway); the navy icebreaker **Almirante Oscar Viel** (Chile); the naval support vessel **Ary Rongel** (Brazil); the navy ocean-going tug **Suboficial Castillo** (Argentina); the **MS National Geographic Endeavour** (Bahamas); the **MS Antarctic Dream** (Panama); and the **MS Ushuaia** (Panama);
- Captain Kyaw Thet Aung, master of the **ANL Warringa**, nominated by the Government of the Marshall Islands, for saving 15 lives from the **M/V Fitria Persada**, during a search and rescue operation involving considerable risk to his vessel and crew;
- Aviation Survival Technician 2nd Class Lawrence Nettles, Coast Guard HH-65 Helicopter, nominated by the Government of the United States, for courage and perseverance, at severe risk to his own life, in saving the unconscious master of the grounded **F/V Alegria** under adverse sea conditions;
- Coxswain Mark Criddle, of the Torbay Lifeboat Station, nominated by the International Maritime Rescue Federation (IMRF), for courage, leadership and determination in saving eight survivors from the submerged port quarter of the **M/V Ice Prince**, under considerable risk to his own life and the lives of his crew; and
- six officers and crew of the containership **Horizon Falcon**, nominated by the International Transport Workers Federation (ITF), for skill,

perseverance and courage in saving two survivors from the bulk carrier **Hai Tong No. 7**, in severe weather generated by Typhoon **Man-Yi**.

**Furthermore, letters of commendation were sent to the following nominees:**

- the crews of the vessel of the Hellenic Coast Guard SAR 516 and the tug boat Alfeios, the staff of the Port Authority of Katakolo and of the Joint Rescue Coordination Centre, Piraeus, nominated by the Government of Greece, for saving 302 illegal migrants, in severe weather, from the cargo vessel M/V Akdag; and
- Lieutenant Ulises Toledo Sánchez, Diver, Mexican Navy Panther Helicopter AMHP-151, nominated by the Government of Mexico, for entering the sea, under severe weather conditions, to save a survivor from the Usumacinta oil rig.

The IMO Award for Exceptional Bravery at Sea was established by the Organization to provide international recognition for those who, at the risk of losing their own life, perform acts of exceptional bravery in attempting to save life at sea or in attempting to prevent or mitigate damage to the marine environment – and, by so doing, help to raise the profile of shipping and enhance its image.

Speaking at the award ceremony, Mr. Mitropoulos commended all the nominees. “We are here this evening to honour and pay tribute to heroic men and women, who have all displayed gallantry, valour, courage and dedication to the cause of rescue at sea that go far beyond anything that might be expected as part of their normal duties”, he said.

“Even in the 21st century, with all the technical and operational advances that have made ships increasingly safer workplaces, seafaring remains a difficult and hazardous job. The sea, the weather and their combined force can still be powerful adversaries; ships, and those who sail in them, will never be totally immune from danger and there are times when lives, cargoes and the environment are placed in real jeopardy. These are the times when heroes, not necessarily born as such, come to the fore – ordinary men and women, who, inspired by altruism and sentiments of self-sacrifice, do things that go beyond any sense of well-meant duty,” he added.

## **Nominations for 2009 IMO Award for Exceptional Bravery at Sea**

Following on from the previous article – nominations for the 2009 award are now open for actions performed during the period . 1 March 2008 to 28 February 2009. These should be sent to IFSMA as soon as possible so that they can be forwarded to IMO no later than 15<sup>th</sup> April 2009.

Guidelines for the IMO Award for Exceptional Bravery at Sea, together with application forms, may be found on the IFSMA Website at [www.ifsma.org/award.pdf](http://www.ifsma.org/award.pdf).

Do not delay in sending to IFSMA your nominations for this prestigious award.

## **A Life on the Ocean Airwave**

*From Safety at Sea News December 2008.*

The crew of a trawler off the UK’s Welsh coast were enjoying the melodies on a BBC radio show today – unaware that they were relaying the programme to every ship and coastguards in the area.

As they tended their nets, the trawlermen had forgotten to turn off the radio, so the show was relayed for more than an hour on the same frequency as local shipping alerts.

Unable to contact the ship, coastguards called the BBC and asked the show’s presenter, Ken Bruce, to send them a message during the show. Bruce told his puzzled listeners: “If you are on a ship near [the Small Rocks] please turn me off.” The blocking ceased almost immediately.

A coastguard spokesman told London’s Daily Telegraph newspaper: “It was a dangerous situation – the channel is vital for communications between shipping and ourselves. We needed to get a message out to all shipping in the area to ask them to reset their ships’ radios. “But they couldn’t receive the message because all they could receive was the Ken Bruce Show. Mr Bruce relayed the request live on air, and almost at once the blocking ceased. “We still don’t know which fishing boat it was, but they will be pretty red-faced about it and making sure the buttons on their marine radio are in the correct place in future.” Perhaps they should rename the popular song ‘A Life on the Ocean Air Wave’.

## Seminar on Piracy and Armed Robbery against Shipping

*Presentation by Captain R MacDonald, Secretary General IFSMA, 21<sup>st</sup> January 2009, at the EU DG TREN in Brussels.*

I would like to express our thoughts of positive measures to stop the piracy activeness especially in Gulf of Aden and inside and off Somalia and especially the Puntland region.

We are fully aware of the situation and we are also very grateful for all the efforts which have been done so far by different countries, intergovernmental and other organisations within and outside the shipping industry. We know that the area that has to be protected is very huge, like three North Seas it has been said. The pirates can return freely to Somalia and also bring the ships, with the hostages still onboard, without any risks of being caught by the Somalian government or authorities. I think, here we have the fundamental problem. Something has to be done to install a Somalian government which can establish law and order in the country. All of what has been said this morning regarding piracy indicates this.

A lot has already been done recently and it is hard to keep up with all the developments but IFSMA believes that much more has to be done. Here I would also want to confirm that IFSMA fully supports the comments we have just heard from Alfons Guinier of ECSA.

IFSMA is very pleased that the IMO Council decided on 16<sup>th</sup> of October 2008 to emphasise the subjects to be brought forward to UN:

- The possibilities to take captured pirates to court
- To establish rules of engagement for participating naval units
- The assistance to ships should be regardless of flag of the ship and nationality of the crew to the benefits of all ships and seafarers.

The UN Security Council adopted a resolution on November 20, 2008 that was proposed by the UK to introduce tougher sanctions against Somalia over the country's failure to prevent a surge in sea piracy. The US circulated the draft resolution that

called upon countries having naval capacities to deploy vessels and aircraft to defend ships against piracy in the region. The resolution also welcomed the initiatives of the European Union, NATO and other countries to counter piracy off the coast of Somalia. US Alternate Representative for Security Council Affairs said that the draft resolution "calls on the Secretary-General to look at a long-term solution in escorting the safe passage of World Food Programme ships."

As the pirates are considered heroes by their countrymen, the only way to solve this, as we see it, is to create prerequisites to get law and order into the country including a strong government. Before this is done I think it will be almost impossible to stop the piracy and armed robbery activities in the region.

The International Conference on Piracy around Somalia was convened in Nairobi at a ministerial level on 11<sup>th</sup> December 2008 and made declarations on key points in the region, and IFSMA is standing behind this declaration and wholeheartedly supports it.

We welcome therefore that on December 17<sup>th</sup>, 2008, the UN Security Council unanimously adopted a tougher resolution, allowing for the first time international land and sea occupations in the pursuit of pirates. We think this, together with measures that should be taken onboard in line with IMO guidelines, the guidelines issued by EU, by industry organisations and companies will have an effect.

So what preventive measures do our members suggest?

- Shipmasters must be kept updated on the piracy situation of the area of trading and they should maintain clear communications with appropriate naval defence vessels.
- In piracy infested areas, to be vigilant and maintain a 24-hour watch.
- The ship security plan should also focus on piracy risks and clearly state crew responses, radio procedures and reporting procedures.
- To set up an emergency area on board – possibly with separate communications – into which the crew could retreat if attackers board the ship.

- The shipmaster must remain legally permitted to switch off AIS and Long Range Tracking devices if the threat of its use assists pirates to locate and target the ship.
- Provide the strongest possible lighting, over side, bow and stern area but to be careful not to interfere with safe navigation rules. Use search lights to probe for suspect crafts using guidance of radar.
- Seal off means of access to ship. Access doors, holds and storage areas should be locked when not in use.
- Keep water hoses ready for use and fire main pressurised.
- Delay anchoring by slow steaming or longer routing.
- Use of anti-piracy detection and boarding systems and non-lethal crowd dispersion technologies.
- Introduce a convoy system for the slow, low manning, most vulnerable ships with low decks, and also with safe assembly points.
- Equip ships with long range acoustic device (LRAD) like Seabourn Spirit SADA. And ensure the users of these devices are properly trained in their use.
- If we cannot stop the piracy activities, we must recommend the shipowners to sail south of Africa and also urge seafarers to consider refusing to sail on ships entering the high-risks zones.

But our shipmasters strongly oppose the idea of arming the ships either with weapons for seafarers to use or having an armed force on board.

Finally I hope all these efforts from all parties will take and have effect on the piracy activities in this area as well as in other areas, so that seafarers can do their important jobs without any threats to their lives or property. I am of the opinion that they must be considered as all other people and should therefore have the full protection as anyone else in the world community.

Further details of the seminar may be found at <http://tinyurl.com/ad5t72>.

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## BBC Container Travels the World

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The container belongs to NYK Line but it is branded as a BBC container. Bolted to it is a GPS transmitter so that its progress can be followed. "The Box" began its odyssey in September 2008 and will hopefully reach the USA, Asia, the Middle East, Europe and Africa and when it does, BBC correspondents are there to report on who is producing the goods and who is consuming them.

Early in February 2009 it had arrived in Santos, Brazil. Prior to that the container had travelled from Britain to China with a consignment of Scotch whisky. From China it carried cargo to the west coast of the USA then continued by rail to the east coast. That is where it was loaded with household goods for Brazil.

The BBC called the project "**The Box**" from a fantastic book of the same name by Marc Levinson which tells the story of how the humble shipping container changed the face of world trade. Why don't you follow the progress of the container? You can see the reports at:- <http://tinyurl.com/4nvg5z>. Your family or local school may be interested.

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## Maritime Radio Programme

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Those of you with long memories might remember the Merchant Navy Programme broadcast by the BBC every week some years ago on short wave radio frequencies.

We have now heard of a new weekly programme, **Seascapes**, broadcast by RTE Radio 1 (from Ireland). Although it is initially broadcast on Friday evenings, it is also available on the internet for some time after the original broadcast, including as a Pod Cast.

You can subscribe to a weekly email message which gives details of the programme for that week, although some of the content is local to Ireland many items will be of interest to seafarers worldwide. To subscribe to the weekly contents send an email message to "seascapes@ret.ie" with the subject set to "Subscribe".

To listen to the programme or to download the Podcasts go to "<http://www.rte.ie/radio1/seascapes/>".

## Grounding due to ECDIS

*UK MAIB Report No. 21/2008*

At 1619 on 12 May 2008, the Netherlands registered dry cargo ship, *CFL Performer*, ran aground on Haisborough Sand off the east coast of England. The vessel was refloated 15 minutes later and continued on passage to Grimsby, River Humber, where she arrived the following morning. There were no injuries or damage to the vessel, and there was no pollution.

The grounding occurred when *CFL Performer* was on passage from Paramaribo, Suriname. The ship was carrying 6020 MT of bauxite, and grounded 29 minutes after the OOW had adjusted course to follow the passage plan shown on the vessel's Electronic Chart Display Information System (ECDIS). The planned route took the vessel across Haisborough Sand, where the charted depth of water was considerably less than the vessel's draught. It is clear that this route was not adequately checked for navigational hazards either when planned or when being monitored.

ECDIS was the primary means of navigation, but none of the vessel's bridge watch keeping officers had been trained in its use. Consequently, many of the system's features which could have prevented this accident were not utilised. Similar factors have been contributory to a number of recent groundings in UK waters. Although the use of ECDIS as the primary means of navigation is set to increase markedly during the next 10 years, specific competences in its operation have not yet been included in the STCW Code.

### Conclusions

#### Safety issues directly contributing to the accident which have resulted in recommendations

1. The route plan took the vessel across Haisborough Sand, and in-built safeguards in the vessel's ECDIS which are intended to prevent accidents of this nature were not utilised and system warnings were not acted upon.
2. The planner's check of the route plan was only cursory and was not cross-checked by the master.
3. The deck officers had not been trained in the use of ECDIS, and no procedures on the system's use were included in the vessel's SMS. They were

therefore ignorant of many of the system requirements and features and operated the system in a very basic and inherently dangerous manner.

4. Over the next 10 years, ECDIS will replace paper charts as the primary planning and monitoring media on board most vessels. Therefore the need for the inclusion of specific ECDIS competences within the STCW Code and for mandatory training in its use is compelling.

5. A review of the content of the IMO ECDIS course would be beneficial in order to take into account the experience gained in the use of the system, the lessons learned from this and other accidents, and to ensure the course continues to meet the requirements of the maritime industry.

6. Differences between ECDIS in terms of menus, terminology and equipment interface can be marked, and proficiency in the use of a particular system is best served by the provision of equipment specific training.

#### Other safety issues identified during the investigation also leading to recommendations

1. To enable lessons to be learned from accidents, hazardous incidents and other operational situations, it is important that clear guidance for the reporting of such occurrences and the preservation of evidence, including electronic data from VDRs, ECDIS and other systems, is provided to ships' crews.

#### Safety issues identified during the investigation which have not resulted 3.1.3 in recommendations but have been addressed

1. The OOW placed an undue reliance on the ECDIS, and it is possible that the grounding could have been avoided had he remained vigilant and continuously monitored the vessel's position in relation to navigational hazards.
2. The setting of a watch vector on the ECDIS, without which many of the chart alarms cannot operate, is an extremely important feature which merits emphasis.

The full report is available from <http://www.maib.gov.uk>.

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## “Go to sea!”

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A campaign to address the global shortage of seafarers, especially officers, which threatens the very future of the international shipping industry, has been launched by the International Maritime Organization (IMO) in association with the International Labour Organization, the “Round Table” of shipping organizations - BIMCO, ICS/ISF, INTERCARGO and INTERTANKO - and the International Transport Workers’ Federation.

The campaign calls on governments, industry and IMO, supported by ILO and other international organizations, to take specific actions, within their areas of influence, to increase the recruitment of seafarers to tackle the problem.

A recent report issued by maritime industry analysts Drewry Shipping Consultants assessed the current shortfall of officers in the global shipping fleet to be some 34,000, against a total requirement of 498,000. Moreover, based on Drewry’s fleet growth projections, and the assumption that officer supply will only increase at the current rate, the report predicts that, by 2012, the officer shortfall will have grown to 83,900.

“As everyone in shipping is aware, the global shortage of seafarers, especially officers, has already reached significant proportions and is now a source of genuine concern to all involved in the industry,” said IMO Secretary-General Efthimios E. Mitropoulos, speaking at the launch of the campaign.

The shipping industry can provide the basis for a fulfilling and satisfying life-long career and the problem is one of recruitment, rather than retention in the profession, he added, noting that this required a shift in the public perception of shipping, particularly amongst the young.

“I have long been an advocate of the need to promote the industry and improve its public image. Outside the industry itself, the wider public has little conscious perception of the vital role that shipping plays in everyday life and this, clearly, needs to change,” Mr. Mitropoulos said, adding that all the organizations associated with the ‘Go to Sea!’ campaign were united in wanting to address concerns over the future supply of quality manpower to the shipping industry and in taking positive steps for that purpose.

Amongst specific calls for action in the campaign

document, the shipping industry is urged to take the lead and more can be done to promote itself through the media, in particular the electronic media. The industry should continue to provide support for and endorse campaigns aimed at improving its image and use some key industry figures as examples of career progression. It is also urged to do more to make life on board and away from home more akin to the life enjoyed by others ashore; to encourage women to work in the seafaring profession; and to promote the industry at non maritime-related events.

Governments are asked to give greater prominence to the maritime perspective, by doing more to support and encourage the shipping industry in any initiatives it takes to enhance its image and to remove adverse actions that may damage that image. Maritime training facilities need to be resourced adequately (both in financial and human resource terms) to ensure a supply of competent seafarers. Governments could do much to promote a wider take-up of a sea career through, for example, recognition of sea service instead of compulsory military service, training of jobless persons and promoting the career for women.

IMO itself will develop a page on its public website highlighting the types of career paths available to seafarers, through links to industry sites. While on missions abroad, where practicable, the Secretary-General will visit maritime and non-maritime training facilities and seafarer organizations to express support and address both maritime and non-maritime Government departments to promote shipping and seafaring. And the ILO, which promotes the objective of decent work for all, has adopted several instruments directly relevant to the campaign and will support it in every way possible.

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## Death of a Ship

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The vessel Fedra ran aground in extreme gale force winds at Europa Point, Gibraltar on 11 October 2008. The following links will take you to YouTube video of the end -

<http://tinyurl.com/bc6fu2> and a slide show <http://tinyurl.com/akyoxl>.

The crew are all safe.

## **Mr. Jørgen Rasmussen (Denmark) receives International Maritime Prize**

The prestigious International Maritime Prize for 2007 has been presented to Mr. Jørgen Rasmussen, who has had a prominent role in developing key instruments of the International Maritime Organization (IMO), including the Global Maritime Distress and Safety System (GMDSS), the International Safety Management (ISM) Code and the Voluntary IMO Member State Audit Scheme.

Mr Rasmussen, former Chief Ship Surveyor and Chief Advisor to the Director-General in the Danish Maritime Authority, former member of the Danish delegation to IMO meetings and former Head of the Navigation Section in the Maritime Safety Division of the IMO Secretariat, has enjoyed a long and distinguished career spanning many different areas in the maritime field.

He was strongly involved in the development of the GMDSS, in his role as Chairman of the Sub-committee on Radio-communications (COM) and its successor, the Sub-Committee on Radiocommunications and Search and Rescue (COMSAR). He also chaired the Joint Working Group on the Human Element of IMO's Maritime Safety and Marine Environment protection Committees and was instrumental in developing the ISM Code. More recently, Mr. Rasmussen co-ordinated two correspondence groups involved in developing the Code for the Implementation of Mandatory IMO Instruments and the Voluntary IMO Member State Audit Scheme.

Mr. Efthimios E. Mitropoulos, Secretary-General of IMO, presented the prize during a special ceremony on 12 November 2008, during the 101<sup>st</sup> session of the IMO Council.

The International Maritime Prize is awarded annually by IMO to the individual or organization judged to have made the most significant contribution to the work and objectives of the Organization. The 100th session of the IMO Council in June 2008 took the decision to award the prize to Mr. Jørgen Rasmussen in recognition of his contribution to maritime safety and security and prevention of marine pollution from ships.

### **Previous winners**

Previous winners of the prize since 2000:

- 2006 - (two prizes awarded) Mr. Alfred Popp (Canada) and, posthumously, Mr. Igor Ponomarev (Russian Federation),
- 2005 - Dr. Tom Allan (United Kingdom)
- 2004 - Mr. Luis Martínez (Mexico)
- 2003 - Mr William O'Neil (Canada)
- 2002 - Mr. Frank Wall (United Kingdom)
- 2001 - Mr. Giuliano Pattofatto (Italy) (posthumously)
- 2000 - Mr. Heikki Juhani Valkonen (Finland)

## **Hebei Spirit Officers Bailed**

**Korean Supreme Court heeds international clamour for release of master and chief officer**

Lloyd's List - Friday 16 January 2009

SOUTH Korea's Supreme Court yesterday bailed the master and chief officer of the Hebei Spirit after an unprecedented and concerted campaign on their behalf across the maritime industry.

Jasprit Chawla and Syam Chetan, imprisoned in December after being convicted of involvement in South Korea's worst oil spill a year earlier, walked free after the court ordered each to pay a deposit of Won10,000 (\$7,200). Under the conditions of bail, the two Indian officers will have to stay in a hotel in Seoul and will not be allowed to leave South Korea without permission of the Supreme Court.

Captain Chawla told Lloyd's List he was "very pleased" and thanked all concerned for their help, but declined to comment further.

The decision to bail the so-called 'Hebei Two' came days after the Korea Maritime Safety Tribunal presented a minute-by-minute interim safety report into the incident at an informal meeting during the Facilitation Committee meeting at the International Maritime Organization in London, which IFSMA attended, and ahead of a planned demonstration outside the Korean Embassy in London on January

23. The demonstration has now been cancelled.

Sources said the Supreme Court, acting independently of the tribunal, had taken into account “the special characteristics of the case” and international opinion, even though public sentiment is running high in South Korea as demands for compensation soar towards \$1bn.

The case of the Hebei Spirit officers, and concern at the increasing criminalisation of ships’ crews, has been notable for bringing together various international maritime factions for the first time. The list includes the International Transport Workers’ Federation, Intertanko, Intercargo, InterManager, the International Maritime Employers’ Committee, Indian trade unions, the Baltic and International Maritime Council and the International Group of P&I Clubs. Welcoming the Supreme Court decision, the International Chamber of Shipping and the International Shipping Federation said the legal decision had fuelled the shipping industry’s deep concern about the criminalisation of seafarers.

“While enjoying good co-operation from the Korean Maritime Administration and the Korea Shipowners’ Association, ICS and ISF fully appreciate the independence of the Korean judiciary from the government. Based on the facts of the case, ICS and ISF are hopeful that the Supreme Court will now make the correct decision when it rules on the seafarers’ appeal, in order that they are spared from further imprisonment and allowed to return to their families in India.”

They added: “ICS and ISF also acknowledge that due process, under Korean law, is being followed and that every effort is being made by the Korean authorities to adhere to the international principles enshrined in the IMO/ILO Guidelines on the Fair Treatment of Seafarers in the Event of a Maritime Accident. “The decision to release the ship’s officers from prison is fully consistent with these guidelines, adopted in 2006, which ICS and ISF helped to negotiate with governments at IMO and ILO.” IFSMA also played a large role in getting these guidelines accepted.

In a separate statement, V. Ships, the ITF, Intertanko, Intercargo and IMEC thanked the Supreme Court for the decision and the South Korean government, for “the first positive steps” in resolving this case.

Confirming that the London demonstration on January 23 had been cancelled, they said they believed

“a postponement of the planned action will create a better environment for a successful resolution to this long-running saga”.

A planned boycott of Korean ports by Indian Seafarers has also been postponed.

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## Justice at last for Coral Sea Captain

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Captain Kristo Laptalo (59), master of the Coral Sea, was on 27 November 2007 found innocent in a Greek court of any involvement in cocaine smuggling.

The judgement was made in the Patras Appellate Felony Court and vindicates the captain and those who have supported him through his 17 month ordeal.

ITF Maritime Coordinator Stephen Cotton commented: “This is justice at last for Kristo Laptalo. He has been treated as a political football for 17 months and that has finally been made to stop by his efforts, by his legal team and by the international campaign that raised an outcry against the abuse of justice so loud that it was heard in this courtroom today.”

He continued: “Happy though we are for him we must not forget that every seafarer is potentially in the firing line. Authorities have to learn to stop reaching for the easy option and condemning the – usually foreign – ships’ officers as a gift to public opinion when things go wrong. We cannot forget that the two officers of the Hebei Spirit are also facing possible jail sentences in Korea for something that, just as in this case, virtually everyone agrees they are innocent of.”

“We would never condone drug smuggling but it has long been clear that Captain Laptalo was not guilty of any involvement in such an activity, and we are glad that the Greek courts have now recognised this.”

He concluded: “We would like to applaud Captain MacDonald, Secretary General of the IFSMA, who testified for the Captain on our behalf, the Seafarers’ Union of Croatia and its unceasing efforts, and indeed all of those who have backed Captain Laptalo and questioned the grave injustice to which he had been subjected.”

But see next article concerning Chief Officer.

## Coral Sea chief officer Metelev dies in Lithuania

*From Lloyds List 30 January 2009*

A ship's officer who was charged and then acquitted of drug trafficking has died in his home town in Lithuania.

Chief officer Konstantin Metelev, one of the trio of seafarers at the centre of the Coral Sea reefer case, died in January at the City Hospital in Klaipeda, according to lawyers and seafarer rights activists involved in fighting the case.

Mr Metelev, together with Coral Sea master Kristo Laptalo and bosun Narcisco Garcia, were charged in July 2007 after cocaine was discovered in a shipment of bananas discharged in the Greek port of Aegion.

Despite unusually vocal complaints from lawyers assigned to the case that there was no evidence against the men, they were held for a year at the high security prison of Korydallos pending trial.

It was reported last April that the chief officer had been transferred to the prison's hospital ward, apparently after suffering a psychiatric breakdown.

Mr Metelev was acquitted at trial last July. Following his acquittal, Mr Metelev's condition prevented him from immediately returning home. The operators of the Coral Sea, Bonita Bananas affiliate Trireme Vessel Management, halted vessel calls in Greece, saying it felt it had to protect seafarers from Greek jurisdiction.

Lawyer John Keough, a partner at New York-based law firm Waesche, Sheinbaum & O'Regan, who represented the three seafarers and the vessel owners, said he was "deeply saddened" by the news. He said that the details of an autopsy were still awaited. "At the time of his death, I understand he was still suffering from the mental and physical injuries sustained during his unjust imprisonment in Greece," he said.

Predrag Brazzaduro, Croatian co-ordinator for the International Transport Workers Federation, who met Mr Metelev when he visited Korydallos prison, said that the chief officer had "shut himself off from

the outside world" and was not accepting medicine or food. Capt Brazzoduro said "the loss sustained by the seafarers and their families is immeasurable". Another spokesman for the ITF said: "We consider [Mr Metelev] another victim of the undeserved criminalisation of seafarers."

## Another Grounding with OOW Asleep

*UK MAIB Report No. 7/2009*

At 0321 on 29 June 2008 the general cargo vessel *Antari* grounded on the coast of Northern Ireland, while on passage from Corpach, Scotland to Ghent, Belgium. The officer of the watch had fallen asleep shortly after taking over the watch at midnight when the vessel was passing the peninsula of Kintyre (Scotland). With no-one awake on the bridge, the vessel continued on for over 3 hours, crossing the North Channel of the Irish Sea before grounding on a gently sloping beach about 7 miles north of Larne.

The chief officer, who was the watchkeeper at the time of the grounding, worked a 6 hours on/6 hours off watchkeeping regime with the master. As has been demonstrated in many previous accidents, such a routine on vessels engaged in near coastal trade poses a serious risk of cumulative fatigue.

Additional safety barriers which could have helped mitigate the risk posed by fatigue were not used: Despite the requirements of STCW, there was no lookout on the bridge throughout the night; and the watch alarm was not switched on. The company's SMS audits had failed to pick up that these important safety requirements were routinely not being applied.

Fatigue of bridge watchkeepers and lack of dedicated lookouts have long been identified as critical safety issues, particularly in vessels trading in near-coastal waters.

However the UK has, to date, been unable to garner sufficient international support to introduce more robust standards. To ensure the safety of shipping within UK coastal waters and to protect the environment, it is therefore considered necessary for the UK to address these issues unilaterally.

The Department for Transport and the Maritime and Coastguard Agency have been recommended to:

- Press for an urgent review of the process and principles of safe manning at the IMO to reflect the critical safety issues of fatigue and the use of dedicated lookouts.

and in the interim:

- To instigate robust, unilateral measures to address the fatigue of bridge watchkeeping officers on vessels in UK waters and to ensure that a dedicated lookout is always posted at night, during restricted visibility and as otherwise required in hazardous navigational situations.

A recommendation has also been made to the owner of *Antari* designed to improve its ISM auditing procedures to ensure: the use of lookouts and watch alarms; compliance with hours of rest regulations; and effective passage planning.

The full report is available from <http://www.maib.gov.uk>.

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## Calls For Improvement In Ship Safety

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International Maritime Organization Secretary-General Efthimios Mitropoulos has again voiced his hope of seeing an improvement in shipping's safety record this year in the face of an "unacceptably high level" of marine casualties in 2008.

The Secretary-General was speaking at the inaugural session of the IMO sub-committee on fire protection in London. "Any attempt to adhere to safety standards lower than the highest practicable ones IMO adopts should not be an option for anyone, just as the financial crisis should not be any excuse to slow down progress in global efforts to stem climate change and global warming," he said.

Compromising safety by, for example, deferring essential maintenance work or postponing crew training could have catastrophic consequences, he added.

He also urged the sub-committee not to shy away from any contribution it could make to addressing the phenomena of climate change and global warming.

Important items on the agenda for discussion this week include reviewing performance testing and approval standards for fire safety systems. Finalisation of this work was essential, Mr Mitropoulos said.

Another important issue was the comprehensive revision of the Fire Test Procedures Code. "This exercise will give you the opportunity to make the code user-friendly and to enhance its uniform application," he added.

The sub-committee is also working on guidelines on the drainage of fire-fighting water from vehicle decks of ro-ro's. Mr. Mitropoulos told the meeting that the work was prompted by the report on the investigation into the 2006 passenger ferry 'Al-Salam Boccaccio 98' casualty and the loss of 1,000 lives.

Measures to prevent explosions on oil and chemical tankers transporting low flash point cargoes will also be discussed this week. There have already been discussions in the Maritime Safety Committee and the Fire Protection sub-committee on the issue.

Mr. Mitropoulos said a working group would be set up during the week to review data that has been submitted and to make recommendations to the MSC on how to proceed.

"Given the complexity of the issue, this may prove not an easy task to accomplish," he said. "I hope that, by working together, you will be able to overcome any difficulties you may encounter on the way and advise the MSC in a manner that will ensure the best interests of safety and environmental protection in the specific area the measures under consideration address."

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## Direct Appeal to UN Security Council for Somalia Piracy Action

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IMO Secretary-General Efthimios E. Mitropoulos has issued a call at the highest level for a coordinated and cohesive response, both internationally and nationally, to combat the scourge of piracy off the coast of Somalia.

Yesterday (20 November), in a personal briefing to the UN Security Council in the context of the latter's consideration of UN Secretary-General Ban Ki-moon's report on the situation in Somalia, Secretary-General Mitropoulos told Security Council members about the scope and extent of the problem which, he said, was a matter of grave concern. He also outlined a series of actions the Security Council might consider taking to address the situation. In particular, he requested that the Security Council take appropriate action:

\* to extend the validity of the mandate in paragraph 7 of resolution 1816;

\* to call upon States interested in the safety and environmentally sound function of shipping activities, that have the capacity to do so, to take part actively in the fight against piracy and armed robbery against ships (including “mother ships”) off the coast of Somalia and in the Gulf of Aden;

\* to strengthen and enhance the provisions of resolutions 1816 and 1838, particularly with respect to having clear rules of engagement for participating units to facilitate the disruption of pirate operations; and \* to urge States, with due regard to their obligations under international law, to establish an effective legal jurisdiction to bring alleged offenders to justice.

Mr. Mitropoulos told the Security Council of IMO’s threefold concern to:

\* protect seafarers, fishermen and passengers on ships sailing off the coast of Somalia and in the Gulf of Aden;

\* ensure the safe delivery of humanitarian aid to Somalia effected by ships chartered by the World Food Programme; and

\* preserve the integrity of the shipping lane through the Gulf of Aden, given its strategic importance and significance to shipping and trade east and west of the Suez Canal.

He added that, notwithstanding IMO’s prime concern for the safety of seafarers, the volume of trade transported through the Gulf of Aden makes it imperative that this shipping lane is adequately protected against any acts that might disrupt the flow of traffic through it. He said that, with more than 12% of the total volume of oil transported by sea using that route - not to mention commodities carried by bulk carriers and finished goods transported by containerships - widespread diversions around the Cape of Good Hope, to avoid the trouble spot, would bring about a series of negative repercussions. Such diversions would almost double the length of a typical voyage from the Gulf to Europe thereby increasing fuel consumption, emissions and transport costs, which would have to be passed on eventually to consumers everywhere.

IMO first brought the matter of piracy off Somalia to the attention of the Security Council in 2005. Subsequently, the Security Council issued a Presidential Statement on the subject in March 2006

and adopted resolutions 1816 and 1838, in June and October 2008 respectively.

In spite of a temporary improvement in the situation following the Council’s action, the situation has deteriorated dramatically in recent months, with an increase in both the frequency and the ferocity of reported attacks. Of a total of some 440 acts of piracy and armed robbery reported to have taken place off the coast of Somalia since IMO started compiling relevant statistics in 1984, more than 120 attacks have been reported this year alone. More than 35 ships have been seized by pirates and more than 600 seafarers have been kidnapped and held for ransom. Currently, 14 ships and some 280 seafarers from 25 nations are being held hostage in Somalia. Two seafarers have already lost their lives.

According to information received by IMO, the attackers usually employ one of two methods: they either attack ships on the high seas, often at considerable distances from the shore, making use of so-called “mother ships” (as was the case in the audacious hijacking, last Saturday, of the fully laden ULCC Sirius Star in the Indian Ocean some 450 nautical miles from the coast of Kenya); or they attack (and hijack) ships in Somalia’s territorial sea, sometimes under the watchful eyes of warships outside those waters but, until the adoption of resolution 1816, not empowered to intervene for fear of breaching international law.

Mitropoulos paid tribute to the efforts of members of the international community, alliances of States and regional organizations, NATO and the European Union in particular, to address the issue by dispatching naval forces and military aircraft to patrol the vast area off the coast of Somalia and in the Gulf of Aden and by escorting vessels used by the World Food Programme to provide humanitarian relief to the Somali people. But he added that, because of the extensive coastline of Somalia (2,105nm or 3,898 kilometres in total of which 659nm or 1,204km in the Gulf of Aden), there was a need for as many naval vessels and military aircraft as possible for the task to be carried out effectively.

IMO has taken action to increase awareness of the problem and, in co-operation with the shipping industry, to advise ships on practicable measures they can take in the event of an attack. Meanwhile, through its technical co-operation programme, the Organization is assisting countries in the region to build capacity to add their contribution to the overall efforts, including putting in place any necessary relevant legislation.

## Malacca Straits Symposium

*Report on International Symposium on Safety and Protection of the Marine Environment in the Straits of Malacca and Singapore by the Nippon Foundation and the Round Table of International Shipping Associations held at Kuala Lumpur on 24<sup>th</sup> Nov 2008.*

*Report by Capt Ramu Naidu Sanasi, Individual Member*

The International Symposium on Safety and Protection of the Marine Environment in the Straits of Malacca and Singapore organised by the Nippon Foundation and the Round Table of International Shipping Associations was held in Kuala Lumpur on 24<sup>th</sup> of November 2008.

The Symposium was attended by 175 participants from the littoral states of Indonesia, Malaysia and Singapore, the IMO, the Round Table of International Shipping Associations, the representatives of the maritime industry and other stake holders.

The Symposium was held following the launch of the Cooperative Mechanism at the IMO meeting in Singapore in 2007 to share updated information and exchange views among the littoral States, user States and users of the Straits, along with the non state entities the; Nippon Foundation, and the Round Table of International Shipping Associations.

The Cooperative Mechanism represents cooperation between coastal States bordering a strait used for international navigation and the user States as well as other stakeholders as stated in Article 43 of UNCLOS 1982:

“User States and States bordering a strait should by agreement cooperate:

- a) in establishment and maintenance in a strait of necessary navigational and safety aids or other improvements in aid of international navigation;
- b) for the prevention, reduction and control pollution from ships”

The Cooperative Mechanism can be viewed as a historic breakthrough in bringing to realisation the spirit and intent of Article 43 of UNCLOS 1982 and provides an opportunity to engage user States, Shipping Industry and other Stake holders to participate and share the responsibility of maintaining and enhancing the safety of navigation and protection

of the marine environment in the straits of Malacca and Singapore.

The Japan International Transport Institute has collected and compiled papers on verifying the Cooperative Mechanism on the Straits of Malacca and Singapore from the view point of User Industries and their Cooperate Social Responsibility.

The Symposium discussed various contributions by the shipping industry under the framework of the Cooperative Mechanism to ensure safety and protection of the marine environment in the Straits of Malacca and Singapore.

The Round Table of International Shipping Associations spoke of the shipping industry’s contribution to safety and protection of the marine environment of the Straits of Malacca and Singapore through the employment of safe, well-manned ships and the commitment to continuous improvement. The shipping industry was fully committed to promote effective communication and cooperation between all stakeholders.

The Round Table of International Shipping Associations informed that the Middle East Navigational Aid Service (MENAS) has pledged a contribution of USD 1 million in respect of the 2009 work programme for the Malacca and Singapore straits and that the Japanese Ship Owners Association has committed a financial contribution of USD 700,000 as a pioneer contributor from the Round Table of International Shipping Association for the safety and protection of the marine environment in the straits of Malacca and Singapore and development of the global economy. The countries whose imports and exports depend on the safe and efficient passage of ships through the straits of Malacca and Singapore have responsibility and should also take a role to support the littoral states in the burden-sharing environment.

The Nippon Foundation stated that the shipping industry must be more aware of the importance of voluntary contributions for safety and protection of the marine environment in the straits of Malacca and Singapore as a preventive measure against accidents and, to encourage voluntary contributions from all stakeholders including the shipping industry. The Nippon Foundation was planning to contribute USD 2.5 million to the Aids to Navigation Fund in early 2009, in accordance with its commitment made at the 2007 IMO Singapore meeting, which pledged its contribution for the fund of one third of its total cost for the first five years.

The Nippon Foundation has long cooperated with the littoral states on safety and protection of the environment in the straits and are glad if it had helped make it safer to navigate the Malacca and Singapore straits, but it would be a great disappointment if other users avoid their own responsibilities

The Malaysian Minister of Transport thanked the Nippon Foundation and the Round Table of Shipping Associations for their initiative in organizing the Symposium. Further the minister stated that the Cooperative Mechanism was the best platform to promote voluntary cooperation from the users of the straits of Malacca and Singapore including the shipping industry. He encouraged others in the shipping industry to emulate Nippon Foundation's kind gesture and voluntary contribution.

The organisers of the Symposium thanked IMO and the Industry association to the development of the Marine Electronic Highway Project to enhance safety of navigation and protection of the marine environment in the Malacca and Singapore straits. The MEH project provides a test bed for the new IMO concept of e-Navigation and will contribute to the most efficient employment of technological advances as well as leading to an unprecedented level of data management on board ships and also in the data centres ashore.

To ensure sustainable safety and protection of the marine environment continuous dialogue and voluntary contribution under the concept of Corporate Social Responsibility by all stake holders including shipping industry was encouraged.

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## Emergency Towing Procedure – Example

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***The following information was received from the International Chamber of Shipping (ICS), please note an example of an Emergency Towing Procedure document as drafted by Japan Shipowners' Association and distribute as required.***

The Marine Committee of the ICS discussed the new requirement for an emergency towing procedure to be held on board ships once amendments to SOLAS II-1 enter into force. The new regulation 3-4 has the following application:

1. All passenger ships, not later than 1 Jan 2010;

2. Cargo ships constructed on or after 1 Jan 2010;

3. Cargo ships constructed before 1 Jan 2010, not later than 1 Jan 2012

An MSC circular provides relevant guidance for this requirement (MSC.1/Circ.1255) "Guidelines for Owners/Operators on Preparing Emergency Towing Procedures".

At the recent Tripartite meeting in Beijing the Japanese Shipowners' Association (JSA) gave a presentation on a model version of an emergency towing procedure, in this case for a Panamax Bulk Carrier. The example gives a very good idea of what will be expected once the regulation enters into force and JSA have agreed that the attached material can be distributed. Owners may be well advised to put an equivalent version in place well before it becomes a regulatory requirement and to practice towing preparations.

Two presentation documents used by JSA at the Tripartite meeting are available on the IFSMA Website for background information.

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## The First HMS Victory

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*HMS Victory*, the legendary British warship that was the predecessor to Lord Nelson's *Victory*, sank during a storm in 1744, taking more than 1,000 sailors to their deaths. The ship's location remained a mystery despite numerous searches, until *Odyssey Marine Exploration* discovered the wreck in May 2008.

The Florida-based firm found the site 330ft under the English Channel, nearly 100km from where the ship was historically believed to have been wrecked, near the Channel Islands. Jason Williams, executive producer of *JMW Productions*, which filmed the discovery, said: "Reports from the time say that the ship was carrying four tonnes of gold, around £400,000 sterling, which it picked up from Lisbon on its way to Gibraltar. Today this has a bullion value of £125 million, but that is just its raw weight. That means it is worth about a billion dollars."

The Ministry of Defence has given the company permission to go back down to the wreck to try to find the treasure. The British Government will legally own any gold that is recovered, but Greg Stemm, chief executive officer of *Odyssey Marine Exploration*, said he was in negotiations and would expect to be rewarded for the find. Mr Stemm said: "The money is not as important as the cultural and historical significance of the discovery. It is a monumental event,

not only for *Odyssey* but for the world. It is probably the most significant shipwreck find to date. *HMS Victory* was the mightiest vessel of the 18th century and the eclectic mix of guns we found on the site will prove essential in further refining our understanding of naval weaponry used during the era.”

The discovery exonerates Admiral Sir John Balchin, who came out of retirement aged 74 to command the ship, on what was meant to be his final voyage. Historians believed the ship was lost due to poor navigation on the Casquets, a group of rocks north-west of Alderney. But the wreck’s location, 62 miles away from the rocks, suggests Sir Balchin was not to blame. His ancestor Sir Robert Balchin said: “A piece of my family history and of national history has come alive. “As a family we have always been proud of Sir John but this confirms what a fantastic Admiral he was.”

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## IMO Hosts Meetings of Contact Group on Piracy off the Coast of Somalia

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The Secretary-General of the International Maritime Organization (IMO), Efthimios E. Mitropoulos, on 24 February 2009 opened the first meeting of a Working Group charged with considering modalities for operational coordination and information-sharing, the possible establishment of a regional coordination centre and regional capability development, in the context of on-going efforts by navies to protect international shipping from acts of piracy and armed robbery in the waters off the coast of Somalia and in the Gulf of Aden.

Set up by the Contact Group on Piracy off the Coast of Somalia (CGPCS) – itself established in January 2009 following the adoption of United Nations Security Council resolution 1851 on 16 December 2008 – the Working Group was being convened and coordinated by the United Kingdom and is being chaired by Mr. Chris Holtby of the UK’s Foreign and Commonwealth Office.

The Working Group met at IMO Headquarters in London on 24 to 25 February 2009 and was followed by the first meeting of another CGPCS Working Group 26 to 27 February 2009, convened and coordinated by the United States of America, and chaired by Mr. Jeff Lantz of the United States Coast Guard, which addressed the strengthening of shipping’s self-awareness and other capabilities..

Both Working Groups will report to the second session of the CGPCS, scheduled to be held in Egypt during March 2009.

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## Cold Winter Coming!

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It was October and the Indians on a remote reservation asked their new Chief if the coming winter was going to be cold or mild. Since he was a Chief in a modern society he had never been taught the old secrets. When he looked at the sky he couldn’t tell what the winter was going to be like.

Nevertheless, to be on the safe side he told his tribe that the winter was indeed going to be cold and that the members of the village should collect firewood to be prepared.

But being a practical leader, after several days he got an idea. He went to the phone booth, called the National Weather Service and asked, “Is the coming winter going to be cold?” “It looks like this winter is going to be quite cold” the meteorologist at the weather service responded.

So the Chief went back to his people and told them to collect even more firewood in order to be prepared. A week later he called the National Weather Service again. “Does it still look like it is going to be a very cold winter?” “Yes,” the man at National Weather Service again replied, “it’s going to be a very cold winter.”

The Chief again went back to his people and ordered them to collect every scrap of firewood they could find.

Two weeks later the Chief called the National Weather Service again. “Are you absolutely sure that the winter is going to be very cold?”

“Absolutely,” the man replied. “It’s looking more and more like it is going to be one of the coldest winters ever.”

“How can you be so sure?” the Chief asked.

The weatherman replied, “The Indians are collecting firewood like crazy.”

## IMO Maritime Safety Committee progresses broad agenda

Piracy and armed robbery off the coast of Somalia, the Long-Range Identification and Tracking (LRIT) system, the development of goal-based standards for new ship construction and the adoption of amendments to the International Convention for the Safety of Life at Sea (SOLAS) were among the items at the top of the agenda during an 8-day meeting of IMO's Maritime Safety Committee (MSC). The MSC held its 85<sup>th</sup> session, at the Organization's London Headquarters, from 26 November to 5 December 2008.

### Piracy and armed robbery against ships

A lengthy discussion was held on the escalation in reported acts of piracy and armed robbery against ships off the coast of Somalia. The MSC expressed its support for various initiatives being undertaken, including action by the United Nations Security Council (UNSC), in particular the adoption of UNSC Resolution 1846, extending for another twelve months, from 2 December 2008, the authorization for States and regional organizations to enter Somalia's territorial waters and to use "all necessary means" to repress acts of piracy and armed robbery in these waters.

The Committee expressed its thanks to those Governments which had provided warships to protect World Food Programme (WFP) ships and patrol the waters off the coast of Somalia, and to their crews, and to those other Governments which are considering similar actions.

The Committee instructed a correspondence group, tasked with the revision of guidance on the prevention and suppression of acts of piracy and armed robbery against ships, to consider the need for guidance to seafarers should they be attacked, fired upon, kidnapped or held hostage. The group was also instructed to discuss proposals on practical measures to enhance the safety and security of merchant ships against attack and to examine the carriage of firearms or armed personnel on board such vessels.

It was noted that the number of acts of piracy and armed robbery against ships reported to the Organization in the first nine months of 2008 (1 January to 30 September) was 214, against 213 in the first nine months of 2007. Although

the overall number of reported acts of piracy and armed robbery against ships during the period under review was virtually unchanged, the decrease in the number of incidents in most areas of the world had been negated by the sharp increase in both number and severity of attacks in waters off the coast of Somalia.

During the period under review, seven crew members were killed, 20 crew members were reportedly injured or assaulted, more than 430 crew members were reportedly taken hostage or kidnapped and 29 ships were hijacked, largely off the coast of Somalia. The Committee urged all Governments and the shipping industry to intensify and coordinate their efforts to eradicate these unlawful acts.

### Long-Range Identification and Tracking (LRIT)

The MSC reviewed progress on the implementation of the LRIT system, which is intended to be operational, with respect to the transmission of LRIT information by ships, from 30 December 2008.

Two resolutions were adopted, one appointing the International Mobile Satellite Organization (IMSO) as the LRIT Coordinator and one on *Operation of the International LRIT Data Exchange*, which agrees that the United States should continue to provide the International LRIT Data Exchange on an interim basis until 31 December 2011, while a permanent solution is sought.

The Committee approved an MSC Circular providing guidance on the application of the mandatory SOLAS provisions concerning the global LRIT system, from 31 December 2008, as well as a number of other circulars relating to the technical specifications of the LRIT system and its establishment and utilization, such as for search and rescue purposes.

Protocols and arrangements for the prototype, development, integration and modification testing phases of the LRIT system were also approved. It was agreed that the *ad hoc* LRIT Group would meet before the next session of the MSC to review outstanding issues relating to the full establishment of the LRIT system.

SOLAS regulation V/19-1 on LRIT entered into force on 1 January 2008 and will apply to ships constructed on or after 31 December 2008, with

a phased implementation schedule for ships constructed before 31 December 2008.

### **Goal-based new ship construction standards**

Substantial progress was made in developing goal-based standards (GBS) for the construction of new bulk carriers and oil tankers. Draft SOLAS amendments to make GBS mandatory for such new ships were agreed, as were the draft international goal-based ship construction standards for bulk carriers and oil tankers, with a view to approval at MSC 86, in May 2009, and eventual adoption at MSC 87, in 2010.

The MSC also further developed the proposed draft *Guidelines for the verification of compliance with GBS* and draft *Guidelines for the information to be included in a Ship Construction File*, and agreed to work towards finalizing them at MSC 86.

### **Measures to enhance maritime security**

The MSC approved an MSC circular on *Non-mandatory guidelines on security aspects of the operation of vessels that do not fall within the scope of SOLAS chapter XI-2 and the ISPS Code*.

### **International Code on Intact Stability, 2008 (2008 IS Code)**

The International Code on Intact Stability, 2008 (2008 IS Code), and amendments to the SOLAS Convention and to the 1988 Load Lines Protocol to make the Code mandatory, were adopted, and an MSC circular on *Early application of the International Code on Intact Stability, 2008 (2008 IS Code)*, to encourage its implementation, was approved. The amendments are expected to enter into force on 1 July 2010.

The 2008 IS Code provides, in a single document, both mandatory requirements and recommended provisions relating to intact stability, taking into account technical developments, in particular regarding the dynamic stability phenomena in waves, based on state-of-the-art concepts. The Code's mandatory status, under both the SOLAS Convention and the 1988 Load Lines Protocol, will significantly influence the design and the overall safety of ships.

### **International Maritime Solid Bulk Cargoes Code (IMSBC Code)**

The International Maritime Solid Bulk Cargoes Code (IMSBC Code), and amendments to SOLAS chapter VI to make the Code mandatory, were adopted. The amendments are expected to enter into force on 1 January 2011. The IMSBC Code will replace 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.

### **Other issues**

The MSC considered and took action on other issues arising from the reports of Sub-Committees and other bodies, as follows:

- a number of proposals on ships' routing, ship reporting and other relevant measures, all aimed at enhancing the safety of navigation in areas of identified navigational hazards and environmentally sensitive sea areas, were adopted;
- draft amendments to SOLAS regulation V/19 to make mandatory the carriage of Electronic Chart Display and Information Systems (ECDIS) and Bridge Navigational Watch Alarm Systems (BNWAS), under SOLAS chapter V, were approved, with a view to their adoption by MSC 86 in May 2009;
- a strategy for the development and implementation of e-navigation, including a framework for its implementation and a timeframe for the process, was approved; and
- a resolution on Clarification of the term "bulk carrier" and guidance for application of regulations in SOLAS to ships which occasionally carry dry cargoes in bulk and are not determined as bulk carriers in accordance with regulation XII/1.1 and chapter II-1, to clarify the definition of "bulk carrier", was adopted.

*IFSMA Members are reminded that access to the IMO Documents website is available to members upon application to IFSMA headquarters.*

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## From Paper Charts to ECDIS

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The Nautical Institute on 4<sup>th</sup> February launched a guidance to the industry on the transition from navigating with paper charts to navigating with ECDIS to help navigating officers meet the challenges of the change.

The timely publication *From Paper Charts to ECDIS – A Practical Voyage Plan*, by Captain Harry Gale FNI, technical manager at The Nautical Institute was presented at the International Maritime Organization's Sub-Committee on Standards of Training and Watchkeeping (STW).

"The ECDIS concept is a total change from using paper charts and the transition from paper charts to electronic charts will pose a challenge for the industry, particularly for those who have no current experience of electronic charts," said Captain Gale. "Important bridge procedures are significantly affected, and these require careful analysis and consideration if ECDIS assisted groundings are to be avoided."

The Nautical Institute's document has its place in helping paper-taught officers make ECDIS work for them. It will also help new entrants to the industry to understand how to use the system within generally accepted navigational principles.

The paper includes contributions from serving seafarers with ECDIS experience who give their views on its operation and who help to contribute to the knowledge of the practical operation of all aspects of shipping through The Nautical Institute's Sea Going Correspondence Group (SGCG).

"Now that IMO has approved a timetable for the mandatory carriage of ECDIS, we can expect paper charts to be phased out on most ships due to their high purchase and maintenance costs," Captain Gale added. IMO is phasing in the mandatory carriage of ECDIS from 1st July, 2012 over six years.

The Nautical Institute's research has shown that those using electronic charts consider the positive aspects of ECDIS as:

- easier voyage planning
- simpler chart correction
- continuous monitoring of depth safety contours and soundings
- readily available information when approaching busy ports or navigational areas.

However, they also identified areas mariners should

be aware of when navigating using ECDIS

- too much information on the screen can be distracting
- sub menus can be very complex
- the size of chart displayed on the screen monitor is very much reduced compared with the paper chart
- some symbols are open to misinterpretation due to unfamiliarity
- automatic position plotting can lead to complacency

"Electronic charts will reduce the workload for navigational officers when compared to using paper charts," Captain Gale said. "Voyage planning, route monitoring and positioning will be performed faster than with paper charts. Automatic updating of electronic charts will relieve officers of the tedious job of correcting charts and eliminate the risk of errors when making these changes.

"The reduction in workload must be taken into account when implementing operational procedures. Navigating officers must be alert and engaged in the process of ECDIS navigation as if they are distracted or complacent accidents could happen."

And he concluded: "All of this technology will be of very little benefit in enhancing navigational safety if the watchkeeping officer is not fully trained and properly qualified in its use."

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## USCG Seeks Rule Change on Passenger Weights

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*From Company of Master Mariners of Canada newsletter.*

In a move that will be instantly understandable to anyone who has ever been on line at a dinner boat buffet, the U.S. Coast Guard proposes to amend its regulations governing the stability of passenger vessels and the maximum number of passengers that may safely be permitted on board a vessel. This could mean a significant reduction in the passenger capacity of some vessels. The average American weighs significantly more than the assumed average weight per person utilized in current regulations, and the maximum number of persons permitted on a vessel is determined by several factors, including an assumed average weight for each passenger. Among other things, the Coast Guard is proposing using an average passenger weight of 185 pounds (84 Kilos) rather than the current 160 pounds (72.5

kilos). What's more, it wants to up the average weight used whenever new statistics indicate such a change is needed.

Besides proposing that intact stability and subdivision and damage stability requirements utilize an updated assumed average weight per person, the Coast Guard proposes adding more specific requirements for a vessel owner or operator to show that the vessel meets intact stability and subdivision and damage stability standards, including provisions accounting for possible changes in vessel and weight per person. To help ensure that vessels maintain the intended safety levels after initial certification, USCG would clarify the requirement that stability information be checked at each annual inspection to confirm that it is still valid for the loading and service intended. USCG also proposes requiring stability verification--including calculations--at least every ten years.

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## Shiphandling Championships Announced

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Northeast Maritime Institute (NMI) has announced that they will be hosting the first Annual International Shiphandling Championship on June 5, 6, and 7, 2009 in Fairhaven, MA, USA.

Fifty licensed, professional mariners will have an opportunity to compete for \$50,000 in total cash prizes by demonstrating their shiphandling skills on four different vessels in four different simulated locations. The first place winner will receive \$30,000, second place \$15,000 and third place \$5,000. The competition will be on state of the art TRANSAS ship simulators. The winner will be proclaimed "2009 International Shiphandling Champion" as judged by an independent panel of judges and the TRANSAS Evaluation and Assessment System (TEAS). Contestants are invited to register to compete. Only fifty places are available and will be filled by the first to sign up! Application forms may be downloaded from the ISC web site:

The contest is designed to recognize and honour some of the most highly skilled people in the industry, and to help the general public, to better understand how those shiphandling skills allow mariners to help foster a healthy economy

while safe guarding the environment. To learn more about lodging discounts, family activities for the weekend, judging guidelines and to view or join the many ISC sponsors, visit us online at: [www.shiphandlingchampion.com](http://www.shiphandlingchampion.com)

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## News from EMSA

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*From EMSA Newsletter No. 44*

On 20/21st November, the EMSA Administrative Board, thanks to the Portuguese Board Member and the Port Authority of Lisbon, met for the first time at the Agency's new permanent headquarters in the centre of Lisbon.

### Three New Anti-Pollution Vessels

On 17th November, EMSA made an important step in strengthening its network of contracted oil pollution recovery (OPR) vessels by finalising tenders for the Black Sea and North Sea. Under the new agreement, Romanian ship owner Grup Servicii Petroliere will cover the Black Sea using the Constanta based offshore supply vessel Orion, and Belgian Company DC Industrial will cover the North Sea with the hopper dredgers DC Vlaanderen 3000 and Interballast III), which are based in Ostend. The vessels are contracted for the three next years.

### EU LRIT Data Centre Contracted

On 6th November, EMSA signed contracts for the development of the EU Long Range Identification and Tracking (LRIT) Data Centre. The centre will form an important part of a global network of LRIT data centres which will enable commercial vessels to be monitored by satellite wherever they are. This will provide an important contribution to maritime safety.

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## Cause of Disasters

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*Safety at Sea News, February 2009.*

Weather and faulty crewing were identified today as the biggest causes of collisions and groundings by the International Union of Marine Insurance at a conference in London.

Addressing marine insurance delegates, Deirdre Littlefield, president of the International Union of Marine Insurance, said weather is the single biggest cause of grounding and collision – although

crewing and strong freight rates have clearly taken their toll.

Citing serious and total losses from IUMI 1994-2007 figures, she said accidents continue to increase “dramatically”.

This is an increase of 217% over a decade, she added. Market highlights included freight markets booming; values escalating, shortage of qualified officers/crew; a significant increase of total and partial losses, and premium rates weakening. “Average non-hurricane claims have also spiked,” added Littlefield, who pointed out that the IMF estimates total credit turmoil-related losses at \$1.4 trillion.

“Banks are expected to bear between \$720Bn and \$820Bn and insurance companies \$160-250Bn,” she declared. She added that IUMI is also actively soliciting new members in underrepresented regions of the Far East, Latin America, the Middle East and Africa.

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## The European Union’s Maritime Transport Policy for 2018

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*For Europe, shipping has contributed largely to economic growth and prosperity all along its history. At the start of the 21st century, the maritime transport system is at the forefront of the globalisation process and has provided the vehicle for an unprecedented growth of world trade and industrial and commercial interconnections in the world economy.*

In terms of volume, 90% of the freight exchanges of Europe with the rest of the world are seaborne. Maritime transport services, including off-shore activities, are essential for helping European companies compete globally. Among EU Member States, short sea shipping is a key element in reducing congestion, ensuring territorial cohesion and promoting the sustainable development of the European continent. With more than 400 million sea passengers a year travelling through European ports, passenger ships and ferry services have a direct impact on the quality of life of citizens in islands and peripheral regions.

Shipping represents one of Europe’s largest export industries, providing deep sea transport services between Europe and the rest of the world, as well as in cross trades between third countries. European shipping is present in all segments of the sector in all regions of the planet. Transport of freight and passengers at sea generated € 24.7 billion in 2006 as

a net contribution to the EU balance of payments. In terms of added value, traditional maritime sectors represent a share of 1.09% in the total GDP of the EU-27 and Norway. Maritime transport activities’ related employment in Europe amounts to 1.5 million people. Some 70% of shipping related jobs are onshore – in shipbuilding, naval architecture, science, engineering, electronics, cargo-handling and logistics.

### Challenges and opportunities for maritime transport in the next 10 years

The continuous success of European shipping in world markets cannot be taken for granted. A number of major challenges have been identified by experts consulted by the Commission. The current crisis of the international financial system, its impact on the real economy and the sluggish recovery prospects in different parts of the world have affected seaborne trade and thus the different branches of the shipping industry.

Moreover, recent developments in the energy markets, including the cut of pipelines for gas supplies, have underlined the strategic importance of LNG tanker-ships for ensuring a stable and long-term solution to guarantee reliable energy supplies to the EU. In a wider context, those developments remind the importance of the fleet, in all its branches of activity, for the well being of the European citizens and of the European economy as a whole.

Operators involved in the provision of maritime transport services and the European maritime transport as such will face significant challenges in the years to come. They will have to cope with the fluctuations in sea-borne trade, the negative impact of the financial crisis and other external factors, such as the risk of overcapacity in certain market segments, the rise of protectionist measures affecting world trade, environmental concerns related to climate change, volatility in energy and other commodities markets and loss of European maritime know-how because of the scarcity of skilled human resources.

Moreover, competitive advantages given by third world countries to shipping businesses entail a real risk of de-localisation of head offices and maritime industries outside Europe. Often the position of European operators is undermined by unfair competition, which results from lax enforcement of safety, security, environmental and social standards in certain parts of the world. Achieving effective governance of maritime affairs and an international fair

level playing field for maritime transport remains a crucial challenge to the global community.

### Strategic options at European level

The EU's sustainable transport policy aims at addressing the economic, social and environmental needs of our society. An efficient maritime transportation system is essential for Europe's prosperity, having significant impacts on economic growth, social development and the environment.

In autumn 2007, after having consulted the main stakeholders of the sector, the Commission started a strategic review of the EU's integrated maritime policy, examining also the challenges European and international maritime transport will face in the next ten years.

This work has included the conduct of a prospective study analysing trends and signals of change in the maritime sector (the so-called 'shipping scenarios' for 2018). It has also involved consultation with experts from maritime administrations in the Member States and Norway, as well as advice from a group of senior industry leaders representing different interests within the maritime transport industries.

The prospective study "Benchmarking strategic options for European shipping and for the European maritime transport system in the horizon 2008-2018" can be downloaded from the following address: <http://tinyurl.com/at9m7v>

The three basic shipping scenarios for the year 2018 ("Asian Phoenix", "Break Point" and "Global Fissures") are briefly described in the annex.

The **recommendations of the group of senior shipping professionals** (see IP/08/760 of 19/05/2008) present an industry opinion on the more urgent issues to be addressed and on the way the EU could intervene. The recommendations can be downloaded from: <http://tinyurl.com/bf6bq7>

In both cases, two major issues guided the reflection:

- By 2018, European shipping transport services should be at least as efficient, reliable and sustainable as today. There should be sufficient transport capacity available and the port and port hinterland capacities should be able to cope with increased cargo volumes.

- By 2018, the shipping industry should be at least as competitive as today, and have an equally strong or better position on the global markets.

### Strategic recommendations

Several important conclusions come from this strategic review exercise. First of all, the recovery of the world economy from the current financial crisis would lead to a growth in international trade and will require a maritime transport system able to deliver advanced logistic solutions. Moreover, in a recession period, short sea shipping is a perfect vehicle for stimulating intra-EU trade exchanges and thus supporting recovery of growth in the EU and its neighbouring countries.

Overall, the next ten years may offer a unique opportunity to reinforce the competitiveness of European shipping, and to strengthen its contribution to the objectives of a sustainable European transport policy.

The strategic recommendations concern seven main issues:

- **Competitive European shipping:** The priority is to achieve and maintain an attractive framework for quality shipping and quality operators in Europe including financial measures. This will help maritime transport achieve sustainable development goals. Such a framework would also help the sector adapt to adverse financial conditions and to the slow-down in growth of the world's sea-borne trades.
- **Human Factor:** There is a genuine European interest in making maritime professions more attractive to young people and thus improving employment of seafarers. Positive measures may include facilitating life-long career prospects in the maritime clusters; enhancing the image of shipping; supporting the work of international organisation (IMO and ILO) on fair treatment of seafarers; and implementing simplification measures which aim at reducing the administrative burden on masters and senior ship officers.
- **Greener Maritime Transport:** The EU should encourage all actors to promote green solutions in maritime transport. The Commission, the Member States and the European maritime industry should be working together towards the long-term objective of "zero-waste, zero-

emissions". The measures announced in the Greening Transport Package should be fully implemented.

- A safe and secure system: We should give priority to the enforcement of existing Community and international rules and the speedy implementation of measures introduced with the 3rd maritime safety package. The work already started should be completed by establishing a comprehensive framework for security measures in terms of prevention, reaction capacity and resilience.
- International Scene: The global challenges faced by the shipping and maritime industries demand convincing answers from the international community. The Commission and the Member States may be a real driving force for change towards a comprehensive international regulatory framework for shipping, adapted to the challenges of the 21st century.
- Short Sea Shipping and Ports: Further economic integration of the EEA Member States and of the neighbouring countries will have positive impact on maritime transport connections within the EU. It should be noted that sea-trade normally grows even in periods of business contraction. In the 2018 horizon, the European economy should recover from the current stagnation. Positive measures in support of short sea shipping should also help intensify sea-exchanges in all the European maritime façades. These measures will include the creation of a European Maritime Transport Space without Barriers, the full deployment of the Motorways of the Seas but also the implementation of measures for port investment and performance. In all cases, the principles of open markets, fair competition and greening transport should be respected.
- Innovation and technological development: The competitiveness of the European maritime industries and their capacity to meet the environmental, energy, safety and human challenges is positively influenced by increased efforts in research and innovation. There is wide scope for improving energy efficiency in ships, reducing environmental impact, minimising the risks of accidents or providing better quality of life at sea. In the years to come, innovation and technological research and development in shipping should be further promoted. A framework of reference should be introduced for the deploy-

ment of "e-Maritime" services at European and global levels.

The Communication on the EU Maritime Transport Strategy 2018 is addressed to the European Parliament and the Council. In the light of their opinion and conclusions, the Commission will continue to look for concrete ways to implement the recommendations. This work will involve close cooperation with all interested parties

## Annex

### The significance of the European Maritime Transport Space without barriers

In maritime transport, voyages from one port of an EU Member State to another are always considered international even when the cargo transported consist of goods in free circulation ("Community goods").

A vessel is considered to leave the customs territory when it leaves a Community port for another Member State port with a consequence that maritime transport of goods is subject to complex administrative procedures that decrease its attractiveness for the transport of Internal Market goods.

The European Maritime Transport Space Without Barriers is a concept which extends the Internal Market wider to intra-EU maritime transport through the elimination or the simplification of administrative procedures in intra-EU maritime transport, in order to enhance its attractiveness and reinforce its efficiency and competitiveness, and contribute to a higher protection of environment.

To implement this concept, the Commission identified a series of measures, which are described in the parallel Communication "establishing an EU Maritime Transport Space Without Barriers". Those measures are:

- Elimination of systematic controls and documentary requests by Customs for goods carried by sea between EU ports in line with inland transport. The measure will require a modification of the implementing provision of the Community customs code early in 2009 and should be in force by 2010.
- 1. Concerning the legislation on veterinary and phytosanitary products, guidelines should be adopted in 2009 in order to speed up the documentary checks in Directives 89/662/EEC

, 90/425/EEC and 2000/29/EC .

- Rationalisation of vessel-related and goods-related reporting and forms required by Directives 2002/6/EC (formalities for vessels at the arrival/departure of ports), 2000/59/EC (waste and residue reception), 2002/59/EC (vessel monitoring) and Regulation (EC) N° 725/2004 (maritime security) through a proposal for a directive of the European Parliament and the Council attached to the Communication.
- Further enabling measures would also need to be implemented, namely:
- Examining the possibility to grant facilitation to ships sailing between Community ports but making a call in a port located in a third country or a free zone;
- Enhancing the electronic transmission of administrative data through the deployment of e-maritime systems;
- Setting-up an administrative single window;
- Evaluating the feasibility to recognise the equivalence of maritime rules and rules for road/rail for the carriage of dangerous goods in view to facilitate intermodal transport.

In addition, recommendations should be given that Member States implement further enabling measures, each time the local conditions permit to do it in an efficient manner, namely:

- To coordinate the inspections carried out in the ports by the various administrative services;
- To extend the scope of Pilot Exemption Certificates;
- To facilitate administrative communication;
- To create areas in ports dedicated to Short Sea Shipping where that can facilitate the operations for this mode.

The administrative simplification is expected to reduce costs for undertakings and to induce a significant modal shift from land to short sea shipping which will bring environment benefits and reduce energy consumption and greenhouse gases emissions. The benefits for undertakings was estimated at 2.4 billion €, which is probably an underestimated figure as it does not take into account the effect of modal shift.

## Safe Container Stowage

*Lloyds List 13 November 2008*

Spot checks on containers to be shipped from the UK are uncovering a huge number of deficiencies and documentary errors that could threaten the lives of those handling the cargo.

Maritime and Coastguard Agency officials who are required to conduct random inspections are reporting a very high failure rate. On average, half of all containerised cargoes examined are found to be substandard in one way or another.

That is an improvement on the 100% failure rate that the MCA was regularly reporting a few years ago, but even now there are occasions when every single container pulled over for a check is non-compliant and unable to proceed with its voyage until the contents have been stowed correctly, accurately weighed, and properly declared.

The alarming statistics, that are likely to be replicated worldwide, emerged during a seminar organised by the southeast branch of the Nautical Institute on the safe stuffing, stowing and securing of cargo transport units on ships. The numbers suggest that little progress has been made over the years in getting the message across to shippers, consignors, forwarders and consolidators about the dangers to which they are exposing others.

“They are gambling with someone else’s life,” accused Clive Savigar, director of Coleshill Freight Services, as he listed example after example of cargo that had not been properly packed and secured, or correctly documented. Every error could have resulted in injury, or even death, to a truck driver, dockworker, seafarer or receiver who came in close proximity to the container and its contents.

Maersk Line suffers an average of 10 to 15 container units a week that are leaking, of which about five involve hazardous cargoes, revealed John Leach, the company’s general manager for global dangerous cargo and special cargo management.

That poses a significant danger, not just to personnel but also to the company because of the possible disruption to services and clean-up costs.

Ironically, the least risky freight is likely to be hazardous cargo, as long as it has been packed and labelled by a reputable company that knows what to do.

Most worrying for the shipping industry are those who seem to have no understanding of the consequences of their actions.

“What I see goes against basic common sense,” said Jim Chubb of BMT Marine & Offshore Surveys.

Experts are also shocked by evidence of deliberate misdeclarations of a container’s contents, with endless illustrations of fireworks, for example, being described as something seemingly quite harmless such as children’s toys.

“Most disturbing is where there is clear intention to deceive,” said scientific investigations specialist Chris Foster of JH Burgoyne and Partners. Neither are badly loaded or wrongly-declared cargoes confined to third world countries.

“The problem is much nearer to home,” according to Mr Chubb, with such containers as likely to have been packed in the UK as anywhere else.

The size of the problem is difficult to quantify. But with some estimates putting the number of container trips at 200m per annum, even an incident rate of less than 1% would still suggest that up to 2m boxes a year are potentially contravening safety standards.

Yet in the worst-case scenario, with a loaded mega-containership written-off, the financial costs would be enormous. Some underwriters put the insured loss at as much as \$2bn.

The TT Club’s risk management director Peregrine Storrs-Fox has raised the idea of container lines sharing experiences and compiling a blacklist of offending shippers who repeatedly put their vessels and crew in danger.

Moves are now being taken at international level to improve safety in the carriage of dangerous cargoes, with the International Maritime Organization bringing in mandatory training for shoreside personnel from 2010. But it will be the responsibility of the company in question to determine who is trained, how, and to what level, said the MCA’s hazardous goods adviser Keith Bradley.

Most doubt whether this will be enough to stamp out bad practices that permeate the container shipping industry and put lives at risk.

## US Coast Guard Awards Contract for Nationwide AIS Core Data Exchange Capability

The U.S. Coast Guard’s Acquisition Directorate announced recently the award of a contract to Northrop Grumman Space & Mission Systems Corp. to deliver the core Nationwide Automatic Identification System data exchange capability.

Under the contract, valued at about \$12 million, Northrop Grumman will provide the necessary shore-side communications, network and processing capability to ensure the effective exchange of Automatic Identification System information between AIS-equipped vessels, aircraft, aids to navigation and shore stations within all major U.S. ports, waterways and coastal zones as well as from AIS-equipped vessels bound for the U.S.

The core data exchange capability consists of all the system components and functionality, including AIS receive and transmit messaging, data processing, data storage and retrieval and system monitoring, on a limited geographic scale. AIS is an internationally adopted communication system to provide for autonomous, continuous exchange of vessel positions and other navigation safety related information.

“The Nationwide AIS project is already making critical contributions to maritime safety and security at our nation’s highest priority ports and coastal zones,” said Rear Adm. Gary T. Blore, assistant commandant for acquisitions. “This contract will allow the Coast Guard to fully leverage the inherent features of AIS by adding transmit capabilities to our nationwide system, which will provide a considerable enhancement to safety of navigation and the marine transportation system.”

Northrop Grumman was selected because the firm offered the best value of technical capability, management approach and price. The contract provides for a two-year base period and six, one-year option periods. In addition to the core data exchange capabilities Northrop Grumman will deliver transmit and expanded-receive coverage for Coast Guard Sectors Delaware Bay, Philadelphia; Hampton Roads, Va.; and Mobile, Ala., during the base period.

Northrop Grumman’s Command and Control Systems Division, headquartered at Herndon, Va., will perform the work at Newport News, Va., and Carson, Calif., as well as at each of the three initial

Coast Guard sectors and their surrounding areas.

The contract option periods include optional tasks to provide surveys and equipment in support of the U.S. Government's implementation of transmit and expanded-receive coverage for the remaining Coast Guard sectors. The approximate total value of this contract, if all options are exercised, is approximately \$68 million.

"I am looking forward to working with Northrop Grumman to successfully deliver this important new capability," said Cmdr. James K. Ingalsbe, NAIS deputy project manager. "The first increment of NAIS provided the Coast Guard valuable capability to build maritime domain awareness. The award of this contract will allow the Coast Guard to begin using all the capabilities of AIS in support of all Coast Guard missions, and in providing services to mariners to enhance their safety, security, and efficiency."

The Coast Guard's Acquisition Directorate is responsible for a \$27 billion investment portfolio that includes more than 20 major projects. The Coast Guard's investment in modernization and recapitalization ensures that the operational force has the equipment necessary to remain the lead agency in maritime safety, security and natural resources stewardship.

More information about NAIS and other Coast Guard acquisition programs is available at [www.uscg.mil/acquisition](http://www.uscg.mil/acquisition).

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## OFFICE ARITHMETIC

Smart boss + smart employee = profit

Smart boss + dumb employee = production

Dumb boss + smart employee = promotion

Dumb boss + dumb employee = overtime

## CREATION

A man said to his wife one day, "I don't know how you can be so stupid and so beautiful all at the same time." The wife responded, "Allow me to explain. God made me beautiful so you would be attracted to me; God made me stupid so I would be attracted to you!"

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## Vessels of the Future will use Wind and Sun.

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*From Company of Master Mariners of Canada newsletter.*

In the future, Viking Line vessels will perhaps be equipped with sails and solar panels, supplementing more efficient engines which in turn will be powered by more environmentally friendly fuels. And the future is closer than one might think, since planning of the new generation of Viking Line vessels for service between Finland and Sweden has already begun.

At a seminar for financial journalists, Nils-Erik Eklund, Managing Director and Chief Executive of Viking Line, provided a small glimpse of how the company's vessels might look in the future. "Since the early 1980s, we have been working with various solutions for our vessels to reduce oil consumption, thereby reducing our bunker expenses and minimizing emissions. The next generation of vessels will pay even more attention to these aspects," Mr Öhman explains.

"I think we can be proud of many things we have done over the years. For example, starting to use low-sulphur fuel nearly 20 years ago and installing humid air motor (HAM) exhaust purification on the *Mariella*, the only such vessel in the world. The *Viking XPRS* is the only vessel serving the Helsinki-Tallinn route that has catalytic cleaning systems on all engines. We pump all black and grey water ashore. We have extremely knowledgeable and ambitious people in our organisation, each of whom has contributed to these developments in his or her own way." Tony Öhman says.

One current example of fresh thinking is the German cargo vessel *Beluga SkySails*, which was completed earlier this year – the world's first container vessel equipped with a kite that pulls the vessel forward. The vessel uses a computer controlled kite a 160 square metre sail – in addition to its regular engine. Kite technology will make it possible to save about 15% of today's bunker expenses. There are also vessels powered by other types of sails. An additional 5-10% can be saved by using other technology. In Australia, for example, there is a solar-powered vessel in commercial traffic. Development work related to solar technology is moving ahead rapidly all over the world.

"With our vision of a new environmentally friendly vessel, we want to encourage all 'Vikings' to think in new ways. Using all the brainpower that exists in our company, we can do something that is good for all those affected including customers, employees and the environment. And oil will not become cheap again," Tony Öhman says.

## Drunk Master of Laden Chemical Tanker Sentenced at Court

At Snaresbrook Crown Court in the UK, Captain Gonchar Volodymyr aged 53, was recently sentenced to two months in jail, and will be deported upon completion of the sentence after pleading guilty to being the Master of a ship whilst being over the alcohol limit.

On 4th November 2008, Gonchar Volodymyr, a Ukrainian, was Master of the Cypriot registered chemical tanker; Elousa Trikoukiotis bound for London from Rostock in Northern Germany. The vessel was laden with Ammonium Nitrate in liquid form and had a crew of 15 on board. When the pilot boarded at the Sunk boarding area, he reported to the Port Authority that the Master appeared drunk. Metropolitan Police officers boarded the vessel berthed at Dagenham Dock and administered a breath test which proved positive.

The Captain was arrested and taken to Dagenham Police Station where a later breath test indicated 103 micrograms of alcohol in 100 micrograms of breath. The legal limit for seafarers is 80, the same as for road users. On passing sentence, Her Honour Judge J Hughes QC took into account Mr. Volodymyr's previous good character and record. She noted that he had now lost his job and the effects of the sentence upon his career. However she also noted the nature of the cargo and that the navigation of the vessel had been satisfactory, but that was down to the Chief Officer who had taken over.

It was also brought up in court that the Master had signed the ship's documents stating no alcohol onboard but that he had said that it had been 8 hrs since his last drink. Bryan Hopkins, Surveyor-in-Charge at the MCAs Orpington Marine Office said, "Although the limit is the same as for road drivers, I cannot emphasise the seriousness of this situation. Captain Volodymyr was in command of a vessel that had a strict no alcohol policy with 15 persons on board and carrying a dangerous cargo transiting one of the busiest shipping areas in the world".

The Captain was relieved of his command by the ship's owners following his arrest.

## 3D Vessel Traffic System

Transas 3D VTS (Vessel Traffic System) is the latest development in the Vessel Traffic Management concept which was introduced by Transas in October 2008. The product visually represents the full-scale 3-dimensional view of the navigational situation in the VTS area.

3D VTS functionality is integrated with VTS Core processing software and provides the user with 3D graphical presentation of current port environments. This is incorporated with VTS traffic images which are fully interactive for adjusting both the angle and position of view.

The detailed 3D-model of the port environment can be converted from available GIS maps or created by Transas specialists individually for every port, based on available digital maps, satellite shots and photos taken on site. Ship models are selected from the pre-loaded ship's library, and for visualisation of vessel position the system uses VTS targets data (radar, AIS, etc.). High levels of data accuracy and picture quality enable the application to enhance navigation, particularly when used in poor visibility, debriefing, training, planning and security situations.

Transas unveiled 3D VTS for the first time at the 11<sup>th</sup> International IALA VTS Symposium 2008 (Bergen, Norway), with a 3D demonstration of the Port of St Petersburg (Russia) generating great interest among the delegates.

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Some things in life are just too complicated to explain, like:

1. Why doesn't glue stick to the bottle?
2. Whose idea was it to put an "S" in the word "lisp"?
3. What is the speed of darkness?
4. Can you cry under water?
5. Why do people pay to go up tall buildings and then put money in binoculars to look at things on the ground?

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## Ocean Fertilization

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### **Ocean fertilization operations should be allowed only for research, say Parties to international treaties.**

Ocean fertilization activities, other than legitimate scientific research, should not be allowed, according to a resolution adopted by Parties to the international treaties which regulate the dumping of wastes and other matter at sea.

“Given the present state of knowledge, ocean fertilization activities other than legitimate scientific research should not be allowed,” says the (non-binding) resolution, adopted by the Contracting Parties to the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention) and to the 1996 Protocol thereto (London Protocol), which met in London from 27 to 31 October 2008 (LC30/LP3).

The resolution followed previous discussions by Parties to the treaties on planned operations for large-scale fertilization of the oceans using micro-nutrients – for example, iron – to sequester carbon dioxide (CO<sub>2</sub>). The resolution states that ocean fertilization activities other than legitimate scientific research, “should be considered as contrary to the aims of the Convention and Protocol and not currently qualify for any exemption from the definition of dumping”.

In the resolution, Parties agreed that scientific research proposals should be assessed on a case-by-case basis using an assessment framework to be developed by the Scientific Groups under the London Convention and Protocol. Until specific guidance is available, Parties should be urged to use utmost caution and the best available guidance to evaluate scientific research proposals to ensure protection of the marine environment consistent with the Convention and Protocol. Parties agreed to consider further a potential legally binding resolution or amendment to the London Protocol at the next session in 2009.

### **Guidelines for the Assessment of Wastes and Other Matter**

In other work, the meetings completed Revised Generic Guidelines for the Assessment of Wastes and Other Matter, replacing the 1997 Guidelines

on the same issue. These guidelines are a key interpretation document for implementation of the London Convention and Protocol.

### **Assessment of Inert, Inorganic Geological Material**

The meetings also completed Revised Specific Guidelines for the Assessment of Inert, Inorganic Geological Material, replacing the 2000 Guidelines on the same issue. These guidelines also assist with the harmonized interpretation of the London Convention and Protocol requirements, for instance when dealing with mine-tailings.

### **Guidelines for the Placement of Artificial Reefs**

LC/LP-UNEP (United Nations Environment Programme) Guidelines for the Placement of Artificial Reefs were finalized, for publication in early 2009.

### **Advice to mariners on spoilt cargoes**

Advice to mariners on how to deal responsibly with spoilt cargoes on board ships was completed. This advice, updating guidance published in 1998, has been developed in collaboration with the IMO Marine Environment Protection Committee (MEPC) and will now be reviewed by the MEPC in July 2009 with a view to its adoption. An outreach strategy has also been developed, with the aim of ensuring a greater uptake by the maritime community of the new advice.

This advice also feeds into the current review by the MEPC of MARPOL Annex V (regulating the discharge of garbage by ships), in view of the relationship between “garbage” and the management of spoilt cargoes.

### **Guidance on Removal of Anti-Fouling Coatings from Ships**

Guidance on Best Management Practices for Removal of Anti-Fouling Coatings from Ships, including TBT hull paints was completed and will be forwarded to the MEPC for adoption in July 2009, with a recommendation to jointly distribute it to the maritime community for implementation. This advice is relevant for the International Convention on the Control of Harmful Anti-Fouling Systems on Ships (AFS Convention), which entered into force in September 2008 and

requires ships to either replace, or overcoat, any existing organotin-based anti-fouling systems.

### CO<sub>2</sub> capture and storage

Following the entry into force last year of amendments to the London Protocol relating to the control of CO<sub>2</sub> capture and storage in sub-seabed geological formations, the meeting noted that, if a CO<sub>2</sub> stream injected into a sub-seabed geological formation is expected to cross a jurisdictional boundary between two or more countries, regulators should take special care to notify and seek input from those countries before issuing a permit in order to ensure compliance with relevant regulations under the London Protocol.

Parties agreed that the London Protocol should not constitute a barrier to the transborder movement of CO<sub>2</sub> streams and agreed to continue this discussion by correspondence, and discuss the option of developing an amendment of Article 6 of the Protocol, which prohibits the export of wastes for dumping purposes, or an interpretative resolution, or a combination of the two

### Background on London Convention and London Protocol

The London Convention was one of the first global conventions to protect the marine environment from human activities and has been in force since 1975. Its objective is to promote the effective control of all sources of marine pollution and to take all practicable steps to prevent pollution of the sea by dumping of wastes and other matter. The Convention permits dumping of wastes at sea, except for those materials on a banned list which was extended in 1993. Currently, 85 States are Parties to this Convention.

In 1996, the "London Protocol" was adopted, to further modernize the Convention and, eventually, replace it. Under the Protocol, the precautionary approach is applied and all dumping is prohibited, except for possibly acceptable wastes on the so-called "reverse list". The Protocol entered into force on 24 March 2006 and there are currently 36 Parties to it.

Both the Convention and Protocol require Parties to issue permits for the dumping of wastes and other matter at sea.

## The Perks of Being Over 50

1. Kidnappers are not very interested in you.
2. In a hostage situation you are likely to be released first.
3. No one expects you to run -- anywhere.
4. People call at 9 PM and ask, "Did I wake you?"
5. People no longer view you as a hypochondriac.
6. There is nothing left to learn the hard way.
7. Things you buy now won't wear out.
8. You can eat dinner at 4 P.M.
9. You can live without sex but not without your glasses.
10. You enjoy hearing about other people's operations.
11. You get into heated arguments about pension plans.
12. You no longer think of speed limits as a challenge.
13. You quit trying to hold your stomach in, no matter who walks into the room.
14. You sing along with elevator music.
15. Your eyes won't get much worse.
16. Your investment in health insurance is finally beginning to pay off.
17. Your joints are more accurate meteorologists than the national weather service.
18. Your secrets are safe with your friends because they can't remember them either.
19. Your supply of brain cells is finally down to manageable size.
20. You can't remember where you read this list.

## **Joint IMO/ILO Working Group Report**

Report of the IFSMA Delegate to the 9<sup>th</sup> Session of the Joint IMO/ILO Ad Hoc Expert Working Group on Liability and Compensation Regarding Claims for Death, Personal Injury and Abandonment of Seafarers

1. The meeting took place at the headquarters of the ILO in Geneva between 2-6 March 2009. Mr Charles "Bud" Darr (USA) chaired the meeting; Brian Orrell was the Seafarers' Spokesperson and Edith Middlefert the Shipowner's Spokesperson. The Governments nominated the Philippines to chair their group and provide group reports to the plenary session. Other governments attending the meeting included: Cyprus, France, Greece, Philippines, Republic of Korea, UK and USA with observers from Bahamas, Denmark, Japan, the Marshall Islands, Belgium, Norway, and Panama. NGO's in attendance, in addition to IFSMA, were the International Ship Suppliers Association and the International Group of P&I Clubs.

2. The working group was again tasked with continuing where the 8<sup>th</sup> session left off and to complete the discussions on a possible mandatory solution for the issue of abandonment and liability and compensation for seafarers' claims and deciding appropriate recommendations to be made to the IMO Legal Committee and the ILO Governing Body.

4. The working group noted that a great deal of work had been carried out intersessionally and in particular the Social Partners had met to continue the dialogue towards joint proposals for the ad hoc working group's consideration. These had been identified in a joint submission to the meeting (IMO/ILO/WGLCCS9/3) and draft proposals framed as stand alone instruments had also been prepared by the Office to assist the work of the group.

5. Unlike the previous two sessions, and with the exception of the first afternoon when the governments and ship-owners spent several hours in their groups considering the Office proposals, the bulk of the working group meeting took place in plenary sessions with ship-owners, seafarers and governments working through the Office texts. This ensured a much more positive

working environment and ultimately for the unanimous adoption of appropriate measures. Very few issues remain unresolved (i.e. still in square brackets).

6. In terms of the mechanism for delivery of a mandatory standard there was unanimous agreement that the best route was to progress amendments to the MLC 2006. Therefore, the agreed draft provisions have been framed as amendments to the MLC and will now go forward to a meeting of the STC envisaged under the provisions of Article XIII of the MLC. The working group adopted a draft text representing the wording for amendments to the MLC 2006 which will be discussed by the Special Tripartite Committee (STC) in due course but probably only once the MLC has attracted sufficient ratifications (30 member states representing 33% of world gross tonnage) and entered into force. This is now expected to be circa 2011 – so far 5 countries have ratified the MLC representing 40% of world gross tonnage namely Liberia, Bahamas, Marshall Islands, Panama and Norway. EU members are required to use their best endeavours to ratify by the end of 2010 so it is hoped that the remaining 26 signatories will be achieved within the envisaged timeframes.

On the final day the text of the report of the working group was discussed, amended and agreed (but has not yet been re-issued). The meeting also agreed that:-

- The terms of reference set by the IMO and ILO had been successfully concluded
- The principles had been agreed forming the basis of a mandatory solution for abandoned seafarers and liability for seafarers' claims
- The agreed way forward was for amendments to the Maritime Labour Convention, 2006
- The IMO remain seized of the issues should it prove impossible or not timely to use the MLC route, and;q
- A resolution is formulated urging governments to apply the recommended principles with immediate effect in anticipation that the current economic crisis may result in an increase in the incident of ship abandonment.