



## Somali pirates find booming business

NAIROBI, Kenya (AP) - The spoils of a career as a pirate off Somalia's high seas were simply too good for Abdi Muse to pass up. He bought two Land Cruisers and a new home, then married two women in one passionate week.

"I was giving away money to everyone I met," said Muse, 38, who said he made \$90,000 hijacking ships. "After two months, I had no money left. Can you believe it?"

For years, Somali pirates like Muse have found lucrative work stalking the country's lawless coast, seizing boats and negotiating ransoms. But these brazen assailants could soon face more force as the United States and France muster international support for taking them on.



"This is a very important and serious signal that the nations of the world take (piracy) seriously," said Cmdr. Lydia Robertson, a spokeswoman for the U.S. Navy.

The United States has been leading international patrols to combat piracy along Somalia's unruly 1,880-mile coast, the longest in Africa and near key shipping routes. Now, the U.S. and France are drafting a U.N. resolution that would allow countries to chase and arrest pirates after a spate of recent attacks, including a Spanish tuna boat hijacked this week by pirates firing rocket-propelled grenades and a Dubai-flagged cargo ship seized while carrying food to the desperately poor country.

The cargo ship was rescued Tuesday by Somali forces, who arrested seven pirates, but the Spanish boat and its crew remain in the hands of hijackers.

French officials say they are pushing for a resolution that would make it easier for armies to swoop into other countries' waters and nab pirates. The push comes after French commandos freed hostages on a French tourist yacht seized earlier this month off the coast of Somalia, and then chased the pirates on land and arrested them.

"The international community must respond and set up a rotating mechanism to control and keep watch with our naval forces so as to guarantee the security and protection of all those who fish or sail through that zone," Spanish Foreign Minister Miguel Angel Moratinos said as his country awaited word on its hijacked tuna boat.

Many Somali pirates are trained fighters linked to politically powerful clans that have carved the country into armed fiefdoms; others are young thugs enlisted

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## Attention Seafarers!

In case of Emergency seek Help while in Indian waters / Indian EEZ,  
Contact: INDIAN COAST GUARD

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**Ashutosh Banerji**  
**Founder & President of Forward Seamen's Union of India (FSUI)**  
**The great legend and Messiah of Indian Seamen**  
**PASSES AWAY**

The real, great legend of Indian Seamen Mr. Ashutosh Banerji, Founder Member, and the President of Forward Seamen's Union of India (FSUI) expired at Kolkata hospital after a prolonged illness on 30th July 2008. The Funeral has taken place on 31st July 2008 at South Kolkata Electric Crematorium amidst grief-stricken mourning mass of Indian Seamen, Shipping company representatives, Union leaders, well wishers who gathered to pay their last respect to this great legend who breathed his last, he lived throughout fighting for seamen's rights, continuously for last 54 years, for seamen's welfare, living a simple and humble life. Mr. Banerji, born in 1931, was a staunch follower of leftist values. With the partition of India and Pakistan in 1947, the Chittagong, Bangladesh born young Ashutosh Banerji came to Kolkata and got employed in the Shipping Industry as a rating, after a small stint in the Indian Postal Department. The company he worked was "Prince Line Shipping". Mr. Banerji became a protector and savior of human values and a fighter against injustice to seamen. Exploitation of seamen was condemned, fought tooth and nail by veteran Banerji, who became a popular figure amongst the Indian Seamen emerging as seamen's great leader, known for his humble and simple living with all personal sacrifices. He, with likeminded others formed the Forward Seamen's Union of India in the year 1954 to fight injustice and look after the welfare of seamen. Appointed as General Secretary of the union from the year 1966.

Mr. Banerji served in the shipping company till 1962 and remained a Messiah of the suffering seamen and reached out to many seamen at their hour of need. He became a full time union worker from 1962 after leaving the job of the rating. Banerji on his mission to help suffering seamen remained unmarried for whole life leading a simple life. His life was centered around the Kolkata Docks and he lived a simple life in the premises of the office of the union. He remained the undisputed leader of the masses, and in the year 1993, was elevated to the post of the President of the Union. He remained president of the organisation until he breathed his last on 30th July 2008. He is widely travelled for the development of the branches of the Forward Seamen's Union of India all over the Indian Ports, Mr. Banerji who was a good orator and proficient in the English language. He was a master in the correspondence, which he single-handedly managed till recently. His most favorite tool against the management of the company was his old type-writer and papers, through which he spit fire on the management against injustice on seamen. He managed on computers too and always remained on progressive thought on the industry and welcomed changes for the benefit of seafaring community. He frequented to Mumbai for the NMB wage negotiations and remained an uncompromising force for the benefit of seamen working with Indian Flag ships and led his team with spirit and humour. The last function he attended at Mumbai was on 16th June 2007, when the catering staff felicitated leaders of Forward Seamen's Union of India on the victory of seamen after declaring the famous Pratima Umarji Award fondly called as "OPT Award", the great achievement gained under his leadership.

Late Mr. Ashutosh Banerji did not have contact with his relatives and some of his relatives are said to be staying at Kolkata. Forward Seamen's Union of India, after a long search and enquiry, came across one of his nephews just some days before his demise. Mr. Biswanath Banerji, the nephew attended, witnessed and remained a mute spectator



to the last journey of the uncle who accepted the whole seamen community as his relative but remained unknown to his own nephew all his life. After hearing the fact Mr. Biswanath Banerji exclaimed that I am proud to have such an uncle and happy at least at the last moment I could meet him and Mr. Biswanath Banerji remained the whole representative of his relatives in the last rites of Late Mr. Banerji on 30th July at Kolkata. Banerji remained ill for some period and the FSUI has provided him the best available treatment and care. In any case he left for the heavenly abode, leaving behind an example to everybody, for the service to the humanity. The Indian Seamen along with Forward Seamen's Union of India mourn his demise.

The Secretary, Forward Seamen's Union of India, Mumbai, Mr. Naresh Birwadkar, with grief, expressed that such a Leader, who has sacrificed his family life for the sake of service to the seamen community, and never saw the service as a business, is rare to find and Mr. Banerji is an example to the entire shipping Industry, the loss to the organisation is irreparable. A prayer meeting for the departed soul is to be held on 14th August 2008 at 11 AM.

With grief,  
**PGA Joseph, Organising Secretary, FSUI**

## From the Editor's Desk



### “TRUTH SHALL ALWAYS PREVAIL”

*To lead our country to new heights and to inspire new thoughts, visions, ideas and motivation needs in the people of India, the need for awakening with a fresh and right thinking administration, alertness and activeness to the surrounding environment. Never rest unless a fair and just policy and system is implemented in practice. What a system of government we have, when such corruption can-not be checked at the highest level and in the highest form? When so much is being said by media, (editorials of "Marine Waves"), isn't it possible for the Supreme Court of India to file a case under its Suo-Moto powers on behalf of media reports with valid exposures, to investigate the matter by CBI? It appears that the present politics, is not focused for the interest of the citizens at large, but it is all about the vested interest. Choosing inaction over action, is admission or neglect? Media needs to desist from propaganda and biased approach to "News". Bias cannot defeat the rights. The media should evolve ethical standards based on socially accepted norms and standards of fair conduct, which would largely determine the degree of accountability. Seafarers of India should wake up against corrupt, unjust, unregulated practices; oppose the opportunist unworthy mariners and middlemen, in the Mercantile Marine Department, of the directorate general shipping. Empower the seafarers by providing access to all requisite information. Common practices mostly found in our social system are mischievous, teasing and torturing. Let's help out to Root-out the prevailing corrupt practices, re-thinking and self-introspection to ensure that sovereignty of the country and its people will be safeguarded. Seafarers need to be really united at least during this computerized age by exchanging their thoughts, as inter-actions will result in the well being of all the seafarers. This is after having very much understood, the sufferings of the seafarers, who lead a secluded sacrificial life, away from their near and dear ones, while earning foreign exchange for their country of origin but being neglected of their welfare comparatively to those working ashore, by their national governance. Many old- timer seafarers hanging around in port cities jobless, in poverty, the old age retired senior citizen seafarers, leading a life of poverty without after service benefits etc. Though, the neglect of their legitimate welfare of seamen is a violator of human rights. All this owing to incompetent mariners inducted neglecting seamen's welfare while they view only their vested interests. Hence, only competent people in the governance with commitment, concern and compassion towards fellowmen could put an end to these social maladies.*

**Think it over... Why does a person, knowing what truth is, hesitate to speak it out? Is he ashamed? Ashamed of whom? Whether he is a superior or a subordinate, what matters it? The fact is that habit swallows us all. Let us reflect over this and rid ourselves of the bad habit. — M K Gandhi**

*I call upon the aggrieved seafarers, hanging around near the Seafarers Club on Kamani Marg and as well as near the Seamen's Hostel, near Masjid Bunder Stn. etc. etc. to think strong and you become strong. Think weak and you become weak. As you think, so you become. The food for the self is thought. So, choose thoughts as you would choose healthy food. The world of thought is more real than the external world. Learn to picture yourself as strong, good and loving. To become conscious of our mental pictures is a part of wise living. The Vedas tells us to picture ourselves as infinite and blissful.. Aham Brahmasmi.*

### **Dr. Chandran Peechulli**

Ph.D; MBA; D.Sc; FIE(India), PgDIMS(UK), PgTED; FIPE; MSEI; MSNAME(USA)  
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to do the dirty work for older, more powerful criminals, who turn a profit by taking a cut of the ransom money and selling the ship's cargo.

Pirates often dress in military fatigues, using speedboats equipped with satellite phones and Global Positioning System equipment. They are typically armed with automatic weapons, anti-tank rocket launchers and grenades, according to the U.N. Monitoring Group on Somalia.

Somalia's already overstretched government welcomed the initiative to involve international forces in patrolling its pirate-infested coastal waters. Wracked by more than a decade of violence and anarchy, Somalia does not have a navy, and the transitional government formed in 2004 with U.N. help has struggled to contain a deadly insurgency.

"These forces could come inside the country if it is needed," said government spokesman Abdi Hagi Gobdon.

To some pirates, however, the prospect of international force is not particularly daunting.

"We are not scared of the U.S. troops or any other troops stationed off our waters. Why should we be scared?" asked Siyad, a Somali pirate who asked that his full name not be used for fear of reprisals.

"They have weapons, but so do we. And we are the ones with the human shields," he said, noting that troops are loath to use force because it risks harming hostages.

The International Maritime Bureau says piracy worldwide is on the rise, with seafarers suffering 49 attacks between January and March - up 20 percent from the same period last year.

Nigeria ranked as the No. 1 trouble spot. India and the Gulf of Aden off Somalia's northern coast tied for second, with each reporting five incidents. Somalia had 31 attacks involving pirates in 2007 alone, according to the International Maritime Bureau.

Noel Choong, head of the agency's piracy reporting center in Kuala Lumpur, said simple economics can explain much of Somalia's burgeoning piracy.

"At the end of the day, you hijack a ship, you get paid ransom," Choong said. "These pirates aren't frightened because the returns are so big."

The pirates frequently travel in open skiffs with outboard motors, often working with larger mother ships that tow them far out to sea. With an intimate knowledge of

local waters, they clamber aboard commercial vessels with ladders and grappling hooks.

The attackers generally treat their hostages well in anticipation of a big payday. Shipping companies and foreign governments rarely acknowledge paying ransom, but recent demands have soared into the millions of dollars.

"Our motivation is money, so it is not our plan to harm the hostages we take,"



Indonesian forces practicing for operations against pirates in July 2007.

Siyad said. "We never agree to release the hostages or the ship before the ransom is paid in cash."

Andrew Mwangura of the Kenya-based Seafarers Assistance Program estimates that Somali pirates have received more than \$3 million in ransom this year alone, an astronomical sum even considering it would be split among dozens or even hundreds of criminals.

International terrorism, always a concern in the volatile Horn of Africa, and particularly in lawless Somalia, does not appear to have a role in the country's piracy, according to several observers.

"I don't know that there has been a tie. We're not necessarily looking for one," said Robertson, the U.S. Navy spokeswoman.

Ali Abdi Aware, the foreign affairs minister in Somalia's semiautonomous Puntland region, where many of the attacks take place, said he does not know of any links between piracy and foreign terrorists. But, he added, the pirates' disregard for law and order in general "may encourage terrorism."

Siyad said his decision to become a pirate was a matter of survival. Impoverished and with no job prospects, he saw two options: risk his life by fleeing Somalia in a leaky boat to the more prosperous countries across the Gulf of Aden, or join up with pirates who were flush with cash. Now, \$35,000 richer after hijacking two

vessels, including a Japanese tanker seized in December, Siyad said the best, most profitable choice was clear.

He plans to use his spoils to try to escape the poverty and instability of Somalia. "I want to go abroad using a safe route, using my money," he said.

But Muse - the pirate who spent all his money in one go - had second thoughts a few years ago, blaming the easy money for the loss of his wives and other

personal misfortunes.

"I had to sell the house and the cars," Muse said. "I divorced my wives. I stopped this job after thinking about how it affects our Islamic religion and our Somali culture."

"Now I work at a private company, I am no longer a pirate," he said. "I am happy to get a small monthly salary."

## France, US draft Somalia piracy resolution:

France and the United States, with the aid of Britain, are drafting a U.N. Security Council resolution authorizing countries to fight piracy off Somalia and elsewhere, France's U.N. envoy said on Tuesday.

A surge in maritime hijackings for ransom in the waters off the coast of lawless Somalia have made it one of the world's most dangerous shipping zones.

"We French and the Americans, with the support of the British and others, want to have a resolution on piracy," French Ambassador to the United Nations Jean-Maurice Ripert told Reuters.

"We are in the process of agreeing among ourselves the (details) of the resolution, including the scope and the legal aspects," he said.

Somali pirates hijacked a ship en route from Dubai on Monday and Spain said it had sent a naval frigate after the seizure

off Somalia of a Spanish tuna fishing boat with 26 people aboard.

The attackers appear undeterred by the arrest by French troops in the desert last week of six Somali pirates who had seized a French luxury yacht and held its crew hostage for a week. They were flown to France for questioning.

A Western diplomat from a Security Council state said the British were preparing a companion resolution that would call for a strengthening of the U.N. presence in Somalia, a nation where many countries remain loathe to send peacekeepers.

Ripert said there were complicated legal issues involved in preparing the piracy resolution, but he said it was possible

they might have a draft ready by the end of this week.

"The idea is to give a mandate, to call on states of the U.N. to tackle piracy by organizing patrols, reacting to acts of piracy, to take as many preventative measures as possible," Ripert said.

"We really are keen on not doing anything that could endanger the ... law of the sea," he said.

Somalia has been without an effective central government since the 1991 toppling of a military dictator, allowing anarchy and violence to flourish.

Kidnapping and piracy are lucrative businesses and most Somalis treat their captives well in anticipation of a ransom.

Ripert made it clear that the idea is that U.N. member states -- not the United Nations itself -- would join forces and root out piracy before it happens with stepped-up monitoring and patrols.

"It would not be the U.N. organizing it, but authorizing it, asking for it, giving the mandate to the member states to do that and to do it collectively as much as possible," he said.

Richard Grenell, spokesman for the U.S. mission to the United Nations, said, "We think it is a very important issue, we want to move it forward as soon as possible.

"With recent events, it is critical that the Security Council looks at this immediately," he added.

## W o r l d I n f o D e s k

### 'Mugabe arms ship' left all

**at sea:** DOCKYARD workers in Africa are refusing to unload a Chinese ship laden with weapons for Zimbabwe. The whereabouts of the vessel, the An Yue Jiang, were not known last night, although it was believed to be heading to Angola. Sources say the ship is carrying three million rounds of AK-47 ammunition along with 1,500 rocket-propelled grenades and several thousand mortar rounds.

Dock workers in the region are expected to refuse to have any dealings with the deadly cargo, which many fear will be used by President Robert Mugabe to crack down on opponents in his landlocked country. Zimbabwe is still in a state of chaos over the outcome of recent elections, which appear to indicate that Mugabe lost. Results of the presidential vote have not been released, although MDC leader Morgan Tsvangirai says he has won.

Mugabe has refused to step down and yesterday a partial recount of the votes cast in the election was started. At the same time, the vessel was reported to have left South African waters, heading towards Angola.

The ship's captain tried to berth the vessel in the South African port of Durban on Friday, but after being refused entry by dock workers, he was forced to anchor about 11 miles from the harbour entrance. Dockers there said they would refuse to unload the ship, fearing her cargo was destined for neighbouring Zimbabwe. Originally, it was thought that

the ship was en route to the Mozambican capital of Maputo, but last night this was ruled out by a spokesman for the east African country.

Transport and communications minister Paulo Zucula said Mozambique had been monitoring the An Yue Jiang since she left South Africa. "We know that it registered its next destination as Luanda (the Angolan capital) because we wouldn't allow it into Mozambican waters without prior arrangements." Yesterday, Andrew Linington, a spokesman for Nautilus, the main union for UK maritime professionals, said he was confident the ship would never be unloaded by any of their colleagues around the world. "We are part of the International Transport Workers' Federation (ITWF) and we have been very strong in our support of the workers in South Africa who refused to allow this ship to dock. Our hope is that there will be international support to not have anything to do with this vessel. It is a worry to us, however, that the cover of merchant shipping is being used to carry arms in this way."

Speaking about the South African workers' decision, ITWF general secretary David Cockcroft said: "This is a significant act of solidarity with Zimbabwe's working people. We fully, strongly and unconditionally support these actions and will be following the case with the closest of interests."

A court order to ban transportation of the ship's cargo across South Africa was obtained by the International Action Network on Small Arms (IANSA), which argued that it had been destined to

"suppress the Zimbabwean people".

The group's African co-ordinator, Joseph Dube, said: "We welcome the court's decision and the solidarity shown by the South African transportation unions. South Africa has a chance to show the world that arms atrocities can be stopped by responsible governments." "The protocol states that all Southern African states should harmonise their arms control laws to prevent conflict. South African law says that permits to convey arms across South African land must be cancelled, amended or suspended if it is in the interest of international peace or avoiding repression."

Zimbabwe's deputy information minister, Bright Matonga, hit out at the ban. "Every country has got a right to acquire arms," he said. "There is nothing wrong with that. If they are for Zimbabwe, they will definitely come to Zimbabwe. How they are used, when they are going to be used, is none of anybody's business." For its part, China is trying to prevent the controversy fuelling criticism over human rights and its rule in Tibet ahead of the Beijing Olympics in August.

China's foreign ministry said it had seen the reports about the ship, but "did not understand the actual situation". A ministry statement said: "China and Zimbabwe maintain normal trade relations. What we want to stress is China has always had a prudent and responsible attitude towards arms sales, and one of the most important principles is not to interfere in the internal affairs of other countries." The incident has put extra pressure on Prime Minister Gordon

Brown, who has condemned Zimbabwe's record on human rights and has stated he will not go to the opening ceremony of the Olympics. A Foreign Office spokesman said: "There is a UN arms embargo in place on arms entering Zimbabwe and we would encourage every other nation to follow that same approach."

### **Seafarers win \$100,000 overdue pay: Unions win fight for crew on decrepit detained bulker...**

Seafarers, who have been stranded on board a flag of convenience vessel in Singapore for nearly three months, have won more than US\$100,000 in back wages.

The 22 Indian seafarers on board the North Korean registered MV Lady Belinda, run by Blue Fleet Management based in Greece, received four months' pay - US\$102,000 - on 5 April. The 37-year-old bulk carrier, laden with iron ore became immobilised on 5 January in the northern stretch of the Malacca Straits. It arrived under tow in Singapore on 14 January and has since been detained by Singapore's port authority.

The seafarers, who won their claim after the ITF-affiliated Singapore Maritime Officers' Union (SMOU) and the ITF came to their assistance, have now submitted requests to leave the vessel, which has been declared unseaworthy. SMOU President Captain Robin Foo said: "It is really distressing to see that seafarers are still being unscrupulously exploited, and the unsafe working conditions onboard the unseaworthy vessel are a cause for

concern for the industry".

He added: "We are thankful for the assistance from the various seafaring welfare organisations especially the ITF and the maritime port authority of Singapore, who have helped with the humanitarian welfare of the seafarers and have assisted us with the wage recovery for the crew". Junior Engineer Sheikh Yakub Umar said, "We never believed we could get our money back, but the ITF and SMOU have made it possible. I'm glad that the ordeal has almost come to an end."

The union and the ITF are now working to ensure that the vessel's owner and employer pay for the full repatriation of the seafarers as well as all additional wages incurred until they are signed off the vessel.

### **Captain Kidd, Human-Rights Victim:**

ON April 11, French commandos went in with guns blazing and captured a gang of pirates who days earlier had hijacked a luxury cruise ship, the Ponant, and held the crew for ransom. This was the French solution to a crime wave that has threatened international shipping off Somalia; those of us who have been on the business end of a pirate's gun can only applaud their action.

The British government on the other hand, to the incredulity of many in the maritime industry, has taken a curiously pathetic approach to piracy. While the French were flying six of the captured pirates to Paris to face trial, the British Foreign Office issued a directive to the

once vaunted Royal Navy not to detain any pirates, because doing so could violate their human rights. British warships patrolling the pirate-infested waters off Somalia were advised that captured pirates could claim asylum in Britain and that those who were returned to Somalia faced beheading for murder or a hand chopped off for theft under Islamic law.

A violation of human rights? In 2007, 433 crew members were either taken hostage, assaulted, injured or killed by pirates. Three seafarers are still missing and presumed dead. According to the International Maritime Bureau, the anti-piracy watchdog of the International Chamber of Commerce, over the past 10 years 3,200 seafarers have been kidnapped, 500 injured and 160 killed.

Modern-day pirates are not like Errol Flynn or Johnny Depp swinging through the rigging, but well-armed militiamen equipped with rocket-propelled grenades, assault rifles, global positioning systems and high-speed motorboats who have long terrorized the shipping lanes in the Gulf of Aden and literally gotten away with murder. During the week before the French raid, half the pirate attacks in the world occurred in the gulf, a strategic waterway that leads into the Red Sea and thus to the Suez Canal and Europe. Two weeks before the attack on the Ponant, a huge crude-oil carrier - a monster of a ship as long as the Chrysler Building is tall - en route to the Middle East was attacked by pirates firing automatic weapons. The vessel managed to flee. The Ponant was not the first cruise ship attacked off Somalia. In November 2005, the American ship Seabourn Spirit was attacked. The quick action of the master and the use of a Long-Range Acoustic Device, a sonic weapon that can blow out eardrums, drove off the pirates (an unexploded rocket-propelled grenade, however, did embed itself in the stateroom of a passenger). The Ponant will not be the last cruise ship to be attacked; undefended passenger vessels are among the ships that are most vulnerable to pirates (the Ponant, for example, has a water-hugging swim platform that made it easy to board).

Hijacking a ship and kidnapping the crew for ransom is a lucrative business in Somalia. It is less risky than robbing a bank and more profitable than pulling up half-empty fishing nets. Two weeks before the Ponant was captured, Somali pirates released the British-Irish-Russian crew of an ice-breaking tug traveling from



Russia to Singapore who had spent 47 days in captivity. The captain had surrendered his vessel after the wheelhouse windows were blown out by gunshots. The ship owner paid a ransom of about \$700,000. The French were reported to have paid \$2 million for release of the 30 crew members of the Ponant before their military took action.

This is not a problem without a solution. Just a few years ago, piracy was out of control in the Malacca Strait, the waterway through which 80 percent of crude oil to Japan and China is shipped. But the recent combined efforts of the region's littoral states - Indonesia, Malaysia and Singapore - have nearly eliminated piracy in the strait. The French are hoping that a concerted international effort off Somalia will have similar success. France is also lobbying the United Nations Security Council to adopt an international anti-piracy law. Jean-David Levitte, the top diplomatic adviser to President Nicolas Sarkozy, said his government hoped that the organization would consider the creation of an international military force "to deal with this plague." Once we could have expected the British to lead such an effort; now we don't even know if they will join it.

The British fear of breaching the human rights of pirates has not gone down well in the maritime community. Andrew Linington, the spokesman for Nautilus, a British-Dutch seafarers trade union, has called the Foreign Office's policy "a get out of jail card" for pirates. "We despair," Mr. Linington told me. "We are meant to be a major maritime country. The U.K. is heavily dependent on maritime trade - 95 percent of trade comes and goes by sea. Yet the Foreign Office has its head in the sand. It is just wishing the problem would go away." The British attitude has come a long way since the days when pirates were chained to pilings at Wapping and left there until the tidal water of the Thames ebbed and flowed over the bodies three times. So much for Britannia ruling the waves. John S. Burnett is the author of "Dangerous Waters: Modern Piracy and Terror on the High Seas."

**Global pirate attacks increase:** KUALA LUMPUR, Malaysia: Pirate attacks rose worldwide in the first quarter of the year, with Nigeria overtaking Indonesia as the country worst plagued by sea bandits, a global maritime watchdog said Wednesday. Seafarers suffered 49 attacks between

January and March around the world, up 20 percent from the 41 recorded in the same period last year, the International Maritime Bureau said in a report by its piracy reporting center in Malaysia. Nigeria ranked as the No. 1 hotspot amid a lack of effective law enforcement, with its 10 reported attacks - mostly off its main city of Lagos - accounting for one-fifth of the global total, the London-based bureau said. Myriad armed groups roam the Niger Delta, where violence has slashed oil production and helped propel oil prices to new highs. Nigeria produces about 2.1 million barrels of oil a day, the largest output in Africa.

"Violence in the waters off Nigeria is spiraling out of control," the report said, adding that the true number of incidents could be even higher because many attacks in the oil sector are believed to go unreported.

"It should not take a crisis leading to deaths, bombs and the withdrawal of services by shipping companies before the (Nigerian) government is forced to act," the bureau added.

India and the Gulf of Aden off the north coast of Somalia tied for second place among pirate-troubled territories, with both reporting five incidents apiece. Those in India were low-key attacks aimed at theft, while the Gulf of Aden was prone to hijackings. Indonesian waters have long been the world's most afflicted by pirates, but the number of attacks in the first quarter fell from nine last year to four in 2008, the report said.

"For the first time in the last decade ... Indonesia is no longer ranked with the highest number of reported incidents," the bureau said. "The Indonesia navy and police should be commended for the anti-piracy measures taken."

Security also improved in the Straits of Malacca, a bustling shipping route shared by Indonesia, Malaysia and Singapore. No attacks were reported this year, compared to two by this time in 2007. The waterway has long been notorious for attacks, but the three countries have bolstered patrols in recent years. Other countries recording attacks in the first quarter included Tanzania with four, and the Philippines, Bangladesh, Peru, Angola, Ghana and Mozambique with two each. "The use and threat of violence against crew members remain unacceptably high," the maritime bureau said.

**Pirate Whack-a-Mole on the High Seas:** In 2005, there

were so many pirates marauding in the Malacca Strait, one of the world's busiest shipping lanes, that Lloyd's of London classified it as a "war zone." But last year, there wasn't a single attack, according to a Malaysian defense official. What changed? First, insurance rates increased. Then, the countries that share the strait - and the economic losses - came up with a novel idea: Work together against the pirates. Indonesia, Malaysia and Singapore saw immediate results from their coordinated patrols by sea and air, and Lloyd's dropped the war rating in 2006. Thailand later joined the fight as well.

The new announcement of a pirate-free moment in the Malacca Strait came about four months after another was declared off Somalia's coast, the other major hive of sea crime. Similarly, the pirates there were operating in a security vacuum left by a struggling government on land, which a coalition of maritime countries sailed in to fill. This time, the United States Navy led the way. But while the Strait has been unpirated for a year and counting, the Somali respite was brief. Though no match for the international naval forces that began to escort U.N. food shipments into the area, the Somali raiders soon found weaker prey to pursue instead - like a private French yacht that was seized earlier this month.

Suddenly, 22 French citizens and 8 others were in the hands of pirates far scarier than their Hollywood counterparts, and President Nicolas Sarkozy took action. According to an account in the Independent of Britain, a special-forces team first engaged in negotiations with the pirates, agreeing to deliver \$2 million in ransom to free the hostages on Friday. Many standoffs with pirates end that way - but this was not to be one of them. Double-crossing the buccaneers, the French troops went on the offensive once the hostages were safe. Four helicopters went after the pirates, six of whom were arrested and stripped of their latest booty.

"The raid was, it appears, intended to counter criticism and prove that piracy does not pay," the British paper dryly observed. (Sadly, ABC News's headline tidily conjoined the serious news with "Pirates of the Caribbean," created by its parent company, Disney: "Real-Life Pirates Can't Match 'Capt. Jack Sparrow'".) The former hostages returned to France today "in great form," according to an official who said that the pirates did not harm them during the ordeal.

While pirates have suffered serious blows

off Somalia and in the Malacca Strait, they have been popping up unchecked in another unstable area: Nigeria. Last month, The Christian Science Monitor reported "a massive rise in pirate attacks in recent weeks," including "a spike of 50 attacks in the first month of 2008 that culminated in five crew deaths in one day." The country's crucial oil port was shut for 24 hours in January because of pirates.

Somalian sea crime is likely to flare as well, as long as the central government there remains chaotic and unable to police the country's 3,000-mile coastline. However, the pirates' enemies appear to have gained the advantage in one jaw-dropping respect.

### **Classification societies are authorized to act on behalf of various maritime administrations such as India to monitor the sea- and cargo- worthiness of vessels:**

Bangalore: India's maritime regulator, the Directorate General of Shipping, has modified its decision to bar six global ship survey entities from operating in the country from 1 August. The regulator said India's government-run classification society, the Indian Register of Shipping, or IRS, will undertake statutory surveys on ships that are registered in India when such an activity has to be undertaken in Indian and Sri Lankan ports. The new decision solves the crisis faced by the Indian ship owners. S.S. Kulkarni, Secretary general, INSA

However, if IRS can't take up a job, it can take the help of the six full-time members of the International Association of Classification Societies, or IACS, the main global body of classification societies.

"We sent letters to these entities earlier this week informing them that the May decision has been modified," said Ajoy Chatterjee, chief surveyor with the government of India and an additional director general of shipping at the maritime regulator. Statutory survey is a global practice to ensure that ships are maintained as per the requirements of the International Maritime Organization, or IMO, the global maritime regulator. Classification societies are authorized to act on behalf of various maritime administrations such as India to monitor the sea- and cargo- worthiness of vessels. Ships not classed by any of the

classification societies are not allowed to take to the sea. The six IACS members recognized by the Indian government will look after the statutory surveys on Indian registered ships when such an activity has to be done at ports other than India and Sri Lanka, said a Union shipping ministry official. He did not want to be named. The six entities are the American Bureau of Shipping, Bureau Veritas, Det Norske Veritas, Germanischer Lloyd, Nippon Kaiji Kyokai and Lloyd's Register. IACS has 10 full-time members, and the IRS is an associate member. "The new decision solves the crisis faced by the Indian ship owners," said S.S. Kulkarni, secretary general of the shipping industry body, the Indian National Shipowners Association.

The maritime regulator had in May asked the six IACS members to wind up their statutory survey operations in India by 1 August. Local ship owners were concerned, as this would have given IRS a monopoly over Indian registered ships, though it's not recognized by oil producers. "The new decision gives a bigger role to IRS without completely curbing the role of global classification societies," the ministry official said.

### **Ship owners push for more foreign talent:**

MUMBAI: The proposal of Director General of Shipping (DGS) to allow foreign nationals to work with Indian vessels is "short-sighted" and will not solve the manpower shortage in the long run, according to Indian National Shipowners Association (INSA).

Recently, the DGS has allowed recruitment of two foreign officials with a certain designation. But INSA feels that Indian companies should be permitted to take in foreigners at any senior level. Moreover, the DGS has approved recruitment of officials mainly from 12 European countries. But the industry body thinks that the list should include nine more countries such as Sri Lanka, Bangladesh, Myanmar, Vietnam, Thailand and the Philippines as "the possibility of getting foreign officers from the South East Asian region is higher".

The industry is miffed with the DGS because the authority has turned down its earlier suggestion to allow Indian officials to sail on domestic vessels with Certificates of Competency (CoC) from countries like Australia, New Zealand, Singapore, Hong Kong and the Philippines. An INSA official said the procedure for taking permission from the ministries of home affairs and external

affairs for appointment of foreign nationals should be well laid out and expeditious. Also, the industry feels that it is impractical to expect a foreign national to do a 3-day course at the Mumbai-based maritime institute, LBS CAMSAR, on Indian maritime legislation, as suggested by the DGS.

The shipping industry has been lobbying hard to get permission for appointment of foreign officers on domestic vessels, with the shortage of senior officers affecting day-to-day operations of ships. Currently, the shortfall of senior officers in the industry is pegged at close to 1,000 and this crisis would aggravate further with capacity expansion.

### **Southern sea loop comfort:**

Aviation has glamour. Shipping has secrecy. Merchant shipping, specifically, suffers from a lack of exposure nowadays because of recent defence and security measures built into most aspects of the business. This is especially so in India, which, despite its 7,500-km long coastline and multiple islands, lacks a perspective on maritime maturity as an essential element of economic strength. To take just one example, we casually let the retreating British give away our Chagos archipelago to the US, which then established its geo-strategically significant Diego Garcia base, while making it a critical mission to fight Pakistan from the icy waste of Siachen. This speaks volumes for maritime myopia.

The financial sector, understandably, is more concerned about the country's dismal seaport infrastructure. How this impacts the Economy, and not just domestic and international trade, is becoming increasingly apparent as the price of crude oil climbs higher by the day. The fact is that there is no cheaper way to transport anything in the world than by sea. Just look at a map of India. It's a landmass blessed in a way that few recognise. Vast tonnages of cargo sent by ship from Gujarat to West Bengal would cost far less than using our existing railway lines, and wouldn't take any longer. Ships along the coast, looping around the southern tip, could be an amazingly time-crunching reality the minute the Sethu Samudram pass opens up to traffic.

Meanwhile, internal and external trade competitiveness is the name of the game. So, why aren't we able to get our sea cargo act together? Are clogged ports the only reason? Well, one reason is that sea routes simply exist. They're there for the

asking. No road-building, no track laying, no bridge contracts, no toll booths, no inspection halts-and no kickbacks. Bluntly put, infrastructure planners have little incentive to relieve India's overland transport networks by encouraging sea traffic. There's scope for pelf in delayed transit, so easily done on road and rail. Why risk being upstaged by a southern sea loop? So, while Canada uses the distant Panama Canal to send cargo from coast to coast, we talk animatedly about a dedicated railway freight corridor even as sea possibilities languish. In Canada, the shipping lines and railways go back together in history a long way, and continue to work in alliance.

But first things first. India has at least 186 known ports. Many more could easily lay claim...

### Focus on bunker testing:

SPECIALIST fuel testing agency Lintec Testing Services has beefed up its management team to face rising demand for independent bunker fuel testing.

Managing director Geoff Jones says, "With bunker prices at such incredible levels, owners and operators are really focusing on making sure they get exactly what they have paid so much money for. When bunker prices are low, many operators leave bunker matters to junior staff, or perhaps they don't put enough supervision into charterers' purchases. Today, with prices at record levels, and constraints on supply in some parts of the world, they are all paying a lot more attention to bunker testing.

"They want the test results faster than ever, and with good interpretation of the analysis results. We are also finding that they want to be sure they get the best advice from a truly independent source - free of any conflict of interest. Having a global network, proven fast response times and no ties to fuel producers or suppliers, makes Lintec a very attractive testing service provider. As a result we are facing a boom in testing, and have had to increase our staffing levels accordingly."

### How Seafarers can Overcome Fatigue ?

BBC reports fatigue among seafarers as a reason for accidents and near misses at sea. DNV study says 51% of marine accidents are caused by only 25% of all the ships worldwide. One of the reasons for these accidents is fatigue experienced by seafarers.

### What is fatigue ?

Fatigue is experienced by us as physical fatigue and mental fatigue. Early stages of fatigue lead to loss of productivity whereas advanced stages of fatigue lead to accidents within the ship or cause groundings, collisions even to the extent of sinking of ships.

Signs of a seafarer suffering from fatigue.

- looking dull with frequent yawns
- half closed eyes
- loss of concentration in work
- unable to listen, understand and act
- non synchronization of body and mind

### What causes fatigue to seafarers ?

- insufficient sleep or disturbed sleep
  - o not getting time to sleep
  - o often called up from sleep to attend emergencies
  - o due to health disorder
- external factors like noise, vibration, heat, inadequate ventilation, poor living conditions in the ship
- physical and mental stress due to high job demand
- prolonged deployment at sea
- adverse weather conditions, seasickness
- prolonged working everyday for more than 12 hours a day

### Why is it necessary to overcome fatigue?

Prolonged fatigue leads to Chronic Fatigue Syndrome (CFS) where treatment and recovery is complex. Here is a video clip about CFS.

How to eliminate fatigue of seafarers ?

Let us first analyze marine accidents some more in details.

- ships in which most of the accidents take place are more than 15 years old
  - o because of unreliable machinery there are more machinery failure. Seafarers in these ships have to work more to keep the ships seagoing that causes fatigue in seafarers.
  - o because of poor living conditions seafarers are subjected to fatigue.
- most of the accidents taking place are in the ships owned by small shipping companies
  - o small shipping companies want to maximize their profits by reducing expenses by means of placing less seafarers in poorly maintained ships. The seafarers are subjected to fatigue in these ships.
  - most of the accidents are caused by

human error

o mostly due to fatigue of seafarers

Now it is clear that the onus of removing fatigue from the seafarers lies with shipping companies and ship owners. They must phase out old ships and follow proactive safety policy in ships.

### Seafarers if they have to overcome fatigue,

- have to select the right shipping company
- have to select right ships
- change their lifestyle to face both physical and mental fatigue by means of physical exercises, meditation, yoga etc.,

*Is there any other way ? What are your views ? let's share.*

### Shipping Corp of India seeks partners for ship-building, port, dredging

**plans:** MUMBAI (Thomson Financial) - Shipping Corporation of India Ltd.(SCI), India's largest shipping company, plans to diversify into ship-building and port and dredging operations, and seeks partnerships from global and domestic partners, according to a top company official.

Board member Umesh Grover, director technical & offshore services, told Thomson Financial News (TFN): 'We have plans for getting into areas of shipbuilding, dredging and port terminal management.'

The country's premier shipping line owns 83 vessels with 4.6 million dead-weight tonnage (DWT) and runs liner and passenger services, bulk carrier and tanker services for the oil and gas industry, and offshore support services for the Indian oil exploration industry.

Grover, while declining to divulge the details of the company's investment in the proposed diversification blueprint, said SCI is open to form joint ventures or consortia in these areas.

Grover told TFN that the possibility of getting a foreign partner in the shipbuilding venture is not ruled out if it brings considerable value to the venture.

Responding to a question on SCI's stake in the proposed joint ventures, Grover said: 'If the management of future joint ventures wish to have us on board with SCI's stake ranging from about 15 to 25 percent, then we would go ahead. But in any case we won't pick up a stake beyond 50 percent.'

SCI also plans to enter domestic port terminal management and has submitted a bid, under the National Maritime Development Project scheme, for a project at Ennore in south India, Grover disclosed.

The development of terminals for handling iron ore, coal and chemicals at Ennore Port alone need an investment to the tune of \$222 million, according to Ministry of Shipping figures.

The company also plans to begin dredging operations at some of India's major ports along with state-run partners Jawaharlal Nehru Port Trust (JNPT) and Cochin Shipyard, Grover said.

SCI is a member of an international consortium which transports LNG from Qatar's Ras Laffan LNG Company to Petronet LNG Ltd.'s (PLL) Dahej project in western India. SCI holds 34 percent in this consortium while Japan's Mitsui O.S.K. Lines Ltd. holds another 34 percent and other two Japanese companies NYK and K Line share the remaining 32 percent stake.

**Jury's out on Shipping Corp's diversification move:** Experts suggest the state-owned company should focus on improving its share of Indian cargo.

MUMBAI: State-owned Shipping Corporation of India's (SCI) attempt to diversify its business brings to mind an old saying - 'don't try riding on two boats at the same time'. The country's largest shipping company by fleet size has planned forays into shipbuilding, terminal management and dredging. These initiatives are in various stages of development and are yet to take off. Experts remain divided on the efficacy of the moves.

Sudhir Rangnekar, chairman of Sical Logistics, who was associated with SCI for 31 years till 2006, asked at a recent press conference, "Should the company look at diversification or rather focus on its core competencies?" SCI honchos talk of the diversification helping the company to backward-integrate. Umesh C Grover, director-technical and offshore division, SCI, said, "We are optimistic of our plans and it would work as a backward integration for us." It is not new for a shipping line to diversify into allied maritime sectors. The global maritime industry has seen many shipping majors enter terminal operations to have a greater control at the terminal and assure capacity is available for captive use.

A classic example is that of A P Møller - Maersk AS group, known for its Maersk shipping line. It is a diversified conglomerate operating in shipping, oil & gas, shipbuilding, retail, IT and many other industries. It initially entered terminal management to assist the shipping company get enough capacity and then expanded into this as a separate business vertical.

**Arrest Warrant Sought for Ex-Maritime Minister:** South Korean prosecutors said Sunday they sought an arrest warrant for a former maritime minister on charges of taking bribes from local shipping companies in return for business favors. Kang Moo-hyun is accused of receiving 90 million won (\$90,000) from six to seven shipping firms in exchange for government favors, including eased regulations, the prosecution said.

Kang served as minister and vice minister of maritime affairs and fisheries from 2004-2008 under the Roh Moo-hyun administration. Kang was the last maritime affairs minister under the Roh government. This marks the first time that a ministerial-level official from the Roh government has faced arrest over graft charges. Roh's five-year term ended in February this year.

A local court will decide Monday whether to issue an arrest warrant for Kang, the prosecution said, adding Kang's wife may be involved as her bank account holds money believed to have come from shipping companies.

**MPA gears up for Maritime Week:** Singapore: Singapore will play host to a major gathering of maritime industry players during the inaugural Maritime Week from 25 to 29 September 2006. Maritime Week 2006, an initiative by the Maritime and Port Authority of Singapore (MPA), will bring together leading players from the maritime industry, to discuss current developments and issues facing the industry. The event is intended to showcase Singapore as a choice regional and international venue for maritime events and highlight Singapore's attraction as an International Maritime Centre beyond port operations. Some 3,000 local and international participants are expected to attend some nine main events.

The diverse range of events to be presented will cater to core maritime sectors such as shipping, port, bunkering as well as maritime policy and business

services. These forums and conferences will be complemented by networking platforms including gala award dinners and receptions throughout the week.

BG (NS) Tay Lim Heng, Chief Executive of MPA says MPA hopes to "reinforce Singapore's attraction as ... a hub which draws important global maritime organisations to organise their meetings and activities here. This is another value proposition that Singapore can offer as an International Maritime Centre. The bringing together of key maritime personalities from all over the world to meet and network allows for the exchange of ideas and knowledge of best practices on port and maritime matters. It will also create buzz for the maritime industry." In a way, the week is a precursor to SeaAsia which will be held in April next year, he added.

The wide range of events to be presented will cater to core maritime sectors such as shipping, port, bunkering as well as maritime policy and business services. These forums and conferences will be complemented by networking platforms including gala award dinners and receptions throughout the week.

Events scheduled in Maritime Week 2006 include the International Maritime Organisation (IMO) World Maritime Day Parallel Event (Forum and Evening Reception). Singapore is the first Asian host for this event. The forum's theme is "Shipping for Growth and Development", and aims to generate ideas to improve the shipping industry. The round table panel consists of IMO representatives and key decision makers from shipping companies. Some of the key personalities scheduled to be at the Singapore-based event, include IMO Council Chair Johan Franzon; IMO Secretary General designated representative David Edwards.

The week also includes the 14th Singapore International Bunkering Conference 2006 (SIBCON). SIBCON hopes to position Singapore at the forefront of global and regional bunkering issues and Singapore strengthen its standing as one of the world's top bunkering ports. The theme for this year's conference: "Bunker Outlook: Managing the Evolving Business and Regulatory Environment" will take a look at the most recent developments in energy markets, shipping and bunkering. Participants can also expect to gain insights into issues faced by regulators and businesses at the conference.

Other events include:

- 3rd Singapore International Maritime Awards (IMA)
- Women's International Shipping and Trading Association (WISTA) Annual Conference 2006
- 3rd International Conference and Exhibition on Ballast Water Management (ICBWM)
- Marine Money 5th Annual Singapore Ship and Offshore Finance Forum
- 6th International Dry Bulk Review
- Tanker Outlook 2006
- The Baltic and International Maritime Council (BIMCO) Maritime Security Seminar

Singapore's maritime industry is seeing robust growth and contributes 7% to GDP. According to BG Tay MPA is working on all maritime areas as it wants Singapore's maritime industry to multidimensional. He sees MPA's efforts bearing fruit as in the last few years the number of entrants into the industry have been "staggering".

### Deal to retrieve 'Princess' ship eyed next week:

MANILA, Philippines -- Sulpicio Lines Inc. (SLI) is expected to wrap up a contract with foreign salvage operator Titan Salvage next week to be able to proceed with retrieving toxic cargo from the sunken M/V Princess of the Stars, the Task Force Princess of the Stars has revealed.

Task Force head Elena Bautista said that Sulpicio reported during meetings with the Department of Transportation and Communications that Titan Salvage wanted its contract covered by United Kingdom maritime arbitration law in order to have "security" that it would be paid for its service.

"SLI and Titan are finalizing the arbitration clause and required UK security. We will give London underwriters until Wednesday (Thursday, Manila time) to work out the security provision," Bautista said in a text message over the weekend.

It has been more than a week since SLI assigned Titan Salvage to retrieve hydrocarbons and toxic chemicals from M/V Princess of the Stars and to resurface the vessel within two months.

Sulpicio Lines spokesperson Victoria Florido earlier said in a statement on July 14 that details of the company's retrieval plan would be disclosed "in 24 hours" but there was still no plan as of this writing.

Sulpicio Lines officials were also unresponsive to requests for clarifications

and further comment.

Bautista said it would take about 21 days from contract signing for Titan to mobilize its personnel and equipment to "ground zero" off Sibuyan Island in Romblon province.

Mobilization covers the deployment of personnel, equipment, and vessels from abroad, she said.

Titan Salvage is the brand name of Titan Maritime LLC, a worldwide salvage company based in Fort Lauderdale, Florida, United States of America.

According to the company's web site, Titan previously completed three projects in the Philippines, most famously in July 2004, when Titan recovered Superferry 14.

The passenger ferry with gross tonnage of 10,181 was carrying 3,700 tons of cargo from Manila to Bacolod City when it was hit by fire near Corregidor. Titan said it used a range of portable salvage equipment, such as pumps, diving equipment, heavy rigging, and Titan's linear chain pullers.

"With the pullers in place and rigging completed, the vessel was up-righted within two hours and lightering operations commenced. The vessel was successfully re-floated without incident and returned safely to its owners," Titan said.

In July 2006, Titan said The Billy Star, a non-propelled tank barge that was loaded with about 1,200 tons of sulfuric acid, was driven aground in shallow water near Sibuyan Island during typhoon Chanchu. The vessel was on its way to Manila when its grounding caused a breach on the right side of the hull.

Titan said, "The vessel, owned by Grand Asia Shipping, was then towed by a competing salvor into the Keppel Shipyard where, as a result of the breach, the corrosive mixture of sulfuric acid and seawater burned through one of the barge's three storage tanks and melted a hole in its steel hull, causing it to sink. Titan was then contracted for the complete removal of the wreck and her cargo. Following an unsuccessful attempt at re-floating the barge because of its insufficient hull integrity, Titan used its heavy-lift derrick barge to lift the vessel and dispose of her."

Most recently in August 2006, a vessel called M/V Boularibank caught fire while anchored off Davao. Titan suppressed "residual fires" in the vessel's cargo of bulk copra and bagged, containerized cocoa beans.

## "MARINE WAVES"

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## **M.S. Notice 8 of 2008**

**No. 7-NT(17)/2007-Pt Dated: 29th April, 2008**

**Subject :** Seagoing service on board non trading cadet training ship.

### **1. Background:-**

1.1 As per Standards of Training, Certification and Watch keeping, (STCW'95 Convention), every candidate for certification of officer in-charge of navigation watch on ships of 500 gross tonnage or more shall have approved sea going service of not less than one year as part of an approved training programme which includes on-board training which meets the requirements of section A-II/1 of the STCW Code and is documented in an approved training record book. The candidate shall have performed, during the required sea going service, bridge watch keeping duties under the supervision of the master or a qualified officer for a period of not less than six months.

1.2 As per Merchant Shipping (Standards of Training Certification and Watchkeeping for Seafarers), Rules 1998 (META Manual Volume-I), Section M-II/1, Page II/5; the candidate, who completes the Pre-sea education and training of three year degree course in B.Sc. (Nautical Science) required to perform 12 months of seagoing service which includes on board training, training record book and six months supervised bridge watch keeping duties.

1.3 As per META Manual Volume - I, Section M-II/11, Para B.6; the sea going service performed on foreign-going trading ships of 500 gross tonnage or more will be counted in full for the purpose of assessment of seagoing service.

1.4 As per META Manual Volume - I, Section M-II/11, Para C.10; seagoing service performed on non-trading ships listed in page II/35 will be considered at the rate of two thirds of corresponding seagoing service on a foreign going ships and it will be assessed by the assessment center taking into account of type of vessel, gross tonnage of the vessel, sea area of operation, length and duration of the voyage, actual period of stay in port and sea, nature of operation performed in port and sea; and nature of duties performed by the concerned officer beyond watch keeping duties, if any.

1.5 As per META Manual Volume I, Section M-II/11, Page II/35; the cadet training ship is not listed either as trading ship or, non-trading ship.

### **2. Justification:-**

2.1 The cadet training ships are dedicated for the training of deck cadets with the cadet's training programme, which gives the training schedule and record of training during the period.

2.2 The trainees will be complying with the structured training on board the ship based on the on-board training record book for deck cadets to become an officer in-charge of navigational watch on ships of 500 gross tonnage or more.

2.3 The training ship will have dedicated training officers, who will monitor the progress of training programme of deck cadets on-board ship.

2.4 The ship will be plying in different sea areas for complying with the requirements of watch keeping duties at sea in addition to the watch keeping duties at port and anchorage.

2.5 This training programme is open only to the B.Sc. (Nautical Science) graduates, who will be trained on board the training ships for a period of four to six months out of required twelve months seagoing service.

2.6 The cadets will acquire not only understanding and skillfulness in shipboard operation but also awareness of leadership, mental, physical strength and the value of human relation.

3. Condition to consider seagoing service performed on cadet training ship:-

3.1 The cadet training ship shall be registered as "training ship" and dedicated for the said purpose.

3.2 The cadet shall be exposed to different situations in training ship as it is happening on board a normal seagoing merchant ship.

3.3 The seagoing service of four months performed in the training ship will be counted in full for the purpose of assessment of approved seagoing service for examination. Any sea service performed beyond 4 months upto a maximum period of 6 months shall be counted at half the rate of the actual sea service on board such ship as a qualifying

approved sea service for examination. Service performed beyond 6 months on such training ship shall not be counted for assessment.

3.4 Out of four months of seagoing service, a cadet shall have a minimum one month of propelling period. The propelling period shall be documented in cadets training record book and endorsed by the master of the training ship.

3.5 The balance period of sea service shall be performed on a trading ship as a part of approved training programme. It is mandatory that a minimum of 6 months of sea service shall be performed on a cargo trading ship as part of approved training programme for such trainees.

3.6 The training programme on board the training ship shall be approved by the Directorate General of Shipping. This is issued with the approval of Director General of Shipping and Ex-officio Additional Secretary to the Government of India.

Sd/-

(Capt. J. S. Uppal)

Dy. Nautical Adviser to the Govt. of India-Cum - Sr. DDG (Tech)

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## M.S. Notice 11 of 2008

No. 51-NT(1)/2005-PT

Dated: 2nd May, 2008

**Sub:** Procedure for conduct of examination of 6th semester of Indira Gandhi Open University (IGNOU) & Directorate General of Shipping (DGS) B. Sc. Nautical Science Degree course.

**1. Introduction:** The Directorate General of shipping has approved the Diploma in Nautical Science Programme leading to B. Sc. Nautical Science Degree of IGNOU vide its training circular no 20 of 2004. Directorate has also issued M.S. Notice no. 12 of 2005 with regard to the sea time requirement for the deck cadets of this scheme and subsequently M.S. Notice no 16 of 2007 with partial modification to of the scheme for the bonafide students of IGNOU DGS who have commenced training in August 2004 and upto the batch commenced in January 2007.

**2. Objective:** The objective of this notice is to prescribe detailed procedure of the examination of the 6th semester which forms part of the IGNOU-DGS B. Sc. Nautical Science Degree as well as 2nd Mate Certificate of competency (Foreign Going) as per the provisions of Merchant Shipping Standard of Training Certificate & Watchkeeping M.S.(STCW) Examination Rules 1998, being conducted by the Mercantile Marine Departments (MMD) of Directorate General of Shipping.

**3. Procedure:**

**3.1 Sea service:** The sea service requirement of the cadets shall be governed by the M.S. Notice number 12 of 2005 and M.S. Notice 16 of 2007 which partially modifies the existing requirement as stipulated under MS Notice 12 of 2005

**3.2 Assessment of Sea Service:** The assessment of the Sea service shall be carried out by the Mercantile Marine Department as per existing M.S.(STCW) Examination Rules 1998, META Manual vol. I and II and other subsequent circulars M.S. Notices issued by the Directorate related to decision.

**3.3 Requirement of documents at MMD for 2nd Mate/6th Semester Assessment:**

3.3.1 Cadet's Record Book(CRB) duly completed in all respect and endorsed by the respective institute implementing Distance Learning Programme (DLP) of respective cadet.

3.3.2 Cadet's diary.

3.3.3 Copies of all the Assignments (Practical Shipboard Tasks) as given in section 7 of Crb CRB.

3.3.4 Sea time and Bridge Watchkeeping Certificate from the Master as prescribed under CRB.

3.3.5 Certificate of Completion of port watches as prescribed under CRB.

3.3.6 Fail / Pass status of all previous semester term end examinations issued by IGNOU.

3.3.7 Certificate of Completion of Shipboard Structured Training Programme (SSTP) by the D. G. Shipping approved Institute or DGS approved Distance Learning Programme organizations, as the case may be.

3.3.8 Endorsement of sea service in the CDC.

3.3.9 Consolidated sea time Certificate from the company.

#### 4. Examination Procedure:

The combination of the 2nd Mate assessment with the 6th Semester and of the requirements of the DGS for issue of COC with the IGNOU for issue of a Bachelors? Degree requires an amendment in the usual procedure for 2nd Mate Examination and Oral Assessment so as to assign marks instead of the usual grading of Pass or Fail.

##### 4.1 Compliance by MMD

4.1.1 Appendix A as attached with this notice (i.e Oral assessment of candidate) to be attached with form 15 duly filled up and signed by the examiner as per the details provided in the form given in Appendix A.

4.1.2 Marks to be allotted in appendix A for functions of (Navigation), (Cargo work) and (Ship operations) They are to be given out of 30 marks for each function.

4.1.3 These appendixes form part of the oral examination of 2nd Mate (FG) and also part of the evaluation of semester 3, 4 and 5 for practicals. Examiners should tailor the orals accordingly.

4.1.4 The passing percentage is 60% as per the existing oral examination requirement. The marks given in the appendix A for oral examination are part of the main oral examination of 2nd Mate (FG).

4.1.5 On completion of examination, while forwarding form 15 of the candidate to Directorate for preparation of Certificate of Competency, the Appendix A is also required to be attached along with form 15.

#### 5. Compliance by DGS (Examination Section):

5.1 DGS shall forward a consolidated list of the pass candidate of the IGNOU-DGS scheme along with their marks obtained in practical oral examination as per appendix A and written examination on a monthly basis to the Indira Gandhi National Open University in the form of a CD as well as hard copies.

This notice comes into immediate effect for all the candidates who have undergone training under IGNOU DGS cadet scheme.

This issues with the approval of the Director General of Shipping & ex.Officio Addl. Secretary to Govt. of India.

Sd/-

(Capt. J. S. Uppal)

Dy. Nautical Adviser to the Govt. of India-Cum -Sr. DDG (Tech.)

## COIMBATORE MARINE COLLEGE

Pollachi Main Road, Myleripalayam, Coimbatore – 641 032

Ph: 0422-2611034, 2611123 Fax: 2611222 Mobile : 98650 05513, 98431 55985

Email : cmcmarine@dataone.in www.coimbatoremarinecollege.com

### DGS Approved Pre-Sea Training Courses

Courses	Duration	Eligibility	Commencing
Graduate Marine Engg.	1 Year	BE Mechanical with min. 50% in final year & 50% marks in English Age : Below 24 years.	July 2008/ Dec. 2008
B.E. (Marine)	4 years	10+2 pass with PCM 60% & 50% in English. Age: Below 20 years	July/ Aug. 2008
B.Sc. (Nautical)	3 years	- do -	- do -
B.E. (Marine) Lateral entry	3 years	Dip. in Mech./ELE/Marine with 55% in final year. Age: Below 22 years.	July/ Aug. 2008

★ The necessary ship board training will be arranged by us on no additional cost to the candidates.

★ We are marching towards 8th successful year in maritime training ★ 100% Placement record for the last six years. ★ We are an ISO 9001 : 2000 Certified Institution

**WANTED: CHIEF ENGINEER / MASTER MARINERS  
ON PERMANENT BASIS**

## M.S. Notice 15 of 2008

No.44-NT(13)/2007 Dated: 16th July, 2008

**Subject :** Establishment of Safety Fairway in Offshore Development Area (ODA), Recommended Route along the Gujarat Coast and Traffic Separation Scheme (TSS) off Mumbai Harbor.

**For the attention of :** Exploration and Production (E&P) Operators, Ship Owners, Ship Managers, Shipping Agents, Ship Masters, Ship Builders, Ship Breakers, Seafarers, National Hydrographic Office (NHO), Major & Non-major Ports / Public Authorities; Coast Guard, Indian Navy, Flag Officer Defence Advisory Group (FODAG), Director General of Lighthouse and Lightship (DGLL), Director General Hydrocarbon (DGH), Oil and Natural Gas Commission (ONGC), Indian Metrological Department (IMD), Allied Offices of DG Shipping, Ports all Coastal State (including Maritime Board), Administrators of Union Territories including Islands in Bay of Bengal and Arabian Sea and Sailing and Fishing Vessels Associations, Maritime Training Institutes, etc.

To enhance safety of navigation for growing maritime traffic by establishing Safety Fairway in and around Offshore Development Area in Arabian Sea upto Exclusive Economic Zone (EEZ), Recommended Routes along the Coast of Gujarat supplemented by Traffic Separation Scheme (TSS) off Mumbai Harbor.

### A. Introduction

1. The data analysis of shipping casualties occurred in Indian waters during the past few years reveals gross violation of national / international navigational rules and lack of adoption of best established safe working and navigational watch keeping practices by the mariner. This wrongful acts of commission, omission or negligence have led to enormous losses of innocent lives of seafarers, damage to marine environment and property.
2. The Directorate General of Shipping appreciates the fact that safety of navigation is of vital concern for not only to the flag state of the vessel but also the coastal states, the shippers, the receivers, the seafarers, the environmentalists and other stake holders of shipping industry.
3. The Directorate recognizes the effect of volatile / unpredictable changing weather / sea conditions and movement of maritime traffic on the safe navigation of various types of trading / non trading ships in congested waters on Indian coast. It is also noted that such ships, while at sea are never free from dangers due to above stated reasons. The establishment of well tested routing systems to reduce marine accidents along the Indian Coast and our EEZ is therefore considered necessary.
4. In view of this, the Directorate has established a Safety Fairway, Recommended Routes and Traffic Separation Scheme (TSS) meeting national and international laws to regulate the movement of large number of ships / vessels in congested / restricted Indian waters including offshore development area for facilitating smooth, safe, efficient flow of commerce / trade in these areas.

### B. Purpose of this Notice

The primary objective of this Notice is to guide the shipping transiting through our waters including EEZ to enhance safety of Navigation by adopting Safety Fairways in the proximity of ODA, Recommended Routes along the Gujarat Coast and Traffic Separation Scheme off Mumbai Harbour.

### C. Scope of this Notice extended to various types of ships / vessels

The mandatory and recommendatory routing system shall be applicable to following type of maritime traffic:-  
Category I -Safety Fairway around Offshore Development Area in Arabian Sea

- i. Mandatory for all Indian ships and vessels transiting through Offshore Development Area for Indian ports irrespective of the size.
- ii. Recommendatory for all foreign flag ships and vessels transiting through Offshore Development Area for Indian ports or sailing out from Indian waters irrespective of their size. Category II - Recommended Route along Gujarat Coast

All ships and vessels irrespective of size and flag.

Category III -Traffic Separation Scheme off Mumbai Harbour

Mandatory for all Indian and Foreign flag ships and vessels entering and leaving Mumbai harbour and Jawaharlal Nehru Port Trust (JNPT) / Nhava -Sheva harbour irrespective of size.

#### **D. Applicability of Rules and Regulations**

- Article 22 of UNCLOS 1982 -Sea lanes and Traffic Separation Schemes in the territorial sea
- Regulation 10 of SOLAS - Chapter V -Ship routing
- Section 286 of Indian Merchant Shipping Act, 1958
- Merchant Shipping (Prevention of collision at sea) Rules, 1977 as amended framed under Indian Merchant Shipping Act
- Merchant Shipping (Safety of Navigation) Rules, 1997 as amended
- IMO Resolution A 572 (14) - General provisions of ship routing
- IMO Resolution A 827 (19) - Ship Routing
- IMO Resolution ship routing A 669 (16) - Amendment to general provisions - A 572 (14)
- IMO Resolution A 851 (20) - General principles for ship reporting systems
- Other provisions of applicable legislations.

#### **E. General Guidance:**

All concerned shall comply with the above stated adopted routing system in Indian waters. They are advised to disseminate the procedures as set out below amongst the mariners and other interested stake holders.

##### ***I) Safety Fairways :-***

- Safety Fairways, which are recommended as designated areas within which permits for erection of oil or gas related structure is not granted. These fairways facilitate safe transit to / from ports in the area.
- Precautionary areas, a routing measure comprising an area within defined limits where ships must navigate with particular caution and within which the direction of traffic flow may be recommended.

##### ***ii) Recommended Route:-***

- A route of undefined width for the convenience of ships and vessels in transit
- These routes assist mariners to navigate safely in order to represent the best tracks for crossing traffic and to minimize head on encounters in the vicinity of Oil Field Development Areas or along the heavy density coast line. As a result of which the coastal traffic moving to and fro to the Offshore Development Area is regulated.
- Mariners are advised to keep about one to two miles on either side of the recommended routes and comply with the relevant Rules of the Road to avoid situations of risk of collisions or close quarters.
- Indian and foreign flag ships and vessels are advised to follow the Recommended Routes, along the Gujarat Coast as specified in the relevant navigational chart published by the National Hydrographic Office, Dehradun.

##### ***iii) Traffic Separation Scheme:-***

- Routing measures aimed at the separation of opposing streams of traffic by appropriate means and by establishment of traffic lanes. All vessels using the Traffic Separation Scheme shall strictly comply with the provisions of Rule No. 10 (Traffic Separation Schemes) of International Regulations for Preventing Collisions at Sea, 1972 (COLREGS).
- All such vessels shall also be guided by the instructions issued by the Mumbai Port Trust Traffic Control Stations for regulation of inward and outward movement of ships. When navigating in the vicinity of VTS in the approaches to Mumbai Harbour.
- All such vessels shall also adhere to the reporting system as required by the Mumbai Port Trust. However, it is advised that all vessels engaged in fishing, dredging or underwater operations, when restricted in their ability to maneuver shall as far as possible, keep well clear of Safety Fairways, Recommended Routes and TSS Areas.

All mariners irrespective of size, type and flag of the ships / vessels are advised to comply with COLREGS 1972 specially, with regard to parts related to steering and sailing, conduct of vessels in sight of one another, conduct of vessels in restricted visibility, lights, shapes and sound signals, during navigation in Indian waters while using the above stated routing system.

The details on the coordinates for the safety fairways, recommended route and traffic separation scheme shall be published by the Chief Hydrographer to the Govt. of India in its fortnightly Notices to Mariner No. 14 of 2008. (16th July, 2008) (please ref. www.hydrobharat.nic.in).

#### **F. Nautical Charts and publications affected:-**

The mariners are advised to use corrected and upto date Indian navigational charts for these areas and associated nautical publications such as sailing directions, list of lights, tide tables and notices to mariners or other publications for the intended voyage. These publications are available with the notified chart agents or depots of National Hydrographic Office, Dehradun. The list can be downloaded from their website www.hydrobharat.nic.in.

#### **G. Contraventions of these guidelines:**

If the provisions of these guidelines are contravened by the master or the owner, they would be held liable for all consequences under the provisions of Merchant Shipping Act / Indian Ports Act or other applicable, national and international legislations.

**H. Entry into force:** This system supersedes earlier recommended routes passing through the Offshore Development Area (ODA) in the Arabian Sea. This Merchant Shipping Notice comes into force with effect from 1st Aug 2008 (01/08/2008).

The Directorate shall keep these guidelines under review at periodical interval of a minimum 1 year to verify its effectiveness.

Sd/-  
**(Capt. Deepak Kapoor)**  
*Nautical Surveyor-cum-DDG (Tech)*

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## **N.T. BRANCH CIRCULAR NO : NT/ISPS/SECURITY/NO.02/2008**

**No.35-NT(01)/2008      Dated :5th August, 2008**

**Sub : Anti piracy/ Armed robbery/ Petty theft/ Unauthorized boarding - Measures by Ports and Ships.**

The Directorate has noted with serious concern that in the recent past, incidents of armed robbery and unauthorized boarding have been occurring on board ships, harbour craft, barges, tugs and other craft anchored within port limits of some Indian ports or while in transit in the water under Indian jurisdiction.

Analysis of the incidents in the recent past has revealed the following:

1. In most cases, Masters fail to immediately inform the port authority, nearest Maritime Rescue Coordination Centre/ Indian Coast Guard, local agents or the local law authority.
2. Majority of the cases are of robbery/ petty theft, but Masters report these cases as piracy directly to the International Maritime Bureau piracy reporting center, Kuala Lumpur.
3. Even in cases where such incidents have been reported to the coastal authorities, the reports were delayed giving ample time and opportunity to the miscreants to flee.

The following definition of piracy is contained in article 101 of the 1982 United Nations Convention on the Law of the Sea (UNCLOS):

"Piracy consists of any of the following acts:

(a) any illegal acts of violence or detention, or any act of depredation (Plunder / Pillage or take goods forcibly), committed for private ends by the crew or the passengers of a private ship or a private aircraft, and directed:

(I) on the high seas, against another ship or aircraft, or against persons or property on board such ship or aircraft;

- (ii) against a ship, aircraft, persons or property in a place outside the jurisdiction of any State;
- (b) Any act of voluntary participation in the operation of a ship or of an aircraft with knowledge of facts making it a pirate ship or aircraft;
- (c) Any act inciting or of intentionally facilitating an act described in sub-paragraph (a) or (b)."

Armed robbery is robbery committed with the use of arms that could include weapons like sticks, knives, choppers and fire arms.

Petty theft may be classified as robbery where loose items of a ship i.e. paint, rope, wire, tools, brass and other metallic items which are stolen for monetary gain. While all types of thefts including petty theft are discouraged, it would be a distortion of facts if they are reported as piracy or armed robbery, bringing Indian ports to disrepute.

All ships including harbour craft and offshore supply vessels are hereby advised to:

1. Immediately report all incidents/ attempts of piracy and armed/-unarmed robbery to the nearest Marine Rescue Coordination (MRCC), local agents and Port Authority with a copy to DG Commcenter immediately when such incidents occur on the Indian coast with a description of the craft involved in the incident and any other relevant information. The report should be made immediately upon occurrence of an incident, which would assist the authorities to take timely action. The report may be made in the prescribed format attached as Annex-1 to this Circular. The contact details of the MRCC are attached as Annex-2 to this Circular.

The contact details of the DG Commcenter are as follows:

Tel. 00 91 22 2261 0606; 2261 4646; 32959320; Fax: 00 91 22 2261 3636; E-mail: dgcommcentre@satyammail.net; dgcommcentre@vsnl.net

2. Give a correct description and refrain from using the word "PIRACY" in cases of petty theft/ robbery when reporting to International Maritime Bureau (IMB) piracy reporting Centre or other authorities.

Port Authorities are advised to:

1. Issue a VHF warning to all approaching ships and ships within their respective port limits to keep effective anti-piracy watch at all times. These warnings shall be issued at least once in every 4 hours and a record kept of the same.
2. Obtain a written statement from Masters of all outbound ships stating that there has been no case of piracy/ armed robbery or theft during the vessel's stay in port.
3. If there has been any such incident, obtain the Master's report with details of the incident, to whom it was reported and other relevant information shall be obtained and conveyed to the DG Commcenter without delay.
4. All ship agents may be directed to issue an advisory to all inbound ships to follow the procedures laid down in this circular. Upon receipt of a report from a ship, the agents are advised to immediately file a first information report with the nearest police station.

Sd/-  
**CAPT. RAKESH AWASTHI**  
*Nautical Surveyor -cum- DDG (Tech).*

**Issue of Continuous Discharge Certificate (CDC) to 24 months sailing experience Seafarers between 2003 to 2007:**

Seamen Sena Union of India, Mumbai has submitted Writ Petitions in the Hon'ble High Court, Mumbai. The SSUI has challenged the Director General of Shipping's Order to get C.D.C. to those Seafarers, who have worked even after

cut of date 2003 upto 2007. By previous D. G.'s Order, only few Seafarers could get C.D.C. based on their sailing experience upto 28-02-2003. After various hearing before the Hon'ble Joint Judges of Chief Justice Swatantra Kumar & Others, ultimately the matter was transferred to Hon'ble Justice J. N. Patel & K. K. Tated. On 8th August, 2008 the Writ Petition of the said Seamen Sena Union of India was admitted and final hearing will take place soon. By

virtue of this Writ Petition those Seafarers who are included in Writ Petitions, are only having chances to get C.D.C. based on their 24 months sailing experience. There are many Seafarers who are having more than 24 months sailing experience without Indian C.D.C., and having requisite qualification as well as all courses under STCW Convention 1995, now can approach Seamen Sena Union of India, so that their name could be included in the Writ Petitions.

## **Acts of War: The war between the United States and Iran is on:**

American taxpayer dollars are being used, with the permission of Congress, to fund activities that result in Iranians being killed and wounded, and Iranian property destroyed. This wanton violation of a nation's sovereignty would not be tolerated if the tables were turned and Americans were being subjected to Iranian-funded covert actions that took the lives of Americans, on American soil, and destroyed American property and livelihood. Many Americans remain unaware of what is transpiring abroad in their name. Many of those who are cognizant of these activities are supportive of them, an outgrowth of misguided sentiment which holds Iran accountable for a list of grievances used by the U.S. government to justify the ongoing global war on terror. Iran, we are told, is not just a nation pursuing nuclear weapons, but is the largest state sponsor of terror in the world today.

Much of the information behind this is being promulgated by Israel, which has a vested interest in seeing Iran neutralized as a potential threat. But Israel is joined by another source, even more puzzling in terms of its broad-based acceptance in the world of American journalism: the Mujahadeen-e Khalk, or MEK, an Iranian opposition group sworn to overthrow the theocracy in Tehran. The CIA today provides material support to the actions of the MEK inside Iran. The recent spate of explosions in Iran, including a particularly devastating "accident" involving a military convoy transporting ammunition in downtown Tehran, appears to be linked to an MEK operation; its agents working inside munitions manufacturing plants deliberately are committing acts of sabotage which lead to such explosions. If CIA money and planning support are behind these actions, the agency's backing constitutes nothing less than an act of war on the part of the United States against Iran.

The MEK traces its roots back to the CIA-orchestrated overthrow of the democratically elected Prime Minister Mohammed Mossadeg. Formed among students and intellectuals, the MEK emerged in the 1960s as a serious threat to the reign of Reza Shah Pahlevi. Facing brutal repression from the Shah's secret police, the SAVAK, the MEK became expert at blending into Iranian society, forming a cellular organizational structure

which made it virtually impossible to eradicate. The MEK membership also became adept at gaining access to positions of sensitivity and authority. When the Shah was overthrown in 1978, the MEK played a major role and for a while worked hand in glove with the Islamic Revolution in crafting a post-Shah Iran. In 1979 the MEK had a central role in orchestrating the seizure of the U.S. Embassy in Tehran, and holding 55 Americans hostage for 444 days.

However, relations between the MEK and the Islamic regime in Tehran soured, and after the MEK staged a bloody coup attempt in 1981, all ties were severed and the two sides engaged in a violent civil war. Revolutionary Guard members who were active at that time have acknowledged how difficult it was to fight the MEK. In the end, massive acts of arbitrary arrest, torture and executions were required to break the back of mainstream MEK activity in Iran, although even the Revolutionary Guard today admits the MEK remains active and is virtually impossible to completely eradicate.

It is this stubborn ability to survive and operate inside Iran, at a time when no other intelligence service can establish and maintain a meaningful agent network there, which makes the MEK such an asset to nations such as the United States and Israel. The MEK is able to provide some useful intelligence; however, its overall value as an intelligence resource is negatively impacted by the fact that it is the sole source of human intelligence in Iran. As such, the group has taken to exaggerating and fabricating reports to serve its own political agenda. In this way, there is little to differentiate the MEK from another Middle Eastern expatriate opposition group, the Iraqi National Congress, or INC, which infamously supplied inaccurate intelligence to the United States and other governments and helped influence the U.S. decision to invade Iraq and overthrow Saddam Hussein. Today, the MEK sees itself in a similar role, providing sole-sourced intelligence to the United States and Israel in an effort to facilitate American military operations against Iran and, eventually, to overthrow the Islamic regime in Tehran.

The current situation concerning the MEK would be laughable if it were not for the violent reality of that organization's activities. Upon its arrival in Iraq in 1986, the group was placed under the control of Saddam Hussein's Mukhabarat, or

intelligence service. The MEK was a heavily militarized organization and in 1988 participated in division-size military operations against Iran. The organization represents no state and can be found on the U.S. State Department's list of terrorist organizations, yet since the U.S. invasion of Iraq in 2003, the MEK has been under the protection of the U.S. military. Its fighters are even given "protected status" under the Geneva Conventions. The MEK says its members in Iraq are refugees, not terrorists. And yet one would be hard-pressed to find why the 1951 Geneva Convention on Refugees should confer refugee status on an active paramilitary organization that uses "refugee camps" inside Iraq as its bases.

The MEK is behind much of the intelligence being used by the International Atomic Energy Agency in building its case that Iran may be pursuing (or did in fact pursue in the past) a nuclear weapons program. The complexity of the MEK-CIA relationship was recently underscored by the agency's acquisition of a laptop computer allegedly containing numerous secret documents pertaining to an Iranian nuclear weapons program. Much has been made about this computer and its contents. The United States has led the charge against Iran within international diplomatic circles, citing the laptop information as the primary source proving Iran's ongoing involvement in clandestine nuclear weapons activity. Of course, the information on the computer, being derived from questionable sources (i.e., the MEK and the CIA, both sworn enemies of Iran) is controversial and its veracity is questioned by many, including me.

Now, I have a simple solution to the issue of the laptop computer: Give it the UNSCOM treatment. Assemble a team of CIA, FBI and Defense Department forensic computer analysts and probe the computer, byte by byte. Construct a chronological record of how and when the data on the computer were assembled. Check the "logic" of the data, making sure everything fits together in a manner consistent with the computer's stated function and use. Tell us when the computer was turned on and logged into and how it was used. Then, with this complex usage template constructed, overlay the various themes which have been derived from the computer's contents, pertaining to projects, studies and other activities of interest. One should be able to rapidly ascertain

whether or not the computer is truly a key piece of intelligence pertaining to Iran's nuclear programs.

The fact that this computer is acknowledged as coming from the MEK and the fact that a proper forensic investigation would probably demonstrate the fabricated nature of the data contained are why the U.S. government will never agree to such an investigation being done. A prosecutor, when making a case of criminal action, must lay out evidence in a simple, direct manner, allowing not only the judge and jury to see it but also the accused. If the evidence is as strong as the prosecutor maintains, it is usually bad news for the defendant. However, if the defendant is able to demonstrate inconsistencies and inaccuracies in the data being presented, then the prosecution is the one in trouble. And if the defense is able to demonstrate that the entire case is built upon fabricated evidence, the case is generally thrown out. This, in short, is what should be done with the IAEA's ongoing probe into allegations that Iran has pursued nuclear weapons. The evidence used by the IAEA is unable to withstand even the most rudimentary cross-examination. It is speculative at best, and most probably fabricated. Iran has done the right thing in refusing to legitimize this illegitimate source of information.

A key question that must be asked is why, then, does the IAEA continue to permit Olli Heinonen, the agency's Finnish deputy director for safeguards and the IAEA official responsible for the ongoing technical inspections in Iran, to wage his one-man campaign on behalf of the United States, Britain and (indirectly) Israel regarding allegations derived from sources of such questionable veracity (the MEK-supplied laptop computer)? Moreover, why is such an official given free rein to discuss such sensitive data with the press, or with politically motivated outside agencies, in a manner that results in questionable allegations appearing in the public arena as unquestioned fact? Under normal circumstances, leaks of the sort that have occurred regarding the ongoing investigation into Iran's alleged past studies on nuclear weapons would be subjected to a thorough investigation to determine the source and to ensure that appropriate measures are taken to end them. And yet, in Vienna, Heinonen's repeated transgressions are treated as a giant "non-event," the 800-pound gorilla in the room that everyone pretends isn't

really there.

Heinonen has become the pro-war yin to the anti-confrontation yang of his boss, IAEA Director General Mohamed ElBaradei. Every time ElBaradei releases the results of the IAEA probe of Iran, pointing out that the IAEA can find no evidence of any past or present nuclear weapons program, and that there is a full understanding of Iran's controversial centrifuge-based enrichment program, Heinonen throws a monkey wrench into the works. Well-publicized briefings are given to IAEA-based diplomats. Mysteriously, leaks from undisclosed sources occur. Heinonen's Finnish nationality serves as a flimsy cover for neutrality that long ago disappeared. He is no longer serving in the role as unbiased inspector, but rather a front for the active pursuit of an American- and Israeli-inspired disinformation campaign designed to keep alive the flimsy allegations of a nonexistent Iranian nuclear weapons program in order to justify the continued warlike stance taken by the U.S. and Israel against Iran.

The fact that the IAEA is being used as a front to pursue this blatantly anti-Iranian propaganda is a disservice to an organization with a mission of vital world importance. The interjection of not only the unverified (and unverifiable) MEK laptop computer data, side by side with a newly placed emphasis on a document relating to the forming of uranium metal into hemispheres of the kind useful in a nuclear weapon, is an amateurish manipulation of data to achieve a preordained outcome. Calling the Iranian possession of the aforementioned document "alarming," Heinonen (and the media) skipped past the history of the document, which, of course, has been well explained by Iran previously as something the Pakistani nuclear proliferator A.Q. Khan inserted on his own volition to a delivery of documentation pertaining to centrifuges. Far from being a "top-secret" document protected by Iran's security services, it was discarded in a file of old material that Iran provided to the IAEA inspectors. When the IAEA found the document, Iran allowed it to be fully examined by the inspectors, and answered every question posed by the IAEA about how the document came to be in Iran. For Heinonen to call the document "alarming," at this late stage in the game, is not only irresponsible but factually inaccurate, given the definition of the word. The Iranian document in question is neither a cause for alarm, seeing as it is not a source for any

"sudden fear brought on by the sense of danger," nor does it provide any "warning of existing or approaching danger," unless one is speaking of the danger of military action on the part of the United States derived from Heinonen's unfortunate actions and choice of words.

Olli Heinonen might as well become a salaried member of the Bush administration, since he is operating in lock step with the U.S. government's objective of painting Iran as a threat worthy of military action. Shortly after Heinonen's alarmist briefing in March 2008, the U.S. ambassador to the IAEA, Gregory Schulte, emerged to announce, "As today's briefing showed us, there are strong reasons to suspect that Iran was working covertly and deceitfully, at least until recently, to build a bomb." Heinonen's briefing provided nothing of the sort, being derived from an irrelevant document and a laptop computer of questionable provenance. But that did not matter to Schulte, who noted that "Iran has refused to explain or even acknowledge past work on weaponization." Schulte did not bother to note that it would be difficult for Iran to explain or acknowledge that which it has not done. "This is particularly troubling," Schulte went on, "when combined with Iran's determined effort to master the technology to enrich uranium." Why is this so troubling? Because, as Schulte noted, "Uranium enrichment is not necessary for Iran's civil program but it is necessary to produce the fissile material that could be weaponized into a bomb."

This, of course, is the crux of the issue: Iran's ongoing enrichment program. Not because it is illegal; Iran is permitted to enrich uranium for peaceful purposes under Article IV of the Nuclear Non-Proliferation Treaty. Not again because Iran's centrifuge program is operating in an undeclared, unmonitored fashion; the IAEA had stated it has a full understanding of the scope and work of the Iranian centrifuge enrichment program and that all associated nuclear material is accounted for and safeguarded. The problem has never been, and will never be, Iran's enrichment program. The problem is American policy objectives of regime change in Iran, pushed by a combination of American desires for global hegemony and an activist Israeli agenda which seeks regional security, in perpetuity, through military and economic supremacy. The specter of nuclear enrichment is simply a vehicle for facilitating the larger policy

objectives. Olli Heinonen, and those who support and sustain his work, must be aware of the larger geopolitical context of his actions, which makes them all the more puzzling and contemptible.

A major culprit in this entire sordid affair is the mainstream media. Displaying an almost uncanny inability to connect the dots, the editors who run America's largest newspapers, and the producers who put together America's biggest television news programs, have collectively facilitated the most simplistic, inane and factually unfounded story lines coming out of the Bush White House. The most recent fairy tale was one of "diplomacy," on the part of one William Burns, the No. 3 diplomat in the State Department.

I have studied the minutes of meetings involving John McCloy, an American official who served numerous administrations, Democratic and Republican alike, in the decades following the end of the Second World War. His diplomacy with the Soviets, conducted with senior Soviet negotiator Valerejn Zorin and Soviet Premier Nikita Khrushchev himself, was real, genuine, direct and designed to resolve differences. The transcripts of the diplomacy conducted between Henry Kissinger and Le Duc Tho to bring an end to the Vietnam conflict is likewise a study in the give and take required to achieve the status of real diplomacy.

Sending a relatively obscure official like Burns to "observe" a meeting between the European Union and Iran, with instructions not to interact, not to initiate, not to discuss, cannot under any circumstances be construed as diplomacy. Any student of diplomatic history could tell you this. And yet the esteemed editors and news producers used the term diplomacy, without challenge or clarification, to describe Burns' mission to Geneva on July 19. The decision to send him there was hailed as a "significant concession" on the part of the Bush administration, a step away from war and an indication of a new desire within the White House to resolve the Iranian impasse through diplomacy. How this was going to happen with a diplomat hobbled and muzzled to the degree Burns was apparently skipped the attention of these writers and their bosses. Diplomacy, America was told, was the new policy option of choice for the Bush administration.

Of course, the Geneva talks produced nothing. The United States had made

sure Europe, through its foreign policy chief, Javier Solana, had no maneuvering room when it came to the core issue of uranium enrichment: Iran must suspend all enrichment before any movement could be made on any other issue. Furthermore, the American-backed program of investigation concerning the MEK-supplied laptop computer further poisoned the diplomatic waters. Iran, predictably, refused to suspend its enrichment program, and rejected the Heinonen-led investigation into nuclear weaponization, refusing to cooperate further with the IAEA on that matter, noting that it fell outside the scope of the IAEA's mandate in Iran.

Condoleezza Rice was quick to respond. After a debriefing from Burns, who flew to Abu Dhabi, United Arab Emirates, where Rice was holding closed-door meetings with the foreign ministers of six Arab nations on the issue of Iran, Rice told the media that Iran "was not serious" about resolving the standoff. Having played the diplomacy card, Rice moved on with the real agenda: If Iran did not fully cooperate with the international community (i.e., suspend its enrichment program), then it would face a new round of economic sanctions and undisclosed punitive measures, both unilaterally on the part of the United States and Europe, as well as in the form of even broader sanctions from the United Nations Security Council (although it is doubtful that Russia and China would go along with such a plan).

The issue of unilateral U.S. sanctions is most worrisome. Both the House of Representatives, through HR 362, and the Senate, through SR 580, are preparing legislation that would call for an air, ground and sea blockade of Iran. Back in October 1962, President John F. Kennedy, when considering the imposition of a naval blockade against Cuba in response to the presence of Soviet missiles in that nation, opined that "a blockade is a major military operation, too. It's an act of war." Which, of course, it is. The false diplomacy waged by the White House in Geneva simply pre-empted any congressional call for a diplomatic outreach. Now the president can move on with the mission of facilitating a larger war with Iran by legitimizing yet another act of aggression.

One day, in the not-so-distant future, Americans will awake to the reality that American military forces are engaged in a shooting war with Iran. Many will scratch their heads and wonder, "How did

that happen?" The answer is simple: We all let it happen. We are at war with Iran right now. We just don't have the moral courage to admit it.

## **Apeejay, Bharati tie up to build ship ancillary units:**

Bangalore: The privately held Apeejay Shipping Ltd, run by Kolkata-based Apeejay Surendra Group, plans to set up ancillary parks close the shipbuilding yards it proposes to build in West Bengal and Orissa to ensure prompt supply of cheaper ship parts, a top executive said.

Flowing in: The ABG shipyard in Surat, Gujarat. With capacities in traditional shipbuilding countries such as Japan, South Korea and Norway booked for the next few years, global fleet owners are now looking at China, India and Vietnam to build ships. (Photograph by Ashesh Shah / MINT)

Apeejay-in partnership with Mumbai-based Bharati Shipyard Ltd-intends to spend nearly Rs4,500 crore to build two yards in Haldia, West Bengal and Badrak, Orissa, which are expected to build their first ships by 2011.

"We have decided in principle to set up shipbuilding ancillary units in the vicinity of the new yards," said S. Daspatnaik, chief executive officer of Bengal Shipyard Ltd and Oceanic Shipyard Ltd, the two companies that have been formed to execute the projects.

By building the ancillary parks, the joint venture partners are taking an integrated approach to shipbuilding, which would include ship design, construction and ancillary units.

Currently, shipbuilders have to import many parts from overseas as they are not locally manufactured. This often leads to delays given the tight order book position of parts makers due to the boom in global shipbuilding.

Apeejay will invite specialist makers of ship parts to set up their own units, or team up with entities in which the Apeejay-Bharati combine may take a stake. "The extent of our equity participation in these units will depend on the terms, including buy-back arrangements of these parts," Daspatnaik said. The firm would hire Korea Maritime Consultants Co. Ltd (Komac) to help design the basic layout of the two shipyards, he added.

Komac, a private organization of naval architects and marine engineers, has been involved in the planning of new

shipyard projects and yard expansions in Korea, the world's biggest ship building nation.

The planned 800-1,000-acre shipbuilding facility near Dhamra in Orissa's Badrak district has sufficient depth to build and repair large crude oil carriers capable of holding 320,000 tonnes of oil. The Haldia facility, however, will only be able to build mid-sized ships due to depth restrictions.

With capacities in traditional shipbuilding nations such as Japan, South Korea and Norway booked for the next few years, global fleet owners have started looking at China, India and Vietnam to build ships.

India has 23 shipyards, seven of which are owned by the Centre and two by state governments. The rest are owned by private firms, including ABG Shipyard Ltd, Pipavav Shipyard Ltd, Larsen and Toubro Ltd (L&T) and Bharati. These yards have a capacity to build ships with a combined cargo carrying capacity of 2.5 million tonnes (mt) a year, considered small by global standards.

Annual global shipbuilding capacity is expected to peak at 50mt in 2010, before steadying at 40-45mt in the next five years, according to John Stansfeld, president of ship classification society Lloyd's Register Asia. India's shipbuilding capacity is projected to rise to 4mt by 2012 and further to 19mt by 2017, aided mainly by cost competitiveness, and availability of cheap and skilled labour, according to audit and consultancy firm KPMG India Pvt. Ltd. India will then have a 7.5% share of the global market, it said in a recent report.

Labour constitutes 15-25% of the total cost of building a ship. Local builders such as ABG, Bharati and L&T are expanding capacities by acquiring small yards, or building new ones to cater to the rising demand. L&T, for instance, is building a Rs3,000 crore facility at Kattupalli in Tamil Nadu. Ship-owning firm Goodearth Maritime Ltd is also investing more than Rs2,000 crore to build a facility at Cuddalore in Tamil Nadu.

**Centre to set up maritime university in Chennai:**  
MUMBAI: India's wait for a maritime

university may come to an end soon. The proposal for setting up the Indian Maritime University (IMU) in Chennai has been cleared by the Union Cabinet and would be tabled in the monsoon session of the parliament. Shipping Secretary A P V N Sharma confirmed the development and said that the bill was likely to be passed in the ensuing session of the parliament. IMU would be set up in Chennai with campuses in Mumbai, Kolkata and Vizag at a cost of Rs 430 crore. The maritime university bill was proposed last year and was returned for modifications. The suggestions included setting up campuses in other cities like Mumbai, Kolkata and Vizag. These were included in the recent proposal, which has been cleared by the Cabinet.

Even after being one of the largest maritime countries, India does not have a single maritime university. The proposal to set up the university in Chennai saw much opposition from various political parties who suggested Mumbai or Kolkata as better locations. After much tussle, Chennai was finalised as the location, as the government could secure 300 acres of land there. P Vijayan, director of National Maritime Academy (NMA) in Chennai, said that preparatory work for the university was being carried out. The university has planned eight courses, including marine biology, oceanography, nautical sciences and management courses in maritime, port & shipping and logistics & transport.

NMA situated on the east coast between Chennai and Mahabalipuram, along with all other central government-run maritime institutes, would become part of the IMU, after it comes up. Shipping secretary Sharma said, "We hope that the university can standardise the syllabus and the methods of testing in the various colleges."

**Indian Shipping Associations express deep anguish at the continued detention of Seafarers:** "We are deeply concerned at the continued and unjust detention of the 2 Indian Officers from the tanker Hebei Spirit, despite being declared innocent."

In a judgment handed down on 23rd June 2008 at a branch of the Daejeon District Court in the city of Seosan, South Chungcheong Province, on South Korea's west coast, the Master and Chief Officer of the Hebei Spirit were found innocent of all charges of violating the ocean pollution law; as was the Hong Kong owner of the vessel, Hebei Spirit Shipping Co Ltd

"Capt. Chawla and Chief Officer Syam Chetan have conducted themselves in the highest level of professional excellence in respecting and abiding by the law of the land and provided their fullest cooperation to the investigations and legal process. They have been in Korea since 7th December and been present at the court proceedings whenever required."

"We now understand that despite being declared innocent, the exit ban has been further extended preventing them from leaving Korea and that the officers may well have to stay another year."

The officers have pledged that they will certainly visit Korea and attend court hearings to be held at the appellate court and participate in the legal proceedings in a sincere and earnest manner. Additionally, the Hebei Spirit's owners and managers have confirmed that they will take all necessary measures to provide assistance to the Master and Chief Officer to enable them to attend the court hearings before the appellate court.

The continued detention by the Korean authorities, despite the acquittal and furthermore despite the assurances provided, appear unjustified and in violation of officers' basic rights.

We urge the Indian and International shipping community and other human rights organization to join us in our appeal to the Government of the Republic of Korea to take all necessary steps to permit the seafarers to return to their homes and reunite with their families.

**SCI signs Shipbuilding Contracts with STX Shipyard for acquisition of 4 Nos. Panamax Bulk Carriers:** 13th August, 2008: The Shipping Corporation of India Ltd. (SCI)

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continues its vessel acquisition spree with orders for 4 Panamax Bulk Carriers placed on 13th August, 2008 with STX Shipyard. SCI has selected STX shipyard for building these vessels through global tendering process. SCI also has 6 LR-I size Product tankers and 6 Handymax Bulk carriers on order at STX shipyard and the current order shows the commitment of the two organizations to work for mutual prosperity. The vessels would be built at the shipyard's state of the art shipbuilding facility at Dalian in China.

These vessels would be of higher capacity in the Panamax size range with 80,655 DWT each compared to the conventional Panamax vessels of 75,000 dwt, enabling the company to carry more cargo per voyage. In the bulk carrier market, these larger Panamax bulk carriers are also referred to as "Kamsarmax". The name "Kamsarmax" is derived from the world's largest bauxite loading port of Kamsar in Equatorial Guinea. SCI presently has 20 bulk carriers in its fleet out of which some vessels would be due for scrapping soon. The vessels ordered now would be delivered to SCI during 2012 and would thus enable SCI to partly replace some of the vintage handymax bulk carrier tonnage and enhance SCI exposure in the larger segment of Panamax trade.

The dry bulk transportation market has been passing through a boom phase with freight rates peaking to unprecedented levels in history of shipping. China and India are the major drivers of the growth in this trade. Fundamentals of these economies are very strong and outlook for dry bulk trade remains positive. SCI would be able to cater to this growing trade with the new vessels upon delivery. SCI has further plans to augment its bulk carrier fleet by ordering Capesize bulk carriers in the near future. This move would further strengthen its position as a dominant player in the Indian shipping sector and also help the company to emerge as a strong player in the bulk segment. SCI has embarked upon a major fleet acquisition plan and with signing of this contract, has 32 vessels of 1.44 million GT on order. This include all types of vessels, i.e. crude oil carriers including 2 VLCCs, product tankers, dry bulk carriers, cellular container vessels and offshore supply vessels. Total investment for these projects would be over US \$ 1.8 billion (about Rs. 7,900 Crores). SCI has further plans to place

order for another 42 vessels in the next 3-4 years and some projects are already in pipeline.

**Fishing Harbour at Kanyakumari:** NAGERCOIL: A sum of Rs. 27.10 crore had been allocated for construction of a fishing harbour at Colachel in Kanyakumari district. The required land of 3.75 hectares was acquired from the Tamil Nadu Maritime Board, said the Executive Engineer of Department of Fisheries, S. K. Mohanan.

He said that the cost of the project would be shared equally between the State and the Centre. In this project, space would be provided to berth mechanised fishing vessels and fibre-reinforced boats, along with necessary approach bund. A quay to a length of 242 metres would be constructed to facilitate loading of fuel and food and unloading of fish and other fishing gear. An auction hall, net-mending shed, gear shed, workshop, administrative office, canteen, toilets, generator room, radio communication tower and security room would be the other facilities.

Compound wall, drainage facility and approach road had also been proposed in the scheme, Mr. Mohanan said. The harbour will benefit fisherfolk of Colachel, Kodimunai, Vaniyakudi, Kurumbanai, Kottilpadu, Mandaicaduputhur and Chinnavilai.

It was expected to enhance foreign exchange earnings through export of high quality fish and prawns, especially tuna fish fertilised in wedge banks. It would generate employment for 1,600 persons directly and 5,000 persons indirectly, particularly those from fishermen community.

There was no fishing harbour between Kanyakumari and Neerodi along the west coast of the district. Nearly 1,500 mechanised vessels from the district had switched operations to Kerala, Karnataka, Maharashtra and Gujarat. Kanyakumari fishermen were facing problems leading to clashes, damage to boats, nets and other property in alien fishing centres, said Mr. Mohanan.

Local Administration Minister M. K. Stalin would lay the foundation stone for the harbour at Colachel on August 5.

**Judicial Malfunction:** It was the most infamous Super Bowl halftime show in history: In 2004, pop stars Justin Timberlake and Janet Jackson, bumping and grinding their way through a racy

routine, had a raunchy finale planned, which they rehearsed two days before. In front of 90 million viewers, including many children, Timberlake yanked off a section of Jackson's shirt, exposing her right breast.

The nudity angered many viewers, and gave the world a cynical new term: "wardrobe malfunction." Jackson's wardrobe is not the only thing that malfunctioned; so did the Third Circuit Court of Appeals. Last Monday the court threw out a \$550,000 fine the Federal Communications Commission assessed against CBS. The three-judge panel ruled that the FCC fine was "arbitrary" and "capricious."

While many Americans are angry at the court, they ought to understand this story is not just about activist judges second guessing the FCC: It is also about a willingness to corrupt. It is not enough, it seems, to make strippers available to those who seek them out in seedy clubs. It is about a desire to expose everyone to filth, whether they want to be exposed to it or not-even innocent children. In this case, pop performers considered shocking adults and corrupting kids an acceptable price to pay for the publicity and career enhancement. And, indeed, if it did not enhance their careers, it must have amused them to force vulgarity before millions of innocent eyes. The Super Bowl incident generated more than half a million complaints to the FCC-complaints the Third Circuit Court ignored. But there is a remedy if we act now. If you disagree with the court's decision, here is what I would like you to do right away.

First, call Senator Harry Reid and ask him to schedule a vote now on Senate Bill 1780, the Protecting Children from Indecent Programming Act. It would cover instances of "fleeting nudity" like the one that so disgusted Super Bowl fans, and caused the Muslim world to mock Western decadence. Then call Senator Jay Rockefeller. He authored the bill, but has showed no willingness to move it. Third, call your own two senators and ask them not only to support the bill, but to urge Senators Reid and Rockefeller to move the bill. It has been passed out of committee; they could vote on it today if they wanted to! We need to let senators know that lip service to traditional values is not enough. Lastly, email FCC Chairman Kevin Martin, and thank him for his strong stand; urge him to appeal to the Supreme Court.

Readers' valued feedback very important to us. Please be free to e-mail:

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