



## Indian Navy nabs 23 pirates in Gulf of Aden

The Indian Navy on Saturday foiled a hijack attempt in the notorious Gulf of Aden and arrested 23 heavily armed Somalia and Yemeni pirates. Within minutes of receiving a distress call from an Ethiopian vessel, MV Gibe, INS Mysore, a Delhi-class destroyer, launched an armed helicopter with marine commandos onboard to stop the pirates from boarding and hijacking the vessel. The skipper of the Ethiopian vessel, sailing 150 NM's west of Aden, radioed a message at around 11 am (IST) saying that pirates had brought his ship under heavy fire. The Mysore, which replaced stealth frigate INS Tabar in Nov. end, immediately launched a helicopter and began closing in on the vessel. Upon sighting the chopper, the pirates abandoned their plans to hijack the vessel.



Instead, navy sources said, they tied their skiffs (speedboats) to the mother vessel and pretended to be fishermen. The mother vessel, a 10-metre craft called Salahaddin, had some catch stocked in it to give the impression that it was a fishing vessel. The Mysore intercepted the mother vessel and fired ahead of it to prevent the pirates from getting away. Sources said the marine commandos had sighted pirates carrying rocket-propelled grenade launchers and automatic weapons. As Mysore engaged the pirates, the commandos boarded the Salahaddin and arrested the pirates, who decided not to hold out as they were no match for the Indian warship. The navy recovered seven AK-47 assault rifles, RPG launchers, three speedboats, grenades and other ammunition. The pirates were taken onboard and would be handed over to authorities in Djibouti. It was in November that the government authorized the navy to undertake "hot pursuit" of pirates in the territorial waters of Somalia, which descended into anarchy in 1991. A country's territorial waters extend to 12 nautical miles from shore.

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## Attention Seafarers!

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

(Dial City Code)

followed by **155211**



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pursuit" empowers the navy to temporarily violate the maritime border of Somalia to pursue pirates. This marks the fourth success of the navy against pirates after it launched anti-piracy patrols. On November 19, Tabar sank a Somali pirate vessel after being threatened with disastrous consequences. A few days before that, the same warship foiled two hijack attempts in the Gulf of Aden --- the world's most dangerous waters for commercial shipping. It rescued an Indian flagship and a Saudi Arabian merchant vessel.

**Seabourn Spirit:** a German-built 5-star cruise ship that first sailed in 1989. The luxury liner travels between Europe and Africa, and is owned by the Seabourn Cruise Line.

**Pirate attack:** Seabourn Spirit was attacked, 115 km off the coast of Somalia, by two pirate speedboats launched by a mother boat. The ship carried 151 passengers, none of whom were injured, although machine gun shots were fired as well



as rocket propelled grenades. An unexploded grenade wedged itself in the wall of a room and was disarmed by sailors from the USS GonzalezTemplate: WP Ships USS instances after the attack. The ship's Master-at-Arms, Michael Groves, was hit by shrapnel whilst attempting to combat the raiders with a long range acoustic device (LRAD). The sonic device repelled the pirates by blasting a powerful sound wave. The ship also destroyed one of the pirate vessels by running it over.



The remnants of a rocket propelled grenade (RPG) shown after striking "Seabourn Spirit"

The navy has been carrying out anti-piracy patrols in the international waters off the Gulf of Aden since October 23 to "protect Indian sea-borne trade, instill confidence in the seafaring community and act as a deterrent for pirates." "Hot pursuit" empowers the navy to temporarily violate the maritime border of Somalia to pursue pirates. This marks the fourth success of the navy against pirates after it launched anti-piracy patrols. On November 19, Tabar sank a Somali pirate vessel after being threatened with disastrous consequences. A few days before that, the same warship foiled two hijack attempts in the Gulf of Aden --- the world's most dangerous waters for commercial shipping. It rescued

an Indian flagship and a Saudi Arabian merchant vessel.

**Long range acoustic device. (LRAD) is a crowd-control and hailing device developed by American Technology Corporation.**

According to manufacturer's specifications, the equipment weighs 45 pounds (20 kg) and can emit sound in a 30° beam (only at high frequency, 2.5 kHz) from a device 33 inches (83 cm) in diameter. At maximum volume, it can emit a



warning tone that is 146 dB SPL (1,000 W/m<sup>2</sup>) at 1 metre, a level that is capable of permanently damaging hearing, and higher than the normal human threshold of pain (120 - 140 dB). The maximum usable design range extends to 300 metres. At 300 metres, the warning tone (measured) is less than 90 dB. The warning tone is a high-pitched shrill tone similar to that of a smoke detector. There appears to be some disagreement over these specifications, as some have reported measurements that differ from the manufacturer's specifications, and show reduced output with a less directive beam.

It's instructive to note that any loudspeaker of equal size will generate a beam of the same directivity as LRAD. The parameter "ka", which is the wave number multiplied by the speaker radius, is often used to characterize sound source directivity. For this source,  $ka=19$  at 2.5kHz, and according to the LRAD data sheet, the beam angle of about 30 degrees total - precisely what is predicted for a regular loudspeaker [1]. Contrary to some beliefs, the device does not use ultrasound, nor is it a phased array; it uses an array of conventional acoustic tweeters, the same as those used in many professional audio applications, all driven together in parallel.[citation needed]

Carl Gruenler, (former) vice president of military and government operations for American Technology Corp. (and who now runs a company making a competing device), says that being within 100 yards (90 m) of the device is extremely painful, but its use should be limited to 300 yards (270 m) to be effectively used. He concedes that the device is powerful enough to cause permanent auditory damage, but that it is only meant to be used for a few seconds at a time. Countermeasures may include the use of passive hearing protection (earplugs, headsets), which may bring the sound down to ineffective levels. In addition, sound could be reflected from a solid surface, and redirected back to the originator.

Small spherical "point-source" acoustic devices follow the

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## From the Editor's Desk



*"Those who have the privilege to know, have the duty to act."* Albert Einstein

**'Innovation comes from connecting with the best of minds'**

*It's high time our national maritime administration pools-up a team of loyal, duty-conscious qualified policy makers who look at shipping globally with a wider perspective angle, serve with integrity, since shipping is international. Remain agile within the acceptable limits of elasticity in approaches and workable operations, fact-based decisions within reasonable time, enhancing organisational-effectiveness by implementing leading-edge initiatives in the areas of recruitment, retention, training, evaluation etc. serving the coastal and ocean going shipping sector. Entry level mariners ought to be fully screened to meet the challenges of hard work out at sea and at the same time take the good image of our nation world-wide. "Life at sea is never a bed of roses", while living with all the limitations onboard with varied conditions i.e. manpower, machineries, materials, for source of accessibility while at sea, to combat piracy as in the case of terrorism, meet emergent needs while living away from their close and near dear ones. Discipline is instilled in them, as the discipline plays a vital role in all spheres of life.*

*This means in human resources, Company policy needs to be unilaterally applied to hiring practices, after viewing all probabilities, taking into account of uncertainties as well, meeting international standards of quality, employee performance management, technology, evaluation and assessment worldwide. We need to compete all the time for talent, without any reservations but with the best of competencies. Our Cee Cee Industrial & Marine Management Consultants division continues, to transform itself to be both a services-led and technology-enabled company. Last but not least, our human resources function are organised and positioned to help drive our top-line growth, with a holistic and pragmatic approach. Our services consultative division sees the need for a certain kind of services-oriented skill set and consultative behavioral model for employees. Our HR Division concentrates on thoughts, qualified discussions and decisions for better recruiting and retaining people with the right skill- sets, to be more productive in nature. It is increasingly difficult, however, to find new employees with the expertise as we desire, unless we have evolved a yardstick of required quality, as a basic step and to gradually improve upon, upgrading them. Owing to no laid down common standards of curriculum.*

*Indian seafarers must maintain and constantly enhance their proficiency, continue to be admired for their hard, loyal and skilled service. Like other enterprises, they must be agile and adaptable to changes. Shipping being a service industry, transforms itself into services- 80% of the revenue derives from services and 20% from technology. With this mind-shift from tech to services, we need to implement a different type of specialized performance management. Seafarers live with risks and sacrifices, which is their part of life-style which is going unrecognised, in respect of their welfare, since they cannot get together unlike other tradesmen or professionals. Some wolves are exploiting them, which I have been saying time and again in my issues of "MARINE WAVES".*

*We have been seeing maritime/ colleges/ academies/institutions etc. springing up in 90's and finding them a unique set-up, amongst the existing conventional colleges/*

*institutions of higher learning, i.e. mariners (Captains and Chief Engineers) holding senior positions as: Director, Dean, Principal, Capt. Supdt., Faculty & instructor, purely on the strength of the Certificate of Competency which is to operate and manage ships, having worked onboard the ship as a Master or a Chief Engineer, though not academically strong, while with a background of 10+2/11th Standard/ or seaman entry through ranks which could be even without a school final/drop-outs. Hence, the old timers who are generally academically poor/under-graduates, why place in school of higher learning, while IITian, IIM graduates, PG's, PhD's, working in the same institutions, whose salary package comparably be mud and sky below, not considered fairly? This is a cause of discontentment within the teaching faculty of the same institution. Why not consider second mates and Mates & Masters (Class One) passed out from 90's, as Graduates, PG's respectively, for onward studies in taught and research studies, in their related discipline? This is similar to recognition of training and experience of Indian Navy personnel, for rehabilitation and resettlement into civil service. The shipping industry is dynamically and rapidly changing, academia has to rise to the occasion, a challenge. Technical education needs rejuvenation. Cannot be left with the old timer mariner's alone, who have not been keeping abreast with the changing surge of technology. Excellence and Perfection are the only principles of Education that can safeguard the knowledge bank of any country, a pre-requisite to nurture talents, for seafarers of tomorrow.*

*Un-Fair fixation of pay scales: DG Shipping website invites application for Ship's Surveyor, Engineer & Ship Surveyor, Nautical Surveyors in Directorate General of Shipping / Mercantile Marine Departments in the pay scale of Rs. 15600-39100+7600/- (Approximate Rs. 37584/- p.m. in Class-I cities). Simultaneously, application invited for Radio Inspectors in the pay scale of Rs. 15600-39100+5400/- Grade Pay (Approximate Rs. 34,572/- p.m. in Class-I cities). This is not a fair proposition, since marine radio officers (telegraphers) inducted onboard to receive and send messages. Those working ashore are Class 3 employees; unless they are qualified graduate engineers in electrical/electronics, they should not be appointed in the same starting basic wage as that of Chief Engineers and Masters.*

*The imperative need, to create a harmonious network for seafarers, in the website of every maritime nation, to interact and obtain timely realistic feedback, for timely corrective action, early reforms with better quality standards in technology, managerial for workable operations of the highest order, sourcing-out competent shipboard personnel. Monitoring, seafarer's welfare at each stage, starting from recruitment, training, processing, enjoining their assigned vessel and evaluating their progress. Introduce incentive plans / compensation schemes as their morale will be boosted high to produce better results. Maritime nations to create its own monitoring and evaluation of seafarer's needs, to make them more competitive, having the right attitude. MARINE WAVES is open to any Suggestions from social activists, joining us as our associates. Recommendations and remarks from any groups and private individuals is welcome-to promote better welfare-services for our dear seafarers, who lives with risks and sacrifices.*

### **Dr. Chandran Peechulli**

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known inverse square law, which predicts the loss of 6db per doubling of distance from the source. Large speakers (or large arrays), such as these mentioned above or those commonly used in concert halls, etc., produce less loss with distance in the nearfield, typically 3-4db per doubling of distance from the source. The larger the speaker, and the higher the frequency, the longer the effective nearfield is (see Beranek). Devices like this generally have nearfields of only a few meters.

**Usage:** The device was originally intended to be used by American warships to warn incoming vessels approaching without permission, and some reports claim that this is now a "non-lethal weapon". Its output up to 155db, focused at a distance, is sufficient to produce permanent ear damage and temporarily disrupt vision.[2] It may also be used simply as a very effective megaphone prior to any use as a weapon.

These devices are currently used at Camp Bucca Iraq and are being tested in regions of Baghdad, Fallujah, along with other regions of Iraq. The LRAD device was also used by police in New York City during protests of the 2004 Republican National Convention[3] and in Georgia against opposition protesters in Tbilisi on November 2007 [4][5]. The luxury cruise ship Seabourn Spirit employed an LRAD while repelling pirates who attacked the vessel with RPGs about 160 km off the coast of Somalia in early November 2005.[6] [7] The effectiveness of this device during the attack is not completely clear, but the pirates did not succeed in boarding the vessel and eventually fled. The Liberian vessel MV Biscaglia was attacked on November 28, 2008. The security detachment aboard Biscaglia used an LRAD device in an effort to repel attackers armed with assault rifles and rocket-propelled grenades. Following a one-sided shootout, the ship was seized and the unarmed security contractors forced to abandon ship or be killed.[8] The incident caused the usefulness of LRADs to be called into question by Lloyd's List.[9]

#### **The advantages of the LRAD.**

- **HIGH DIRECTIONALITY**
- o Reduces the risk of exposing nearby personnel to excessive audio levels
- **HIGH DECIBEL OUTPUT**
- o Clear communication and unmistakable warning at extended ranges

- o Attention-getting and highly irritating deterrent tone for behavior modification
- **COST EFFICIENCY**
- o Increased security coverage
- o Reduced manpower
- o Increased operational efficiency
- o Increased response capabilities
- **EASE OF INSTALLATION**
- o Low power requirements
- o Weatherproof
- o Lightweight
- o Flexible mounting (Optional SCRAM Cart configuration)
- **PROVEN TECHNOLOGY SOLUTION**
- o In combat since December 2003
- o At sea since May 2004
- o Maritime security since August 2004
- o Public safety since August 2004

### **When will the Merchant Shipping community tighten security?**

According to the Associated Press (2008), pirates seized the 530-foot-long freighter Faina off of the coast of Somalia. The ship was carrying 33 T-72 tanks, a substantial quantity of ammunition, and spare parts. This is a series of lucrative business adventures of coastal pirate groups who undertake these swift measures to financially assist themselves and their friends. Many of these close knit pirates organization provide funding to Al Qaeda and other terrorist organizations.

Many research papers and articles have been written about this subject, but it appears to have fallen on deaf shipping owners and Captains ears. Immediate action can be taken to help alleviate the pirate problems. This article is not declaring the total problem can be avoided or cured, but the cause can surely be avoided. We must look back to the 1940's and consider what the allies in World war II were surviving in their attempts to avoid the ravishing attacks of the German submarine "Wolfe packs" which plagued the merchant vessels in the Atlantic. Today's merchant mariners do not have the problems of German submarines hounding them in their day to day operations, but they do have the problem of the "new age" pirates cursing mariners in and around Somalia and the Malacca Straits.

D. Urquhart(2006) and others state many of these attacks can be avoided by following these few simple measures:

The Ship Security Alert System (SSAS) instituted a regulation for all passenger ships, mobile offshore drilling units, and cargo ships of 500 tons or more to be equipped with an alarm system to ensure security. Any ships thereafter built must comply with the regulation. This regulation went into affect on July 1, 2004.

In accordance with the Global Maritime Distress and Safety System distress procedures, the alert system must obtain power from the ships primary power source as well as another appropriate source. The activation points of the alert device must be accessible from the bridge of the ship and the distress codes should be directed to shore and identify the ships location and identity through a unique code generated.

Ship Security Alert Systems have shown to be a great asset to the shipping industry. A Turkish bulk carrier was saved from a pirate attack in January 2006 by an SSAS alert when five pirates armed with machine guns and rocket launchers attacked the Turkish carrier. After activating the SSAS alert, a coalition warship was notified and responded to the alert within thirty minutes along with a helicopter which caused the pirates to stop firing, saving the carrier

#### **Ship Loc**

The ShipLoc system provides ship owners with long range tracking of their ships. It has the capability to provide the owners with exact locations and routes of travel. The system reports between 6 and 24 times a day and immediate alerts if triggered. Once installed on the vessel, ShipLoc transmits via satellite to the fleet operator information such as speed, heading, location, as well as meteorological information that could cause issues with the vessel. This divide is in compliance with SSAS regulations; ShipLoc alerts are silent and provide information the shore installations only. ShipLoc has been approved by the International Maritime Bureau as the only SSAS system which is 100% reliable by using a second location system independent of GPS, to verify the GPS fixes. ShipLoc is also equipped with a silent alarm that can be triggered from any location on the ship.

#### **Secure Ship**

Secure Ship electrifies a ships hull using a 9,000 volt electrified fence that is erected around the ship. Secure Ship is a non-lethal system to prevent the boarding of a ship allows the sailors on

board the ship to work and can be activated at any time. Secure Ship utilizes the same technology that has been used at military installations; Secure Ship protects the crew and guests from unwanted intruders and robberies while still allowing the ship to conduct normal business. The device is armed with a siren that is activated when the electric fence is touched. Secure ship is marketed to commercial vessels as well as private mega yachts as a means of protection from the threat of a piratical attack.

The way that the Secure Ship is designed, the electrified fence is erected around the perimeter of the boat extending outwards to prevent someone from boarding the ship. In the event of an emergency and there is a need for the crew to abandon ship, Secure ship has many points on the ship to turn off the device.

### Long Range Acoustic Device

The Long Range Acoustic Device (LRAD) is a breakthrough long-range hailing and warning device designed to communicate with authority, affect behavior and help determine intent. Developed by American Technology Corporation, the LRAD focuses sound waves at a particular target without interference from ambient noise. To note the deterrent effect of the LRAD, the noise level that is the normal threshold of pain for a normal person is 130 dB, and because the LRAD works at a low level of 145 dB then it is easy to see how it could be a deterrent for an attacking boat. An example of its use was seen in November 2005 when the luxury cruise ship Seabourn Spirit used the LRAD to repel pirates attempting to attack the vessel with rocket propelled grenades off the coast of Somalia.

### Diplomacy

There are many theories for improving piracy prevention including uniform jurisdiction, convoys, privatization of anti-piracy efforts, and allowing crew members to defend themselves among others. Some experts in the maritime industry believe universal jurisdiction allows for the exercise of jurisdiction over certain actors or activities wherever they occur without regard to nationality or territoriality. In the past, Universal jurisdiction has been traditionally applied to piracy where any state has the right to seize a pirate ship and try those on board under states laws. An example of this is the United States vs. Furlong case where the United States Supreme Court found that the U.S. courts retain

jurisdiction over a piratical murder committed on the high seas against a U.S. vessel by a foreigner upon a foreign vessel.

Many pirates who roam the seas are connected with land based criminal organizations that would give them a nation to be tried under. A good example is the recent attack of a French vessel by Somalia pirates in June 2008. If seized in another jurisdiction, their home nation would require extradition to be tried in a court likely ran by the criminal organization the pirate is connected.

### Privateers

S. Eklof (2006) said, "In many cases, the waterways that are the most prone to piracy do not have adequate naval forces to properly patrol those waters, thus leaving pirates to plunder at will". A solution to this problem is the privatization of anti-piracy efforts. If nations cannot patrol their own waters, then privately owned, armed ships should be allowed to patrol the waters.

With more stringent restrictions on private efforts to battle piracy, security companies could bid for areas of the seas that are prone to pirate and terrorist attacks. Privateering could be a solid prevention method for piracy.

These contracts would be taken from the members of the nation state involved in this enterprise, from individuals willing to pay for the private protection, commercial vessels requesting an escort, as well as any payment through prizes collected from seizure of a pirate ship, be it a finders fee for its return or the ship itself.



German Surface raider of WWII, notice the false side hiding the guns on the bow.

### Raiders

According to Dr. J Molyneux (2008), another solution is the use of the lesser reported events of World War II. During World War II, Germany had immense success utilizing the "Surface Raiders" or Armed Merchant Ships. During the 1930's and 1940's the worlds oceans became home for the "Marauders of the Sea. These vessels carried a slew of names such as Atlantis, Orion, Widder, Thor, Pinguin, Komet, Michel, Stier, and Togo,

and, the best known, Kormoran, who was involved with the disappearance and death of the famous Australian Cruiser.



US Convoy during WWII

By arming the crew members and the vessel it would offset the advantage that the pirates have by using smaller and faster boats. By arming sailors it allows them to defend their livelihood as well as their lives. Arguably crew members should be as equally armed as the pirates they risk encountering. One of the huddles the ship encounters is the laws of the state in which are flagged. Although, countries have no laws over the high seas, each ship and crew need only adhere to the laws of the home state. If states refuse to change their laws regarding arming sailors on their ships then it is arguable that pirates will learn of this and begin to target those nations' ships, knowing that they will be easier targets because they are not armed.

### Stringent Security Runs

As in the days of the North Atlantic in World War II, the merchant marine vessel had to defend itself from German U-boats by the use of convoys. Safety in numbers is a key aspect of anti-piracy practice. Vessels traveling in a convoy present as a much harder target for pirate vessels. One problem with this solution is that convoying is costly to smaller in the terms of burning extra fuel to maintain uniform speed.

As with the avoidance of crime, it is important to vary routines as much as possible to avoid piracy. Unfortunately, many vessels are unable to vary their schedule due to strict deadlines or lack of feasible alternative routes. However, even the appearance of variance may be beneficial should your vessel be the target of a planned attack. One example would be the removal of exact time and date information from online cruise line itineraries, easily accessible by all Internet users.

Some companies have kept routes but have either cut down on the number of runs or have changed the cargo aboard their vessels to items less attractive to pirates. In Nigeria, one bank with branches on islands only accessible by

boat had experienced a rash of cash-in-transit robberies on the waterways between their main location and their branches. Bank management decided to maintain only electronic transactions at their branches, allowing them to stay in business; electronic transactions meant no cash was necessary, and all cash-in-transit deliveries were rendered obsolete.

### Tracking Beacons on Goods

Although there are tons upon tons of cargo being carried by vessels traversing the high seas everyday, there is very little chance of ever getting back that cargo after a successful pirate raid. One way to prevent piracy from flourishing is to plant tracking beacons into cargo containers and other items that are primarily taken by pirates.

Once the pirates have stolen the cargo, they have unwittingly caused their own downfall because the naval forces or private pirate hunting forces will be able to track the cargo to wherever it is being held. Beacons could become a prime way

of targeting pirates, getting back stolen cargo, or at least apprehending the pirate. With technology available today, tracking beacons could be placed on any size cargo, from commercial to personal effects and made of any type of material from wood to metal. Although there are tracking programs in use such as ShipLoc, those systems are not adequate when cargo has left the vessel. With tracking beacons though, many ships and their cargo could be spared by pirates for fear that the naval forces could be knocking on their doors at any minute no matter where the pirate may choose to hide his loot.

In conclusion, over the years piracy has evolved from being a profession of praise to being condemned as an act of mere thievery. With prevention of pirate attacks motivating the shipping industry, many companies have introduced innovative ideas such as ShipLoc, Secure Ship, the long range acoustic device and many security alert systems to aid in the deterrence of attacks. Although all of

these products aid in the deterrence of pirate attacks, without the nations of the world coming together to battle piracy uniformly, piracy will continue to flourish as ways around methods of deterrence are found.

If piracy is to be fought effectively, the pirates must be put on the defensive. Employing private entities to act as privateers would be highly effective as long as proper motivation is given. Privateering was a successful deterrent before to aid in the fight against piracy and it can be so again. Privateering can only aid other vessels if those crew members stay informed of the piracy statistics and readily report conflicts with pirates to the International Maritime Bureau and the Piracy Reporting center.

In the end, any method of piracy prevention is useless unless nations prepare for incidents by instituting safety measures for their waterways, and sailors take measures into their own hands by regularly reporting incidents of piracy and staying informed of current news.

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

**IMO: 60 years in the service of Shipping:** As president, Barack Obama will face the most daunting and complicated national security challenges in more than a generation - and he will inherit a military that is critically ill-equipped for the task.

Troops and equipment are so overtaxed by President Bush's disastrous Iraq war that the Pentagon does not have enough of either for the fight in Afghanistan, the war on terror's front line, let alone to confront the next threats.

This is intolerable, especially when the Pentagon's budget, including spending on the two wars, reached \$685 billion in 2008. That is an increase of 85 percent in real dollars since 2000 and nearly equal to all of the rest of the world's defense budgets combined. It is also the highest level in real dollars since World War II.

To protect the nation, the Obama administration will have to rebuild and significantly reshape the military. We do not minimize the difficulty of this task. Even if money were limitless, planning is extraordinarily difficult in a world with no single enemy and many dangers.

The United States and its NATO allies must be able to defeat the Taliban and al-Qaeda in Afghanistan - and keep pursuing al-Qaeda forces around the world. Pentagon planners must weigh the potential threats posed by Iran's nuclear ambitions, an erratic North Korea, a rising China, an assertive Russia and a raft of unstable countries like Somalia and nuclear-armed Pakistan. And they must have sufficient troops, ships and planes to reassure allies in Asia, the Middle East and Europe.

The goal is a military that is large enough and mobile enough to deter enemies. There must be no more ill-founded wars of choice like the one in Iraq. The next president must be far more willing to solve problems with creative and sustained diplomacy.

Yet this country must also be prepared to fight if needed. To build an effective military the next president must make some fundamental changes.

More ground forces: We believe the military needs the 65,000 additional Army troops and the 27,000 additional marines that Congress finally pushed President Bush into seeking. That buildup is projected to take at least two years; by the end the United States will have 759,000 active-duty

ground troops.

That sounds like a lot, especially with the prospect of significant withdrawals from Iraq. It would still be about 200,000 fewer ground forces than the United States had 20 years ago, during the final stages of the cold war. Less than a third of that expanded ground force would be available for deployment at any given moment.

Military experts agree that for every year active-duty troops spend in the field, they need two years at home recovering, retraining and reconnecting with their families, especially in an all-volunteer force. (The older, part-time soldiers of the National Guard and the Reserves need even more).

The Army has been so badly stretched, mainly by the Iraq war, that it has been unable to honor this one-year-out-of-three rule. Brigades have been rotated back in for second and even third combat tours with barely one year's rest in between. Even then, the Pentagon has still had to rely far too heavily on National Guard and Reserve units to supplement the force. The long-term cost in morale, recruit quality and readiness will persist for years. Nearly one-fifth of the troops - some 300,000 men and women - have returned from Iraq and Afghanistan

reporting post-traumatic stress disorders.

The most responsible prescription for overcoming these problems is a significantly larger ground force. If the country is lucky enough to need fewer troops in the field over the next few years, improving rotation ratios will still help create a higher quality military force.

**New skills:** America still may have to fight traditional wars against hostile regimes, but future conflicts are at least as likely to involve guerrilla insurgencies wielding terror tactics or possibly weapons of mass destruction. The Pentagon easily defeated Saddam Hussein's army. It was clearly unprepared to handle the insurgency and then the fierce sectarian civil war that followed.

The Army has made strides in training troops for "irregular warfare." Gen. David Petraeus has rewritten American counterinsurgency doctrine to make protecting the civilian population and legitimizing the indigenous government central tasks for American soldiers.

The new doctrine gives as much priority to dealing with civilians in conflict zones (shaping attitudes, restoring security, minimizing casualties, restoring basic services and engaging in other "stability operations") as to combat operations.

Every soldier and marine who has served in Iraq or Afghanistan has had real world experience. But the Army's structure and institutional bias are still weighted toward conventional war-fighting. Some experts fear that, as happened after Vietnam, the Army will in time reject the recent lessons and innovations.

For the foreseeable future, troops must be schooled in counter-insurgency and stability operations as well as more traditional fighting. And they must be prepared to sustain long-term operations.

The military also must field more specialized units, including more trainers to help friendly countries develop their own armies to supplement or replace American troops in conflict zones. It means hiring more linguists, training more special forces, and building expertise in civil affairs and cultural awareness.

**Maintain mobility:** In an unpredictable world with no clear

battle lines, the country must ensure its ability - so-called lift capacity - to move enormous quantities of men and matériel quickly around the world and to supply them when necessary by sea.

Except in Iraq and Afghanistan, the Pentagon has reduced its number of permanent overseas bases as a way to lower America's profile. Between 2004 and 2014, American bases abroad are expected to decline from 850 to 550. The number of troops permanently based overseas will drop to 180,000, down from 450,000 in the 1980s.

Much of the transport equipment is old and wearing out. The Pentagon will need to invest more in unglamorous but essential aircraft like long-haul cargo planes and refueling tankers. The KC-X aerial tanker got caught up in a messy contracting controversy. The new administration must move forward on plans to buy 179 new planes in a fair and open competition.

China is expanding its deep-water navy, much to the anxiety of many of its neighbors. The United States should not try to block China's re-emergence as a great power. Neither can it cede the seas. Nor can it allow any country to interfere with vital maritime lanes.

America should maintain its investment in sealift, including Maritime Prepositioning Force ships that carry everything marines need for initial military operations (helicopter landing decks, food, water pumping equipment). It must also restock ships' supplies that have been depleted for use in Iraq. One 2006 study predicted replenishment would cost \$12 billion plus \$5 billion for every additional year the marines stayed in Iraq.

The Pentagon needs to spend more on capable, smaller coastal warcraft - the littoral combat ship deserves support - and less on blue-water fighting ships.

**More rational spending:** What we are calling for will be expensive. Adding 92,000 ground troops will cost more than \$100 billion over the next six years, and maintaining lift capacity will cost billions more. Much of the savings from withdrawing troops from Iraq will have to be devoted to repairing and rebuilding the force.

Money must be spent more wisely. If the Pentagon continues buying expensive weapons systems more suited for the cold war, it will be impossible to invest in the armaments

and talents needed to prevail in the future.

There are savings to be found - by slowing or eliminating production of hugely expensive aerial combat fighters (like the F-22, which has not been used in the two current wars) and mid-ocean fighting ships with no likely near-term use. The Pentagon plans to spend \$10 billion next year on an untested missile defense system in Alaska and Europe. Mr. Obama should halt deployment and devote a fraction of that budget to continued research until there is a guarantee that the system will work.

The Pentagon's procurement system must be fixed. Dozens of the most costly weapons program are billions of dollars over budget and years behind schedule.

Killing a weapons program, starting a new one or carrying out new doctrine - all this takes time and political leadership. President Obama will need to quickly lay out his vision of the military this country needs to keep safe and to prevail over 21st-century threats.

## **Environment Audit: Still in future tense?**

While its mandate over regulatory bodies and public private partnership has indeed been a matter of discussions, it's a little disheartening that fifteen years after International Organization of Supreme Audit Institutions' (INTOSAI) Working Group on Environment Audit carried out first survey on environment audit, the Indian Accounts and Audit Department (IAAD) fraternity would still flaunt this as a Greenfield area and speak about it in future tense. Such a view was reflected in the theme paper Auditing for Good Governance: Facilitating Foresight and was also reported by mainstream newspapers following the reiteration of the same at a press conference addressed by Deputy CAG Bharati Prasad on the eve of the conference.

Since 1993, INTOSAI has carried out five surveys. Also, from 1993 onwards, a year after INTOSAI constituted a Working Group on Environmental Auditing, working group has carried out survey on environmental audit at an interval of every three years. Surveys are sent to heads of all Supreme Audit Institutions. Surveys are instrumental in the development of each WGEA work plan and serve the

needs of INTOSAI members. The practitioners of environmental auditing can use the results of the survey to compare their work to that of other countries.

For SAIs that are new to environmental auditing or that do not conduct environmental audits as a common practice, survey results demonstrate that auditing environmental issues is important and that they can learn from colleagues who have made a difference in their countries. Survey results also show the international environmental community, which is concerned about environmental and sustainable issues, that SAIs play an important role.

However, when one examines the results, one finds that India didn't respond to first three surveys. It responded to the fourth survey in 2003 and fifth survey in 2006, and had sent in the much-delayed response to the questionnaire of the first survey while responding to the fourth survey.

Today, INTOSAI Working Group on Environmental Audit web site lists 18 audit references as "environmental audits" carried out by CAG of India till 2006. There have been a few more insightful environment audits from recent times not listed on that website, but available in public domain. For example, CAG carried out the performance review of centrally supported programme for conservation of flagship wildlife species (tiger parks), environment management at Mumbai Port Trust, etc.

However, one often finds that Ministry of Environment and Forests fails to strengthen environmental governance learning lessons from audit findings. Last year, CAG audit reported on the environment management of Mumbai Port Trust and the report had shown in details how there was a need to strengthen the environmental clearance process emanating from EIA notification 1994. On the contrary, MoEF went ahead with its moves to amend the EIA Notification, which has further weakened the environmental clearance process.

As K G Balkrishnan, the Chief Justice of India speaking at the conference on October 15th, correctly pointed out in his speech, in recent times we have witnessed CAG audit reports being cited frequently by media, academia and civil society. However, when it comes to IAAD fraternity engaging in

debating issues such as its numerous environmental audit reports not leading to desired change in environmental governance in public domain, there is precious little that is visible.

**Oversight to Public Private Partnerships:** The same paper reported some progress made on CAG extending its oversight to PPP projects stating, "The CAG has already constituted a committee under the chairmanship of ADAI (RC) and ADAI (RS-II) for formulating audit guidelines for this area." CAG also wants to extend its oversight to state/district level autonomous bodies, societies and non-governmental organizations who have been receiving substantial funds [Rs.50,000 crores in 2007-'08] to implement central plan schemes without devolving funds through the state government account. In a recent regulation issued in 2007, NGOs have been included in the expression of 'body' and 'authority' used in the section 14, 15, 19A and 20 of the CAG (DPC) Act, 1971.

#### **Capacity building, forensic audits**

The theme paper on capacity issues raised the concern over the SOGE [Section Officer Grade Examination] examination, the need to rethink it as a benchmarking tool, revise the syllabus and reflect upon the success rate, which has remained about 20 per cent. It also pointed out that in almost all offices in IAAD there is a great shortage of data entry operators and considering that Group C cadre which at present contributes very marginally in the audit process may be deployed as Data Entry Operators.

On the issue of training, it suggested refreshing ideas to explore collaborative knowledge sharing by not remaining fixed to issues around SOGE exams and in-house expertise. It said, "There is a debate within the department regarding auditing regulatory bodies. Should RTIs not run programmes on Regulatory Institutions? Should our Audit Officers not be exposed to Regulators Orders and an analysis of such orders?"

One cannot agree less with the need to take such a positive turn after having gone through the issues thrown up by performance audit of Gerusoppa hydropower project over Sharavathi river in Karnataka, Baspa hydropower project in Himachal Pradesh and Gosikhurd irrigation project in

Maharashtra. In the events of failures of Central Electricity Authority (CEA) and Central Water Commission (CWC) to ensure checks and balances, citizens can pin hope on CAG audits.

A theme paper Auditing for Good Governance: Oversight and Insight stressed on forensic audits by referring to a recommendation from 'Ethics in Governance' a report by the Second Administrative Reforms Commission headed by Veerappa Moily put out in public domain in January 2007.

However, when one engages with the substantive findings reported in the CAG audit reports one feels that discussions on reforms of audit processes, methodologies and approach has to be preceded by reflecting on why is it that we have not witnessed courts and apex investigating agencies taking note of these findings and initiating suo moto actions in many cases.

#### **Security Threat from 89 ships in Alang?**

Some 88 'dead ships' have beached at Alang in contravention of Supreme Court orders. The matter came for hearing on 19th November in the court. It is listed for further hearing after three weeks.

The intelligence report mentions that the regulations allow such ships innocent passage through the entire stretch of Indian waters unscrutinized by the security agencies. Besides environmental security, national security also seems to be a casualty.

These ships include the following:

1. VLORA M.V. beached in Alang on 25th-Dec-2007 in the plot no. 84 of Diamond Industries Ship Breaking Div. Owned by Ajay Jain
2. LEE M.V. beached in Alang on 28th-Nov-2007 in the plot no. 84 A of Lucky Steel Industries owned by Arif Masani
3. SEE HOPE M.V. beached in Alang on 26th-Oct-2007 in the plot no. 88 of Atam Manohar Ship Breakers Pvt. Ltd owned by Munshiram Jain
4. AGIOS ISIDOROS M.V. beached in Alang on 26th-Feb-2008 in the plot no. 91 of K.P.G. Enterprises owned by Rakesh Bansal
5. BOTSMAN MP SHKOV M.V. beached in Alang on 4th-May-2007 in the plot no. 1 of Bansal International Ltd.
6. BERGE ARROW M.V. beached in

Alang on 5th-May-2007 in the plot no. 1 of Bansal International Ltd.

7. GAS TIGER M.V.beached in Alang on 31st-Dec-2007 in the plot no. 2 of Chaudhary & Chudhary owned by Mukesh Chaudhary

8. CHEM ASTRO M.V.beached in Alang on 26th-Feb-2008 in the plot no. 3 of Kamdar & Associates owned by Mishrilal Shah.

9. ILINSK M.V. beached in Alang on 8th-Dec-2007in the plot no. 7 of Nagarsheth Ship Breakers,by Praveen Nagarsheth

10. ZINA PORT NOVA M.V.beached in Alang on 27th-Dec-2007in the plot no. 7 of Nagarsheth Ship Breakers by Praveen Nagarsheth

11. MOZDO M.V. beached in Alang on 25th-Dec-2007in the plot no. 8 of Ghasiram Gokalchand Shipbreaking Yard owned by Vishnu Gupta

12. VAGA M.V. beached in Alang on 8th-Jan-2008 in the plot no. 9 of Shree Ram Steel & Rolling Mill (Unit-II) owned by Mukeshbhai Patel

13. D.HAI M.V. beached in Alang on 8th-Jan-2008 in the plot no. 9 of of Shree Ram Steel & Rolling Mill (Unit-II) owned by Mukeshbhai Patel

14. SONS M.V. beached in Alang on 20th-Jan-2008 in the plot no. 10 of Shree Saibaba Ship Breaking Company owned by Pawan Jain.

15. TIM M,V. beached in Alang on 21st-Dec-2007 in the plot no. 11 Gautam Ship Breaking Ind. Ltd. owned by Vinubhai.

16. HAMAD M.V.beached in Alang on 29th-Jan-2008 in the plot no. 12 of Salgavkar Engineers P. Ltd.

17. ZHEN HUA-2 M.V. beached in Alang on 15th-Nov-2007 in the plot no. 13 of Baijnath Melaram owned by Bhupendra Agrawal (Munnabhai)

18. ALMAHAD M.V. beached in Alang on 14th-June-2007in the plot no. 14 of Hariyana Ship Breakers Ltd. owned by Shantiswaroop Reinwal

19. SEA ANGER M.V..beached in Alang on 6th-Feb-2008 in the plot no. 16 of Bhikamal Chhotelal owned by Lallabhai Sheth.

20. SEA EXPLORER M.V. beached in Alang on 20th-Jan-2007 in the plot no. 18 of Mahavir Ship Breakers owned by Mukesh Jain

21. POWER M.V..beached in Alang on 8th-Feb-2008 in the plot no. 19 of R.L.Kalathia Ship Breaking P.Ltd.

owned by H.L.Kalathia

22. MARIAM-VI M.V. beached in Alang on 8th-Nov-2007in the plot no. 20 of Panchavati Ship Breakers owned by Mishrilal HAJ MAHMOUD M.V. beached in Alang on 11th Nov-2007in the plot no. 20 of Panchavati Ship Breakers owned by Mishrilal

23. HERMES M.V. HAMAD M.V.beached in Alang on 23rd-Jan-2007 in the plot no. 21 of International Steel Corporation owned by G.M.Meghani

24. AKADEMIK ALESANDERSI DORE beached in Alang on 9th-Nov-2007 in the plot no. 24 of Alang Auto & Engineering Co. owned by Subodh Choudhary

25. BETA M.V. HERMES M.V. HAMAD M.V.beached in Alang on 23rd-Jan-



2007 in the plot no. 24 Alang Auto & Engineering Co. owned by Subodh Choudhary

26. RYBAKIV ASHKI M.V.HERMES M.V.beached in Alang on 25th Dec. 2007 in the plot no. 25 of Bansal Ship Breakers owned by Raj Bansal

27. MYS SVOBODNY M.V.beached in Alang on 25th Dec. 2007 in the plot no. 25 of Bansal Ship Breakers owned by Raj Bansal

28. GOLDEN GEMINI M. V. beached in Alang on 7th-Feb-2008 in the plot no. 26 of Apollo Vikas Steel Pvt. Ltd. owned by Vinubhai Patel

29. NEORIVA M.V. beached in Alang on 11-Nov-2006 in the plot no. 32 of Samudra Alloys P. Ltd.

30. LUCKY M.V. beached in Alang on 5th-Feb-2008 in the plot no. 33 of Madhav Steel Ship Breaking owned by Jivrajbhai Patel

31. XPRESS ALEXANDER M.V. beached in Alang on 20th-Apr-2007 in the plot no. 35 of Ganpatrai Jaigopal owned by Vipin Agarwal

32. SEA D/V. beached in Alang on 7th-Aug-2006 in the plot no. 36 of Shiv

Ship Breaking Co. owned by Rameshbhai

33. GOLF M.V.beached in Alang on 6th-Jan-2007 in the plot no. 38 of Ghaziabad Ship Breakersowned by Ramesh Choudhary.

34. NANKING M.V. beached in Alang on 25th-Dec-2007in the plot no. 39 of Gupta Steel Ship Breakers owned by Kpoor Bansal

35. WIND M.V. beached in Alang on 9th-Nov-2007 in the plot no. 40 of Shirdi Steel Traders owned by Raj Bansal

36. ARBAT D/V. (TOW WIND) beached in Alang on 9th-Nov-2007 in the plot no. 40 of Shirdi Steel Traders owned by Raj Bansal

37. JTB TUG MAGNACNAM-CC 39201 beached in Alang on 24th-Jan-2008 in the plot no. 42 of Virendra & Company owned by Bhogibhai Shah

38. MING XI JU M.V. beached in Alang on 20th-Feb-2007 in the plot no. 47 of Marine Lines (ShipBreakers) owned by Kamal Khemka.

39. ALMIS-I M.V. beached in Alang on 19th-Oct-2007 in the plot

no. 50 of Husain Sheth Ispat (Ship Breaking)

40. DIAMOND M.V.beached in Alang on 23rd Oct 2007 in the plot no. 50 of Husain Sheth Ispat (Ship Breaking)

41. CASTOR M.V. (EX. BOWHERON) beached in Alang on 3rd-Mar-2007 in the plot no. 51 of Goyal Traders owned by Ravi Arya

42. P.EXPRESS M.V. beached in Alang on 5th-Jul-2007 in the plot no. 55 & 24 A of HATIM STEEL

43. ROSINIJ M.V. beached in Alang on 22nd-Jan-2008 in the plot no. 54 of Rushil Industries Pvt Ltd.

44. IRAN ADALAT M.V. beached in Alang on 18th-Apr-2007in the plot no. 57 & 24 C of Laxmi Steel Rolling Mills (UNIT-II)

45. ALAMOAJ M.V. beached in Alang on 13th-Jan-2008 in the plot no. 58 & 24 D of Malvi Ship Breaking Company owned by Farukh.

46. OPAL M.V. beached in Alang on 17th-Feb-2007 in the plot no. 59 & 24 E of Y.S.InvestmentsMr. Arif.

47. LADY M.V. beached in Alang on 17th-May-2007 in the plot no. 62 & 24Hof Arya Ship Breaking Company Ltd. owned by Ravi Arya
48. CHEM PRINCE M.V. beached in Alang on 2nd-Feb-2008 in the plot no. 63 & 24J Bharat Ship Breaking Corporation owned by Nitin Kothari
49. EAST CARRIER M.V. beached in Alang on 8th-Jan-2008 in the plot no. 65 & 24L Sachadeva Steel Products owned by Ashvinbhai Gujarati
50. BUKHTA GAYDAMAK M.V. beached in Alang on 3rd-Mar-2007 in the plot no 71 & 24S Jai Bajarang Ship Breakers Pvt. Ltd.
51. SONJ M.V. beached in Alang on 8th-Jan-2008 in the plot no. 73 & 24U of Pure Enterprise P. Ltd owned by Surendra Garg.
52. ANSOVY M.V. beached in Alang on 27th-Dec-2007 in the plot no. 74 & 24V of P.V.R Ship Breaking Co owned by V.P.Jain
- KSUDOZHNIK IOGANSON M.V. beached in Alang on 18th-Feb-2007 in the plot no. 75 & 24W of Priyank Ship Breaking Co (P) Ltd owned by V. P. Jain
53. TELEDA M.V. beached in Alang on 16th-May-2007 in the plot no.77 & 24Y Ashwin Corporation by Vishnukumar Gupta
54. STOLT AVENIR M.V. beached in Alang on 23rd-Oct-2007 in the plot no. 78 & 24Z of Shri Ram Vessel Scrap owned by Mukesh Patel.
55. DEL-MAR M.V. beached in Alang on 25th-Oct-2007 in the plot no.81 of Shri Ram Vessel Scrap owned by Mukesh Patel.
56. CESCO M.V. beached on 24th-Nov-2007 in the plot no. 82 of Kiran Ship Breaking Company owned by R.K.Jain(Billa Sheth)
57. DAFA M.V. beached in Alang on 6th-Feb-2008 in the plot no.81 of Mercury Marine Industries Pvt. Ltd. owned by Kamlesh Maru.
58. MEXICANA M.V. beached in Alang on 27th-Feb-2008 in the plot no. 154 of Bansal Ispat Pvt. Ltd.
59. LILLY M.V. beached in Alang on 28th-Nov-2007 in the plot no.158 of Bansal Shipping P. Ltd.
60. AL SASANIYA M.V. beached in Alang on 3rd-July-2007 in the plot no. V-4 of Hariyana Ship Demolition P. Ltd owned by Rajiv Reniwal
61. GEOLOG M.V. beached in Alang on 13th-Jan-2008 in the plot no. V-5 of Mahavir Indecto Melt Pvt. Ltd woned by Kishor Bansal.
62. HORIZON-I M.V. M.V. beached in Alang on 13th-Jan-2008 in the plot no. V-7 of R.K.Industries (UNIT-II) owned by Mukesh Patel.
63. DPON M.V. beached in Alang on 23rd-Jan-2008 in the plot no. 103 Honey Ship Breaking Co.
64. MYS FRUNZE M.V. beached in Alang on 28th-Jan-2008 in the plot no. 103 of Honey Ship Breaking Co.
65. SAFY M.V.beached in Alang on 4th Dec 2007 in the plot no. 107 of Unique Ship Breaker Corp. by Sohilbhai
66. FORT M.V.beached in Alang on 17th-May-2007 in the plot no. 108 of Jay Bharat Steel Industries owned by Ashok Bansal
67. ATLANTIC FOREST M.V. beached in Alang on 5th-May-2007 in the plot no. 109 of Rishi Ship Breakers
68. MADONA M.V. beached in Alang on 16th-Feb-2007 in the plot no. 110 of Shiv Ship Breaking Company by Ramesh
69. MERCUR M.V. beached in Alang on 8th-Jan-2008 in the plot no. 111 of Shiv Ship Breaking Company by Haresh
70. ULLA M.V. beached in Alang on 28th-May-2007 in the plot no. 113 of Agrasen Ship Breakers
71. ALARABIA M.V. beached in Alang on 28th-October-2007 in the plot no. 114 of Rajendra Ship Breakers owned by Rajendrabhai Gupta
72. SANTO C M.V. beached in Alang on 19th-Oct-2007 in the plot no 115 of Kumar Steel "INDIA" owned by Tarachand Shah
73. ADIRA M.V. beached in Alang on 5th-Feb-2008 in the plot no 120 of G. K. Steel by Rupendra Gupta
74. HERA M.V. beached in Alang on 13th-Jan-2008 in the plot no 121 of Kutir Ispat Udyog owned by Ashok Jain
75. GORNYAK M.V. beached in Alang on 28th-Jan-2008 in the plot no 123 of Husain Sheth & Sons (Ship Breaker)
76. CLEO PATRA-I M.V. beached in Alang on 9th-June-2007 in the plot no. 125 of Maria Ship Breaking Pvt. Ltd owned by B. K, Agrawal /Mukeshbhai.
77. OM M.V. beached in Alang on 1st-Feb-2007 in the plot no. 127 of G. N. Ship Breakers owned by Balkrishna Agarwal.
78. PALLAD M.V. beached in Alang on 9th-May-2007 in the plot no. 131 of Sanjay Trade Corporation owned by Rafiq.
79. ACRUI M.V. beached in Alang on 8th-Jan6 in the plot no. 133 Harikrishna Steel Corp.
81. AILA M.V. beached in Alang on 16th June -2007 in the plot no. 134 of Mayur Ship Corporation owned by Bharatbhai Dhameliya
82. MAKALU D/V. (TUG SEAWAYS-II) beached in Alang on 27th-Jan-2008 in the plot no. 136 of M. V. Ship Trade Pvt. Ltd.
83. MEXICANA M.V. beached in Alang on 27th-Feb-2008 in the plot no. 154 of Bansal Ispat Pvt. Ltd.
84. LILLY M.V. beached in Alang on 28th-Nov-2007 in the plot no. 158 of Bansal Ispat Pvt. Ltd.
85. BLUE LADY D/V beached in Alang on 15 August 2006 in the plot no. V-1 of Priya Blue Industries Pvt. Ltd. owned by Sanjay Mehta
86. AL SASANIYA M.V.beached in Alang on 3rd-Jul-2007 in the plot no. V-4 of Hariyana Ship Demolition P. Ltd owned by Rajiv Reniwal
87. GEOLOG M.V. beached in Alang on 13th-Jan-2008 in the plot no. V-5 of Mahavir Indecto Melt Pvt. Ltd. owned by Kishor Bansal
88. HORIZON-I M.V. beached in Alang on 29th-Jan-2008 in the plot no. V-7 of R.K.Industries (UNIT-II) owned by Mukesh Patel.

Sources from Alang have informed that SS Independence (SS Oceanic) too has landed in the plot of Komal Sharma of Leela Shipping Pvt Ltd. It requires further corroboration because it has been served a notice by US authorities for violation of rules. If it does got beached it would be the 89th ship. The corruption rate per ship has increased as the worth of all the national, international rules and court orders is up for negotiations.

Supreme Court is being misled by the cash buyers who seem to have persuaded the Indian officials of all ilks to lobby for them. And they are boastful of having hired Abhishekh Manu Singhvi, the former additional solicitor general and a member of parliament who is arguing in the contaminated ships should be dumped in India without pre-cleaning. Gopal Subramaniam, the additional solicitor general too shares his views. There is a conflict of interest that has been overlooked so far.

**In the face of death: The working condition of the migrant worker at Alang Sosiya shipbreaking yard (ASSBY), Gujarat:** In the last three months time

(Contd. on page 14)

13 people died in Alang Shipyard and many more were injured. The deaths in Alang Shipyard and its frequent reporting in press highlight the problems of the shipyard. Many questions about the functioning of Alang Shipyard raised but are left out again in the space of time.

This time, The Times of India in its continuous reports tried to highlight the gruesome incidents of death but the Government has not risen to the occasion to protect the migrant workers from fatal death.

The Alang Shipyard incident raises the following questions:

1. Safety norms
2. Plight of the migrant workers
3. And violation of all acts

We all know that due to uneven development of economy in Capitalism, thousands of people from different parts of India are moving hither and thither in search of livelihood. Just to earn their bread they are ready to work under any condition. Compelled by their situation they have no choice but to choose whatever work they get. They don't hesitate to work even in the face of death. The profit seeking contractors, businessmen suck them. Such is the state of affair of migrant laborers throughout the country.

The prevalent Inter State Migrant Workers Act( ISMWA) is never operational to protect the migrants Minimum Wage Act, Factory Act, Contract Labour Act etc are not implemented. All laws are flouted with the knowledge of the authority sitting in the Government.

It is not a matter of concern for the home States like Orissa , UP, Bihar from where the workers migrate to Gujarat. These States are virtually relieved of the growing rural as well as urban unemployed in their own States. In spite of the social in-equilibrium the respective States never care for the quantum of migration from their States. Thousands of salt workers died in last Kandla cyclone in Gujarat . Hundreds more died in Reliance refinery factory in Jamnagar and no compensation was paid to the families of the deceased, as per the UN declaration on Migrant workers. An exercise was made to reduce the number of deaths and the rest were not even declared as missing. The respective State Govts. did not care to

come forward to help the families of the deceased. The Govt officials of these States made a routine visit to Gujarat which are usually pleasure trips just to declare every thing was okay with mutual consent of the Guest State i.e. Gujarat.

This has been the practice for years. A legislature team from Orissa visited Gujarat to study the condition of Oriya Workers. Regrettably they were more interested in sight seeing and public receptions than to meet the workers or to speak on their behalf to the Govt. of Gujarat. The pleading of the author to take up the case of murdered workers in broad day light at Surat was just ignored. Returning back they did not highlight the plight of Oriya workers in Gujarat in Orissa Assembly. Such is the height of indifference of the Ruling as well as the opposition parties. In case of accidental deaths there is all likelihood that the families of the deceased workers get adequate compensation. There is no Trade Union to guard the interest of the workers. Registering any protest against the contractor means risking the job. So the migrants know only one thing and that is to earn and keep earning so long he is alive. There is no point of return. They know that no one is going to help them out, neither the Gujarat Govt nor the Govts of their respective States or any organisation. They think it is their fate accomplice. The tragedy is they are no longer welcomed in their families and natives for a longer time.

Their overstay at home scare the members of the families They have to return back to Alang and send money back home. Their hopeless condition has pushed them in to a very tragic vicious cycle. The Alang-Sosiya Ship-Breaking Yard (ASSBY) located in the Gulf of Cambay in the Bhavnagar District of Gujarat State in India is the biggest ship-breaking yard in Asia employing more than 30 thousand workers. There are around ten villages in the vicinity of ASSBY. They are Alang, Sosiya, Manar, Sathara, Kathwa, Bharapara, Mathavada, Takhatgadh (chopda), Jasapara and Mandva in 12 KM vicinity of sea coast. Conflict and amity is an usual phenomenon of the migrants. But segregation compel most of the migrants to stay in mushrooming slums which is humanly inhabitable in normal condition. With no readily available hospital facilities these workers are constantly exposed to hazardous condition - spurious,

poisonous gas can play havoc any time. Few stay in rented houses in different villages. The locals are content with small and medium business due to ASSBY. 99% migrants are engaged in ship breaking in comparison to less than.1% local people.

The migrants, mostly from Orissa, Bihar, U.P., Maharashtra are very laborious so the ship breakers prefer migrants in ship breaking more than the local people.

This preference is a very normal practice in Gujarat including in power loom sector at Surat, Salt factory at Kandla etc.

There are 178 plots in ASSBY that dismantle more than 2.5 million tons of material round the year and where 30 ships can be broken in a month with an annual turnover of 3,500 crore. There are 2 departments to look after this work - one is Gujarat Maritime Board(GMB) and another is Controller of Explosion (CoE).For breaking ship no- objection certificate is issued by GMB and cleaning certificate is issued by CoE. We quote from the Times of India report published on 22.05.03 by Amit Mukherji.

#### **Rules broken**

"Serious doubts are being raised over the way no objection certificates are doled out by regulating agencies like the Gujarat Maritime Board (GMB) and the Controller of Explosion (CoE).---- Though the GMB authorities continue to blame ship-owners after every mishaps, it is the system failure which is the root cause.---there is hardly any accountability on the part of various agencies that issue clearance certificates to ensure safety of workers. Incase of "Inville", authorities had issued safety clearance certifying the ship was fit for breaking .The Controller of Explosion had granted the "man entry", "gas free "and "hot work" approval certificate before dismantling commenced. Despite CoE clearance presence of hydrocarbon and gases in the interior of Inville"was detected." It is surprising how the certificates were granted there are ample traces of gases, Sulpher, furnace oil and other materials, which can wreak havoc if exposed to heat. "Said an official of Forensic Science Laboratory. While GMB officer in charge ----admits "probably there are lot of areas which are ignored. "And with Coe having it's

office in Vadodara, functioning often becomes difficult .Sources reveal that certificates are granted on mere verbal assurance and without any physical inspection. .Ship-owners often do not wait for all clearances certificates, says sources.

With the prices of steel the prime extract from the ship, varying on day to day basis, ship breakers often flout norms to sell off the scrap when prices go up .Some times , even ship breaking guide lines are ignored and interiors of the ship, which are normally broken down at the end of the operation, are dismantled earlier as there is good market for these products. This endangers the lives of the labourers as they work in suffocating and unventilated compartments, amidst hazardous gases. The role of GMB in granting certificates is also being questioned. Even after a ship breaker obtains certificates from the Coe, it is the duty of the GMB to verify them before the final go ahead is granted. And the GMB has just a chief officer and three safety supervisors who are expected to completely survey the ship. " There could be slip-ups which come to light only after mishaps" admits Captain Deukar Of the three safety supervisors , only one is permanent employee, the others being on contract". This very Report exposes serious loopholes.

The working conditions in a ship breaking yard treat life cheaper than steel. As quoted in the Times of India dated 23.05.03, "Taking cognizance of frequent deaths at the yard due to lack of safety measures Gujarat High Court has directed the state government in 1997 with a legal framework to regulate the ship breaking activities. The 'ship recycling yard regulation' - popularly known as Alang regulation. The new legal framework was put in place by enshrining it in the state government Gazette in August 2000.However, vested interests view it as an infringement on free activity that has been carried out in absence of safety measures. Hence, the Alang Act was never implemented".

The nexus of Government officials, contractors and businessmen operating in that area ensure that the workers are not registered, do not get identity card by the employers, no information of working condition, false name are entered in the log book to evade legal compensation in any eventuality.

State Governments like Bihar, Orissa, U.P., where most of the migrants come from do not pay any serious attention to protect the workers according to the rules and regulations. In absence of rules regarding working conditions many more deaths will occur in coming days. Even in the face of death helpless workers will continue to work. Under these circumstances it is high time for the intervention of higher authorities in the administration, government, civil liberties organization, labour organizations to come forward and take up the issue.

Often media highlight the problems of Alang. But the authority has never paid any serious attention. A survey was conducted in 1999 by Bhavnagar University. Out of 361 workers 14 face accident, 11 suffer from burn, 14 from injuries. Only 10 wear helmets, 1 has the glove, and 3 use welding glasses, 32 receive informal training, whereas the rest are untrained. So the crude and obsolete technology is the backbone of the ship breaking enterprises .GMB is only interested in revenue collection without much liability for the workers. Profit maximization is the main Mantra of the Govt. by reducing the cost of shipbreaking. Though the Gujarat Govt is earning Rupees 3200 cores annually from the ship breaking, the Govt.is not organising ship breaking as an industry. It is not updating and improving the ship breaking technology to make it environmentally friendly and is ignoring the Safety aspects. Ironically 5th June is the environmental day and the GMB has come out with big advertisements in media about their achievements.

Under all these circumstances the following measures should be taken in ASSBY

All kind of safety measures be taken to avoid accidents and deaths:

- \* Ship breaking should be considered as an Industry and covered under Factory Act and various provisions for safety as per Factory Act be followed.
- \* Safety consciousness as a Culture be developed.
- \* Ship breaking be updated with improved technology.
- \* All workers be given primary training about ship breaking and be provided with safety kits compulsorily.
- \* GMB should be made responsible for all lapses and responsible officials be

punished for all lapses.

\* The workers should be given Identity Card, appointment Card by the employers and Labour Dept.

\* should follow strict vigilance in this regard.

\* Interstate Migrant Workers Act be applied which ensures accommodation, medical facilities, traveling allowances.

\* Human Right of all migrant workers and members of their families be protected as per the UN CONVENTION ON THE PROTECTION OF THE MIGRANT WORKERS AND MEMBERS OF THEIR FAMILIES.

\* Ship breaking can only be after decontamination of the hazardous substance.

\* A mandatory rule be framed to compel the owners of the ship to clean their ships before exporting them and ensure that tanks are gas free for hot work.

\* A full fledged Fire fighting unit with adequate number of trained fire fighters be kept ready round the clock.

\* Eight hour working norms with weekly paid holidays should be introduced.

\* A well equipped hospital specially to take care of accidents of the workers be instituted.

\* Adequate death compensation to the members of the families be paid with out any administrative hurdles.

\* Planned accommodation for the workers be made.

\* Long term plan for infrastructure e.g. road , housing, drainage, water, electricity be taken up along with social infrastructure like schools, hospitals etc.

\* Attention be paid to save marine ecology, and ecology imbalance be guarded.

\* Safe guard be taken because of social segregation of the migrants due to cultural divide.

\* The Labour Dept of Gujarat as well as the Labour depts. States from where the migration takes place must guard the interest of the migrants and their working conditions

\* The Human Rights Groups and Joint Parliamentary teams be allowed to visit the ASSBY and their recommendations be mandatory for the GMB and the Govt of Gujarat.

\* A complain Secret Cell be instituted where the workers can complain fearlessly and get redressal without being sacked from the job.

\* The State from where migration takes place must keep the record of the workers, make routine enquiry about the migrants, and place the report in their respective house of the Assemblies.

\* GMB should take help of experts from different fields like engineers, marine science experts, environmental scientists, and experts in sociology and planning.

**Suez Canal transits hold up but decline is predicted:** Egypt depends on the canal as its third-largest owner of foreign exchange after tourism and remittances from overseas workers.

VESSEL numbers through the Suez Canal seem to be holding up well, despite highly publicised decisions by some shipowners to re-route round the Cape of Good Hope, one of Egypt's leading shipping agents has confirmed.

Dan Delaney, manager at the Alexandria office of local Lloyd's agency network affiliate Marine Technical Services, said that numbers of ships in convoys continued to fluctuate around normal levels. However, he did predict an eventual decrease, probably within the next few weeks.

One way or the other, the outcome is of vital economic importance to Egypt, which depends on the canal as its third-largest owner of foreign exchange after tourism and remittances from overseas workers.

AP Moller-Maersk, Svitzer, Odfjell and Pacific Carriers are among the companies that have taken the decision to re-route in some circumstances, and a number of shipping industry household names have said that they are considering their position.

"You can get one day 18-20 vessels, the next day 45-50. There's no appreciable difference, and we are going to have to wait at least a few more weeks before we notice a trend," Mr Delaney commented.

"I know some owners are going around the Cape now, and I don't blame them. I think we will see a drop, but at the moment there is no drop we are noticing sufficient to say yes, this is now a trend."

The picture should be clearer towards

the middle or even the end of next month, Mr Delaney suggested.

Officials of the Suez Canal Authority have told the media that they are



fearful of the impact of continued Somali piracy on canal business.

Adel Lami, chairman of Port Said Navigation Chamber, a shipping trade organisation, told Associated Press: "One or two more piracy attacks will just send an alarm, and we will find ourselves with a big problem."

### **Pacific Carriers joins list of owners avoiding Suez:**

The Ikan Kedewas, owned by Pacific Carriers: the dry bulk operator is diverting vessels round the Cape of Good Hope to avoid pirate activity off Somalia.

PACIFIC Carriers has added itself to the list of owners diverting its vessels via the Cape of Good Hope, while major charterers and cargo insurers are also encouraging vessels to avoid the Gulf of Aden.

"As of yesterday we are sending all of our ships round the Cape," Keith Denholm commercial director of PCL. Part of commodities giant Kuok Group, the Singapore-based company owns a fleet of around 80 dry bulk vessels, and product and chemical tankers. The decision follows an attempted attack on one of the company's vessels in the Gulf of Aden. It's really not worth putting the ships and the crew in harm's way of these cowboys of the sea," Mr Denholm said.

An industry source said that some major Asian charterers were also deciding to reroute their cargoes round the Cape given the risk of ships being hijacked by Somali pirates in the Gulf of Aden. An executive at Noble Chartering said that it had no shipments to the continent at the present time, but that if it did it would "avoid going there [Gulf of Aden] if

possible, as most prudent charterers would do".

It is not clear if other parts of the Kuok Group involved in commodities and trading are also routing shipments away from the Gulf of Aden. A spokesman for Kuok's Singapore-listed agribusiness Wilmar International declined to comment.

With the huge plunge in dry bulk freight rates the additional shipping cost is no longer an issue for charterers.

Cargo insurers are also encouraging shipping round the Cape. "Our preference would be for vessels to go round the Cape," said Mike Davies, chief executive of Axa Corporate Solutions Assurance in Singapore.

In the past the insurer would have given preferential rates on cargo insurer for vessels sailing via the Suez Canal, in particular due to the harsh weather conditions at certain times of year in the seas of the Cape.

He said that now cargo owners would be looking at around a 10% factor on their insurance rating if they choose to send cargo through the Gulf of Aden.

In terms of how much additional time sailing around the Cape takes it differs widely depending on the destination.

For voyages to North Europe the change in routing is not significantly longer than sailing via the Suez Canal with Newcastle, Australia to Rotterdam taking 39 days sailing time on a voyage round the Cape, against 37 and half days sailing if routed through the Suez Canal.

However, for voyages into Mediterranean ports it can add as much as 10 days to the voyage time, with Newcastle to Koper taking 31.2 days sailing via the Suez Canal, but 40.9 days sailing if going around the Cape.

**Merchant Navy:** The global shortage of seafarers, especially officers, has already reached serious proportions, threatening the very future of the international shipping industry, which is the lifeblood of world trade. Recent reports have identified a current officer supply requirement of 498,000 in 2008, with an officer shortfall of 34,000. This figure is expected to rise to a projected officer shortfall in 2012 of 83,900. On Monday

17 November, senior figures from the International Labour Organization, from the "Round Table" of shipping NGOs - BIMCO, ICS/ISF, INTERCARGO and INTERTANKO - and from the International Transport Workers Federation joined IMO Secretary-General Efthimios Mitropoulos in launching a major new campaign to address the problem.

**Introduction:** The safety of life at sea, the marine environment and over 80% of the world's trade depends on the professionalism and competence of seafarers. The IMO's International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW), 1978 was the first internationally-agreed Convention to address the issue of minimum standards of competence for seafarers. In 1995 the STCW Convention was completely revised and updated to clarify the standards of competence required and provide effective mechanisms for enforcement of its provisions.

In 1997, IMO adopted a resolution setting out its vision, principles and goals for the human element. The human element is a complex multi-dimensional issue that affects maritime safety, security and marine environmental protection involving the entire spectrum of human activities performed by ships' crews, shore based management, regulatory bodies and others. All need to co-operate to address human element issues effectively. Since the 1980s IMO has increasingly addressed the people involved in shipping in its work. In 1989, IMO adopted Guidelines on management for the safe operation of ships and for pollution prevention - the forerunner of what became the International Safety Management (ISM) Code which was made mandatory through the International Convention for the Safety of Life at Sea, 1974 (SOLAS).

The ISM Code is intended to improve the safety of international shipping and to reduce pollution from ships by impacting on the way shipping companies are managed and operated. The ISM Code establishes an international standard for the safe management and operation of ships and for the implementation of a safety management system (SMS).

Effective implementation of the ISM Code should lead to a move away from

a culture of "unthinking" compliance with external rules towards a culture of "thinking" self-regulation of safety - the development of a 'safety culture'. The safety culture involves moving to a culture of self regulation, with every individual - from the top to the bottom - feeling responsible for actions taken to improve safety and performance.

### **Ban Ki-moon welcomes India's decision:**

UN Secretary General Ban Ki-moon has welcomed the decision of India and other countries to cooperate with Somalia to fight piracy in its waters, an issue that has gained immediacy with Somali sea bandits attempting 95 hijackings this year alone. This marks a 75 per cent increase since 2007, with pirates currently holding 13 ships captive in the Somali ports of Eyl and Hobyo in the Gulf of Aden.

In his latest report on Somalia submitted to the Security Council, Ban said: "I welcome the decision of the governments of India and the Russian Federation to cooperate with the Transitional Federal Government of Somalia to fight piracy and armed robbery against ships." The secretary general's report on Somalia was submitted to the Security Council Nov 17 and made available Wednesday. In his 22-page report, Ban said the permanent representative of Somalia to the United Nations had said that a number of countries, including India, were cooperating in fighting piracy.

Earlier, in a statement, Ban had expressed his concern at new acts of piracy off the coast of Somalia. He reiterated his condemnation of all acts of piracy and armed robbery at sea wherever they occur. Stressing that he strongly supports efforts by member states to address this scourge and was working closely with the Somalian government, the International Maritime Organisation, North Atlantic Treaty Organisation, European Union and others countries to ensure coordinated international efforts to fight piracy.

He welcomed the European Union's decision to authorise the deployment of a maritime force off the coast of Somalia, and the efforts of individual member states to send vessels, which will strengthen security in the area. A spokesperson for the secretary general told reporters that it was up to the Security Council to take a call on a UN peacekeeping force to combat piracy off the coast of Somalia.

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# DIRECTOR GENERAL OF SHIPPING

NT BRANCH CIRCULAR NO. NT/ISPS/SECURITY NOTICE/07 OF 2008

No.14-NT(07)/2006

Dated :14th November, 2008

**Subject :** ISPS COMPLIANCE - MOBILE OFFSHORE DRILLING UNITS (MODU).

1. **APPLICABILITY OF CODE:** The International Ship & Port Facility Security Code (ISPS Code) became mandatory on 1st July 2004. It is primarily intended for passenger ships including high speed passenger craft, cargo ships including high speed craft of 500 gross tonnage and above, mobile offshore drilling units and port facilities serving such ships engaged on international voyages.
2. **DEFINITION OF MODU:** The definition of MODU is as per sections 1.3.1, 1.3.2, 1.3.3 and 1.3.4 of IMO Resolution A.649(16).
3. **NON-COMPLIANCE BY MODUs:** It has been observed that some mobile offshore drilling units registered under the Indian flag or calling in Indian ports or offshore areas are yet to comply with the provisions of the ISPS Code. Owners / operators/ managers of such units are approaching the Directorate seeking exemption from the implementation of the ISPS Code on board these units.
4. **CLARIFICATION REGARDING APPLICATION OF ISPS CODE FOR MODUs:** It is clarified that the requirements of the ISPS Code are applicable to Mobile Offshore Drilling Units.
5. **APPLICATION TO NON-PROPELLED MODUs:** The Director General of Shipping as Designated Authority being mindful of the present national security concerns has considered it fit to enforce the application of the ISPS Code on all MODUs (self propelled and non propelled) operating within the Indian EEZ, whether plying on international trade or not.
6. **APPLICATION TO FOREIGN FLAG MODUs:** It is also clarified that MODUs (both propelled and non propelled) of foreign flag operating within the Indian EEZ are also required to comply with the requirements of the ISPS Code.
7. **SHIP SECURITY OFFICER:** All MODUs while operating within the Indian EEZ shall appoint a "Ship Security Officer" (SSO) holding a recognized SSO course certificate.
8. **APPLICATION DEADLINE FOR PROPELLED AND NON-PROPELLED MODUs:** This circular shall apply to all Indian and Foreign flag self propelled and non-propelled mobile offshore drilling units operating within the Indian EEZ. The compliance of this circular shall be made mandatory within a period of six months from the date of this circular.
9. **PROCEDURE FOR OBTAINING SHIP SECURITY CERTIFICATE (SSC) FOR INDIAN MODUs:** The procedure for Ship Security Assessment, Ship Security Plan approval and issuance of Ship Security Certificate in accordance with the provision of the ISPS Code is attached as Annexure 1.

Sd/-  
(Capt. R. K. Awasthi)  
Nautical Surveyor-cum  
Dy. Director General of Shipping [Tech]

## APPENDIX I.

### Form of International Air Pollution Prevention (IAPP) Certificate (Regulation 8)

#### INTERNATIONAL AIR POLLUTION PREVENTION CERTIFICATE

Issued under the provisions of the Protocol of 1997, as amended by resolution MEPC.xx(58) in 2008, to amend the International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 related thereto (hereinafter referred to as .the Convention.) under the authority of the Government of India

By : PRINCIPAL OFFICER-CUM-JOINT DG(TECH), Mercantile Marine Department

(full designation of the competent person or organization authorized under the provisions of the Convention)

Particulars of ship\*

Name of ship.....

Distinctive number or letters.....  
Port of registry.....  
Gross tonnage.....  
IMO Number+ .....

\* Alternatively, the particulars of the ship may be placed horizontally in boxes.  
+ In accordance with IMO ship identification number scheme, adopted by the Organization by resolution A.600(15).

**THIS IS TO CERTIFY:**

- 1 That the ship has been surveyed in accordance with regulation 5 of Annex VI of the Convention; and
- 2 That the survey shows that the equipment, systems, fittings, arrangements and materials fully comply with the applicable requirements of Annex VI of the Convention.

Completion date of survey on which this Certificate is based: ..... (dd/mm/yyyy)

This Certificate is valid until .....\* subject to surveys in accordance with regulation 5 of Annex VI of the Convention.

Issued at .....

(Place of issue of certificate)

(dd/mm/yyyy): .....

(Date of issue) (Signature of authorized official issuing the certificate)

(Seal or stamp of the authority, as appropriate)

\* Insert the date of expiry as specified by the Administration in accordance with regulation 9.1 of Annex VI of the Convention. The day and the month of this date correspond to the anniversary date as defined in regulation 2.3 of Annex VI of the Convention, unless amended in accordance with regulation 9.8 of Annex VI of the Convention.

**Endorsement for annual and intermediate surveys**

THIS IS TO CERTIFY that at a survey required by regulation 5 of Annex VI of the Convention the ship was found to comply with the relevant provisions of that Annex:

Annual survey:

Signed: .....  
(Signature of authorized official)

Place: .....  
Date (dd/mm/yyyy): .....  
(Seal or stamp of the authority, as appropriate)

Annual/Intermediate\* survey:

Signed: .....  
(Signature of authorized official)

Place: .....  
Date (dd/mm/yyyy): .....  
(Seal or stamp of the authority, as appropriate)

Annual/Intermediate\* survey:

Signed: .....  
(Signature of authorized official)

Place: .....  
Date (dd/mm/yyyy): .....  
(Seal or stamp of the authority, as appropriate)

Annual survey:

Signed: .....  
(Signature of authorized official)

Place: .....  
Date (dd/mm/yyyy): .....  
(Seal or stamp of the authority, as appropriate)

\* Delete as appropriate.

Annual/intermediate survey in accordance with regulation 9.8.3

THIS IS TO CERTIFY that, at an annual/intermediate\* survey in accordance with regulation 9.8.3 of Annex VI of the Convention, the ship was found to comply with the relevant provisions of that Annex:

Signed: .....  
(Signature of authorized official)

Place: .....  
Date (dd/mm/yyyy): .....

(Seal or stamp of the authority, as appropriate)

Endorsement to extend the certificate if valid for less than 5 years where regulation 9.3 applies

The ship complies with the relevant provisions of the Annex, and this certificate shall, in accordance with regulation 9.3 of Annex VI of the Convention, be accepted as valid until

Signed: .....  
(Signature of authorized official)  
Place: .....  
Date (dd/mm/yyyy): .....  
(Seal or stamp of the authority, as appropriate)

Endorsement where the renewal survey has been completed and regulation 9.4 applies

The ship complies with the relevant provisions of the Annex, and this certificate shall, in accordance with regulation 9.4 of Annex VI of the Convention, be accepted as valid until

Signed: .....  
(Signature of authorized official)  
Place: .....  
Date (dd/mm/yyyy): .....  
(Seal or stamp of the authority, as appropriate)

\* Delete as appropriate.

Endorsement to extend the validity of the certificate until reaching the port of survey or for a period of grace where regulation 9.5 or 9.6 applies

This certificate shall, in accordance with regulation 9.5 or 9.6\* of Annex VI of the Convention, be accepted as valid until (dd/mm/yyyy):.....

Signed: .....  
(Signature of authorized official)  
Place: .....  
Date (dd/mm/yyyy): .....  
(Seal or stamp of the authority, as appropriate)

Endorsement for advancement of anniversary date where regulation 9.8 applies

In accordance with regulation 9.8 of Annex VI of the Convention, the new anniversary date is (dd/mm/yyyy): .....

Signed: .....  
(Signature of authorized official)  
Place: .....  
Date (dd/mm/yyyy): .....  
(Seal or stamp of the authority, as appropriate)

In accordance with regulation 9.8 of Annex VI of the Convention, the new anniversary date is (dd/mm/yyyy): .....

Signed: .....  
(Signature of authorized official)  
Place: .....  
Date (dd/mm/yyyy): .....  
(Seal or stamp of the authority, as appropriate)

\* Delete as appropriate.

---

**SUPPLEMENT TO INTERNATIONAL AIR POLLUTION PREVENTION CERTIFICATE  
(IAPP CERTIFICATE)  
RECORD OF CONSTRUCTION AND EQUIPMENT**

Notes: 1 This Record shall be permanently attached to the IAPP Certificate. The IAPP Certificate shall be available onboard the ship at all times. 2 The Record shall be at least in English, French or Spanish. If an official language of the issuing country is also used, this shall prevail in case of a dispute or discrepancy. 3 Entries in boxes shall be made by inserting either a cross (x) for the answer .yes. and applicable or a (-) for the answers no and not applicable as appropriate. 4 Unless otherwise stated, regulations mentioned in this Record refer to regulations of Annex VI of the Convention and resolutions or circulars refer to those adopted by the International Maritime Organization.

1 Particulars of ship

1.1 Name of ship .....

1.2 IMO Number.....

1.3 Date on which keel was laid or ship was at a similar stage of construction .....

1.4 Length (L) # metres .....

# Completed only in respect of ships constructed on or after 1 January 2016, which are specially designed, and used solely, for recreational purposes and to which, in accordance with regulation 13.5.2.1, the NOx emission limit as given by regulation 13.5.1.1 will not apply.

2 Control of emissions from ships

2.1 Ozone depleting substances (regulation 12)

2.1.1 The following fire extinguishing systems, other systems and equipment containing halons or chlorofluorocarbons (CFCs) installed before 19 May 2005 may continue in service:

System or equipment	Location onboard	Substance
---------------------	------------------	-----------

2.1.2 The following systems containing hydro-chlorofluorocarbons (HCFCs) installed before 1 January 2020 may continue in service:

System or equipment	Location onboard	Substance
---------------------	------------------	-----------

2.2 Nitrogen oxides (NOx) (regulation 13)

2.2.1 The following marine diesel engines installed on this ship comply with the applicable emission limit of regulation 13 in accordance with the revised NOx

Technical Code 2008:

	Engine # 1	Engine # 2	Engine # 3	Engine # 4	Engine # 5	Engine # 6
--	------------	------------	------------	------------	------------	------------

Manufacturer and model

Serial number

Use

Power output (kW)

Rated speed (RPM)

Date of installation (dd/mm/yyyy)

Date of major conversion(dd/mm/yyyy) According to Reg. 13.2.2

According to Reg. 13.2.3

Exempted by regulation 13.1.1.2

Tier I Reg.13.3

Tier II Reg.13.4

Tier II Reg. 13.2.2 or 13.5.2

Tier III Reg.13.5.1.1

Approved Method exists

Approved Method not commercially available

Approved Method installed

2.3 Sulphur oxides (SOx) and particulate matter (regulation 14)

2.3.1 When the ship operates within an Emission Control Area specified in regulation 14.3, the ship uses:

- 1 fuel oil with a sulphur content that does not exceed the applicable limit value as documented by bunker delivery notes;

or.....

- 2 an equivalent arrangement approved in accordance with regulation 4.1 as listed in 2.6 .....

2.4 Volatile organic compounds (VOCs) (regulation 15)

2.4.1 The tanker has a vapour collection system installed and approved in accordance with MSC/Circ.585.

.....

2.4.2.1 For a tanker carrying crude oil, there is an approved VOC Management Plan

2.4.2.2 VOC Management Plan approval reference: .....

2.5 Shipboard incineration (regulation 16)

The ship has an incinerator:

- 1 installed on or after 1 January 2000 which complies with resolution MEPC.76(40) as amended .....

- 2 installed before 1 January 2000 which complies with:

- 2.1 resolution MEPC.59(33) .....

- 2.2 resolution MEPC.76(40) .....

2.6 Equivalent (regulation 4)

The ship has been allowed to use the following fitting, material, appliance or apparatus to be fitted in a ship or other procedures, alternative fuel oils, or compliance methods used as an alternative to that required by this Annex:

System or equipment	Equivalent used	Approval reference
---------------------	-----------------	--------------------

THIS IS TO CERTIFY that this Record is correct in all respects.

Issued at .....

(Place of issue of the Record)

(dd/mm/yyyy): .....

Date of Issue

.....

(Signature of duly authorized official  
issuing the Record)

(Seal or stamp of the authority, as appropriate)

**APPENDIX II**  
**TEST CYCLES AND WEIGHTING FACTORS**  
**(Rule 13)**

The following test cycles and weighing factors shall be applied for verification of compliance of marine diesel engines with the applicable NOx limit in accordance with regulation 13 of this Annex using the test procedure and calculation method as specified in the revised NOx Technical Code 2008.

- .1 For constant-speed marine engines for ship main propulsion, including diesel-electric drive, test cycle E2 shall be applied;
- .2 For controllable-pitch propeller sets test cycle E2 shall be applied;
- .3 For propeller-law-operated main and propeller-law-operated auxiliary engines the test cycle E3 shall be applied;
- .4 For constant-speed auxiliary engines test cycle D2 shall be applied; and
- .5 For variable-speed, variable-load auxiliary engines, not included above, test cycle C1 shall be applied.

Test cycle for constant speed main propulsion application  
(including diesel-electric drive and all controllable-pitch propeller installations)

Test cycle type E2	Speed	100%	100%	100%	100%
	Power	100%	75%	50%	25%
	Weighting factor	0.2	0.5	0.15	0.15

Test cycle for propeller-law-operated main and propeller-law-operated auxiliary engine application

Test cycle type E3	Speed	100%	91%	80%	63%
	Power	100%	75%	50%	25%
	Weighting factor	0.2	0.5	0.15	0.15

Test cycle for constant-speed auxiliary engine application

Test cycle for variable-speed and load auxiliary engine application

Test cycle type C1	Speed	Rated	Intermediate	Idle					
	Torque	100%	75%	50%	10%	100%	75%	50%	0%
	Weighting factor	0.15	0.15	0.15	0.1	0.1	0.1	0.1	0.15

In the case of an engine to be certified in accordance with subparagraph 5.1.1 of regulation 13, the specific emission at each individual mode point shall not exceed the applicable NOx emission limit value by more than 50% except as follows:

- .1 The 10% mode point in the D2 test cycle.
- .2 The 10% mode point in the C1 test cycle.
- .3 The idle mode point in the C1 test cycle.

**APPENDIX III**  
**CRITERIA AND PROCEDURES FOR DESIGNATION OF EMISSION CONTROL AREAS**  
**(Rule 13.6 and Rule 14.3)**

**1 OBJECTIVES**

- 1.1 The purpose of this appendix is to provide the criteria and procedures to Parties for the formulation and submission of proposals for the designation of Emission Control Areas and to set forth the factors to be considered in the assessment of such proposals by the Organization.
- 1.2 Emissions of NOx, SOx and particulate matter from ocean-going ships contribute to ambient concentrations of air pollution in cities and coastal areas around the world. Adverse public health and environmental effects associated with air pollution include premature mortality, cardiopulmonary disease, lung cancer, chronic respiratory ailments, acidification and eutrophication.
- 1.3 An Emission Control Area should be considered for adoption by the Organization if supported by a demonstrated need to prevent, reduce, and control emissions of NOx or SOx and particulate matter or all three types of emissions (hereinafter emissions) from ships.

**2 PROCESS FOR THE DESIGNATION OF EMISSION CONTROL AREAS**

- 2.1 A proposal to the Organization for designation of an Emission Control Area for NOx or SOx and particulate matter or all three types of emissions may be submitted only by Parties. Where two or more Parties have a common interest in a particular area, they should formulate a coordinated proposal.
- 2.2 A proposal to designate a given area as an Emission Control Area should be submitted to the Organization in accordance

with the rules and procedures established by the Organization.

### 3 CRITERIA FOR DESIGNATION OF AN EMISSION CONTROL AREA

#### 3.1 The proposal shall include:

- .1 a clear delineation of the proposed area of application, along with a reference chart on which the area is marked;
- .2 the type or types of emission(s) that is or are being proposed for control (i.e. NO<sub>x</sub> or SO<sub>x</sub> and particulate matter or all three types of emissions);
- .3 a description of the human populations and environmental areas at risk from the impacts of ship emissions;
- .4 an assessment that emissions from ships operating in the proposed area of application are contributing to ambient concentrations of air pollution or to adverse environmental impacts. Such assessment shall include a description of the impacts of the relevant emissions on human health and the environment, such as adverse impacts to terrestrial and aquatic ecosystems, areas of natural productivity, critical habitats, water quality, human health, and areas of cultural and scientific significance, if applicable. The sources of relevant data including methodologies used shall be identified;
- .5 relevant information pertaining to the meteorological conditions in the proposed area of application to the human populations and environmental areas at risk, in particular prevailing wind patterns, or to topographical, geological, oceanographic, morphological, or other conditions that contribute to ambient concentrations of air pollution or adverse environmental impacts;
- .6 the nature of the ship traffic in the proposed Emission Control Area, including the patterns and density of such traffic;
- .7 a description of the control measures taken by the proposing Party or Parties addressing land-based sources of NO<sub>x</sub>, SO<sub>x</sub> and particulate matter emissions affecting the human populations and environmental areas at risk that are in place and operating concurrent with the consideration of measures to be adopted in relation to provisions of regulations 13 and 14 of Annex VI; and
- .8 the relative costs of reducing emissions from ships when compared with land-based controls, and the economic impacts on shipping engaged in international trade.

3.2 The geographical limits of an Emission Control Area will be based on the relevant criteria outlined above, including emissions and deposition from ships navigating in the proposed area, traffic patterns and density, and wind conditions.

### 4 PROCEDURES FOR THE ASSESSMENT AND ADOPTION OF EMISSION CONTROL AREAS BY THE ORGANIZATION

4.1 The Organization shall consider each proposal submitted to it by a Party or Parties.

4.2 In assessing the proposal, the Organization shall take into account the criteria which are to be included in each proposal for adoption as set forth in section 3 above.

4.3 An Emission Control Area shall be designated by means of an amendment to this Annex, considered, adopted and brought into force in accordance with article 16 of the present Convention.

### 5 OPERATION OF EMISSION CONTROL AREAS

5.1 Parties which have ships navigating in the area are encouraged to bring to the Organization any concerns regarding the operation of the area.

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#### APPENDIX IV TYPE APPROVAL AND OPERATING LIMITS FOR SHIPBOARD INCINERATORS (Rule 16)

1 Ships incinerators described in regulation 16.6.1 onboard shall possess an IMO type approval certificate for each incinerator. In order to obtain such certificate, the incinerator shall be designed and built to an approved standard as described in regulation 16.6.1. Each model shall be subject to a specified type approval test operation at the factory or an approved test facility, and under the responsibility of the Administration, using the following standard fuel/waste specification for the type approval test for determining whether the incinerator operates within the limits specified in paragraph 2 of this appendix:

Sludge Oil Consisting of:	75% Sludge oil from HFO; 5% waste lubricating oil; and
20% emulsified water.	
Solid waste consisting of:	50% food waste;
	50% rubbish containing; approx. 30% paper,
	" 40% cardboard,
	" 10% rags,
	" 20% plastic

The mixture will have up to 50% moisture and 7% incombustible solids.

2 Incinerators described in regulation 16.6.1 shall operate within the following limits:

O <sub>2</sub> in combustion chamber:	6 . 12%
CO in flue gas maximum average:	200 mg/MJ
Soot number maximum average:	Bacharach 3 or Ringelman 1 (20% opacity)
(A higher soot number is acceptable only during very short periods such as starting up)	
Unburned components in ash residues:	Maximum 10% by Weight
Combustion chamber flue gas outlet temperature range:	850 . 1200oC

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**APPENDIX V**  
**INFORMATION TO BE INCLUDED IN THE BUNKER DELIVERY NOTE**  
**(Rule 18.5)**

Name and IMO Number of receiving ship  
Port  
Date of commencement of delivery  
Name, address, and telephone number of marine fuel oil supplier  
Product name(s)  
Quantity in metric tons  
Density at 15oC, kg/m<sup>3</sup>\*  
Sulphur content (%m/m)\*\*

A declaration signed and certified by the fuel oil supplier's representative that the fuel oil supplied is in conformity with the applicable subparagraph of regulation 14.1 or 14.4 and regulation 18.3 of this Annex.

\* Fuel oil shall be tested in accordance with ISO 3675:1998 or ISO 12185:1996.

\*\* Fuel oil shall be tested in accordance with ISO 8754:2003.

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**APPENDIX VI**  
**FUEL VERIFICATION PROCEDURE FOR MARPOL ANNEX VI FUEL OIL SAMPLES**  
**(Rule 18.8.2)**

The following procedure shall be used to determine whether the fuel oil delivered to and used onboard ships is compliant with the sulphur limits required by regulation 14 of Annex VI.

1 General Requirements

1.1 The representative fuel oil sample, which is required by paragraph 8.1 of regulation 18 (the .MARPOL sample.) shall be used to verify the sulphur content of the fuel oil supplied to a ship.

1.2 An Administration, through its competent authority, shall manage the verification procedure.

1.3 The laboratories responsible for the verification procedure set forth in this appendix shall be fully accredited\* for the purpose of conducting the tests.

2 Verification Procedure Stage 1

2.1 The MARPOL sample shall be delivered by the competent authority to the laboratory.

2.2 The laboratory shall:

- .1 record the details of the seal number and the sample label on the test record;
- .2 confirm that the condition of the seal on the MARPOL sample has not been broken; and
- .3 reject any MARPOL sample where the seal has been broken.

2.3 If the seal of the MARPOL sample has not been broken, the laboratory shall proceed with the verification procedure and shall:

- .1 ensure that the MARPOL sample is thoroughly homogenized;
- .2 draw two sub-samples from the MARPOL sample; and
- .3 reseal the MARPOL sample and record the new reseal details on the test record.

\* Accreditation is in accordance with ISO 17025 or an equivalent standard.

2.4 The two sub-samples shall be tested in succession, in accordance with the specified test method referred to in appendix V. For the purposes of this verification procedure, the results of the test analysis shall be referred to as .A.

and .B.:

- .1 If the results of .A. and .B. are within the repeatability (r) of the test method, the results shall be considered valid.
- .2 If the results of .A. and .B. are not within the repeatability (r) of the test method, both results shall be rejected and two new sub-samples should be taken by the laboratory and analysed. The sample bottle should be resealed in accordance with paragraph 2.3.3 above after the new sub-samples have been taken.
- 2.5 If the test results of .A. and .B. are valid, an average of these two results should be calculated thus giving the result referred to as .X.:
  - .1 If the result of .X. is equal to or falls below the applicable limit required by Annex VI, the fuel oil shall be deemed to meet the requirements.
  - .2 If the result of .X. is greater than the applicable limit required by Annex VI, Verification Procedure Stage 2 should be conducted; however, if the result of .X. is greater than the specification limit by 0.59R (where R is the reproducibility of the test method), the fuel oil shall be considered non-compliant and no further testing is necessary.
- 3 Verification Procedure Stage 2
  - 3.1 If Stage 2 of the verification procedure is necessary in accordance with paragraph 2.5.2 above, the competent authority shall send the MARPOL sample to a second accredited laboratory.
  - 3.2 Upon receiving the MARPOL sample, the laboratory shall:
    - .1 record the details of the reseal number applied in accordance with 2.3.3 and the sample label on the test record;
    - .2 draw two sub-samples from the MARPOL sample; and
    - .3 reseal the MARPOL sample and record the new reseal details on the test record.
  - 3.3 The two sub-samples shall be tested in succession, in accordance with the test method specified in appendix V. For the purposes of this verification procedure, the results of the test analysis shall be referred to as .C. and .D.:
    - .1 If the results of .C. and .D. are within the repeatability (r) of the test method, the results shall be considered valid.
    - .2 If the results of .C. and .D. are not within the repeatability (r) of the test method, both results shall be rejected and two new sub-samples shall be taken by the laboratory and analysed. The sample bottle should be resealed in accordance with paragraph 3.2.3 after the new sub-samples have been taken.
  - 3.4 If the test results of .C. and .D. are valid, and the results of .A., .B., .C., and .D. are within the reproducibility (R) of the test method then the laboratory shall average the results, which is referred to as .Y.:
    - .1 If the result of .Y. is equal to or falls below the applicable limit required by Annex VI, the fuel oil shall be deemed to meet the requirements.
    - .2 If the result of .Y. is greater than the applicable limit required by Annex VI, then the fuel oil fails to meet the standards required by Annex VI.
  - 3.5 If the result of .A., .B., .C. and .D. are not within the reproducibility (R) of the test method then the Administration may discard all of the test results and, at its discretion, repeat the entire testing process.
  - 3.6 The results obtained from the verification procedure are final.

## Training Circular No.08 of 2008

No.3-TR(17)/99-Fac-II

Dated: November 5,2008

The Competent Authority has decided to withdraw Circular No. 5 of 2006 dated 03.03.2008 with immediate effect. The appointments of Principal/Director/Head of the Institute/Dean will be considered as per the guidelines laid down in Training Circular 9 of 2003 dated 01.01.2003.

2. The appointments done as per Training Circular No.5 of 2006, prior to issue of this Training Circular will remain valid.

Sd/-

**[ASHIMA GUPTA]**

Dy. Director General of Shipping

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### IMO chief makes direct appeal to Security Council for Somalia piracy action:

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

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

- to extend the validity of the mandate in paragraph 7 of resolution 1816;
- to call upon States interested in the safety and environmentally sound function of shipping activities, that have the capacity to do so, to take part actively in the fight against piracy and armed robbery against ships (including "mother ships") off the coast of Somalia and in the Gulf of Aden;
- to strengthen and enhance the provisions of resolutions 1816 and 1838, particularly with respect to having clear rules of engagement for participating

units to facilitate the disruption of pirate operations; and

- to urge States, with due regard to their obligations under international law, to establish an effective legal jurisdiction to bring alleged offenders to justice.

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

- protect seafarers, fishermen and passengers on ships sailing off the coast of Somalia and in the Gulf of Aden;
- ensure the safe delivery of humanitarian aid to Somalia effected by ships chartered by the World Food Programme; and
- preserve the integrity of the shipping lane through the Gulf of Aden, given its strategic importance and significance to shipping and trade east and west of the Suez Canal.

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

IMO first brought the matter of piracy off Somalia to the



**Ms. Lakshmi Venkatachalam, I.A.S.,**  
Director General of Shipping & Ex. Officio  
Additional Secretary to the Govt. of India

attention of the Security Council in 2005. Subsequently, the Security Council issued a Presidential Statement on the subject in March 2006 and adopted resolutions 1816 and 1838, in June and October 2008 respectively.

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

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

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

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