



New piracy fear as ship disappears

The Maltaese-flagged Arctic Sea may be heading for the west coast of Africa (AP). (UKPA) A cargo ship which has gone missing after passing through the English Channel may have been the victim of a new kind of piracy. Marine intelligence experts said the 4,000-tonne, Maltese-flagged Arctic Sea may be heading for the west coast of Africa - scene of many pirate incidents in recent months. But the experts and other marine authorities continue to be baffled by the fact that the ship has "disappeared" since its last recorded sighting off northern France on July 30.



The ship, with 15 crew aboard and carrying about £1 million-worth of sawn timber from Finland to Algeria, made radio contact with Dover Coastguard as it was about to enter the Strait of Dover on July 28. The ship should have arrived in Bejaia in northern Algeria on August 4. According to reports, Swedish authorities were told by the Finnish shipping line operating the vessel that on July 24 it was boarded by up to 10 armed men purporting to be anti-drugs police as it sailed through the Baltic Sea. Some 12 hours later the intruders apparently left the ship on a high-speed inflatable boat and allowed the vessel to continue on its passage but with its communications equipment damaged. Then, on August 3, Dover Coastguard was informed by Interpol that the crew had been hijacked in the Baltic Sea and was asked to be alert as it passed through the Channel. But the Arctic Sea had already completed its voyage through the Strait of Dover. It was last recorded on the AISLive ship tracking system off the coast of Brest, northern France, just before 1.30am on July 30.

Marine intelligence expert Graeme Gibbon-Brooks told Sky News: "If this is a criminal act, it appears to be following a new business model. It seems likely that the vessel will head for the west coast of Africa.

(contd. on page 2)

Highlights

	Page
New piracy fear as ship disappears	1
Indian Maritime University in clean up act	2
Editorial	
Editorial	3
TT Club publishes storm guide	4
Offshore wind farms set for growth, but problems loom	5
MARPOL amendments to prevent pollution during ship-to-ship oil transfer operations adopted	6
Pirates attack ship with Indian crew in Gulf	8
United States Actions To Counter Piracy Off the Horn of Africa	9
Rising wave of piracy sends shipowners' costs soaring	10
Maritime professionals opt for militancy	11
Nigeria begins campaign for IMO council seat	12
IMO Briefing	13-16
DG Shipping Notice	17-19
Growing Piracy	20
Chinese challenge for box lines	21
Winds of change sweep India's foreign office	22
Goodbye to MSC Napoli	23

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RUSSIA'S entire Atlantic fleet today joined the hunt for the cargo ship feared to have been sailed through the English Channel by pirates.

Five warships and a fleet of submarines are scouring vast swathes of ocean and ports along a projected sea route stretching to Africa. Premier Dmitry Medvedev ordered the launch of the naval task force to save the 13-strong Russian crew of the 3,998-tonne Arctic Sea.

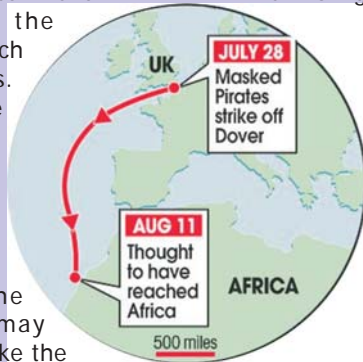
They are believed to be at the mercy of a gang of cut-throats who hijacked their vessel in the Baltic Sea soon after it sailed from Finland. Authorities fear the vessel may have already docked at an African port where its cargo of £1.1million of timber may have been plundered.

Hanged ... Captain Kidd

Pirates have recently plagued vessels off the coast of Somalia - but this would be the first such attack in the Channel in living memory.

Russian Navy commander, Admiral Vladimir Vysotsky said yesterday: "Under the orders of President Dmitry Medvedev all Russian navy ships in the Atlantic have been sent to join the search for the Arctic Sea. "These ships include the corvette Ladny and submarines."Russia's powerful Black Sea fleet had already started steaming south to join the search. Ships like the corvette Ladny - a guided missile frigate - are among the most modern in the Russian fleet with high-tech seek and destroy systems. Dover coastguards were the last to be contacted by the ship on July 28 as it entered busy shipping lanes from the North Sea.

But it was feared the crewman radioing in may have been ordered to make the routine call at gunpoint.



Route ... have pirates docked ship in Africa?

He said the ship was heading for Bejaia in Northern Algeria and was expected to dock on August 3 - but the vessel has since vanished.

Later the same day the coastguard in Zeebrugge, Belgium, contacted Dover to pass on an Interpol warning that the vessel had probably been hijacked.

The Arctic Sea was last recorded on the AISLive ship tracking system off the coast of Brest, northern France, at 1.29am on July 30.

She could also have been an unidentified vessel spotted two days later by a Portuguese coastal patrol aircraft.

It later emerged that the crew had reported the Arctic Sea was boarded by masked men claiming to be anti-drugs police on July 24 in Swedish waters.

The sailors said they had been tied up for 12 hours while



Capture ... pirates plague sea off Somalia

the other men searched the ship then fled in a high-speed inflatable boat.

No further action was taken after the attack was reported as the crew appeared to be safe and continuing their journey.

Spanish officials say the ship has not passed through the Straits of Gibraltar and could not have reached Algeria.

Indian Maritime University in clean up act

Chennai: In its first year of functioning as an apex affiliating and regulatory body for maritime educational institutions in the country, the Indian Maritime University near Chennai has embarked on a cleaning up exercise among the private sector players in the field.

As part of efforts to streamline the quality of education in self-financing maritime colleges, the Indian Maritime University vice chancellor P Vijayan has cracked the whip by declaring that institutions that have illegally collaborated with some deemed universities will not be granted affiliation to the central university on a piecemeal basis.

Presently 41 maritime colleges including 15 in Tamil Nadu are affiliated to us. There are 125 maritime institutions in the country but some have been allowed to retain their affiliation with the respective state universities for this year alone for operational convenience. However, a few private colleges are affiliated to deemed universities in violation of rules.

They offer select courses through the illegal affiliation granted by the deemed universities and approached us for affiliating the B.Sc Nautical Science course alone. I have told them that they cannot have such piecemeal relationship with us. If they need an affiliation from a central university like ours, they have to sever all academic relationship with deemed universities, Vijayan said on Wednesday. He hoped that by next year all maritime colleges including those offering diploma programmes would be affiliated to the Indian Maritime University.

(contd. on page 4)

From the Editor's Desk



"Marine Waves" Management wishes all our readers to Think, Write and Share your personal views and experiences and interact with the relevant people. We respect the right to freedom of expression. All for free to make "TIME" more productive in one's life. A glimpse on Indian Maritime University.



- "Indian Maritime University" – IMU is the first central university to be set up by the Department of Shipping through an Act of Parliament. The Act was notified in the Government of India's Gazette on November 11, 2008. Dr. P. Vijayan, Director, National Maritime Academy in Chennai, has been appointed as the first Vice-Chancellor of the IMU. IMU is bound to improve the quality of marine training, for having come into existence. Further, it should help Indian seafarers to compete globally and to increase representation in the worldwide seafarers circle. (IMU) was inaugurated on 31st December, 2008, at Chennai.
- "Maritime education" was so far under the control of the Mariners in the Directorate General of Shipping (DGS), with their lesser sea experience and of less academic value in profession, resting purely on the certificate of competency meant for the operation, maintenance and administration of ships, with their trade apprenticeship background. It is not encouraging for such a situation to continue and hence fell under I.I.M.S., the Indian Institute of Maritime Studies (IIMS). Under its umbrella are: T.S. Chanakya, Navi Mumbai, Lal Bahadur Shastri College of Advanced Maritime Studies and Research, Mumbai. Marine Engineering and Research Institute (MERI), Mumbai. Marine Engineering and Research Institute (MERI), Kolkata. In addition National Maritime Academy (erstwhile National Institute of Port Management) is at Uthandi, Chennai under the Ministry of Shipping, Government of India, National Ship Design and Research Center (NSDRC) is at Visakhapatnam under the Ministry of Shipping, Government of India. The Indian Institute of Ports Management (IIPM) at Kolkata. There are over 120 private marine training institutes, spread over India approved by DGS and all the above-said institutes are expected to be under the control of IMU and some of the interesting features of Indian Maritime University are:
- Expected to be set up like the World Maritime University (WMU) in Malmo, Sweden. WMU was established by the International Maritime Organization (IMO) in 1983.
- Being set up over an area of around 106 acres at Semmancherry (Chemmancherry), East Coast Road, South of Chennai at a cost of Rs 245 crore. The University will have regional centres in Mumbai, Kolkata and Visakhapatnam. The National Maritime Academy at Chennai; LBS College, Marine Engineering & Research Institute (MERI) and T.S. Chanakya at Mumbai; the MERI and Indian Institute of Ports Management at Kolkata; and the National Ship Design and Research Centre at Visakhapatnam will be merged with IMU, as position stands.

IMU has announced that it has tie-up with:- Dalian Maritime University, China for MBA in Port Management. Shanghai Maritime University, China and Institute of Transport and Maritime Management Antwerp (ITMMA) of University of Antwerp, Netherlands for MBA in International Transportation and Logistics Management. International Maritime Law Institute (IMLI) of the University of Malta for degree in Maritime Law. IMLI was established by IMO in 1988. Delft University of Technology, Netherlands for degree course in Dredging from the Department of Maritime and Transport Technology (M&TT). IMU has tied up with IIM, Ahmedabad, for a one-year fast-track executive MBA in Maritime Management and with IIM, Bangalore, for a Certificate Course in Management for senior seafaring officers. We look forward for the Indian seafarers to be more benefited. Private maritime training institutes will now be under the control of IMU. It would cover department of Port Management, Nautical Sciences, Marine Engineering, Maritime Law, Inland Water Transport etc. Under these departments, degree, postgraduate degrees and research programmes will be offered by the university.

In addition, a National Maritime Complex (NMC) in 194 acres is also being planned near IMU, at an approximate cost of around Rs.800 crores to Rs.1,000 crores. NMC will have a Maritime Art gallery, Maritime Museum, Marine Aquarium and marine food court and other related activities of the maritime industry. Here is the Gazette of India, Extraordinary No 22 of 2008 dated November 11, 2008: The Indian Maritime University Act, 2008. IMU, Chennai Campus can be contacted in the following address: "INDIAN MARITIME UNIVERSITY" East Cost Road, Uthandi, Chennai 600 119, Phone : 044-24530345, 24530344. Marine Office: 044-24530341, Emails to campus.imu@nic.in. For more details, log on to Indian Maritime University. The Indian Maritime University (IMU) will introduce several new courses starting from this session (2009-10). The Courses are: Maritime Law programme in collaboration with the International Marine Law Institute at Malta, M.B.A. programme in International Transport and Logistics Managements in collaboration with the University of Antwerp, Belgium, E.M.B.A. programme in Maritime Management for Mariners in collaboration with the Indian Institute of Management, Ahmedabad, B.Tech. in Naval Architecture and Shipbuilding in collaboration with the Indian Institute of Technology, Chennai. It is most appreciable to note that our "IMU vice chancellor P Vijayan" has declared that institutions that have illegally collaborated with some deemed universities will not be granted affiliation to the IMU on a piecemeal basis. He further said that presently 41 maritime colleges including 15 in Tamil Nadu are affiliated to IMU. There are 125 maritime institutions in the country but some have been allowed to retain their affiliation with the respective state universities for this year alone for operational convenience. IMU vice-chancellor P Vijayan told TOI, "As per the Central Universities Act, we are fully empowered to affiliate colleges offering maritime education."

As the Indian Maritime University is now operational, it is logical that all marine related courses so far offered by different universities should come under the purview of IMU. It's high time, "we realize our resources, introduce appropriate policies." All that we require is a shared vision of what is today, in the international maritime scenario and what best we could do to leap ahead successfully, with scientifically backed-up policies and all the needed support of the realized geniuses. Why should we accept the continuance of deficiencies and defects in the system, going without corrective and remedial action? The need to focus on Safety, Health and Environment, along with professional trade subjects with outlook of international level, since shipping is international. It is a challenge to policymakers to ensure, instilling fair and best practices, in policy and procedures. While merchant navy is the second line of defence, earning considerable foreign-exchange to the country.

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(contd. from 2)

In Tamil Nadu five maritime colleges are affiliated to a deemed university. The director general of shipping had turned a Nelson's eye to this development. Vijayan, in fact, has taken the position that even maritime courses offered by deemed universities should be approved by the Indian Maritime University to ensure better quality. Noting that some colleges are functioning without proper infrastructure and faculty strength, he said we have fixed norms for them to improve. We are chief engineers and captains from the maritime sector to take up teaching assignments during their vacation so that they can share their practical experiences.

On Wednesday, the Indian Maritime University commenced a week long transparent single window counseling process for admission into B.Sc Nautical Science (1098 seats) BE Marine Engineering (325 seats), BE Naval Architecture (40 seats) and MBA in Shipping and Port Management and International Transportation and Logistics Management (50 seats each) courses for its constituent and affiliated colleges. A uniform annual fee of Rs 2.2 lakh and Rs 2.25 lakh has been fixed for the B.Sc and BE courses respectively. The Indian Maritime University had convinced private non-minority institutions and minority colleges to surrender 65 percent and 50 percent of their sanctioned seats respectively to the government quota.

As many as 4,155 aspirants including 3 from across the country have been called for the counseling that would end on July 15.

TT Club publishes storm guide: This year has already seen several serious storms in the Pacific and western Australia, and areas including Idaho, USA and the coast of Mexico have been battered by wind storms and hurricanes, causing substantial damage. In a timely move specialist ports and multimodal insurer, TT Club, has published a revised edition of its comprehensive risk mitigation guide for windstorms that offers marine and inland terminal operators valuable information and advice on how to minimise storm damage to their installations and customers' cargoes. This second edition has been developed and published jointly with ICHCA International.

Introducing the new edition, TT Club Deputy Chairman and CEO of Virginia International Terminals Inc, Joe Dorto, writes: "By virtue of their location, ports and terminals are particularly vulnerable, with all kinds of harbour installations at risk from the enormous forces of nature unleashed in a storm".

The TT Club guide, entitled 'WindStorm II' provides terminal operators with detailed advice on how to protect their infrastructure from windstorm damage, as well as how to recover afterwards.

"With storm damage accounting for some of the biggest losses in the industry, the Club is committed to assisting operators in managing risk and to help prevent loss; the responsibility of a mutual insurer such as TT extends to more than just picking up the bill", comments TT Club's Risk Management Director, Peregrine Storrs-Fox. "In this guide, we have brought together the shared knowledge and experience of operators and experts in managing storm damage, and have particularly valued the collaboration with the International Safety Panel of ICHCA International. We

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believe that the result provides a practical loss-prevention plan which benefits the marine and inland terminal industry and demonstrates both the ethos and the advantages of being a mutual insurer."

Offshore wind farms set for growth, but problems loom:

The offshore windpower sector is set for significant growth but also face rising costs and could struggle to find sufficient finance. Analyst Douglas-Westwood, in the latest edition of its World Offshore Wind Report, says the industry is now showing the growth and market development long-promised, with record levels of capacity now under construction. Strong growth in deployment rates will be seen in the years ahead, but levels of installed capacity peak in 2011, with a small decline in 2012 and 2013.

According to DWL's The World Offshore Wind Report 2009-2013 offshore wind will see Euros21.6bn of capital expenditure in the coming five year period to 2013 as 6.6 GW of new capacity is installed globally. With just over 1.5 GW of capacity online at present, this represents significant market growth and will lead to an annual capital expenditure of over Euros 6.2bn at peak.

Douglas-Westwood says that, of the biggest markets, the UK is dominant with 3 GW of new capacity forecast to 2013 - a market worth Euros10.7bn. Long-term prospects are good with Round 3 of offshore wind licensing underway. Recent changes to the ROC mechanism have resulted in projects finally moving forward which had struggled to be signed off due to poor returns in light of cost rises. The temporary boost will, however, have mixed effects and add upward pressure to costs throughout the supply chain.

Germany is to be the second biggest player in the period, installing over 1.5 GW of capacity. Strong market mechanisms and the recent grid connection agreements have helped Germany finally kick-off what will be one of the biggest markets in the world for the next decade. Strong supply chain development has already taken place and the country is gaining significant value from offshore wind despite not yet having any commercial projects completed.



New projects off Denmark currently under construction and tendering will see the country add a healthy 857 MW of new capacity in the period. Longer-term potential here is identified as very strong. Benefiting from good wind resources in shallow waters, offshore wind development on a large scale is achievable at a bankable cost.

First commercial activity is now ongoing outside Europe off China, with the first major project almost completed there. Fast development times will help the country grow quickly. The report also highlights Chinese procurement for European offshore wind projects.

The US has made great progress through the new administration to establishing the necessary mechanisms to allow offshore wind projects to be developed. Supply chain development must now follow suit and work is needed in procurement, installation and logistics.

Speaking about the new report, Renewable Energy Manager, Adam Westwood said: "The industry is now seeing major projects entering into construction and tendering taking place for projects three-to-four years ahead. The start of the next decade will be challenging as the industry tries to sustain itself in the face of costs which have been spiralling."

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

IMO Council makes 2010 the "Year of the seafarer":

The Council of the International Maritime Organization (IMO), meeting for its 102nd session in London (29 June to 3 July 2009), agreed that next year's theme for World Maritime Day will be "2010: Year of the Seafarer", endorsing a proposal from IMO Secretary-General Efthimios E. Mitropoulos.

The theme - to be celebrated throughout the year and also at a World Maritime Day parallel event in Argentina - was selected to give IMO and the international maritime community the opportunity to pay tribute to the world's seafarers for their unique contribution to society and in recognition of the risks they shoulder in the execution of their duties in an often hostile environment. In proposing it, Secretary-General Mitropoulos said that "the unique hazards confronting the 1.5 million seafarers of the world - including pirate attacks, unwarranted detention and abandonment - coupled with the predicted looming shortage of ships' officers, make it ever more incumbent to take

immediate and effective action to forestall a situation from developing in which ships are not manned with sufficient skilled personnel".

The theme complements IMO's ongoing "Go to Sea!" campaign to attract new entrants to the shipping industry, which was launched in November 2008 in association with the International Labour Organization, the "Round Table" of shipping industry organizations and the International Transport Workers' Federation. It is also in line with the comprehensive review, initiated in 2006, of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978 and its associated Code, updated texts of which are due to be considered by a Diplomatic Conference scheduled to be held in Manila, Philippines, in mid-2010. Once adopted, the proposed amendments to the STCW Convention and Code will provide the necessary global standards for the training and certification of seafarers to man technologically advanced ships, today and for some time to come.

2010-2011 budget proposals considered

The Council considered the Secretary-General's proposals for the Organization's budget during the 2010-2011 biennium, which is expected to be approved at the twenty-fifth extraordinary session of the Council (19 and 20 November 2009), for submission to the twenty sixth regular session of the IMO Assembly (23 November to 5 December 2009), for adoption.

International Maritime Prize goes to Mr. Alberto Alemán Zubieta (Panama)

The Council agreed to award the International Maritime Prize for 2009 to Mr. Alberto Alemán Zubieta, current Administrator of the Panama Canal Authority.

Mr. Alemán has degrees in Civil Engineering and Industrial Engineering from Texas A&M University and was CEO of one of Panama's largest construction companies before becoming, in 1996, Chief Executive Officer/Administrator of the Panama Canal Commission, the United States Government federal agency which administered the Canal until 31 December 1999. In 1998 he was appointed as the Panama Canal Authority's Administrator, a role which he performed simultaneously with that of Administrator of the Commission. He has led the Panama Canal Authority since 2000.

IMO Award for Exceptional Bravery at Sea

The Council endorsed the decision of a Panel of Judges that the 2009 IMO Award for Exceptional Bravery at Sea should go to two nominees:

- Mr. Maurice Conti and Mrs. Sophie Conti, United States citizens, nominated by New Zealand, for the rescue, in rough seas, of three crew members from the yacht Timella, which had grounded and then sunk, off a remote South Pacific coral reef. The Contis are non-professional sailors who, at the time of the incident, were sailing with their young family. They planned and executed the rescue in the middle of the night (12-13 October 2008), exposing themselves to considerable risk, in the absence of marine/aviation rescue assets.
- AST2 Abram A. Heller of the United States Coast Guard, nominated by the United States, for single handedly rescuing, in the early hours of 23 March 2008, eight crew members of the founder F/V Alaska Ranger, in arctic weather conditions. AST2 Heller is a professional rescue swimmer who gave up his place in the rescue helicopter to enable five rescuees to be taken to safety. He waited for more than one hour for the return of the helicopter, on a life raft, in freezing conditions, with three further rescuees whom he had pulled into the raft. In so doing, he acted over and above the standard expected of a professional rescuer, particularly as it was his first deployment.

The Council also decided that four other nominees will receive Certificates of Commendation and 11 will receive Letters of Commendation. A total of 32 nominations from 12 IMO Member States and four non-governmental organizations (NGOs) in consultative status were received and considered by an Assessment Panel consisting of experts nominated by various NGOs. A Panel of Judges then met, under the chairmanship of the Council Chairman, with the participation of the Chairmen of IMO's Maritime Safety; Marine Environment Protection; Legal; Technical Co operation; and Facilitation Committees.

A ceremony for the winners to receive their awards will be held

later in the year.

Exceptional Services Rendered to Shipping and Mankind

The Council also endorsed the proposal of the Secretary-General to recognize, through the award of certificates, the exceptional services rendered to shipping and mankind by the Commanding Officers, Officers, Petty Officers and Crews of the navy ships from a wide range of countries that have converged in the Western Indian Ocean area, since late 2008, in an unparalleled demonstration of international solidarity to prevent and repress piracy off the coast of Somalia and in the Gulf of Aden.

Mr. Mitropoulos told the Council that the actions of "these courageous men and women, and those of their Governments in sending them to the area, have contributed to making international shipping transiting these troubled waters safer and more secure while, at the same time, greatly contributing to the safe delivery of vital humanitarian relief supplies to the people of Somalia. The actions of these individuals deserve to be publicly recognized and honoured by IMO, which has been entrusted by the international community with the responsibility of promoting the safety and security of international shipping. Our doing so will signify not only our profound appreciation for their actions but will also, hopefully, encourage even more Governments to participate in the international efforts, spearheaded by IMO, to reduce the scourge of piracy off the Horn of Africa."

Time scale agreed to make mandatory the IMO Member State Audit Scheme

The Council approved, in principle, a five-year plan which would see the Voluntary IMO Member State Audit Scheme phased in as an institutionalized, mandatory scheme.

The Council requested Secretary-General Mitropoulos to prepare a resolution delineating the way forward, together with a proposed timeframe and schedule for the further development of the Audit Scheme, for consideration and approval by the next session of the Council, for submission to the IMO Assembly for adoption, both scheduled to be held in November 2009. Such a timeframe would entail, in principle, the introduction of appropriate requirements in the relevant mandatory IMO instruments, with consequential amendments to these being adopted possibly in 2013, for subsequent entry into force in January 2015. A resolution on the Framework and Procedures for the new phase of the Scheme would also need to be adopted by the IMO Assembly, with preparatory work for commencement of an institutionalized Scheme following thereafter.

Under the current Scheme, the first audits were carried out in 2006 and, to date, 50 IMO Member States and one Associate Member have volunteered for audit and 31 audits have been completed.

Meanwhile, the Council encouraged Member States that have not yet volunteered for audits to do so as and when they are ready, and as early as possible, and invited Member States to nominate qualified auditors who can be selected for audit teams and who can participate in the related training courses convened by the Organization.

MARPOL amendments to prevent pollution during ship-to-ship oil transfer operations adopted:

Marine Environment Protection Committee (MEPC) - 59th session: 13 - 17 July, 2009

Amendments to the MARPOL Convention to prevent pollution during ship-to-ship oil transfer operations were adopted by the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO) when it met for its 59th session from 13 to 17 July 2009, at the IMO Headquarters in London.

In a packed agenda, the MEPC also agreed to circulate voluntary and interim measures to address greenhouse gas emissions from shipping (see Briefing 27/2009).

The Committee adopted amendments to MARPOL relating to the on-board management of oil residue (sludge); approved, with a view to future adoption, proposed draft amendments to MARPOL to prohibit carriage or use of heavy grade oil in the Antarctic area; agreed, in principle, a proposal to designate specific portions of the coastal waters of the United States and Canada as an emission control area; and agreed guidelines relating to the implementation of MARPOL Annex VI, the ship recycling Convention and the Ballast Water Management Convention.

MARPOL amendments - transfer of oil cargo between oil tankers at sea

The MEPC adopted amendments to MARPOL Annex I for the prevention of marine pollution during some ship-to-ship (STS) oil transfer operations. The amendments are expected to enter into force on 1 January 2011.

The new chapter 8 on Prevention of pollution during transfer of oil cargo between oil tankers at sea will apply to oil tankers of 150 gross tonnage and above and will require any oil tanker involved in oil cargo STS operations to have, on board, a plan prescribing how to conduct STS operations (the STS Plan), which would be approved by its Administration.

Notification to the relevant coastal State will be required not less than 48 hours in advance of the scheduled STS operations although some relaxation to this rule is allowed in certain, very specific, cases. The regulations are not intended to apply to bunkering operations.

Consequential amendments to the International Oil Pollution Prevention (IOPP) Certificate, the Supplement to the IOPP Certificate and the Oil Record Book were also adopted.

Oil residue (sludge) MARPOL amendments

Amendments to MARPOL Annex I regulations 1, 12, 13, 17 and 38, relating to the on board management of oil residue (sludge), were also adopted. The amendments clarify long standing requirements and remove existing ambiguities in order to facilitate compliance by ships' crews. Definitions for oil residue (sludge), oil residue (sludge) tanks, oily bilge water and oily bilge water holding tanks are introduced for the first time.

Related amendments to the Supplement to the IOPP Certificate, Form A and Form B, and to the Oil Record Book were also adopted. The amendments are expected to enter into force on 1 January 2011.

Special measures to protect the Antarctic to be considered for approval

The MEPC approved, with a view to adoption at its next session (MEPC 60 in March 2010), proposed draft amendments to MARPOL Annex I on Special requirements for the use or carriage of oils in the Antarctic area.

The proposed draft amendments would add a new chapter 9 with a new regulation 43, which would prohibit the carriage in bulk as cargo, or carriage and use as fuel, of: crude oils

having a density at 15°C higher than 900 kg/m³; oils, other than crude oils, having a density at 15°C higher than 900 kg/m³ or a kinematic viscosity at 50°C higher than 180 mm²/s; or bitumen, tar and their emulsions. An exception is envisaged for vessels engaged in securing the safety of ships or in a search and rescue operation.

ECA proposal approved

The MEPC approved a proposal to designate specific portions of the coastal waters of the United States and Canada as an Emission Control Area (ECA). The ECA would be for the control of emissions of nitrogen oxides (NO_x), sulphur oxides (SO_x), and particulate matter, under the revised MARPOL Annex VI Prevention of Air Pollution from Ships, which was adopted in October 2008 and is expected to come into force on 1 July 2010.

The draft amendments to the revised MARPOL Annex VI concerning the proposed ECA will be submitted to MEPC 60 (March 2010) for adoption (i.e. after the deemed acceptance date of the revised MARPOL Annex VI on 1 January 2010).

Currently, the revised Annex lists two areas for the control of SO_x emissions: the Baltic Sea area and the North Sea, which includes the English Channel.

MARPOL Annex VI Guidelines adopted

MEPC 59 adopted Guidelines for the development of a volatile organic compound (VOC) management plan; revised Guidelines for monitoring the worldwide average of sulphur; and revised Guidelines for the sampling of fuel oil for determination of compliance with MARPOL Annex VI.

Based on input received by the Joint Group of Experts on the Scientific Aspects of Marine Environment Protection (GESAMP), the Committee also approved Interim criteria for discharge of washwater from exhaust gas cleaning systems (exhaust scrubbers), intended to update the existing criteria contained in the Guidelines for Exhaust Gas Cleaning Systems (contained in resolution MEPC.170(57)).

The Committee also approved circulars on Guidelines for the application of the NO_x Technical Code relative to certification and amendments of tier I engines and Definitions for the cost effectiveness formula in regulation 13.7.5 of the revised MARPOL Annex VI.

This comprehensive package of guidelines on MARPOL Annex VI is intended to assist Administrations in preparing for its entry into force and in subsequently implementing and enforcing its provisions.

Guidelines to implement ship recycling convention adopted

Following the adoption of the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, at a conference held in Hong Kong, China, in May 2009, the Committee adopted Guidelines for the development of the inventory of hazardous materials.

Progress was also made in developing draft Guidelines for safe and environmentally sound ship recycling. These are the first two guidelines intended to assist with the implementation of the Convention and are crucial for the voluntary implementation of the Convention prior to its entry into force.

Implementation of the BWM Convention

The MEPC approved Guidance to ensure safe handling and storage of chemicals used to treat ballast water and the

development of safety procedures for risks to the ship and crew resulting from the treatment process. This Guidance is intended to assist with the implementation of the International Convention for the Control and Management of Ships' Ballast Water and Sediments (BWM Convention), adopted in 2004.

The MEPC also agreed to give "final approval" to four ballast water management systems that make use of active substances and "basic approval" to three such systems.

The Ballast Water Review Group met during MEPC 59 to consider the status of ballast water technologies. Following its discussions, the Committee noted that the number of ballast water treatment technologies amounted to six Type Approved systems with four additional systems being granted Final Approval at this session. The Committee noted further that the installation of ballast water management systems may require extensive design consideration such as physical and technical feasibility, modification of ships designs and sufficient lead time necessary for these modifications.

While acknowledging the difficulties, the Committee agreed that ballast water treatment technologies were available and were currently being fitted on board ships and confirmed that sufficient ballast water management systems would be available to ships constructed in 2010. The Committee agreed to instruct the Secretariat to prepare a draft MEPC resolution, requesting Administrations to encourage the installation of ballast water management systems during new ship construction in accordance with the application dates contained in the BWM Convention, to be presented to MEPC 60 for consideration and adoption.

To date, 18 States have ratified the Convention, representing 15.27 per cent of the world's merchant shipping. The Convention will enter into force twelve months after the date on which not fewer than 30 States, the combined merchant fleets of which constitute not less than 35 percent of the gross tonnage of the world's merchant shipping, have become Parties to it. The Committee urged other States to ratify the Convention at the earliest opportunity.

Adverse impact of ship noise on marine life

The report of a correspondence group on Noise from commercial shipping and its adverse impact on marine life was considered, and the MEPC agreed to re-establish the correspondence group to continue its work on the future development of voluntary technical guidelines for ship quieting technologies.

Harmful anti-fouling systems for ships - best practices agreed

The MEPC agreed to disseminate, via a circular, Guidance on best management practices for removal of anti fouling coatings from ships, including TBT hull paints, which was developed by the Scientific Groups under the Convention on the Prevention of Marine Pollution by Dumping of Wastes and Other Matter, 1972 (London Convention) and its 1996 Protocol (London Protocol).

The International Convention on the Control of Harmful Anti-Fouling Systems on Ships, 2001, entered into force in September 2008 and requires ships to either replace, or overcoat, any existing organotin-based anti fouling systems.

Joint MSC/MEPC Working Group on the Human Element

The Joint MSC/MEPC Working Group on the Human Element met during MEPC 59 to consider human element issues.

The MEPC agreed proposed draft amendments to the Revised Guidelines on implementation of the International Safety Management (ISM) Code, for submission to the IMO Assembly's 26th session in November-December 2009, for adoption.

OPRC-HNS implementation - model courses approved

The MEPC considered the report of the ninth meeting of the OPRC HNS Technical Group, which was held in the week prior to the Committee's session.

The Committee approved two introductory IMO model courses on preparedness for and response to HNS pollution incidents in the marine environment, one aimed at the operational level and the second aimed at management level; the revised OPRC Train-the-Trainer course; and a Guidance document on the identification and observation of spilled oil.

The MEPC noted the ongoing work in developing a Manual on chemical pollution to address legal and administrative aspects of HNS incidents; a Manual on oil pollution, Section I - Prevention; a Manual on incident command system during oil spill response; and Guidelines for oil spill response in fast currents.

Turkish military says navy commandos capture 7 pirates off Somalia's coast:

Turkish commandos capture 7 pirates off Somalia ANKARA, Turkey - Turkey's military says navy commandos aboard a frigate have captured seven pirates in the Gulf of Aden off Somalia's coast. The military says the commandos aboard the frigate, part of a NATO force patrolling the seas, raided the skiff Friday upon a request to block it before it could attack a ship.

Germany says hijacked cargo ship off Somalia has been released:

The German Foreign Ministry says Somali pirates who captured a German-owned cargo ship in May in the Gulf of Aden have released it and the crew is unharmed. A ministry spokesman said Saturday the MV Victoria and its 11 Romanian crewmembers were released safely.

Somali pirates release Belgian ship's crew after ransom paid:

Somali pirates release Belgian ship's crew BRUSSELS - Somali pirates have released the entire crew of a Belgian ship seized 10 weeks ago after a ransom was paid, the Belgian government said Sunday. The 10-member crew of the Pompei dredger was in good health and sailing the ship to an unidentified harbor where it will arrive in a few days, the government said.

Pirates attack ship with Indian crew in Gulf:

MANAMA - A traditional wooden ship with Indian crew sailing from the United Arab Emirates toward Bahrain was targeted by the sea pirates in Persian Gulf waters on Friday late night. The details of the attack started coming out only after three day. According to sources the Bahraini dhow was intercepted on Friday night by another ship with an armed crew. This was the first act of piracy reported inside the Gulf since the issue of piracy came to the forefront of international attention off the Somali coast in recent years. The four pirates threatened the six-man Indian crew with guns and assaulted them before taking their cargo of fish and mobile phones, sources added. The crew could not confirm the nationality of the pirates. The Indian sailors were unharmed and were released near Bahraini port on Sunday, sources said.

In recent months Somali pirates had expanded their operations beyond the Somali coast and the Gulf of Aden reaching areas as far as the east coast of Oman and the Arabian Sea. According to the study of London-based International Maritime Bureau (IMB), piracy attacks around the world were doubled in the first six months of 2009. The IMB recorded 240 as compared to 114 reported in the same period last year. In July the US Navy 5th Fleet Command in Bahrain warned against increased pirate activity off the Somali coast when the monsoon season ends. The fleet had established a combined task force with NATO and European Union forces in January to counter the piracy activity in and around the Gulf of Aden, Red Sea, Arabian Sea, and Somalia basin. Russia, China, and India also sent warships to the area to help protect and convoy vessels.

United States Actions To Counter Piracy Off the Horn of Africa:

The United States Government, in concert with the American maritime industry and other concerned nations and international organizations, continues to work to prevent pirates operating in the waters off of the Horn of Africa from interfering with maritime commerce, endangering mariners, hindering the provision of humanitarian aid to East Africa, and further destabilizing this troubled region.

Each year, approximately 33,000 commercial ships traverse the Gulf of Aden, making it among the world's busiest shipping corridors. Since 2009, there were 138 pirate attacks on commercial vessels, of which 33 were successful. In 2008, there were 122 pirate attacks with 42 successes. In 2007, there were 19 pirate attacks with 12 successes.

A Coordinated Federal Response: The National Security Council issued the Partnership and Action Plan for Countering Piracy off the Horn of Africa in December 2008 as an adjunct to the National Strategy for Maritime Security. Implementation of the Action Plan is overseen by the Counter-Piracy Steering Group, an interagency forum co-led by the Departments of State and Defense and consisting of representatives from the Departments of Justice, Treasury, Transportation (U.S. Maritime Administration), Homeland Security, and the U.S. Agency for International Development. The Department of State orchestrates United States participation in the international Contact Group on Piracy off the Coast of Somalia, which was created following the adoption of United Nations Security Council Resolution 1851 in order to better coordinate international counter-piracy efforts. Over 75 bureaus, offices, and U.S. embassies are involved in this complex cross-cutting issue that has significant national security implications.

Working With Industry: The United States believes that a critical element to successfully deterring pirate attacks is for the commercial shipping industry to continue to provide input to, and follow, best practices. Accordingly, the U.S. Coast Guard revised its applicable Maritime Security Directive to require U.S.-flagged vessels to implement more effective measures to protect against pirates, particularly those vessels in the high-risk waters off of Somalia. The U.S. Maritime Administration (MARAD) issues specific operational advice to U.S.-flagged ship owners and operators for the Horn of Africa. The U.S. Merchant Marine Academy, operated by MARAD, conducts counter-piracy training for midshipmen entering the Merchant Marine that includes identifying high-risk areas, evasive maneuvering, and repelling boarders. Finally, the United States has reiterated its firm, long-standing policy of not making concessions or paying any ransoms for the return of American hostages.

Actions By Naval Forces: The U.S. Navy and U.S. Coast Guard have contributed ships and aircraft to NATO's counter piracy operations and Combined Task Force 151 (CTF-151), a multinational coalition whose mission is to protect against piracy in the Gulf of Aden and off the eastern coast of Somalia. The command of CTF 151 rotates among partner navies regularly. The U.S. Navy and CTF-151 actively coordinate with and support the anti-piracy operations of NATO's Operation Ocean Shield naval forces in the region, as well as those of the European Union's naval Operation Atalanta. Despite the fact that over one million square miles of ocean are vulnerable to Somali piracy, the United States and other navies have succeeded so far in seizing or destroying 40 pirate vessels since August 2008, rendering 235 suspected pirates for prosecution in various countries, and confiscating numerous small arms and light weapons, including rocket-propelled grenades.

Harmonizing International Action: Following the adoption of United Nations Security Council Resolution 1851, the United States helped to create the Contact Group on Piracy off the Coast of Somalia to coordinate an effective international response to piracy in that region. The Contact Group participants coordinate their naval activities, judicial initiatives, commercial maritime interests, and public information sharing, and are also considering various efforts to map the financial infrastructure of pirates. To date, over 30 countries and international organizations participate in the Contact Group's Working Group and plenary sessions. The United States chairs its Working Group on Strengthening Shipping Self-Awareness and Other Capabilities.

Capacity Building: The United States is developing a Maritime Security Sector Reform framework that delineates essential components of national maritime security and can serve as a tool for donor coordination. Working closely with United Nations organizations such as the International Maritime Organization and the UN Office on Drugs and Crime, other Contact Group participants, and several countries in the region, the United States is supporting the capacity development of regional judicial, legislative, regulatory, and coastal forces in order to better protect against and respond to pirate attacks.

Legal Consequences: The United States believes that the first option for prosecution of a piracy incident should be by the affected state(s) -- the flag state or the state of nationality of the vessel's owner or crew. The U.S. Department of Justice has already brought one alleged Somali pirate to the United States to stand trial in a case where it was the affected state. The United States continues to urge states to ensure that they have the proper domestic legal framework to prosecute suspected pirates in their national courts. If an affected state is unable to prosecute suspected offenders captured by the United States, the United States has a Memorandum of Understanding with Kenya to facilitate the transfer of the suspected pirates to Kenya for prosecution in their courts. The United States is exploring similar arrangements with other states to handle cases when affected states are unable to prosecute pirates.

Ransom demanded for missing Russian-crewed ship: PRAIA - A ransom has been sought for a Russian-crewed cargo vessel that vanished last month, officials said Saturday, as the mystery surrounding the ship deepened despite it being spotted off Cape Verde.

The ransom demand was made to the Finnish owners of the Arctic Sea, Finnish police said, with the vessel's disappearance having set off an intense search by the Russian military and

deep concern over its fate.

"Yes, it is true that there has been a demand for ransom, which is money, and the demand has been made to the company which owns the ship, Solchart Management in Finland," Finnish Detective Chief Superintendent Jan Nyholm told AFP.

He said Finnish authorities were keeping more than 20 countries informed of developments linked to the probe, but declined to provide further details and he could not comment on where the ship was located.

Meanwhile, the Financial Times Deutschland reported that the ransom demand amounted to 1.5 million dollars (1.05 million euros), without citing its source.

However, the newspaper said the figure had been "confirmed" but "with reservations" and quoted observers as saying the demand seemed "absurd" due to the small size of the sum sought for a cargo ship.

The ship's owners could not be reached for comment on the ransom demand, but its director had earlier expressed worry for the crew, saying he did not know where the ship was and that he had been unable to contact those on board.

Officials in Cape Verde and France said Friday the ship had been spotted off the archipelago off the coast of west Africa, but Russia has not confirmed the sighting.

A Cape Verdean coastguard source had said the ship was some 400 nautical miles (740 kilometres) off one of the islands, outside its territorial waters.

The French navy's information service said Saturday it was likely the ship remained in the same area and a Russian warship seemed headed towards it.

"A small Russian frigate that was located in the Mediterranean is currently headed toward the south, probably to meet up with the Arctic Sea," said French Commander Jerome Baroe.

However, a Cape Verdean military source said later that the ship may have already moved south of the islands because it was travelling at an estimated speed of between 15 and 20 knots.

The source added that Russia and NATO were following the ship's progression by satellite and other means.

Moscow's ambassador to NATO, Dmitry Rogozin, said late Saturday that Russia and NATO were coordinating efforts to search for the missing ship.

"All information that is complete and most likely objective, is instantly sent to Russian navy headquarters" from Brussels, Rogozin was quoted as saying by the RIA Novosti news agency, adding that "our most recent exchange was today and it will continue tomorrow morning."

He had said earlier that Russia would not give out details of the search for the time being in the interests of the search operation and the crew's well-being.

The vessel had been due to arrive in Algeria on August 4 with a cargo of sawn Norwegian timber worth more than a million euros (1.42 million dollars).

A European Union spokesman has said it appeared the ship, which disappeared after passing through the English Channel in late July, had been attacked twice, but not in "traditional" acts of piracy.

Swedish police have already said the ship was hijacked in the Baltic Sea on July 24, when masked men claiming to be anti-

drugs police boarded, tied up the crew and searched the vessel. The men reportedly left after about 12 hours.

Pirate attacks in European waters are extremely rare, and the disappearance on one of the world's main shipping routes has led to intense speculation over what may have occurred.

Moscow's ambassador to Cape Verde Alexander Karpushin has said the Cape Verdean military has not officially informed him of the spotting.

He also said searches for the ship were continuing with Russian ships, submarines and satellites "and other means of detection" but declined to provide details on where they were taking place.

Experts have debated whether pirates, a mafia quarrel or a commercial dispute were behind the disappearance of the Maltese-flagged ship, which left Finland on July 23.

Rising wave of piracy sends shipowners' costs soaring:

Piracy victim off the Somalian coast, the German container ship Hansa Stavanger making its way into the Kenyan port of Mombasa after its release this month. Photograph: AFP/Getty Images

Businesses will have to pay a rising "piracy tax" to maintain global trading networks, according to the Lloyd's of London insurance market.

A report commissioned by Lloyd's found Somali pirates are beating the credit crunch, with rogue crews seizing more than 60 vessels and earning some \$80m (£48m) in ransoms.

Separate figures from the International Maritime Bureau showed a doubling of piracy attacks in the first six months of this year, with virtually all the increase due to Somali pirates.



Ransoms can be as high as \$3m, and other costs include delays in releasing ships and increased insurance premiums. Mainstream "hull and cargo" policies do not normally cover piracy, so captains have to purchase separate "kidnap and ransom" cover.

Costs also rise if shipping is rerouted to avoid hotspots such as the Gulf of Aden, which is on the direct route to the Suez Canal, where revenues are down more than 20%, partly as a result of piracy.

The Lloyd's report warns that piracy increased in south-east Asia in the 1990s in wake of the Asian financial crisis and that the same is likely to happen in east Africa.

Concern that piracy might have moved closer to home gained ground last week after fears grew that a missing Russian ship, the Arctic Sea, had been sailed through the Straits of Dover

by pirates. It was later reported to have been sighted off the west African coast.

Richard Ward, Lloyd's chief executive, said: "The cost of keeping global trade routes open does get passed down to businesses shipping the goods and, in the end, consumers."

Small ports may come under central regulator:

The shipping ministry is considering bringing the 200 non-major ports in the country under the purview of the Major Ports Regulatory Authority Act, 2009, (MPRAA). "Initially, the new legislation was to be applicable to the 12 major ports under the jurisdiction of the Centre. However, in the recent consultative meeting held with the chairmen of major ports, it was decided to extend its ambit," a highly placed source in the ministry revealed. "The chairmen (of major ports) were vociferous in their demand that the legislation be applied to non-major ports for creation of a level-playing field," the official added.

At present, maritime states and private players who operate the 200 non-major ports in the country have regulatory freedom, including that for determining tariffs at their ports. The new legislation, when extended, would not only empower the Tariff Authority for Major Ports (TAMP) to fix the scale of rates for these ports, but would also authorise the regulator to prescribe the performance norms and standards of quality, continuity and reliability of service to be provided by the port authorities and private operators.

Further, TAMP would monitor the actual performance and service levels provided at the ports so as to secure compliance of such prescribed norms and standards by the port authorities and operators. Non-adherence to the measures chalked out would be penalised with a fine that may extend to Rs 1 crore. Ministry sources informed, "Non-major ports which handle a lot of import cargo will be brought under the new Act in the first phase. Eventually, the Act would be made applicable to the other ports." Considering that the incorporation of the recommendation and approval of the revised MPRAA by the government may take some time, the ministry of shipping has simultaneously initiated work to revise some of the existing provisions related to the working of TAMP.

The present guidelines for functioning of the regulator are set to lapse in March 2010. Prior to that, the ministry intends to frame modified guidelines pertaining to commercial activity and effective use of land, warehouses and properties at ports. The MPRAA has been framed by the ministry as a successor to the provisions of the Major Port Trust Act, 1963, insofar as the working of TAMP is concerned. The Act is intended to widen the functioning of the tariff regulator and empower it to penalise port authorities and private operators for non-compliance with its norms and standards.

TAMP, in its existent framework, has frequently been accused of being powerless to enforce its own rulings or take corrective measures by punishing those found breaching the terms and conditions.

Regulatory purgatory. It's time to clean up our regulatory act:

The Central Bureau of Investigation's probe into the favours allegedly shown to the Nhava Sheva International Container Terminal (NSICT) by the shipping ministry as well as the shipping regulator has come after unconscionable delay. The issues that the CBI is going to probe in the NSICT case - interference by the parent ministry and favouritism/laxity of the regulatory process - apply to other

sectors as well. The government should use this opportunity to review and clean up the regulatory process in the different sectors.

The NSICT story is well documented - a study on it was put on the Planning Commission's website over 20 months ago. The issue revolves around the revenue share that the company that won the contract offered the government. In another case, concerning the Chennai Container Terminal, the company wanted the Tariff Authority of Major Ports (TAMP) to treat the revenue it gave to the government as a cost; TAMP rightly declared that this was absurd, since a firm could theoretically offer to share 99 per cent of revenues with the government, expense this and get TAMP to add it to the tariffs. The terminal company went to the shipping ministry, which directed TAMP to allow some part of the revenue share as expenses. The government later said that contracts signed prior to a certain date could get part of their revenue share payments included as expenses. A proviso was added to limit this to cases where the port operator was making a loss because of revenue sharing. TAMP, however, went further and allowed NSICT to expense its revenue-share payments even when it was making no losses. The CBI is now probing all this and more.

The problem goes beyond TAMP. In the case of the Petroleum and Natural Gas Regulatory Board, the government threatened to issue it a policy directive - of the type the shipping ministry issued to TAMP on expensing - when PNGRB questioned the ministry's decisions to issue pipeline licences. PNGRB is now expected to decide tariffs for pipelines cleared by the government, over whose costs it had no control. PNGRB, similarly, has no power to look into the pricing of petroleum products, so there is no control over the costs of producers. And in telecom, the regulator's existence has not prevented the minister from giving scarce spectrum to favoured firms. When broking houses pointed out that some telecom companies were hiding revenues in order to avoid paying licence fees, it was discovered that the telecom regulator never audited the firms' declarations. In the case of airports, as in the case of the PNGRB, the government has brought in the regulator long after the major airports were privatised; so the regulator has had no control over their expenses. What these and other cases make clear is that the way the independent regulator model is being made to work needs review and a lot of improvement.

Maritime professionals opt for militancy:

Maritime Professionals Association (MPA), the elite body of senior maritime and oil/gas practitioners in Nigeria has opted to engage the federal authorities in militancy to press home their demands over the years. In a statement entitled "Declaration of Militancy," the group said it took the decision because all peaceful moves it adopted had failed.

"Maritime Professionals Association (MPA), the elite body of senior maritime and oil/gas practitioners, having tried gentle and intellectual persuasion over the years without success, will now employ militant measures in Nigeria's inland, coastal and offshore marine environments in order to force patriotic decisions from officials and agents of the Federal Government on the following demands:

1. Security of tenure of and stability at National Maritime Administration and Safety Agency (NIMASA), as was intended in Part II of the NIMASA Act of 2007.
2. Removal of all overlaps and duplications in statutes governing maritime and maritime-related agencies.

3. Full and uncompromising implementation of the Coastal and Inland Shipping Act.
4. Complete ban on maritime training of Nigerians abroad.
5. Complete ban on foreign trawlers in Nigerian waters.
6. Government and private-sector investment in existing and new ship and boat building and repairing yards, and sanctions against foreign dry dockings or repairs by vessels trading in Nigeria.
7. Establishment of Nigerian Shipping Company Plc, a new national carrier, on public-private-partnership arrangement.
8. Sale of Nigeria's crude oil on cost-insurance-freight (CIF) basis and compulsion of buyers of Nigerian's crude oil to freight it in Nigerian-owned and Nigerian-flagged tankers. The same goes for buyers of Nigeria's liquefied natural gas.
9. Sale of majority stake in Nigeria's existing publicly-owned refineries to private investors, so that the refineries will refine for local consumption - and export on CIF basis. Meanwhile, purchase of foreign petroleum products must be on free-on-board (FOB) basis only and Nigerian registered or operated vessels must bring at least 50% of such products into Nigerian waters.
10. Dredging and maintenance of Nigeria's waterways must be carried out by Nigerians or companies with majority Nigerian shareholding.
11. Clean-up, security and efficiency of the seaports; and regularization of the activities of the port/jetty operators and operatives.
12. Equipment and re-orientation of the Nigerian Navy, Marine Police and Customs & Excise to properly secure, police and safeguard Nigeria's internal, coastal, offshore and territorial waters against unacceptable foreign domination and sabotage with local collaboration.

Our militant actions (which would include blockades, boardings, picketing, etc) will commence on January 1, 2010 unless Federal Government seriously addresses our demands by then. Enough is enough; we can no longer continue to watch helplessly as legitimate interests of Nigerian maritime practitioners are sabotaged and trampled upon by mercenaries, conspirators and collaborators.

Nigeria begins campaign for IMO council

seat: NIGERIA has started her campaign to clinch a seat on the governing council of the global maritime regulatory body, the International Maritime Organisation (IMO) following the recent presidential backing given for the contest, which comes up in November.

The campaign, which started yesterday in Rome, the Italian capital, is to take maritime experts from the country to no fewer than 30 major member states of the organisation. Leading the campaign tour is the Nigerian Transport Minister, Alhaji Ibrahim Bio.

While approving Nigeria's participation in the forthcoming contest, the President charged the Transport Minister and his officials to ensure success in the election. Authoritative ministry sources said Bio was expected to lead the campaign team to Australia, the United Kingdom, the United States, Australia, Canada, Japan, South Korea, India, China, Ghana and a handful of other maritime countries that may be qualified to vote in

the November election.

Nigeria registered her intention to contest the election early in the year, in a letter to the organisation's Secretary General Efthimios Mitropoulos. Highlighting her modest achievements through her maritime agency, the Nigerian Maritime Administration and Safety Agency (NIMASA)- Nigeria said she was qualified to contest in the category C seat of the council.

The minister said that apart from the existing Maritime Academy, which has continued to provide the much-needed manpower needs of the industry within the sub-region, Nigeria through NIMASA has commenced a national seafarers programme, aimed at addressing the acute shortage of seafarers at all levels. The Nigeria programme is a contribution to the organisation's "Go to sea campaign."

In the letter to IMO, Bio said that Nigeria had also made impressive strides in the areas of human elements in shipping. Only recently, the Nigerian government approved the Seafarers Identity Documentation (SID) for implementation. The SID Convention has just been approved for domestication by the Nigerian government.

Nigeria, according to him, has so far ratified about 40 conventions and protocols of the IMO, while the process of domesticating them is said to be ongoing.

The country, through initiations from its maritime administration, has domesticated no fewer than 20 of the ratified conventions, including SOLAS '74, MARPOC 73/78, STCW'95, SAR'79, LL'66, ISPS code, among others.

To convince the IMO chief scribe of Nigeria's seriousness in improving her maritime capacity, the country, in its recent letter to the international body's secretariat, said there had been considerable investments in the maritime sub-sector of her economy, especially in the area of safety, security, and maritime environment.

In 2008, the country through NIMASA, commissioned the Regional Maritime Rescue Co-ordination Centre (RMRCC) in Lagos. Nigeria, wholly sponsored the centre, which was commissioned by IMO Secretary General, Mitropoulos.

The commissioning was in fulfilment of the goals of the 2000 Florence conference where Nigeria was assigned the role of coordinating maritime search and rescue activities in the West and Central Africa sub-region.

The ministry's letter to the IMO drew the attention of its Secretary General to Nigeria's consistent and active participation in all IMO activities, saying the country should be given a chance, on merit, to be re-elected into the international council.

Nigeria's membership of the International Maritime Organisation could be traced back to 47 years ago as it became a member of IMO on March 15, 1962.

Although the country was expelled from the organisation during the military regime of the late Gen. Sanni Abacha, especially after the killing of environmentalist Ken Saro-Wiwa and the Ogoni Nine, it was readmitted in 2000 when the then Minister of Transport, Chief Ojo Madueke, led a Nigerian delegation to win an election into the council. The country could not retain the seat during a subsequent election, but regained the seat two years ago.

The IMO council is the policy-making organ of the organisation.



IMO Briefing

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Eligibility for entry into the Merchant Navy

Educational qualification: The minimum eligibility for courses in Nautical science and Marine engineering is 10+2 or an equivalent examination with physics, chemistry and mathematics. He should also pass a medical fitness test for sea service under standard norms and with eyesight 6/6 with no colour blindness.

Candidates wishing to enter the navigational and engineering fields of Merchant Navy need to complete a Bachelors degree in Nautical Science or Marine engineering, before they can gain admission to the field.

Selection: Candidates are selected for the B.Sc. Nautical Science degree of TS Chanakya, Mumbai; and the four-year Marine Engineering degree course at Marine Engineering Research Institute, in Calcutta and Mumbai, known as DMET, through the Joint Entrance Examination conducted by the Indian Institute of Technology (IIT), which assesses the candidate's knowledge of physics, chemistry and mathematics. The examination is followed by personal interviews/counseling, where the interviewers assess the degree of alertness, and awareness of the external environment, in the candidates and their suitability for a career in the Merchant Navy.

The entry level for a fresh Marine Engineer (ME) is at the rank of fifth engineer or junior engineer and a Nautical Science graduate is as a Deck Cadet. Promotions depend on further examinations conducted by the Directorate General of Shipping (DGS), the quality of experience and personal merit. On successfully completing these examinations the candidate receives the 'Certificates of Competency' needed for promotion to the respective classes. This examination is conducted by the Ministry of SurfaceTransport, in association with the Directorate General of Shipping (DGS) Mumbai, for determining the promotion prospects for the officers.

Direct entry to Merchant Navy is also possible - students who have completed their 12th with PCM (Physics, Chemistry, Mathematics) are eligible to join as Deck Cadets and a student holding a bachelor's degree in Mechanical/ Electrical/ Technology Engineering could also join the Merchant navy as a Engine Cadet/ Fifth Engineer/ Junior Engineer. Direct entry Deck Cadets are required to undergo basic pre-sea training arranged by the recruiting company itself and the direct entry Engineering cadets are preferred to do a Pre-sea course of 9 months duration in Marine Engineering conducted by the MERI.

Personal attributes: A career in the merchant navy requires people with strong inner self and tough physical form, along with a sporting, adaptive and adjustable attitude. Willing to take on responsibility, love for adventure and challenges; have the urge to strive for higher positions; be able to work as well as study for examinations in between. Candidates need to be intelligent, intuitive, willing to work as a team, flexible, patient; have a liking for solitude, willing to live apart from loves ones for long stretches of time. Those opting for a career should not be sea sick.

Engineers need to be resourceful and practical; skilled at Maths and Physics; have in-depth knowledge about the workings of the different machines. Manual dexterity is a must; one should be willing to learn new ways and work with modern technology; and able to work in the deck department as well if need arises.

Briefing 27/2009 20 July 2009

Maritime Safety Committee - 86th session: 27 May - 5 June 2009

Revised guidance on combating piracy agreed by IMO Maritime Safety Committee

Revised guidance on combating piracy and armed robbery against ships was agreed by IMO's Maritime Safety Committee (MSC) when it met at the Organization's London Headquarters for its 86th session from 27 May to 5

June. Specific guidance relating to the continued attacks on ships off the coast of Somalia and in the Gulf of Aden was also agreed.

The packed agenda also covered the adoption of amendments to the International Convention for the Safety of Life at Sea (SOLAS), including a new regulation to make the carriage of electronic charts mandatory, and the approval of goal-based standards for new oil tankers and bulk carriers, for future adoption.

Piracy and armed robbery against ships

The MSC reviewed the latest statistics on piracy and armed robbery against ships, in particular off the coast of Somalia and in the Gulf of Aden, where ships continue to be attacked and hijacked, despite the concerted efforts of the international community, spearheaded by IMO, navies and the industry, to protect shipping. The number of acts of piracy and armed robbery against ships reported to the Organization to have occurred in 2008 was 306, against 282 during 2007, representing an increase of 8.5 per cent. In the first four months of 2009, 157 incidents were reported to IMO.

The MSC agreed updated Recommendations to Governments for preventing and suppressing piracy and armed robbery against ships; and Guidance to shipowners and ship operators, shipmasters and crews on preventing and suppressing acts of piracy and armed robbery against ships. The guidance to shipmasters and crew includes a new annex aimed at seafarers, fishermen and other mariners who may be kidnapped or held hostage for ransom, based on the current United Nations guidance on "surviving as a hostage".

An MSC circular on Piracy and armed robbery against ships in waters off the coast of Somalia was agreed, to include Best Management Practices to Deter Piracy in the Gulf of Aden and off the Coast of Somalia, which have been developed by industry organizations, and additional guidance to vessels engaged in fishing, identified as being particularly vulnerable to attack.

The MSC agreed that flag States should strongly discourage the carrying and use of firearms by seafarers for personal protection or for the protection of a ship. Seafarers, it was agreed, are civilians and the use of firearms requires special training and aptitudes and the risk of accidents with firearms carried on board ship is great. Carriage of arms on board ship may encourage attackers to carry firearms or even more dangerous weapons, thereby escalating an already dangerous situation. Any firearm on board may itself become an attractive target for an attacker. Carriage of firearms may pose an even greater danger if the ship is carrying flammable cargo or similar types of dangerous goods.

It was agreed that the use of unarmed security personnel is a matter for individual shipowners, companies, and ship operators to decide. The carriage of armed security personnel, or the use of military or law-enforcement officers (duly authorized by the Government of the flag State to carry firearms for the security of the ship) should be subject to flag State legislation and policies and is a matter for the flag State to authorize, in consultation with ship owners, companies and ship operators.

The MSC also agreed proposed amendments to the Code of practice for the investigation of the crimes of piracy and armed robbery against ships (resolution A.922(22)), for consideration by the IMO Assembly later this year.

ECDIS and BNWAS to be made mandatory under SOLAS

Amendments to SOLAS regulation V/19, to make mandatory the carriage of Electronic Chart Display and Information Systems (ECDIS) and Bridge Navigational Watch Alarm Systems (BNWAS), under SOLAS chapter V, Safety of Navigation, were adopted, with an expected entry into force date of 1 January 2011. The requirements will be mandatory for new ships and phased-in for existing ships.

Other SOLAS amendments adopted

Other SOLAS amendments adopted, with an expected entry force date of 1 January 2011, include:

- o an amendment to SOLAS regulation II-1/3-5.2, to prohibit all new installations of asbestos on board ships, without exceptions; and
- o amendments to the title of Chapter VI to read, Carriage of Cargoes "and Oil Fuels" and to Regulation VI/5-1 on Material safety data sheets (MSDS) to require MSDS to be provided for ships carrying oil

or oil fuel, prior to the loading of such oil as cargo in bulk or bunkering of oil fuel. The MSC also adopted Recommendations for material safety data sheets (MSDS) for MARPOL Annex I type cargoes and oil fuels.

Goal-based new ship construction standards

The MSC approved international goal-based ship construction standards for bulk carriers and oil tankers, together with proposed amendments to SOLAS Chapter II-1 making their application mandatory, for consideration at MSC 87 with a view to adoption.

The proposed SOLAS regulation II-1/3-10 on Goal-based ship construction standards for bulk carriers and oil tankers would apply to oil tankers and bulk carriers of 150 m in length and above. It would require new ships to be designed and constructed for a specified design life and to be safe and environmentally friendly, in intact and specified damage conditions, throughout their life. The ship should have adequate strength, integrity and stability to minimize the risk of loss of the ship or pollution to the marine environment due to structural failure, including collapse, resulting in flooding or loss of watertight integrity.

The MSC also approved, in principle, Guidelines for verification of conformity with goal-based ship construction standards for bulk carriers and oil tankers, for adoption at MSC 87. Draft Guidelines for the information to be included in a Ship Construction File were considered and will be further developed at the next MSC session.

The goal-based standards have been developed on the basis of a five-tier system, consisting of goals (Tier I), functional requirements (Tier II), verification of conformity (Tier III), rules and regulations for ship design and construction (Tier IV) and industry practices and standards (Tier V). The proposed goal-based standards reflect tiers I to III.

Long-Range Identification and Tracking (LRIT)

The MSC was updated on the implementation status of the LRIT system and considered the outcome of the seventh session of the Ad Hoc LRIT Group, which met in March. The LRIT system, as from 1 January 2009, is in production and is being implemented by all SOLAS Parties. Some LRIT Data Centres are still undergoing testing and they are expected to complete the full integration into the LRIT system before 30 September 2009. In the meantime, contractual arrangements between LRIT Data Centres are under consideration for receiving and providing LRIT information.

The MSC agreed Guidance on the survey and certification of compliance of ships with the requirement to transmit LRIT information; Guidance to search and rescue services in relation to requesting and receiving LRIT information; and an MSC circular on information communicated to the Organization in relation to the establishment of LRIT Data Centres and their position in relation to developmental testing in the production of the LRIT system. The latter instructs the IMO Secretariat to make available a list showing the SOLAS Contracting Governments, which have established LRIT Data Centres that have been integrated into, and are operating in, the LRIT system and the status of LRIT arrangements within other Contracting Governments.

Comprehensive review of the STCW Convention and Code

The MSC approved, in principle, the preliminary draft revised text of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978, as amended, and the STCW Code, prepared by the Sub-Committee on Standards of Training and Watchkeeping (STW).

The Committee authorized the holding of an ad hoc intersessional meeting of an STW working group, from 7 to 11 September 2009, to progress the work, with a view to finalization at STW 41 in January 2010. STW 41 would then finalize the draft text of amendments to the STCW Convention and Code, with a view to their circulation for consideration by a Diplomatic Conference, scheduled for mid-2010.

Implementation of the revised STCW Convention

The list of Parties deemed to be giving full and complete effect to the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers (STCW) 1978, as amended, was updated in the light of the report on those countries of which independent evaluations have been completed since the previous MSC meeting.

MODU Code 2009 approved for adoption by the Assembly

The draft Code for the Construction and Equipment of Mobile Offshore Drilling Units, 2009, which revises and updates the MODU Code adopted in 1989 (resolution A.649(16)), was approved, prior to submission to the IMO Assembly for adoption.

The MODU Code provides an international standard for mobile offshore drilling units of new construction, to facilitate the international movement and operation of these units and ensure a level of safety equivalent to that required by the SOLAS Convention and the 1988 Protocol to the Load Lines Convention for conventional ships engaged on international voyages.

Code on Alerts and Indicators to be approved for adoption by the Assembly

The draft Code on Alerts and Indicators, 2009 was approved by the MSC. It is also being submitted to the Marine Environment Protection Committee (MEPC), in July, for concurrent approval and submission to the IMO Assembly for adoption.

The Code is intended to provide general design guidance and to promote uniformity of type, location and priority for alerts and indicators required by the SOLAS Convention, including relevant performance standards, and by the MARPOL Convention, as well as by other associated instruments and codes. The Code, when adopted, will update, revise and replace the Code on Alarms and Indicators, 1995 (resolution A.830(19)).

FSA Experts Group established to review studies

A Formal Safety Assessment (FSA) Experts Group was established to review FSA studies on cruise ships, ro-ro passenger ferries, liquefied natural gas carriers and containerships, which had been carried out within the 'SAFEDOR' research project and previously submitted to the MSC.

The MSC agreed to hold an intersessional meeting of the FSA Experts Group to finalize the review and report to MSC 87, to include any recommendations from each FSA study that may require action by the Committee or Sub-Committees.

Maritime security - voluntary self-assessment scheme reviewed

The MSC reviewed Member States' experience with implementing MSC.1/Circ.1192 Guidance on voluntary self-assessment by SOLAS Contracting Governments and by port facilities and MSC.1/Circ.1194, which includes Guidance on basic elements of national oversight programmes for SOLAS chapter XI-2 and the ISPS Code. Governments, non-governmental organizations and inter-governmental organizations were invited to submit the results of their experiences to the next session.

The MSC agreed Revised guidance to masters, companies and duly authorized officers on the requirements relating to the submission of security-related information prior to the entry of a ship into port (updating MSC/Circ.1130).

Other issues

The MSC considered other issues arising from the reports of Sub-Committees and other bodies, adopted a number of resolutions and approved other circulars and draft amendments, including:

- o the revised Joint IMO/IHO/WMO Manual on Maritime Safety Information (MSI);
- o Guidelines for the drainage of fire-fighting water from closed vehicle and ro-ro spaces and special category spaces for passenger and cargo ships;
- o Interim Guidelines on safety for gas-fuelled engine installations in ships;
- o amendments to the International Aeronautical and Maritime Search and Rescue (IAMSAR) Manual;
- o revised Guidelines for ships operating in polar waters, for concurrent approval by MEPC 59 and subsequent adoption by the Assembly;
- o draft amendments to the Survey Guidelines under the Harmonized System of Survey and Certification, for concurrent approval by MEPC 59 and subsequent adoption by the Assembly; and
- o draft amendments to the Code for the Implementation of Mandatory IMO Instruments, 2007, for concurrent approval by MEPC 59 and subsequent adoption by the Assembly.

DG SHIPPING NOTICE

Casualty Circular No. 25 of 2009 (Regulatory/Guidance/Information)

NO:11-NT(02)/2008

Dated: 17.08.2009

Subject : **Death of Master on Oil Tanker**

NARRATIVE: An Indian flag oil tanker, built in 1983, GRT-4473, sailed from an Indian port in ballast condition under the command of Senior Master, age 53 years (approx.) on 01.01.2008 for another port in the west coast of India. The vessel arrived at the outer anchorage of the destined port on 04.01.2008 at 0255 hrs. Upon arrival, vessel dropped her anchor and waited for further instructions for berthing. At about 1900 hrs. on 05.01.2008, a mess boy informed the Chief Officer that the Master was not responding to his call. The Senior officer of the ship also noted that the body temperature of the Master was below normal. They tried to revive him by administering all possible First Aid but all efforts proved futile. This matter was immediately brought to the notice of the owner and the Port Authority. The vessel weighed her anchor and shifted to inner anchorage at 2306 hrs. The Port Health Officer boarded the vessel and declared the Master dead at 0005 hrs. on 06.01.2008. His body was sent for postmortem.

OBSERVATIONS/ANALYSES

- The postmortem report confirmed that the death could have happened about 3 to 4 hours after his last meal.
- The Master was in the habit of drinking habit and not mingling with ship's crew.
- Since departure from the last port he was reported to be drinking heavily.
- The Master looking more than his age and his physical appearance was deteriorating since he joined the ship.
- Atmosphere on board was reported to be congenial and conducive thus ruling out the possibility of any foul play. No suicide note was found on board, hence the possibility of committing suicide may also not be present.
- Postmortem report indicated the cause of death attributed to Cardio Respiratory Failure.
- Local police gave clearance to the vessel after completion of the investigation and no case was registered with any one.

RECOMMENDATIONS/LESSONS LEARNT

- The approved Medical Examiner should conduct stringent medical examination of Senior Officers, who are 40 years of age and above to verify their physical, mental and emotional state of health.
- The PSC/FSC Authorities should verify the physical/mental state on board especially by Senior officers/ crew members under the provision of ILO 147
- The company's Drug Alcohol Policy should be strictly adhered to
- Stringent reform/punitive measures against the defaulting crew should be initiated by the company
- The Company or the ship's staff should immediately bring such cases to the knowledge of Flag Administration so that Preventive / corrective steps are taken urgently
- The Flag Administration should enact the provisions of Drug & Alcohol Policy into its National law.

Sd/-

(Capt. Deepak Kapoor)

Nautical Surveyor-cum-DDG (Tech)

Chapter - 8 : Summary of Courses, Training Programmes, Examination & Assessment

Regulation : II / 1 of STCW'95 & Section : A-II/1 of STCW Code

Department: Nautical Level : Operational Level Capacity : Officer in-charge of Navigational Watch

Duration of the Post Sea Training Course is 4 months excluding those competencies against whom reference for IMO Model course has been indicated. These competencies are covered in separate additional Modular Courses. Nautical Physics, Mathematics, Chemistry, Electronics and Electricity are being covered during the Pre-Sea Training or the Foundation course of 2 months duration.

FUNCTION I : Navigation at Operational Level

No.	Competence	Pre-Sea Training	On-board Training	Post Sea Training				Type of Assessment
				Lectures	Exercise	Practicals	Simulator	
1.	Plan & conduct a passage and determine position	Yes	Yes	91 hours	39 hours	39 hours		Continued assessment and written examination
2.	Maintain a safe navigational watch	Yes	Yes	39 hours				Continued assessment and written examination. Plus IMO Model Course for BRM ; simulator and orals
3.	Use of radar and ARPA to maintain safety of navigation	Yes	Yes					Based on IMO Model Course 1.07 & 1.08 written & practice / oral examination
4.	Use of ECDIS and maintain the safety of Navigation		No	Yes	2 hours			Plus IMO Model Course 1.27 ; written, simulator and orals
5.	Respond to emergencies	Yes	Yes	24 hours				Continued assessment and written examination
6.	Respond to a distress signal at sea	Yes	Yes					Continued assessment and written examination
7.	Use of Standard marine navigational vocabulary as replaced by the IMO standard marine communication phrases & use English in written and oral form.							
8.	Transmit & receive information by visual signaling and other means	Yes	Yes	6 hours		7 hours		Oral and visual examination
9.	Manoeuvre the ship	Yes	Yes	13 hours				Continued assessment and written examination
10.	TOTAL HOURS			175	39	46		

Note: 1 – Regarding competence : Use the standard marine navigational vocabulary & use of English language in written and oral form. The basic academic educational background is good enough to meet the requirements.

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FUNCTION II : Cargo Handling and Stowage at Operational Level

No.	Competence	Pre-Sea Training	On-board Training	Post Sea Training				Type of Assessment
				Lectures	Exercise	Practicals	Simulator	
11.	Monitor the loading, stowage, securing and unloading of cargoes and their care during the voyage	Yes	Yes	30 hours	9 hours	-	-	Continued assessment and written and oral examination

FUNCTION III: Controlling the Operation of Ship and Care for Persons on Board at Operational Level

12.	Ensure compliance with pollution prevention requirements	Yes	Yes	13 hours				Continued assessment and written and oral examination
13.	Maintain sea worthiness of the ship	Yes	Yes	39 hours	26 hours			Continued assessment and written and oral examination
14.	Prevent, control and fight fires on board	Yes	Yes					As per IMO Model course 2.03
15.	Operate life saving appliances	Yes	Yes					As per IMO Model course 1.23
16.	Apply medical first aid on board ship	Yes	Yes					As per IMO Model course 1.14
17.	Monitor compliance with legislative requirements	Yes	Yes	13 hours				Continued assessment and written and oral examination
18.	TOTAL HRS			95	35			
19.	GRAND TOTAL			270	74	46		
20.					390 Hours			

NOTES :

1. Total Teaching hours for above mentioned course is 390 hours = 13 weeks.
2. 2 weeks for Assessments (internal and Final assessment).
3. 1 week to account for Public holidays.
4. Grand Total : 16 weeks = 4 months.

Training Circular No. 5 of 2009**No.3-TR(97)/98-DLP Dated: 31st August, 2009****Subject :-** Processing fee for Structured Shipboard Training Programme for Ratings.

The processing fee for the 'Structured Shipboard Training Programme for Ratings', as mentioned in M. S. Notice No. 19 of 2008, has been fixed as Rs. 1,00,000/- (Rupees One Lakh only).

2. This issues with the approval of Director General of Shipping and Ex officio Additional Secretary to the Govt. of India.

Sd/-

(ASHIMA GUPTA)**DY. DIRECTOR GENERAL OF SHIPPING**

Maritime Lawyer Launches Petition Drive to Save US Maritime Jobs:

Maritime attorney, Steve Gordon, announces the launch of an online petition drive to help save jobs of U.S. mariners. Houston, TX (PRWEB) September 1, 2009 -- Maritime lawyer, Steve Gordon, announces the launch of an online petition drive to help save jobs of U.S. mariners by putting pressure on federal officials to enforce the Jones Act and the Outer Continental Shelf Lands Act (OCSLA)

The Jones Act and Outer Continental Shelf Lands Act (OCSLA) were enacted by Congress and pertain to regulations affecting the oil and gas industry in the Gulf of Mexico. Provisions of the Jones Act were made to protect jobs for U.S. maritime workers and to require the transportation of goods between American ports and offshore facilities to be carried out by U.S. vessels (made in the U.S. and flagged by the U.S.). Although the OCSLA does not prohibit the use of foreign flagged vessels on the outer continental shelf, both of these laws require the employment of U.S. citizens or resident aliens on those vessels.

"U.S. companies are taking advantage of loopholes to hire foreign workers, who get paid a pittance compared to U.S. workers. We're in the worst economic situation since the Great Depression and qualified U.S. mariners are being displaced. Something has to be done. It's just not right," states Steve Gordon.(1). About the online petition, Gordon states, "interested parties can write their own message or sign on to a predrafted letter"(2). Gordon intends to send the message to federal officials including members of Congress, President Obama and Admiral Thad Allen, Commandant of the Coast Guard. "More than 2,000 people have participated so far"(3) says Gordon.

There are provisions in these laws that allow for waivers or exemptions, such as in the event of a national emergency or disaster. Problems can arise when these waivers and exemptions go too far. Such is the case today for U.S. maritime workers and ships operating in the waters of the Gulf of Mexico. A dispute has arisen with oil and gas industry companies using non-U.S. vessels and foreign crews. They suffered damage to their refineries and petroleum distribution network following the aftermath of Hurricane Katrina in August 2005. It was imperative that these facilities be repaired so the 'former U.S. Homeland Security Secretary, Michael Chertoff, waived Jones Act restrictions for 19 days for foreign vessels carrying oil and natural gas.'(4) The result was that it 'opened the door, critics say, to an increased foreign presence in the Gulf.'(5)

Steve Gordon, a renowned Houston maritime attorney, decided that something had to be done about it. He handles personal injury cases involving the Jones Act. His maritime law firm comes into contact with families that are adversely affected by this situation. In response, he has taken up this cause and developed an online petition at Jones Act Questions. The goal of the petition is to convince federal officials that it is in the best interest of the country to enforce the Jones Act and save U.S. jobs. Gordon emphasizes that he's not making any money from it. His purpose is not to put a U.S. ship out there, then sue after a worker gets hurt. His maritime law firm, Gordon & Elias LLP, works with seamen and longshoremen from shores all over the country. The team of lawyers at Gordon & Elias LLP have decades of experience practicing federal maritime law and are able to provide clear legal advice to their clients.

Gordon has also provided some online information about this controversy. Visitors can read more about the Jones Act controversy. He has also published a series of Podcasts called 'A Moment with Jones' (available in the upper left part of the

Jones Act Questions web page). This story has also gotten some additional press coverage. In the article, 'U.S. mariners urge action against foreign offshore oil vessels', (Professional Mariner September, 2009, issue # 128), author Rich Miller goes into depth on this issue, citing in more detail the government agencies and regulations that are involved.

Here are some of the facts pointed out in Miller's article:

The original waiver granted by former U.S. Homeland Security Secretary Michael Chertoff was for only 19 days. Currently, there are 'More than 30 foreign vessels are working in the Gulf with foreign crews.'(6) Jones Act waivers are typically only granted in 'national emergencies like Katrina or in cases of strategic defense interest.'(7). Jones Act waivers are 'regulated by U.S. Customs and Border Protection and the U.S. Maritime Administration (MarAd).'(8). A waiver can be granted 'when a specialized vessel is needed and U.S. vessels can't meet the demand.'(9). Miller also points out that 'the U.S.-flagged fleet can handle the needs of customers in the Gulf of Mexico and across the country if the Jones Act is enforced'(10), according to Ken Wells, president of the Offshore Marine Service Association (OMSA) in Harahan, LA.

Seamen who have lost their jobs or, alternatively were not hired because of a foreign vessel or seaman situation, contact maritime attorneys - Gordon and Elias.

Growing Piracy: NAIROBI, Kenya (AP) - The U.S. military is once again tangling with pirates, intervening in waters off Somalia twice this week to help ships seized by hijackers - and bringing to mind another century's battles off Africa.

Pirates may have swapped muskets and the Jolly Roger for AK-47s and satellite phones, but the root causes of piracy are little-changed from when Thomas Jefferson contemplated how to handle attacks on American merchant ships two centuries ago.

"Instead of swinging from ropes, now its boarding vessels with automatic weapons," said Cyrus Mody, a senior analyst at the International Maritime Bureau, which tracks pirate attacks. The Barbary pirates of Jefferson's day took advantage of vast, unpatrolled African territory and leaders that encouraged criminality to prey on American merchant ships.

Writing in 1786, Jefferson urged using "ships and men to fight these pirates," and the U.S. military did just that, battling the Barbary pirates into submission in fighting off the shores of Tripoli. Today, impoverished and weak governments in Africa have few resources to police on land, much less patrol territorial waters that can stretch a dozen or more miles into the ocean. The lack of security near major shipping lanes has created fertile ground for hijackers, and the U.S. Navy came to the aid of hijacked vessels from North Korea and Japan this week in the waters off Somalia.

"This is a very serious security problem on the African coast. These are not pirates who will remind you of Johnny Depp. These are quite different kinds of pirates," Assistant Secretary of State Christopher Hill told reporters Friday in Seoul, South Korea. Latter-day pirates frequently travel in open skiffs with outboard engines, often working with larger mother ships that tow them far out to sea, said Mody. Armed with heavy weaponry, satellite navigational and communications equipment and an intimate knowledge of local waters, they clamber aboard commercial vessels with ladders and grappling hooks.

Virtually nowhere in Africa does a government wield less authority than in Somalia, a land awash in weapons and displaced people, with Islamic insurgents battling government and allied Ethiopian troops. The U.S. military has targeted

suspected al-Qaida fighters with airstrikes in Somalia.

Some Somali pirates are linked to the clans that have carved the country into armed fiefdoms. They have seized merchant ships, aid vessels and even a cruise ship.

The motives aren't always to loot or seek ransom.

Andrew Mwangura, a Kenya-based program coordinator of the Seafarers Assistance Program, which monitors pirate activity, said a recent attack off Somalia appeared to have been a local ship agent's way of resolving a financial dispute. Pirate attacks rose dramatically off Somalia in the first nine months of 2007, with 26 reported cases, up from eight during the same period last year, according to International Maritime Bureau figures. Nigeria also suffered 26 attacks so far this year, up from nine previously, the bureau said. Almost all of southern Nigeria, where Africa's largest oil producer pumps its crude, is a vast wetland of creeks and swamps. Militants attack government and commercial vessels, destroying property and kidnapping foreign oil workers - over 150 this year alone. While some claim to be pursuing political goals, they are frequently pirates, with many of their attacks included in International Maritime Bureau data. Capt. Henry Babalola, a spokesman for the Nigerian navy, said Nigeria's coast is too long to patrol effectively; the two oil-rich states where most of the attacks occur have only 15 navy patrol vessels.

From Africa to Southeast Asia, pirate activity is on the rise. Maritime pirate attacks worldwide shot up 14 percent in the first nine months of 2007 from a year earlier, with Somalia and Nigeria among the biggest increases. The total economic cost is incalculable, the maritime bureau said. A total of 198 attacks on ships were reported between January and September, up from 174 in the same period in 2006, the bureau said. It said 15 vessels were hijacked, 63 crew kidnapped and three killed.

Indonesia remains the world's worst piracy hotspot, with 37 attacks in the first nine months of 2007 - a slight improvement from 40 in the same period a year earlier, the bureau said. Noel Choong, head of the International Maritime Bureau's piracy reporting center in Kuala Lumpur, welcomed U.S. Navy action against pirates in African waters, which he says would otherwise be unpoliced. "There is no law there. But if you allow foreign navies to patrol the area, it will be a major deterrent," Choong told The Associated Press.

The U.S. military intervention this week to help the North Korean tanker came after its crew members managed to overpower the hijackers and retake the vessel in a bloody fight. U.S. military personnel boarded the ship to help the wounded.

The rare maritime collaboration between the U.S. and North Korea came as relations between the two countries have markedly improved, helped by progress in the prolonged standoff over North Korea's nuclear program. Analysts said the incident could fuel the positive mood.

"You'll always find our Navy prepared to help any ship in distress and certainly any ship that is confronting pirates," said Hill, the top American envoy to nuclear talks with North Korea. "I think we were pleased to be able to help in this regard and I hope the (North) understands that we did this out of the sense of goodwill that we have on this."

On Sunday, a U.S. destroyer destroyed two pirate skiffs lashed to a hijacked Japanese tanker carrying highly flammable benzene and 23 crew members. The Navy said Friday it continued to monitor the ship, which is still under the pirates' control.

The U.S. military says it doesn't intend to act as the sole police

force on the open oceans, but says a long tradition demands rendering help to any ship that requests it, regardless of origin. Security on the high seas would mean less smuggling, piracy and terrorism, says Cmdr. Lydia Robertson, of the U.S. Fifth Fleet in Bahrain.

Armed with pistols, rocket-propelled grenades and Kalashnikov assault rifles, the pirates pulled alongside the ship. "They climbed on board tired and hungry," the 60-year-old captain said. "After they threatened us, they went to the kitchen and ate all our food."

The pirates held the crew for nearly 100 days, finally releasing them after prolonged negotiations between the pirates and the ship's Kenyan owner and the U.N. agency, Mahalingam said. "These pirates, I think what they're doing is terrible," he said.

Chinese challenge for box lines: Container lines to face fundamental changes to world trade patterns

- The world's container lines are not only facing the obvious challenges of the global economic downturn but they will also have to confront a fundamental change in world trade patterns which could blunt capacity demand, according to specialist transport and trade consultancy MDS Transmodal.

Growing consumer demand within China coupled with a worldwide decline in the West's ability to consume Chinese-made goods is behind a dramatic change. MDS Transmodal's analysis is based on the Chinese trade data for the second quarter 2009 as one of the inputs to its World Cargo Database for The Shippers' Voice (www.shippersvoice.com).

He says that Chinese exports drive the overall demand for global shipping capacity. "Here the picture is bleak. A year-on-year fall of 23% for Q1 2009 has been followed by a 22% decline in Q2 2009. The best that can be said is the decline has been arrested. Q2 2009 results are 24% lower than in Q3 2008, the peak quarter of all time."

The consultancy has also examined the destination of Chinese exports and concluded that the decline in the ability of the West to consume Chinese goods is widespread. Ranking destination countries by their container tonnages received in 2008, growth cannot be found for Q2 2009 until China's 22nd ranked export destination, Saudi Arabia, is reached.

Piracy gives fishery a bad name:

Just weeks ago, a state task force on the lobster fishery said it needs, more than anything, a slick marketing campaign to open the tasty crustacean to new markets and boost a flagging season for Maine harvesters. So what has happened to date?

A month's worth of shootings, trap-cuttings, boat-sinkings and "rising tensions." That's not marketing. (Although it is publicity.) More important, that's not going to sell more Maine lobster. The perpetrators of these crimes know it. They did it for other reasons.

Fact is, the piracy and pillaging from Maine's lobster fleet are counter-productive to the economic causes often attributed to them. This nefarious behavior stems, usually, from familial or territorial disputes, the unwritten rules of the fishery that lobstermen defend with mercenary fervor.

Granted, extreme market conditions, like today's record-low prices for lobster, can make tempers short. It must be remembered, though, that piracy is recession-proof. It happens in good times and bad.

And it's been happening for generations. It always draws attention, publicity and a media frenzy. Life Magazine, in the

1950s, published a famous photo of a group of lobstering brothers sitting on the transom of a boat, one of the men looking menacingly armed with a shotgun. That the weapon was for hunting season, and not a lobster war, was not mentioned. The attractive mythology of the rugged individualism of life at sea was the preferred narrative then, as it remains now.

The popularity of reality television shows like "The Deadliest Catch," which follows crab fishermen in Alaska's tempestuous Bering Sea, and the ongoing fascination with the fishermen from Gloucester, Mass., lost in "The Perfect Storm" carries on this tradition. Suspenseful tales of pirate-like behavior are sidelines to the more important story of Maine's lobster fishery, which has experienced incredible, sustainable catch numbers during a bleak period of New England history when nearly every other historical fishery has summarily collapsed.

This has occurred because the same lobstermen who can act like pirates also act like conservationists. The unwritten rules that bind the lobster fishery, when adjudicated within the realm of Maine's criminal code, have allowed it to thrive, while also being sustainable. Current troubles in the industry stem from causes that emanated from far beyond Maine's rocky shoreline. When the economy rebounds, this fishery should still be positioned to capitalize.

And when the economy rebounds, there will still be boat-sinkings, trap-cuttings, fistfights and who knows what else among lobstermen as they administer off-brand justice to defend family bonds and good bottom. And, like clockwork, this behavior will again spark the same, age-old fascination that Americans have for tales of piracy and outlaws. It's an unfortunate part of the industry, and it distracts from its real successes.

Winds of change sweep India's foreign

office: New Delhi, Aug 11 (IANS) The elite Indian Foreign Service (IFS) that powers India's global diplomacy and manages relations with nations is changing. Mid-career training and specialisation are the new mantra. Promotions were a matter of aging gracefully, but now even senior diplomats have to prove themselves to move up the career ladder.

In a never-before event, 30 joint secretary rank diplomats - or mid-career diplomats - due for promotion were sent to the Indian School of Business, the country's top business school, at Hyderabad to reorient them to the new challenges of economic diplomacy in a business-driven world. All diplomats starting at the level of directors now have to submit a well-researched paper on one of the subjects relating to India's foreign policy to graduate to the next step up the ladder. The proposal originated with a report by Satinder Lambah, currently Prime Minister Manmohan Singh's special envoy to Pakistan, on the reorganisation of the foreign office. Lambah recalled a number of recommendations he made for revamping the foreign office, including reorganisation of divisions/departments in the ministry, integration of policy planning and research division with think tanks, a more objective and performance-oriented promotion policy and the inspection of missions.

"There is no getting away from the reorganisation of the service. The process has already started," Lambah told IANS. Foreign Secretary Nirupama Rao, building upon the spadework on internal reforms initiated by her predecessors Shivshankar Menon and Shyam Saran, set the tone on the day she took charge by emphasising that expanding India's diplomatic capabilities in keeping with its growing global status will top her agenda. The manpower crunch - just 669 diplomats spread

across the headquarters in New Delhi, 119 resident missions and 49 consulates - that has hobbled the ministry is now finally being addressed. Last year, the cabinet approved 30 new posts each year over the next decade.

An article by an American strategic expert at the Council on Foreign Relations, Daniel Markey, that did the rounds, critiqued the functioning of India's diplomatic institutions. Markey said in his article, "Developing India's Foreign Policy Software", that the IFS is a right fit for a country like Malaysia, but surely not for a rising power. Even a country like Brazil has 1,197 diplomats. The US, the world's sole superpower after the Cold War, tops the list with 19,667 diplomats. Germany has 3,250 and the UK has 3,600 diplomats, Markey noted.

Markey's articles were discussed internally but foreign offices sources point out that changes had already begun with opening of new missions, especially in Africa, where an Indian envoy is sometimes responsible for more than two to three countries, and more emphasis being paid to public diplomacy with a region that has often stood neglected despite long-standing political and ethnic ties.

To enrich knowledge and expertise, there is a plan to bring in specialists from other ministries on deputation and experts from think tanks to address specific issues like climate change and energy security. Regular consultations with think tanks on specific issues have also become part of the drill. There are also ambitious plans to outsource some of protocol-related work to private agencies to free up diplomats to focus on more substantive policy issues. A part of the passport services has been outsourced. Called the Passport Seva Project, it is likely to become operational in Punjab and Bangalore by the end of the year. Part of the passport services has been outsourced to Tata Consultancy services.

But while it's a good beginning to make, the IFS has to act fast on these and more changes if it wants to shepherd India on the world stage with a place on the global high tables, say strategic analysts and former diplomats. Cattish Chandra, a former deputy national security adviser and a former envoy to Pakistan, rues the lack of depth of expertise and area specialization among diplomats. There are opportunities for specialization in areas like economic diplomacy, climate change, legal issues and non-proliferation, Chandra told IANS.

Above all, there is a compelling need for a mindset change that is in tune with India's rising global stature and expanding economy. "The present mindset is not of a major role player in the global system. One hopes it will change," K. Subrahmanyam, a strategic analyst, said.

IMO environment meeting issues technical and operational measures to address GHG emissions from ships:

Last week, the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO) agreed to disseminate a package of interim and voluntary technical and operational measures to reduce greenhouse gas (GHG) emissions from international shipping; and also agreed a work plan for further consideration, at future meetings, of proposed market-based instruments to provide incentives for the shipping industry.

The agreed measures are intended to be used for trial purposes until the Committee's sixtieth session (MEPC 60) in March 2010, when they will be refined, as necessary, with a view to facilitating decisions on their scope of application and enactment. The measures include:

- interim guidelines on the method of calculation, and voluntary verification, of the Energy Efficiency Design Index for new ships, which is intended to stimulate innovation and technical development of all the elements influencing the energy efficiency of a ship from its design phase; and
- guidance on the development of a Ship Energy Efficiency Management Plan, for new and existing ships, which incorporates best practices for the fuel efficient operation of ships; as well as guidelines for voluntary use of the Ship Energy Efficiency Operational Indicator for new and existing ships, which enables operators to measure the fuel efficiency of a ship.

Market-based instruments: The Committee held an in-depth discussion on market-based instruments and agreed a work plan for its further consideration of the topic, as of its next session (MEPC 60, March 2010), to build on discussions and submissions to date, taking into account also relevant outcomes of the climate change conference (COP 15) that the United Nations is to convene in Copenhagen in December 2009. Such instruments would have purposes such as: climate change mitigation and adaptation activities; research and development; offsetting of emissions; and serving as an incentive for the industry to invest in more fuel-efficient technologies.

The Committee noted that there was a general preference for the greater part of any funds generated by a market-based instrument under the auspices of IMO to be used for climate change purposes in developing countries through existing or new funding mechanisms under the United Nations Framework Convention on Climate Change (UNFCCC) or other international organizations.

Report to COP 15: The outcome of the MEPC on GHG emissions from ships will be reported to COP 15, which will consider a successor instrument to the Kyoto Protocol to the UNFCCC. The Committee agreed that any regulatory scheme applied to GHG emissions from international shipping should be developed and enacted by IMO as the most competent international body.

Speaking at the close of the MEPC, IMO Secretary-General Efthimios E. Mitropoulos congratulated delegates for driving forward the Committee's agreed action plan on greenhouse gas emissions from ships, which "deserves to be recognized as compelling proof that IMO can, indeed, be entrusted with the regulation of international shipping on the issue of climatic change - an unequivocal message that needs to be heard, and fully understood, all over the globe. He went on to urge delegates to promote the successful outcome of the session, by briefing their colleagues and, through them, the competent Ministers in their home countries (e.g. of Transport, Mercantile Marine, Environment and Foreign Affairs), in particular those who will participate in COP 15, and by publicizing it widely among all concerned so that "the complexities of this most international of all industries are duly taken into account when shaping official policies and positions on the issue at hand - both at Copenhagen and at the post-Copenhagen rounds of consultations at IMO."

Mr. Mitropoulos reiterated his belief that "the time for apportioning blame as to who is responsible for the state of the planet has passed. Now it is time for action. Developed and developing countries, industrialized and emerging economies alike are left with no option other than to get together and, together, work out solutions that will serve well the good cause of reversing the route to planet destruction."

Greenhouse gas study 2009

The MEPC was assisted in its deliberations by the outcome of the Second IMO GHG Study on greenhouse gas emissions from ships, 2009, which is the most comprehensive and authoritative assessment of greenhouse gas emissions from ships engaged in international trade.

The Study estimated that ships engaged in international trade in 2007 contributed about 2.7 per cent of the world's anthropogenic CO₂ emissions and also states that emission reductions are feasible through technical and operational measures as well as through the introduction of market-based reduction mechanisms.

In the absence of global policies to control greenhouse gas emissions from international shipping, the emissions may increase by between 150 and 250 percent by the year 2050 due to the expected continued growth in international seaborne trade.

Goodbye to MSC Napoli: The lengthy and complex operation to remove the wreck of the container ship MSC Napoli is over. Hugh Shaw, the UK's Secretary of State's Representative for Maritime Salvage and Intervention (SOSREP) officially declared an end to the salvage and wreck removal operations of the MSC Napoli on Thursday 29 July, 924 days after the ship first got into difficulties.



This marked the end not only of SOSREP's involvement but also the completion of a major operation by the London P&I Club. Ian Ferguson, director of A Bilbrough & Co, the club's managers said: "The Club is delighted that the two and a half year operation to remove the MSC Napoli has come to a very successful conclusion. The club extends its thanks and appreciation to all those who have worked so hard to make this possible. The MSC Napoli was beached at Branscombe on Saturday 20 January 2007 and since then there have been several salvage and wreck removal phases aimed initially at removing her fuel oil, then her cargo, and ultimately the wreck of the MSC Napoli itself.

The final stage of the operation involved removing the stern section of the MSC Napoli from the sea bed and this work was undertaken by a salvage and wreck removal company based in Holland. The company had been contracted by the London Club to lift the final section from the sea bed, cut it up, and remove the scrap to an approved disposal contractor. Following completion, a multi-beam survey of the seabed was carried out to clearly demonstrate that there was no further risk to safety or risk of pollution from hazardous substances. This has now been successfully completed and the contractors, their barges and tugs have now left the site to return to Holland - well ahead of the expected completion schedule of the end of August

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