

From the Editor's Desk



Man often becomes what he believes himself to be. If I keep on saying to myself that I cannot do a certain thing, it is possible that I may end by really becoming incapable of doing it. On the contrary, if I have the belief that I can do it, I shall surely acquire the capacity to do it, even, if I may not have it at the beginning.

MOHANDAS KARAMCHAND GANDHI

"Courage is the resistance to fear, which is the result of good mental and physical health". With some techniques in, 'Mastery of Martial arts' - the close combat fight, we therefore overcome "the thought of fear, which leads to absence of fear".....

SRI SAI R. VENKATAKRISHNAN

"Achievement of Success comes to only those who make up a goal and sincerely tries. No one can get anywhere unless one knows as to where one wants to go, wants to be or do."

Dr. CHANDRAN PEECHULLI

We are responsible for what we are, and whatever we wish ourselves to be, we have the power to make ourselves. You cannot believe in God until you believe in yourself.

SWAMI VIVEKANANDA

MARINE WAVES do not only aim to protect seafarer's interest, but to consistently view their welfare and ensure that they are not exploited by vested interests in the maritime industry, re-assuring them to voice their rights and privileges as a non-government organization sector. To further address, the economic concerns of our fisher-folks and port workers, with a constant re-view of optimizing our huge maritime resources towards national economic development. It is therefore imperative to streamline our "National Maritime Administration", with the requisite infra-structure, assigning most competent (with rich sea experience and updates, adding to relevant post qualification as experts). Duty-conscious mariners, willing to serve the government efficiently, in the office of the Directorate General Shipping with carefully drawn Policies and Procedures meeting to the times, to realistically prove superior or else there exists better qualified mariners sailing out at sea, as Captains and Chief Engineers, Superintendents etc. and as well as THOSE serving in Maritime Educational Training Institutions/Colleges. To ensure fair-play, enforcement of customer - employee friendly policy and procedures for ship registry and maritime administration, with seafarer-friendly welfare policies, viewing occupational hazards, piracy menace, living and working conditions out on the deep seas, away from near and dear ones. Do conduct sensible, comparative studies from time to time, with leading shipping registries and enactment of realistic policies for adoption and implementation. These endeavors need to be a continuous process, in competing and excelling towards better performance efficiency.

Fair treatment of seafarers: Seafarers are "Innocent Human-being", as they have no tall claims when compared to shore-based employees. They bring in valuable foreign-exchange to their country of origin. Even, during seafarer's limitations of period ashore, needs to attend for renewal of CDC, Passport, Driving License, Civil authorities, EB, Ration Card, mandatory refresher courses etc. as per the regulatory mechanisms in force without relaxations. Knowing the weakness of this maritime community who are expected to be with their near and dear ones, during their hard-earned leave period, from out at sea service, they are being harassed and humiliated by deliberate dragged delays to exploit and grab money as bribes. Seafarer's Safety, Security, Welfare and the human element as a whole, is in a neglected corner. Seafarers are in-secured. FOC vessels are the prime violators:-which is encouraged by the world body (IMO), owing to their pumping-in more funds, which is for compensating seafarer's exploitation. Message to Seafarer's booklet from ITF, misguides them (seamen), on the contrary, victimized when reported, as the ITF representative at port connives with the local shipping agents and the said Master of the vessel. Corruption is on the rampant. Those seamen who highlight such lacunae ought to have been compensated. We in the enlightened society, have a responsibility to ensure that people, plant and process can effectively interrelate, to ensure safe, sustainable and dependable maritime services. ILO Convention and other international instruments are inadequate to ensure true protection of Seafarer's Rights & Privileges. Lack of affective enforcement hampers "Seafarer's Rights". Please view as to what extent the improvement in National Laws and regulatory procedures help in protecting the rights of seafarers? How can National/International Trade Unions and other seafarer's welfare organization be better net-worked and strengthened to ensure protection of Seafarer's Rights?

Management of international shipping companies, have failed in not coming forward to form a consortium to combat "PIRACY" Why? While, as per natural law, it is employers basic responsibility to protect their employees. Also, Bulletin Alert! Considers these shared responsibilities and demonstrates convincingly that all these links in the chain of responsibility are important, and need to be considered. Safe, sustainable and dependable shipping depends upon all those interests, considering their own contribution to the end result. It is of not much use "operations department" doing their job, if they are being undermined by the financial rug being pulled from under them, or the owners' efforts being hazarded by ignorant or unscrupulous charterers. There is tough talking in the issue of Alert! from contributors like Lloyd's Register's Richard Sadler, who suggests that those at the top in our industry have an obligation to improve the social conditions of seafarers, and from Anglo-Eastern's Captain Pradeep Chawla, who argues cogently for a more realistic attitude to costs. Clay Maitland urges a 'climate of inclusion' for seafarers. There are contributions from all the 'links' in the chain of maritime responsibility. And the celebrated Alert! Center-fold summarises the responsibilities which those in the financial, underwriting, P&I, broking and chartering communities need to remember as they undertake their specialist work. We need to consider these shared responsibilities and recognise that CSR is a lot more than producing some nice words on a policy document.

The ILO's Maritime Labour Convention is aimed at improving the social conditions of our seafarers especially in this, "IMO's Year of the Seafarer", to prevent mistreatment - their living and working conditions and rewards. We have not improved enough and have allowed our seafarers' social status to be eroded. Crew shore leave restrictions prevent crews enjoying the much needed relaxation that they would otherwise enjoy. I don't see aircraft crews, having to stay on their planes for six months as they fly around the world. In fact I see them having preferential immigration channels and being treated as VIPs. Are seafarers such a security risk and so unwelcome that they cannot be offered the same courtesy? We know that operating a ship is not just about having knowledge of the equipment and systems, but also, we have to be able to execute this knowledge properly with respect to safety and long term benefit. We need to design the equipment and the working practices that surround them with the human interface in mind. 'You put a good person in a bad system and the bad system wins' - no contest! You cannot have a safe, sustainable or responsible business without sound technology that is suitably managed and operated by suitable people in a suitable culture and environment. That is why in Lloyd's Register we consider that the integration of our asset technology capability with our human element business and Quality Assurance activities contributes to a suitably holistic view on safety.

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www.themarinewaves.com * view highlights and back issues of editorial contents, to convince you all about what "Marine Waves" does to the society's well-being, as a member of the Humanist Party of India.

Border Protection Agency (CBPA) that allowed for foreign vessels to transport oilfield cargo to rigs in the Gulf of Mexico.

While there are far more US vessels out there-1,200 US flagged vessels versus 90 vessels flying foreign flags, according to estimates provided by the Offshore Marine Service Association (OMSA)-the foreign fleets are growing. Last year, there were just 50 foreign vessels operating in the Gulf of Mexico. That's an increase of 40 in one year.

Critics of the current interpretation of the Jones Act fear that the [administration's decision to expand offshore drilling-originally intended to support the US shipping industry and create jobs-will be rendered ineffective if foreign operators outbid US-based operators. US fleets must adhere to stringent US safety and quality regulations, adding significant costs that foreign operators can bypass.

Ken Wells, president of OMSA, is concerned that "a lot of the perceived advantages of this offshore expansion are going to bypass the very communities that are counting on it."

But the tide is beginning to turn. A previous customs ruling that allowed BP to transport a valve structure to a drilling rig in the Gulf of Mexico using a foreign vessel was reversed in 2008 following a groundswell of opposition from the US maritime industry. The CBPA also reversed some 20 prior rulings before placing the entire Jones Act under review in September of last year.

However, the oil industry camp says that while their use of US vessels is a matter of record, foreign specialty vessels are integral to the industry. Robin Rorick, director of maritime and security issues at the American Petroleum Institute, fears that taking foreign vessels out of the mix altogether will significantly slow the expansion of offshore drilling, especially if the change happens too quickly.

Oil companies are concerned that work will be stalled while the industry waits for US specialty vessels to be built. "We're not talking about putting a hull and a bridge together and cutting it loose," Rorick said.

The president of a deepwater tug company has countered that such a position is akin to a tempest in a teapot. "To suggest that there aren't the same vessels here is just being dishonest," said Bill Kearney, who heads up Dolphin Marine International. "We're talking about the USA, a global superpower and a leader in oil and gas exploration."

Like many in the US shipping industry, Kearney is depending on the Jones Act and maritime law to limit the number of foreign vessels that "find a loophole and invade the marketplace," he said. "It would be next to impossible for American services to compete with foreign entities. It would be an almost certain death sentence."

Somalia Seeks Russian Explanation on Pirates:

NAIROBI, Kenya - Somalia's transitional government has called on Russia to explain why it had cut 10 Somali pirates adrift in the Gulf on Aden without navigation equipment or much hope of survival. Some Somali pirates, meanwhile, vowed revenge on Russian sailors. Russian forces stormed a hijacked oil tanker in a rescue operation that killed one pirate earlier this month. The Defense Ministry said 10 others arrested were later set loose aboard one of the small vessels they used in the attack. It said they were stripped of their weapons and navigation equipment. Russian media later

quoted a military source as saying the pirates were now likely dead. "We want an explanation from Russia on the death of our citizens," Abdirasak Aden, an official at Somalia's Information Ministry, said Friday. "They are gangs, and there is no dispute on that, but they have to get a fair trial. Dumping them in international waters was not the only choice," he said. The Defense Ministry said the pirates were set free.

Hong Kong Ship Management Company and two employees indicted for Environmental Crimes and Obstruction: Charges Also Include False Statements and Conspiracy

WASHINGTON: A federal grand jury in Corpus Christi, Texas, returned an indictment today charging Fleet Management Limited with obstruction of agency proceedings, making false statements and failing to keep accurate pollution control records, the Justice Department announced today.

Fleet Management Limited of Hong Kong is charged with one count of failing to maintain an accurate oil record book as required by the Act to Prevent Pollution from Ships (APPS), a U.S. law which implements the International Convention for the Prevention of Pollution from Ships, commonly known as "MARPOL;" one count of making false statements to the U.S. Coast Guard; and one count of obstruction. If convicted of all counts, the company may be punished with a fine of up to \$3 million.

The two individuals, Prem Kumar, a ship superintendent for Fleet Management Limited and Prasada Reddy Mareddy, the second engineer of the M/V Lowlands Sumida, have both been charged with conspiracy. Kumar was also charged with obstruction of a Coast Guard investigation. If convicted of the conspiracy charge, both face up to five years in prison and a fine of \$250,000. If convicted of obstruction of justice, Kumar faces up to 20 years in prison and a \$250,000 fine.

On Oct. 6, 2009, the Coast Guard was conducting a routine port state control inspection when an engine room crew member alleged that the vessel was illegally discharging oily wastewater and alerted them to the fact that a center fuel oil tank on the Lowlands Sumida was fitted with a "dummy" or false sounding tube and that oily waste water was being stored in the tank until it could be discharged overboard.. The "dummy" sounding tube would show the tank to be empty. The vessel also kept a tank sounding log that showed the tank as empty. When the Coast Guard removed the "dummy" sounding tube and sounded or measured the contents of the tank they determined the tank was almost half full with oily wastewater.

Large commercial ships, such as the Lowlands Sumida, are required by MARPOL and APPS to maintain a record known as the oil record book to document the movement, tank to tank, and the disposal of, all oil that has originated in the engineering spaces on the ship. Sludges on the ship which are generated by the purification of fuel oil and lubrication oil which are used by the main engine and generators on the ship, must be disposed of properly at a shore-side reception facility or burned in the ship's incinerator. Oily bilge wastewater, which accumulate in the lower-most part of the ship, can only be discharged overboard if the wastes are processed through a machine known as an "oil water separator" which ensures that the water discharged overboard contains no more than 15 parts per million of oil.

According to the indictment, both Kumar, a shore side manager, and Mareddy, conspired to use the "dummy" sounding tube to conceal the contents of the center fuel oil tank and to obstruct