



## Navy, Coast Guard bust another pirate band

**MID-SEA DRAMA: Pirates captured from a fishing trawler-turned-mother ship, Prantalay 11, onboard Navy ship INS Tir, 100 nautical miles off Kavaratti.**

**28 brigands nabbed in another decisive action off Kavaratti; Thai fishing trawler used by them seized**

A week after a pirate mother ship was sunk and the sea brigands aboard it were captured by the Navy and the Coast Guard in a joint operation off Lakshadweep, a fresh band of 28 pirates was nabbed in another decisive anti-piracy action by the two forces about 100 nautical miles west of Kavaratti on Sunday.



The maritime forces also seized the pirate-controlled Thai fishing trawler, Prantalay11, and rescued its original crew of 24 Thai and Myanmar nationals. The operation was led by INS Tir, a first squadron training ship of the Navy attached to the Southern Naval Command, and the Coast Guard Ship Samar. The pirates and the crew are now being taken on board CGS Samar to Mumbai, where they will be handed over to the police for initiating legal action.

The Maritime Rescue Coordination Centre (MRCC), Mumbai, on Saturday evening, received information that MT Chios, a Greece-flagged crude oil tanker, was being chased by heavily armed pirates about 82 nautical miles west of Suheli Par in the Lakshadweep archipelago. The tanker, on its way from Singapore to Yemen, adopted best management practices and evasive manoeuvres to dodge the skiffs on the prowl. Meanwhile, an armed Dornier

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maritime reconnaissance aircraft launched from naval air station INS Garuda in the Southern Naval Command spotted the skiffs around 8 p.m. on Saturday and relayed the location coordinates to INS Tir, which was operating in close proximity. As INS Tir kept track of the skiffs, trailing them to their mother ship, CGS Samar joined the action just before daybreak on Sunday.

When the warships ordered the pirates to stop and allow boarding by security personnel, they were fired upon. The warships returned fire, forcing the pirates to wave the white flag, signalling surrender.

As reported by The Hindu earlier, Prantalay 11 is one of the three Prantalays pirated in April last year. Of these, Prantalay 14 perished in a joint operation by the Navy and the Coast Guard last week. Prantalay 12 is still believed to be active around the international shipping lanes close to the Lakshadweep archipelago.

According to a Navy spokesperson, the original crew members, who were being held hostage aboard the trawler, were rescued by the warships. "Prantalay 11 has been taken under tow by CGS Samar, which is now heading for Mumbai with the pirates and the original crew on board," he said. A Coast Guard spokesperson said that three of the pirates reportedly sustained injuries in the operation.

After navies of various countries embarked on sustained individual and joint task-group operations in the piracy-ridden waters of the Gulf of Aden, the Somali pirates expanded their activity across the Indian Ocean in search of fresh launch points and vulnerable targets. The busy shipping lanes close to Lakshadweep, in particular, has become their favourite hunting ground.

About two months ago, the spurt in pirate action around the archipelago forced the Navy and the Coast Guard to press into action an anti-piracy task group to carry out intensive patrolling in the East Arabian Sea. During this time, the forces also significantly enhanced their presence in the island chain. They also mounted a constant watch over the group's 11 uninhabited landmasses to ensure the security of the islanders and allow safe passage for ships along their routes.

## **Somali pirates capture Chinese vessel off Yemen**

SANAA: Somali pirates hijacked a Chinese commercial ship off Yemen's western port of Al-Hudaydah, Yemen's interior ministry said in a statement on Saturday.

"Somali pirates attacked a commercial Chinese ship named 'Tien Hau' while it was 11 nautical miles off Al-Tair island in Al-Hudaydah province," said the ministry.

The pirates "managed to capture the ship" and steered it towards the Somali coast, it quoted Al-Hudaydah coastguards as saying.

An investigation has been launched into the fate of the ship and its crew, the ministry added without elaborating further.

Heavily armed pirates using speedboats operate in the Gulf

of Aden where they prey on ships, sometimes holding vessels for weeks before releasing them for large ransoms paid by governments or ship-owners.

## **UN appoints special anti-piracy adviser**

"Don't underestimate the danger in the Middle East. Piracy is currently outpacing the efforts of the shipping community," United Nations secretary general Ban Ki-moon warned.

"A co-ordinated international effort is needed," he continued. He said that Somalia had a very weak government and support was needed for the younger Somali generation to deter them from turning to piracy.

The UN has appointed a special adviser to talk with everyone involved with the piracy issue and to submit recommendations. The adviser will hold meetings with the IMO, the shipping community and seafarer organisations, the secretary general explained.

He was addressing IMO members this week to launch the World Maritime Day theme for 2011 - 'Piracy: orchestrating the response'.

IMO secretary general Efthimios Mitropoulos outlined the problem by saying that in the past 12 months, there were 286 piracy-related incidents off the Somali coast, which had resulted in 67 hijackings involving 1,130 seafarers. At present, there are 714 seafarers being held to ransom on board 30 vessels.

He gave details of a six-point action plan devised by the IMO.

- \* Increase political pressure to secure the release of all the hostages.
- \* Review and improve IMO guidelines to administrations and seafarers and promote compliance with industry best management practices and the recommended preventive, evasive and defensive measures that vessels should follow.
- \* Promote a greater level of support from and co-ordination with the navies operating in the region.
- \* Promote anti-piracy co-ordination and co-operation procedures between and among states, regions, organisations and industry.
- \* Assist states to build capacity in pirate-infested regions worldwide to deter, interdict and bring to justice those who commit acts of piracy and armed robbery against vessels.
- \* Provide care for those attacked or hijacked by pirates and for their families.

Addressing the thorny question of arming vessels, Mitropoulos said that the IMO recommends that vessels do not carry arms on board, but armed guards can be carried with the agreement of the vessel's flag state.

He recommended the adoption of a number of defensive measures on board and the following of industry best practices.

## From the Editor's Desk



"Theory is splendid, until put into practice with the right attitude, with a pursuit to excellence, or else it is valueless"...  
Capt. Arun Chandran

"Instead of just believing in luck and doing nothing, I strongly believe that we plan and put our sincere efforts, which brings better luck and successes.... Capt. Arun Chandran

**"REVOLUTIONIZING THE PATH TO RIGHTEOUSNESS"**

*We see and hear during these annals of human history, an awakening amongst all of humanity, politically activated, politically conscious and politically interactive... The resulting global political activism is generating a surge in the quest for personal dignity, cultural respect and economic opportunity, in a world painfully scarred by memories of centuries-long alien colonial or imperial domination... We notice and feel a worldwide yearning for human dignity, being the central challenge inherent in the phenomenon of global political awakening... That awakening*

*is socially massive and politically radicalizing... The nearly universal access to radio, television and increasingly the Internet is creating a community of shared perceptions and envy that can be galvanized and channeled by demagogic political or religious passions. These energies transcend sovereign borders and pose a challenge both to existing states as well as to the existing global hierarchy, on top of which America still perches...*

*The youth of the Third World are particularly restless and resentful. The demographic revolution they embody is thus a political time-bomb, as well... Their potential revolutionary spearhead, is likely to emerge from among the scores of millions of students concentrated in the often intellectually dubious "tertiary level" educational institutions of developing countries. Depending on the definition of the tertiary educational level, they are currently worldwide between 80 and 130 million "college" students. Typically originating from the socially insecure lower middle class and inflamed by a sense of social outrage, these millions of students are revolutionaries-in-waiting, already semi-mobilized in large congregations, connected by the Internet and pre-positioned for a replay on a larger scale of what transpired years earlier in Mexico City or in Tiananmen Square. Their physical energy and emotional frustration is just waiting to be triggered by a cause, or a faith, or hatred...*

*Strengthening to new foundations, requires a thorough status of the existing actual situation for marching towards quality, understanding the economy of a new civilisation. The challenge of thinking about as to how a new civilisation would be, can be very attractive because one could get carried away with ones imagination with the practical needs in thoughts and in theory design. Maybe we would have to think of the organisation of a new civilisation as a joint construction: the product of the interrelation of numerous different imaginations, many points of view, as well as many aspirations. If this were the case we could discern a certain common direction, a certain sensitivity common to that to which the human being aspires, and based on this; trace in broad strokes a path which could then with time become a more adequate shape, changed and enriched. When we speak of economy it is not difficult to identify common denominators that the majority of us want: better wealth distribution, fairness, harmony with the environment, a good quality of life for all, relations of solidarity, good working conditions, and many others. There may be minor differences, but the majority of us would agree on certain fundamental objectives. There is so much coincidence that we feel superfluous even when it comes to topics such as political proposals, because they all say the same. We could say that differences begin with the question of "how". How to organise the economy in a society to obtain that fruit which so many of us aspire to. And while we could say that future aspirations are fundamental to our acting in the present leading us to build paths towards them; we can also the system yet; helps highlight the say that if the question of "how" is left unanswered, often the aspirations end up as compensatory daydreams which do not mobilize transforming actions. Today most of the world works under the rules of globalised capitalism, and this is set up around darwinian social behaviour, individualism and an eagerness for consumerism. Although there are many people who are starting to have a different type of sensitivity, the mechanism continues to work, and continues to feed the materialist culture. However, this new sensitivity, which is gradually appearing in many people, though not enough to change contradictions and it is there that room is made for a ray of hope. the valuing of reciprocity as a mode of relations between people, and therefore also of economic relationships, could be encouraged as a certain attitude to life, and this would bring a transforming dynamic to relationships. Unlike simple humanitarian solidarity which not only tends to naturalize the system of relationships between the "helpers" and the "helped" but also it is unlikely to establish itself in most people outside of formal rhetoric.*

*A critical and self-critical attitude towards irrational consumerism should incorporate itself in this new society as a code of social worth. In the decadent culture of materialism, having and exhibiting objects are synonymous with "being a winner"; in a new culture it could start to be synonymous with "being an idiot". selfishness, lack of social responsibility and animosity against taking part in all things collective, an indifference to the pain of others, and many other tendencies, which today are common currency, allow individualists to justify themselves and pass unnoticed; in future this will be recognised as more and more obviously appalling behaviour. starting with this first principal, that of a new culture of values, which corresponds to the new sensitivity which is being born, it will be possible to raise the pillars of a new economy. one of those pillars is the generation of channels of direct democracy in various spaces for peoples participation. Otherwise, how could the people who want to transform the economic system operate under the rules which regulate them? People should be able to participate in the decision making which administers public budgets, and they should be able to take part in the decision making involved in the creation of laws which modify the rules of the game of the economy with the aim of a fairer distribution of wealth. Workers also need to have the power to make decisions about the management and administration of companies. A society with a culture of political involvement, and with a project to transform the future cannot fall on the dead tracks of formal democracies, often associated with concentrated economic power, but needs viable channels of decision making.*

*Another of the pillars of a new economy, and which has to do with a change of paradigms, is the application of the principle of "equal opportunities for all". The state should guarantee that everyone will have equal opportunities for their economic development. Then it will be left to each person to decide how to use these opportunities, but they should be available for everyone. Starting by guaranteeing public and free education at all levels for everyone, continuing with financial help, and dismantling the pockets of power which condition economic relations. of course, over the pillars of a new economy there should be a whole raft of legislation and new procedures for a mixed human scale economy. Themes such as workers participating in the shared ownership of companies, interest free state banking, tax reforms, shared budgets, and others, will need a detailed technical analysis to work out the viability of its implementation. But this analysis will be difficult for technocrats academically formed with a vision in which money and the economy have been the central value.*

*It will be necessary, a foundation of an economic science at the service of the human being, to modify the current conception of the economy as "an exact science, with some social interferences", and to move onto the conception of the economy as a social science, which uses technical instruments. It would no longer be necessary to look for the balance of the market at the cost of social sacrifice but to achieve a social balance based on the principle of equal opportunities and adapting the techniques to such a principle. And it will no longer be possible to gauge growth and development with money as the unit of measure, but to weigh up the indices of human development, putting the economy at the service of such-indicators.*

*Finally, we need to say that as global problems need global solutions, and it will not necessarily be the powers which generate them which will take care of solving them, it will be fundamental to be able to count on a level of world resolution for such problems. The extreme poverty of many countries, global warming, the collapse of energy and food supply, and other world scale scourges, cannot be solved country by country, but rather as a whole. The nations which maintain and respect their cultural diversity and independence, should work as a great universal human nation, to coordinate " my concern for shipping and the seafarers of the world at large"*

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**Maritime organizations outraged by murder of hostage by pirates:**

Outraged by the recent incident in which Somali pirates reportedly shot and killed a member of the crew of the Beluga Nomination (see earlier report), the Round Table of international shipping associations and the ITF today issued the following statement:

BIMCO, the International Chamber of Shipping, INTERCARGO, INTERTANKO and the International Transport Workers' Federation are outraged that Somali pirates have executed, apparently in cold blood, a seafarer on the merchant ship Beluga Nomination which had been attacked and hijacked by armed pirates on 22 January in the Indian Ocean, 390 nautical miles north of the Seychelles. Three seafarers were reportedly taken aside for 'punishment' after an attempt by the Seychelles coastguard to free the hostage crew resulted in the death of a pirate. We express our deepest sympathy to the seafarers involved and to their anxious families.

The international shipping industry is truly disturbed at reports that pirates have been torturing seafarers physically and mentally, often in the most barbaric ways, including hanging them over the ship's side by ropes around their ankles with their heads under water and even subjecting them to the horrendous practice of keelhauling.

We wholeheartedly condemn these violent acts and once again strongly urge governments to empower their naval forces to take fast and robust action against pirates, and the vessels under their control, before passing ships are boarded and hijacked.

This latest particularly atrocious action appears to represent a fundamental shift in the behaviour of Somali pirates. The cold-blooded murder of an innocent seafarer means that ship owners and their crews will be re-evaluating their current determination to ensure that this vital trade route remains open - over 40% of the world's seaborne oil passes through the Gulf of Aden and the Arabian Sea. The shipping industry will be looking at all possible options, including alternative routes, which could have a dramatic effect on transport costs and delivery times - piracy is already estimated to cost the global economy between \$7-12 billion per year.

**Somali pirates kidnap record numbers in 2010:**

**KUALA LUMPUR:** Somali pirates kidnapped a record number of seafarers in 2010, in cases that left eight sailors dead, a maritime watchdog said Tuesday. Pirates in the lawless region hijacked 53 ships and captured 1,181 seafarers last year, the International Maritime Bureau (IMB) said in a report. "More people were taken hostage at sea in 2010 than in any year on record," it said.

The number of pirate attacks against ships has risen every year for the past four years, the IMB said. There were 445 attacks reported in 2010, up 10 percent from 2009. Some 188 crew members were taken hostage in 2006, 1,050 in 2009 and 1,181 in 2010. "These figures for the number of hostages and vessels taken are the highest we have ever seen," said Pottengal Mukundan, director of the IMB's piracy reporting centre, which has monitored the problem worldwide since 1991. The continued increase in these numbers is alarming," he added.

Hijackings off the coast of Somalia accounted for 92 percent

of all ship seizures last year, with 49 vessels captured and 1,016 crew members taken hostage, the IMB report said.

Somali pirates were still holding 28 vessels and 638 hostages for ransom as of last December, it said. Mukundan said that on the seas off Somalia, heavily armed pirates are overpowering ocean-going fishing or merchant vessels to use as bases for further attacks. "They capture the crew and force them to sail to within attacking distance of other unsuspecting vessels," he said.

**NITC: Aims to Grow Fleet to 18mdwt by 2013:**

The National Iranian Tanker Company (NITC) based in Tehran continues to invest significantly in its fleet of ships, aiming to grow its fleet to 74 ships and more than 18mdwt by 2013, said Captain R. Ghareh, Area Manager based in the company's Dubai, UAE office, during a recent interview. This level is a sharp increase from its current fleet, which includes 43 ships (including 28 VLCCs) total 10.6mdwt.

Making up the bulk of the new fleet is an existing order for 22 new VLCCs costing a cumulative \$3.3b.

The continued push to invest is encouraging given the still shaky status of the global economic recovery, not to mention the United Nations sanctions surrounding Iran's lack of compliance with its previous resolutions on ensuring the peaceful nature of its nuclear program.

Captain Ghareh was careful to point out the NITC - which is not on the U.N. "blacklist" of companies regarding the sanctions - is set on surviving the economic storm, not the sanctions.

Today NITC is comprised of 3014 staff worldwide, including 1853 fleet personnel and 576 cadets. Its ships trade primarily in Europe (51%); Asia (26%); and Africa (15%).

Of the company's 28 VLCCs, NITC has tenders out for drydocking bids on five ships in 2011 for their 5-year docking.

**Piracy Prevention is Priority One:** While the National Iranian Tanker Company (NITC) is a proponent of weapons on commercial ships as a means to thwart piracy, it respects and stays in compliance with international and port-state mandates that reject lethal force in the hands of mariners, and pushes the use of non-lethal methods to stop potential attacks.

NITC currently has a fleet of 43 ships (including 28 VLCCs) totalling 10.6mdwt, but aims to grow its fleet to 74 ships and 18mdwt by 2013.

According to A.R. Darashti, Technical Manager for the Tehran-based company, working out of NITC's Dubai, UAE office, the company employs a number of technical solutions to keep its current fleet of 43 tankers and mariners out of harm's way, including:

- Wire Fencing
- Night Vision Cameras
- A Swedish-make water machine designed to keep the sides of the vessel wet and slippery
- Maintaining higher speeds through known piracy zones.

To date, 16 NITC ships have been the target of piracy aggression, resulting only in minor damages to ships.

## Ship breaking surge will be short lived:

### Bleak future for Indian ship recyclers:

Shipbreakers' Association, said that the ship breaking at Alang in Western India, which is now seeing brighter days, will all come to an end in course of time.

Since its inception in 1982, Alang which is located on the western coast of Gulf of Cambay, in the western part of India has emerged as one of the choicest ship-scraping destinations for the ship owners around the world.

According to the association, the surge that is being seen is merely a temporary phenomenon because ship breaking in Bangladesh has suffered badly. The Bangladesh High Court in March 2009 directed the government not to allow any ship breaking in Bangladesh without cleaning its in-built toxins. Thus Indian ship breakers have achieved the ship demolition record during the boom period when the ship breaking activity in Bangladesh came to a standstill. Also the slowdown in global trade forced international fleet owners to retire ageing ships faster.

Unfortunately Indian ship breakers are soon set to face a number of road blocks in the near future. The immediate concern is how to dispose of the hazardous material. The representative of the Gujarat Pollution Board informed last week that the landfills meant for disposing the hazardous cargo will not last out for more than a year. No additional landfills could be provided thereafter. Another reason is that steel from scrap is not becoming a viable venture. The worst is ship breaking by the beaching method which is considered most economical and practical will soon be banned. The ship owners are hell bent on forcing the costly dry dock method on the Indian ship breakers in place of beaching method.

The contention of the Indian ship breakers has been that ship owners should clean the vessel's tanks before delivery of the vessel to ship breakers. Also all hazardous material has to be removed and ship decontaminated before delivery. But the ship owners want to enforce this liability on the ship breaker without justification.

Mr Nagarsheth points out that once a ship is decommissioned it is no more a ship but a mere scrap of structure under tow. There is no clear demarcation when a vessel ceases to be a ship. Once a ship is delivered to the ship recycler, it should cease to be a ship as it becomes a mere 'floating cargo'. Since the IMO's role is restricted until the ship remains a ship hence by terming it as 'cargo' and no more a floating structure, the role of IMO would cease thereafter.

He alleges, "The International Maritime Organization has been bought over by the ship owners lobby and is maneuvering the world body into passing the liability on to the ship breaker. Thus the IMO is going ahead and will soon be bringing out detailed guidelines for ship owners' benefit."

## Inspection of Fuel Oil Quick-Closing

**Valves:** Kenneth Olsen for the Office of Investigations and Analysis: U.S. Coast Guard Port State Control Officers (PSCOs) are discovering Fuel Oil Quick-Closing Valves (QCVs) intentionally blocked, modified, and poorly maintained preventing them from operating as designed during an emergency.

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blocked, modified, and poorly maintained preventing them from operating as designed during an emergency.

QCVs are positive shutoff valves on fuel oil systems serving to isolate fuel tanks in the event of a fire and also prevent "fueling" of a fire in circumstances where system piping and components are compromised. In some circumstances they could be the only means of securing the fuel to a flammable liquid fire. These valves are designed to be remotely operated. Inoperable QCVs create a very serious hazardous condition putting the vessel and its crew at greater risk in the event of a fire.

Blocking or disabling these valves is unacceptable under any circumstance. It is absolutely critical that they operate correctly, are maintained, and ready for use at all times. Proper routine maintenance, and in some cases approved modifications and / or replacement of components may be necessary to ensure reliability of the remote operator and closure of the valve.

Owners /operators, vessel engineers, PSCOs, Class society and other machinery space inspection personnel must fully understand the critical nature and importance of QCVs and associated systems.

Crewmember knowledge of testing, operation, maintenance and repair, in addition to related documentation and required spare parts are essential elements to evaluate during an inspection.

International regulations require that positive shutoff valves located outside the fuel tank be capable of being closed from a safe position from outside the space concerned.

The U.S. Coast Guard strongly recommends that owners / operators, vessel engineers, PSCOs, Class society and other machinery space inspection personnel ensure:

- a) The QCV operating system is capable of remotely closing all valves as designed; some systems close valves sequentially and others simultaneously.
- b) There is a maintenance plan in place including technical manuals containing diagrams and information that describe the system components, required spare parts, operation, maintenance and repair.
- c) That all engine department personnel can identify the location of each valve, the respective remote closure and how to close them locally and remotely in an emergency.

**Note:** During Coast Guard PSC Exams, vessel engineers should be able to explain maintenance requirements of the system, and provide operational test and maintenance records. Engineers should be able to describe how test the valves, reset them after closure, and understand their operational importance. Vessels with inoperable QCVs may be subject to an operational control.

This safety alert is provided for informational purposes only and does not relieve any domestic or international safety, operational or material requirement.

## Shipping Industry Outraged at Execution and Torture of Seafarers by Pirates:

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### **VLCC first to be fitted with K-Chief 600:**

The first vessel to be fitted with Kongsberg Maritime's new K-Chief 600 marine automation system is a newbuilding VLCC.

The unnamed South Korean built VLCC was handed over on 10th January and features an extensive Kongsberg Maritime package, led by the K-Chief 600 with integrated vessel performance system (VPS), which supports reduced fuel consumption and lower emissions.

The new K-Chief 600 was announced early in 2010 with a pilot project on board a vessel called 'Sia' completed in May 2010. Kongsberg Maritime now has installations scheduled for over 80 K-Chief systems, on board further VLCCs, ropaxes, containerships and crude oil tankers.

Kongsberg Maritime introduced its first marine automation system, DataChief 1, in 1972.

K-Chief 600 builds on this by offering wide ranging enhancements over the previous generation, including touch screen and split screen capabilities, context Mini trends, seven days full trend system, integrated optional components and an all new human machine interface (HMI) based on newly developed Kongsberg guidelines that have been designed to offer a uniform, user-friendly interface across all Kongsberg Maritime systems.

The Kongsberg Maritime VPS on board the newbuild VLCC is

fully integrated with the K-Chief 600. It analyses all aspect of the vessel's energy use including speed, trim and weather conditions in real time. It also includes Fuel and Engine performance monitoring systems, for online analysis and prediction of main engine failures before they may occur.

The VPS harmonises previously disparate vessel performance applications offered by Kongsberg Maritime and its partners into a single station, using the same new HMI guidelines as K-Chief 600, making it a part of the complete system.

In addition to the green focus of the VPS, K-Chief 600 offers scalable functionality including full alarm and monitoring system, auxiliary control system, power management system, propulsion control, ballast automation system, cargo control and monitoring, HVAC (air conditioning) and fire system, plus greater scope for full integration with other sub-systems on board a vessel.

Future focus for the continuing development of K-Chief 600 includes enhancements to the tank monitoring presentation and integration of a full custody transfer system, the company said.

**Suez situation:** The possibility of the closure of the Suez Canal due to ongoing unrest in the town of Suez seemed to be receding at the beginning of the week.

Some shipping shares rose on rumours of a possible closure last week in a knee-jerk reaction.

However, the Canal was still open as Tanker Operator's newsletter went to press, despite rumours of some vessels being diverted away from the area.

ITF general secretary David Cockroft said: "Like everybody else we are watching the situation closely and with concern, helped by our members in Egypt and our inspector there.

"Free trade unions are needed now more than ever in Egypt and we are offering help to our four affiliated unions there - particularly since a number of transport workers have already been killed.

"We would also stress the importance of keeping the Suez Canal free from any interference," he concluded.

**Piracy - more tanker attacks come to light:** The Chemikalien Seetransport controlled Panamax tanker 'New York Star tanker' was reportedly attacked twice by Somali pirates in the Indian Ocean last week.

However, the hijack attempts were thwarted, the Maritime Assistance Center said.

Pirates tried to board the Liberian-flag tanker, carrying 55,000 tonnes of naphtha from Saudi Arabia to Singapore, last Friday.

She was attacked some 540 miles northwest of the Indian Island of Kavaratti, but managed to escape.

Later, the pirates managed to board the vessel but were unable to gain control of the 27 crew who had locked themselves in the ship's 'citadel.'

The attack was thwarted with the help of a Dutch frigate. No crew members were hurt in the incident.

In another earlier incident, pirates attacked a TORM controlled tanker for the third time in less than a year.

In a Danish news report, it was said that the 'Torm Kristina' was fired upon near the Gulf of Aden. The vessel was reportedly loaded with gasoline.

The tanker with 23 Filipinos on board avoided being hijacked, according to Danish sources. She was sailing from Sikka to the Bahamas and following the attack, she returned to Mumbai.

This is the third incident in less than a year involving a TORM tanker as last Easter, 'Torm Ragnhild' was attacked at the Gulf of Aden. In November, 'Torm Kansas' was attacked off Mombasa.

**IUMI joins the call for anti-piracy action:** Norway's Ole Wikborg, a leading hull underwriter and IUMI president has also joined in the anti-piracy debate.

He called for governments of maritime nations to take urgent, cohesive and decisive action, whether through the United Nations or not, to rid the seas of the scourge of piracy.

"There has been too much prevarication for too long," he said.

"Those who suffer the most are the seafarers and efforts must be increased to ensure their safety. Politicians and bureaucrats seem to care little about the unrelenting increase in pirate activity and the threat faced by crews when their ships pass through the piracy infested areas, most notably the Indian Ocean and the Gulf of Aden.

"It would appear that scant regard was paid to the IMO's 'Year of the Seafarer'. It is worth repeating yet again that merchant ships and those who sail them are vital to our very existence.

"The International Maritime Bureau, the industry watchdog, has reported an all-time peak in pirate activity and hijackings. Its latest figures show that Somali pirates hold 746 hostages and 32 merchant vessels - truly, the forgotten mariners. Many of the captive officers and seamen have been held for many, many months. What must they and their families be going through?

"Up to 21st January, the Somali pirates have been responsible for 31 incidents, six hijackings, and taken 136 hostages - and there is still a week to the end of the month.

"In the background, of course, the shipowners involved, not to mention a lot of cargo owners, along with insurers, are paying a very high price because of ransoms and loss of trade and profits," he said.

The worst may be yet to come, he claimed. The pirates were attempting to capture vessels of any type, including fully-laden tankers and gas carriers, and had succeeded early on in one high-profile hijacking of a VLCC. And just recently a cruiseship was in their sights but the master skilfully outsped the pirate boats and it is reported that other cruiseships have previously been targeted.

But last week's news was encouraging when a South Korean naval vessel tracked a ship in the Arabian Sea that had been hijacked a week earlier. South Korean commandos stormed the ship and rescued all 21 crew, killing eight pirates and capturing several others.

It must be hoped that this incident will deter those pirates searching the seas for a sitting duck from pursuing their intentions.

A big worry was that the piracy nightmare was deterring many young people from going to sea. Official figures released last week, he said, revealed that 1,200 people were taken hostage by pirates in 2010.

Somali pirates had extended their operations to include most of the Arabian Sea and a significant part of the Indian Ocean down the east coast of Africa. And the total cost was estimated at a staggering \$238 mill.

Marine underwriters were bearing the brunt of these costs, but they continued to provide the financial cushion and security for shipowners trading in dangerous waters, he said.

**International group praises anti-piracy actions:** BIMCO, the International Chamber of Shipping, INTERCARGO and INTERTANKO has congratulated the South Korean and Malaysian governments and their naval and other forces on re-possessing the hijacked chemical tankers 'Samho Jewelry' and 'Bunga Laurel' from pirates and freeing their crews.

"We are very pleased that the tankers' seafarers are safe having incurred minimum casualties and we hope that the 'Samho Jewelry's' Master makes quick and full recovery", the group said in a statement.

The situation in recent weeks has changed radically. Not only are there now 30 ships and more than 700 seafarers in captivity for as long as seven months on average, but also the pirates are employing new tactics.

For example, they make greater use of mother ships, some of which are large hijacked vessels. This has vastly expanded their range of operation to encompass much of the Arabian Sea between the Gulf of Aden, Somalia and India.

They also making use of increased firepower and there are reports of worsening conditions for captured seafarers.

"This situation calls for immediate action by governments before these tactics make trading in the area almost impossible. Over 40% of the world's seaborne oil supply now passes through waters at high risk from pirate attack at a time when studies are indicating that piracy is costing the global economy \$7-12 bill per year", the group said.

"We call on the world's governments to note the extent to which additional international naval assets in this region are desperately needed and how they should be empowered to enforce a truly robust response against the pirates before ships are successfully hijacked," they concluded.

The seven Somali nationals suspected of attempting to hijack the Malaysian chemical tanker were in detention in Malaysia last week, awaiting charges.

The suspects were part of a larger group of Somali nationals accused of involvement in the attack on 21st January in the Gulf of Aden.

The Malaysian navy captured the suspects after a high-seas shoot out in which several pirates were killed.

## Giant Dubai repair facility safe for now:

Drydocks World has quashed rumours that it is about to sell assets to pay off the group's \$2 bill debt.

Ae rumour circulating in Dubai last week suggested that the giant shiprepair facility located adjacent to Port Rashid would be sold for re-development in the light of severe competition from ASRY in Bahrain and the new repair facilities opening up at Ras Laffan, Qatar and Duqum, Oman.

In an interview with a local business news channel, the chairman stressed that no group assets would be sold.

To outline the short and long term commercial and operational strategy going forward, workshops were held in Dubai, Singapore and Indonesia earlier this month attended by senior management and executives.

In a statement, the group said that the move to build new business strategies was arrived at after an extensive review of the company's resources, including human capital and consolidated finances and commitments.

Comprehensive plans have been made for administrative, commercial and operational streamlining to stem losses, ensure sustainable development and to attain profitability. These will be implemented in phases and will be fine tuned according to requirement during execution.

"We have arrived at wide-ranging plans for streamlining all aspects of our business and work as one integrated company, based on a thorough assessment over the last few months. Change management is ongoing and this will progress along with administrative, operational and commercial reformation. These changes will ensure that our growth path towards sustainability and profitability is smooth and without any hindrance. We are extremely optimistic that with the new changes, we will be able to maximise the influence of positive market signs and mechanisms and generate profits in the immediate future," said Khamis Juma Buamim, Drydocks World and Maritime World chairman in a statement.

The new structure will comprise of a central board, management committees and executive teams responsible for operations across all locations and geographical areas.

The thrust is on improving core processes including client management, contract management, project management and financial control. Appropriate systems and mechanisms will be promptly put in place to develop and achieve efficiency and productivity, Drydocks World said.

As part of the restructuring process, several key executives have recently left the company, including CEO Geoff Taylor.

## Burning naval ship Vindhyagiri listing:

Mumbai: INS Vindhyagiri, which collided with a merchant ship and caught fire on Sunday, was flooded, began listing this afternoon. Everyone on board has been evacuated. Oil is leaking out of the ship, and the naval and other authorities are trying to contain the damage, TV channels said.

Times Now had reported on Monday morning that the efforts to put out the fire had continued for 12 hours, but smoke continued to billow out of the craft. The accident had embarrassed not just the port authorities, but also the Indian navy. Many hard questions will now be asked of the navy and the port.

NDTV had reported on Monday morning (10.35 am) that the



dockyard had sought help from the Mumbai fire force, and many were stuck on the craft.

The ship had about 400 people on board on Sunday, according to PTI. INS Vindhyagiri collided when it was returning after the annual Day at Sea, in which families of the Navy personnel get to visit the ship. Officials said merchant vessel Nord Lake was leaving Mumbai harbour when the collision occurred.

The burning ship could be seen clearly from the beach at Colaba in Mumbai. INS Vindhyagiri was to be decommissioned soon, and was categorised as a Nilgiri class frigate,

Wikipedia describes the Nilgiri frigates as "updated versions of the Leander class, designed and built for the Indian Navy by Mazagon Dock Limited in Mumbai. Six ships were built between 1972-81. Vessels of the class formed the 14th Frigate Squadron."

Eight fire tankers were sent to douse the fire in the morning. The number went up to 16 later.

PTI reports: "An official said there was a dent in the warship due to the impact of the collision through which water had gushed into the vessel causing it to tilt to one side." It quoted defence spokesman Manohar Nambiar as saying the ship was "resting on the sea bed and it cannot sink as there is not enough water." Nambiar told the agency: "The ship is listing on one side. This can be rectified. Once the water is pumped out, it will straighten".

**Brazilian Offshore Subsea Lab:** The Brazilian government and Navy are considering an ambitious plan for launching an offshore subsea lab to be located at the limit of the country's territorial waters and beyond the farthest pre-salt play.

The idea is to place an oceanographic lab at Brazil's most remote maritime frontier, in order to have a continuous presence and dominate as area in which hidden natural riches go beyond the pre-salt layers. At the limit of the continental platform, around 350 nautical miles (648 km) from the coast, the potential for mineral reserves under the seabed is considered to be very high.

This is not only a government project but also a military matter, which will involve government agencies, the Brazilian Navy, and Brazilian private companies. This strategy is already reservedly approved by the new Brazilian government. Other than research, it would also serve as a deterrent to foreign nations wishing to control the South Atlantic.

The location and project for the fixed platform which would support the lab are still in the planning stages, with the next

stage being to determine costs and deadlines for building the equipment. Other than environmental safety research, development of naval technology and biotechnology research, there is also to be an underwater observatory, which would have images available to the public through the internet.

There is still fear that foreign nations will eventually try to take over the Brazilian pre-salt, which has potential for discoveries to surpass 150 billion barrels of reserves, and would catapult Brazil into one of the greatest oil producers in the world, on par with Venezuela and Middle East producers.

Brazilian military and government sources are still that the 4th US Navy fleet was established coincidentally with the discovery of the first pre-salt plays, and there are still fears of American intervention in the future. Personally I think it is a farfetched idea, and if that were the case the Americans would have taken the Venezuelan fields long ago and send Hugo packing. Then again military planners must look at and prepare for different scenarios and in this case the planning is for what may happen in the next 30 to 40 years.

The research and mineral deposit discovery potential alone is in my opinion worth the huge investment that will be needed to put these plans forward as there are massive seabed areas that have never been studied, specifically in the remote south coast and east beyond the furthest pre-salt plays.

**New Maintenance Rig for the Campos Basin - More Urgently Needed:** The importance of increasing the number of maintenance rigs in decreasing accident risks on older production rigs should not be underestimated, and Petrobras will need to speed up their construction, as there is no shortage of old rigs out there.

Petrobras is finally increasing its investments on Maintenance and Security Units "Unidades de Manutenção e Segurança" (UMS). The new unit UMS Cidade de Arraial do Cabo, will be supplying logistics support for production rigs at the Campos Basin, its main function will be to increase safety on the rigs through maintenance and renovation in order to increase the life expectancy of these rigs. Some of the older production rigs at the Campos Basin are plagued by equipment fatigue,



rust and small leaks and seepages that if not checked could lead to serious accidents and spills. Last year Petrobras had to deal with major oil worker strikes on many of these old production rigs, due to lack of sufficient maintenance. At the

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 29th Cross Street, Besant Nagar, Chennai - 600 090, INDIA.  
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time the oil workers union divulged some alarming pictures of rusted decks, stairways, stanchions and pipes that appeared to be serious safety hazards. The local operator downplayed the dangers and insisted that they were keeping to their maintenance schedules.

The new UMS rig is equipped with the latest technology, including a last generation DP system, which allows it to connect with any type of rig, fixed or floating, even in foul weather.

The UMS is 109 meters long and 36 meters wide, and works as a floating repair shipyard. It contains mechanical and electrical workshops, paint shops, welding and weld inspection areas along with a berthing area with adjoining cafeteria for 350 workers and crew. The first production rig to be visited will be PCH-1 located over the Cherne field. The UMS is scheduled to start operations at the end of February.

As there are many old production rigs in operation, and this new rig will be only the second operational UMS. Petrobras will have to increase its investment in UMS rigs in order to keep maintenance up to date on older rigs up and down the coast, as it is hardly the case that all the older rigs are found in the Campos Basin. The truth of the matter is that there are old production rigs up and down the coast, from the south all the way up to the far north of the Brazilian coast and all will need to have their maintenance and safety issues addressed as quickly as possible in order to avoid catastrophic accidents, such as gas leaks leading to explosions and major oil spills caused by ruptured flow pipes, not to mention production stoppages due to faulty equipment, such as pumps and generators.

**Maritime piracy costs global community up to \$12 billion a year:** At the end of 2010, around 500 seafarers from more than eighteen countries were being held hostage by pirates. During the same year, around \$238 million was paid in ransoms to Somali pirates. Piracy doesn't only affect the world's largest trade transport industry; it actually costs the global community a lot more than just ransoms and stolen cargo. Sharon Gillreports ...

Despite piracy on the high seas being one of the world's oldest crimes, the maritime industry has failed to figure out a way to deal with it.

According to the Oceans Beyond Piracy (OBP) project, contemporary international reactions to piracy follow similar lines to early international law, which declared it the duty of states and their navies to deal with pirates.

But, despite more than thirty countries (including the US) contributing to the navies patrolling the trade lanes around the Horn of Africa, pirates operating in the waters off the coast of Somalia are still doing a roaring trade.

Although the navies' presence managed to reduce the rate of successful hijackings, the pirates doubled the number of attacks and expanded their playground, so the actual number of successful hijackings increased.

Furthermore, hijacked vessels are reportedly being used as "mother ships". This not only enables the pirates to expand their operating area, but also gives them some degree of protection since a naval vessel would hesitate to fire on pirates aboard a ship full of crude oil.

OBP says that, between 2004-2009, only 15% of global piracy

attacks occurred off the coast of Somalia. But in 2009, Somali pirates were responsible for 53% of reported attacks around the world, including 47 hijacked vessels and 867 seafarers held hostage.

#### The cost

- **Ransoms:** Over the past five years, Somali pirates' ransom demands have increased from an average of \$150,000 in 2005 to \$5.4 million in 2010. The largest known ransom payment was for the South Korean oil tanker, *Samho Dream*, for which a record \$9.5 million was paid in November 2010. Somali pirates' income for the whole year 2010 was around \$238 million.
- **Insurance:** Insurance cover includes war risk, kidnap and ransom (K&R), cargo, and hull. The most significant increase in premiums has been in war risk and K&R. With the Gulf of Aden classified as a war risk area by Lloyds Market Association (LMA) Joint War Committee in May 2008, it is therefore subject to these specific insurance premiums. OBP estimates that the total excess costs of insurance due to Somali piracy are between \$460 million and \$3.2 billion per year.
- **Naval forces:** The cost of naval operations off the coast of Somalia is around \$2 billion a year.
- **Prosecutions:** More than 750 Somali piracy suspects have either been tried or await trial in more than eleven countries. Working on an average cost of prosecution, OBP estimates that the cost of piracy trials and imprisonment in 2010 was around \$31 million.
- **Anti-piracy organisations:** A number of intergovernmental organisations dedicated to working towards a solution for maritime piracy have a total budget of around \$24.5 million.
- **Re-routing ships:** "Low and slow" vessels, which are prime targets for pirates, are often re-routed to avoid risk zones. The excess cost of re-routing these ships is estimated to be between \$2.4 billion and \$3 billion per year.
- **Protection:** Deterrent and security equipment costs ship owners between \$363 million and \$2.5 billion per year.

Total direct costs of piracy in 2010 is thus estimated to be between \$7 billion and \$12 billion.

But there are secondary costs as well:

- Piracy costs Egypt about \$642 million a year in lost revenue from Suez Canal fees, as ships are re-routed to avoid the Gulf of Aden.
- The trade impact of piracy costs Kenya and Yemen around \$414 million and \$150 million a year respectively.
- Losses to Nigeria's oil and fishing industries cost the country around \$42 million a year.
- Losses to its fishing and tourism industries cost the Seychelles around \$6 million a year.

**Total secondary costs to regional economies: \$1.25 billion a year.**

And we haven't even started trying to quantify "loss of use" and "loss of man-hours" while ships and their crew are held hostage, often for a few months, while shipowners and pirates negotiate a price for their release.

The One Earth Future Foundation says that the scourge of piracy will continue to increase because there is no effective international system to deal with the problem.

Which is why the Foundation established the Oceans Beyond Piracy project, which is attempting to develop a robust and global system to manage piracy through collaboration with stakeholders from industry and governments.

**Piracy - ship attacked and crewmembers kidnapped off Nigeria:** According to Lloyd's MIU Casualty Reporting Service, an Italian coast guard official has stated that pirates boarded Italian-flagged combined chemical and oil tank *Dominia* (25385 gt, built 2009) off the coast of Nigeria, robbed the crew of money and then took three Filipino crew members with them ashore. Vittorio Alessandro, with the coast guard office in Rome, says the pirates stayed aboard the tanker for some 14 hours today before taking a lifeboat to the Nigerian coast. He said the whereabouts of the three Filipinos were unknown. Three Italians, including the captain, and 16 other Filipinos were left aboard. Alessandro says he does not know the pirates' nationalities or whether the tanker was carrying oil. He says the tanker sent an SOS when the pirates boarded at 0200, GMT.

The Gulf of Guinea and surrounding waters are often the scene of violent piracy and armed robbery incidents.

#### **Watchkeeper: ECDIS - the next step**

Electronic Chart Display Information Systems (ECDIS) represent the navigational future. Used properly, they offer substantial advantages over the old paper and pencil variety, a continuous plot of the ship's position, warnings about navigational hazards in the vicinity, and improved safety. A huge bonus is the ease of correction compared to the labour-intensive manual correction process necessary with paper charts, which would drive a navigator with a world chart folio mad.

So why is there some apprehension about the now-mandatory process that will see the world fleet fitted with ECDIS over a six year period? What is there to be afraid of in this hugely positive technological development?

There remain a number of major concerns about the adoption of electronic chart systems. None are new, but as with many developments which are enthused over by the manufacturers which have produced the new equipment, it is the translation from principle into practice that tends to be glossed over; for the changeover from paper to electronics represents a major change, and one that has important implications for training and bridge procedures. An ECDIS is not something that can be installed by the manufacturer, with a few reassuring words offered to the crew in residence, which is then left to make the most of this exciting piece of kit. Indeed, there have already been groundings where precisely this neglectful procedure had been adopted and had contributed to the mishap.

Perhaps it is the computer age we live in when few of us ever receive any formal training in the equipment we have to use every day which produces a mindset that regards an ECDIS as just another sort of business machine to become used to, when it is, for a navigator, a major "change of course".

But it is also clear that during the developmental stage of ECDIS and its performance standards, insufficient emphasis was given to the need to develop a common presentation and

standardised symbols and controls. There might be no great surprise at this - radar sets and most navigational equipment are subject to the same problems. But changing from one radar to another is very much less complex than changing from paper to electronic charts.

So training becomes a very much more serious matter. "Generic" training, which introduces the navigator to the principles of ECDIS, is absolutely essential as a precursor to the type training which will ensure that the navigator is capable of operating the equipment fitted to the ship he or she will sail in. And it is the development of this training which is still the subject of debate over its length, and extent, at a time when equipment is already being fitted to new ships, and retrofitted to others.

It also has implications for the movement of officers around a fleet, especially if different types of ECDIS equipment are fitted. Officers will be required to undergo longer periods of familiarisation when they change ships, making them less flexible from a personnel department's point of view. And in that the adoption of mandatory ECDIS will almost certainly be accompanied by a good deal of rapid development and equipment improvement, it is probable that regular updating and refresher training will be required.

There are likely to be important implications for the operator who must, besides purchasing this new equipment, ensure that all the ships' officers are competent with it. It is worth remembering that more than one significant "seaworthiness" legal case involved out of date paper charts. With ECDIS, the likelihood is that the charts will never be out of date, but the skill of the operator with his chart display will be the subject under review!

#### **Diamond Offshore orders drillship at Hyundai Heavy:**

January has opened well for the world's largest shipbuilder. After delivering its first ship of the year, Korea's Hyundai Heavy Industries (HHI) announced it had booked a \$520 million order from a unit of Diamond Offshore Drilling, Inc. (NYSE:DO) for construction of a new ultra-deepwater drillship with delivery scheduled for late in the second quarter of 2013. Diamond Offshore says the total cost, including commissioning, spares and project management, is expected to be approximately \$590 million and will be paid out of available funds. The contract includes a fixed-price option for a second drillship that can be exercised at any time before the end of the first quarter of 2011.

HHI says the drillship is of *Gusto* P10000 design. Hyundai Heavy used this design for its first drillship, *Deepwater Champion* delivered to Transocean on November 16, 2010.

The dynamically-positioned vessel, measuring 229.2 meters in length and 36 meters in width is capable of drilling in water 12,000 feet (3,600 meters) deep

The drillship will have a seven ram blow-out preventer, dual activity capability, five mud pumps and a maximum hook-load capacity of 1,250 tons.

Diamond Offshore President and Chief Executive Officer Larry Dickerson said: "The addition of a new drillship to our fleet is part of a continuing effort to enhance our ultra-deepwater capabilities at attractive capital costs. Including our opportunistic acquisitions of the *Ocean Courage* and *Ocean Valor* in 2009, we have now purchased, ordered or upgraded six 10,000-foot ultra-deepwater units over the last four years. New drillship construction costs have declined substantially from peak pricing.

As a result, we believe this new drillship will provide returns consistent with our long history of value creation for the company and our stockholders."

Hyundai Heavy Industries says it expects this new order to serve as a stepping stone for further drillship orders in the U.S. and Europe.

Hyundai Heavy has set itself a new orders target for 2011 of \$11 billion from its shipbuilding division (including Hyundai Samho Heavy Industries) and \$4.8 billion from its Offshore and engineering division.

### **Scavenger2000™ the answer to India's water pollution: Move to clean up rivers and lakes of their pollution picks up momentum:**

Sai Water Tech India and Technologies USA have come together to focus on controlling pollution in lakes and rivers in India - a threat that has been plaguing the country and could go out of hand if not checked. The unbridled contamination of rivers and lakes as well as some of the inland waterways and coastal waters of the country has become a major concern. What is significant is that until now there has not been any concerted move made by any private enterprise in the country in this direction. An agreement was signed recently appointing Sai Water Tech India as general agents for India and Arabian Gulf for introducing the ever expanding functionality of Scavenger2000™ responsible for bringing in a revolutionary approach to water regeneration.

With the signing of the agreement a lot of interest has got generated in municipalities, government circles and pollution control bodies towards the revolutionary inexpensive system of decontaminating water. Pollution of river waters and lakes is taking a heavy toll. As the strident call by Greenpeace and other activists fighting to defend the environment gets louder, government departments and public bodies are busy taking protective measures. The World Bank has agreed to pump in massive funds for cleaning the Ganges and other water bodies in the country. Scavenger2000™ has come to the rescue and could help to save the day.

The design and water treatment capabilities of the Scavenger2000™ also allows it to be easily and cost effectively integrated into regional water management planning schemes and has successfully proven to clean polluted waterways by using its advanced water decontamination system named the OXY-PLUS™. The latter treats and revitalizes water bodies by directly treating the water through its patented disinfection system. The Scavenger2000™ improves water quality by oxidizing and eliminating bacteria such as E-Coli and viruses, controlling algae growth, improving water clarity and eliminating odors. It has a unique design that also allows it to simultaneously collect bulk waste and debris.

Giving details about the vessel Parvez Vohra, Managing Director of Sai Water Tech India informed, "The Scavenger2000™ collects surface litter and debris by its forward motion combined with the movement of 20,000 gallons per minute of water through its hydraulically operated collection basket. The process is very cost effective because the storage of the debris takes place without additional costs associated with handling of the collected material whilst emptying into an on-shore container in minutes which is then transported or replaced by an empty storage bin."

The Scavenger system operates by effectively injecting oxygen into the water to an operating depth of 30 feet. This allows it to maintain minimum target dissolved oxygen levels throughout the water column. Scavenger2000™ can also be used to eliminate anaerobic or anoxic strata that may develop along the bottom layers of the water column. In areas where significant organic deposits accumulate the OXY-PLUS™ system can be used to minimize the negative effects the methane releases to the water column.

The Scavenger2000™ includes an advanced water treatment system to enhance the overall water management capabilities. This water treatment system is built around the OXY-PLUS™ technology developed by Water Management Technologies™. In brief, the collection of litter, debris or plants from a waterway can leave a secondary plume in the wake of the collection vessel. The OXY-PLUS™ technology helps manage contaminants in this plume by disinfecting and aerating the passing waters prior release back into the waterway. This on-board water treatment system has the potential to achieve high levels of disinfection, to increase the dissolved oxygen levels to 5.0 mg/L, to decrease CBOD5 concentrations, and to reduce ammonia toxicity.

"The world is running out of clean water faster than anyone can imagine. Lakes, rivers, canals and the vast coastline in India are in dire need of removal of floating debris and water treatment to maintain the nature," says Mr. Vohra, who has brought in a team of experts and innovative technologies for water cleaning. "The Scavenger2000™ has worked to help the City of Miami and Miami River enjoy a successful revitalization over the past six years and is gaining international recognition."

### **Hyundai Heavy Delivers VLCC with Electrolysis BW System:**

On Jan. 10, Hyundai Heavy Industries handed over a 317,000DWT VLCC (Very Large Crude Oil Carrier) to Oman Shipping Company (OSC). The ship, measuring 1,093 ft in length, 197 ft in height and 99.7 ft in depth, is the first VLCC with the new electrolysis ballast water treatment system that can treat as much as 100,000 ton ballast water.

Ballast water is sea water used to stabilize hull balance when unloading cargo, and to maintain optimal vessel speed. The seawater can contain bacteria, local plankton, mud and sand from the unloading port where the ballast water has been taken in. As the ballast water is released, it might impact and disturb the marine ecosystem.

To handle this problem, IMO (International Maritime Organization) mandates that all new ships to be delivered from 2012 and all ships operating on the seas from 2017



must have ballast water treatment system installed. Driven by international regulations, the market for ballast water treatment system is predicted to grow to over \$30b.

Beside this eco-friendly ballast water treatment system, Hyundai Heavy has also taken the lead in developing green marine technologies such as high output eco-friendly marine engines, a 3,000 ton hybrid petrol vessel, and ballast water treatment systems consisting of a filter and UV sterilizing system.

## **LEGAL:**

### **Failure to Pay Freight is a Federal Case:**

Are freight forwarders maritime functionaries or not is a common enough question asked in the field of carriage of goods. The question arises again in a case reported by Editor in Chief Michael Ryan in the Cargo Newsletter which is published by the Committee On Carriage Of Goods (COCOG), a Committee of the Maritime Law Association of the United States (MLAUS).

In *OEC Freight (NY) Inc. v. Philip Whitney, Ltd. et al.*, U.S.D.C. (E.D.N.Y.) Docket No. 09-CV-2489 (FB); Decision of Sr. Judge Frederic Block, dated October 18, 2010, suit was brought by a freight forwarder against shippers for failure to pay \$39,929 for services rendered in transporting defendants' goods from various ports in or near China to New York.

The plaintiff invoked the admiralty and maritime jurisdiction of the Court pursuant to the Carriage of Goods by Sea Act. Defendants moved to dismiss for lack of subject matter jurisdiction, which would thereby abort arbitration of its claims. (The Local Civil Rules of the Eastern District of New York compelled arbitration of civil disputes involving claims of up to \$150,000, however, the Court, as a condition precedent to the arbitration, must address the threshold issue of whether it has jurisdiction).

Defendants argued that the Carriage of Goods by Sea Act ("COGSA), was not applicable; however, the Court stated this was irrelevant as the plaintiff's claim was for breach of contract. Pursuant to the Court's general admiralty or maritime jurisdiction, jurisdiction depended on the nature of the contract at issue. The Court found the dispute involved centered around the defendants' alleged failures to pay for the carriage of the goods which was clearly at the core of "business of maritime commerce".

As to an argument that the plaintiff was a freight forwarder, i.e. an agent of the shipper that arranged for the transport of the goods rather than the actual carrier of the goods, the Court noted the Second Circuit has counseled that, when considering whether a freight-forwarding contract falls within admiralty jurisdiction, the "character of the work performed under the contract is determinative whether the agreement was maritime" (citing *Ingersoll Milling Machine Company v. M/V Bodena*, 829 F.2d 2393, (2d Cir. 1987)). Like the freight forwarder in *Ingersoll*, the plaintiff secured bill of lading from carriers transporting defendant's goods, a task that is not preliminarily in nature, and "an integral part of the shipping process."

The Court found it had subject matter jurisdiction over the breach of contract claim, and the matter could proceed to arbitration.

### **Does Absence of Piracy Offence limit Administration of Justice?**

Mateus Andrade Dias of the firm of Andrade Dias & Associados in Portugal, writing for the International Law Office examines piracy under international and Portuguese law.

**Introduction:** According to industry sources, on September 9 2010 a total of 19 ships and almost 400 crew members were being held by Somali pirates. Piracy incidents have occurred in locations as widespread as Peru, Brazil, Cameroon, Guinea and Nigeria.

The causes of piracy are complex, although the weakness of an individual state's law enforcement authority and the severe poverty of its population are strong factors. In many cases, piracy is seen as linked to terrorism financing, rather than merely being a crime for the enrichment of its perpetrators. Among other things, the threat of piracy increases the duration of voyages, with consequent delays in cargo delivery, as well as increasing insurance premiums and ultimately forcing up freight rates.

**International regime:** Portugal is a contracting state to the UN Convention on the Law of the Sea, signed at Montego Bay in 1982. The convention was approved by Resolution 60-B/97 and entered into force in Portugal on December 3 1997.

The main provisions are set out in Part VII, Articles 100 to 107.(1) The definition of piracy (2) in Article 100 excludes any illicit act of violence committed by a crew' ship against another ship in the territorial waters of a coastal state or at any other place not subject to a state's jurisdiction. It also excludes acts committed for a political purpose (including actions sponsored by a state or political movement). The coastal state will normally regard such acts as assault, armed robbery, murder or kidnapping, or similar crimes.

#### **Other articles of the convention provide that:**

The flag state shall have exclusive jurisdiction to prosecute acts of piracy onboard a ship sailing under that flag if such acts occur on the high seas;(3) and naval and other government service vessels may visit, seize and exercise hot pursuit over foreign vessels involved (or suspected of involvement) in acts of piracy, subject to the strict requirements of Articles 105, 110 and 111 (ie, acts of piracy that have occurred on the high seas or that constitute breaches of a coastal state's laws and regulations and occur in areas under the latter's jurisdiction.(4)

**Portuguese regime:** Portugal has no statutory regime dealing with piracy, either under civil or criminal law. The common tort law provisions in respect of civil liability compensation and the relevant criminal law provisions relating to assault, murder, kidnapping and armed robbery must be applied as appropriate.

The absence of a specific criminal regime for acts of piracy is a serious gap in the Portuguese legal system: it may constitute a breach of the state's international conventional duties arising from UN Security Council resolutions and from the 1988 Rome Convention on the Suppression of Unlawful Acts for the Safety of Maritime Navigation. These incentive states to criminalise acts of piracy within their internal criminal law provisions and to establish jurisdiction to deal with them.

Articles 4 and 5 of the Criminal Code and Article 6 of the Code of Civil Procedure provide that Portuguese criminal law applies only:

- by force of treaty or international convention;
- in respect of acts perpetrated onboard a Portuguese ship; and in some specific circumstances and in respect of specific criminal offences, such as kidnapping.

The situations in which the Portuguese state will assume responsibility for dealing with piracy-related acts are limited, as are the tools at the state's disposal. As the specific crime of piracy does not exist as such, judges are forced to apply provisions relating to assault, kidnapping, armed robbery or other criminal offences where possible.

Most experts in maritime and admiralty law would argue that, in itself, paying a ransom does not constitute a criminal offence under Portuguese law. However, issues of civil law may arise in respect of the agreement to pay the ransom on public policy grounds. These issues may invalidate the agreement or payment performed, or render it void.

#### **Comment:**

The provisions of the UN Convention on the Law of the Sea apply only on the high seas not within the territorial waters of a state where piracy is treated as armed robbery or under any internal criminal law provision for kidnapping or assault. It is subject to the exclusive jurisdiction of the coastal state. The convention does not permit the seizure or arrest of pirates in territorial waters unless the ship sails under the flag of that state.

However, prosecutions are subject to national law. Portugal envisages limited situations in which the legal system is required to act. However, the crime of piracy does not exist, which requires judges to rely on the application of kidnapping or other criminal offences with a clear basis in the Criminal Code.

This could give rise to practical difficulties for a Portuguese court where, for example, it is required to deal with the consequences of a Somali pirate attack off the coast of Somalia which is thwarted by a Portuguese warship. The court would be required to address issues including repatriation costs and political asylum.

Portugal's legal provisions in respect of jurisdiction, and specifically in respect of the absence of a separate criminal offence of piracy, would presumably limit the Portuguese's judge scope of action severely, and would arguably tie his or her hands when trying to administer justice.

#### **Maritime Agenda 2010-2020 Launched:**

Minister of Shipping Shri G.K. Vasan today launched the Maritime Agenda 2010-2020, a perspective plan of the Shipping Ministry for the present decade. Launching the Maritime Agenda, the Minister talked about the goals set for the sector including:

- "To create a port capacity of around 3200 MT to handle the expected traffic of about 2500 MT by 2020.
- We want to bring our ports at par with the best international ports in terms of performance and capacity.
- We want to increase the tonnage under the Indian flag and Indian control and also the share of Indian ships in our EXIM trade.

- We want to promote coastal shipping as it will help in decongesting our roads and is environment friendly.

- We want to increase India's share in global ship building to 5% from the present 1%.

- The share of Indian seafarers is between 6 to 7% in the global shipping industry. We want to increase it to atleast 9% by 2015."

The Ministry envisages an estimated traffic of 2495 MMT in all ports including the non-metro ones. The total capacity of all these ports is expected to be 3280 MMT. The total proposed investments in major and non-major ports by 2020 is expected to be approximately 287000 crores and the total proposed investments in the shipping sector by 2020 - Rs. 165000 crores. The Maritime Agenda projects a total traffic of 2494.95 million tonnes for all major and non-major ports taken together and a capacity of 3280.04 million tonnes. The proposed investments in ports by 2020 is expected to be 119449.41 crore and in non-major ports it is 167930.84 crore.

The agenda for the decade for the Ports are:

Create Port capacity of 3200 M.T. for handling about 2500 M.T. of cargo

- Improve Port performance on par with the best in the world.
- Increase tonnage both under the Indian flag as well as Indian control.
- Increase Coastal Shipping and facilitate hassle-free multimodal transport
- Increase India's share in global ship building to 5%.
- Promote use of the inland waterways for cargo movement
- Increase India's share of seafarer to 9% of the global strength by 2015
- Implementation of the Port development projects
- Develop Two New Major Ports one each on east and west coasts.
- Full mechanisation of cargo handling and movement
- Major Ports to have draft of not less than 14 metres and hub ports 17 metres
- A new policy on dredging
- Identification and implementation of projects for rail, road and inland waterway connectivity to ports
- Development of two hub ports on each of the West and the East coasts - Mumbai (JNPT), Kochi, Chennai and Visakhapatnam
- Port Policy Measures
- Corporatisation of Major Ports
- New Land Policy for Major Ports
- New Policy on captive berths
- Establishing a Port Regulator for all ports for setting, monitoring and regulating service levels and technical & performance standards
- New Policy on dredging
- Shifting of transshipment of Indian containers from foreign

ports to Indian ports

- Policy on co-operation and competition amongst Indian Ports
- Establishing 'Indian Ports Global' for overseas investments by Indian Ports

#### **The agenda for the decade for Shipping are:**

- Increase in Indian tonnage through necessary policy interventions
- Declaration of Coastal Shipping Policy
- Establishment of a 'Freight Exchange'
- Creation of Ombudsman/ Tribunals for Shipping matters
- Formation of an independent Marine Casualty Investigation Cell
- Establishing a P & I Club in India
- SCI to have ambitious vessel acquisition plans to lead the growth in Indian tonnage
- Introduction of passenger ferry services between India and nearby countries
- Ro-Ro Ferry service in Gulf of Kutch, Gulf of Cambay and other suitable places
- Strengthening of capacity for Port State Control and Flag State Inspections
- Promotion of multi-modal transport operations for door to door delivery
- Promotion of a Salvage Company in India, with Viability Gap Funding if required
- Introduction of new Shipbuilding Subsidy Scheme
- Grant of Infrastructure Status to shipbuilding industry
- Purchase preference for Indian shipyards in procurement of ships by Government through global tenders
- Expansion of Cochin Shipyard

#### **For Inland Waterways the agenda envisages:**

- Development of IWT infrastructure
- Declaration of River Barak as National Waterway no.6
- Development of National Waterways 4 & 5
- Extension of National Waterway No. 3 in Kerala

#### **The agenda also envisages:**

- Enactment of a new Indian Ports Act replacing Indian Ports Act 1908 and the Major Port Trusts Act 1963
- Enactment of Admiralty Act
- Enactment of Shipping Trade Practices Act
- Review of the law on the Multimodal Transportation of Goods
- Revision of the law on Lighthouses and Lightships
- Amendment of Merchant Shipping Act
- Control of piracy through concerted international action
- Bilateral maritime agreements with selected countries/

regions for mutual benefit

- A framework for cooperation between Indian ports and those in other countries
- Collaboration of IMU with top global academic institutions in the maritime sector
- Renewal and strengthening of Indo-Bangladesh Protocol on Inland Water Transport

#### **BP upgrades VSAT communications:**

HarrisCapRock Communications has signed a 39-month contract with BP Shipping to deploy the SeaAccess solution on board the latter's worldwide tanker fleet.

SeaAccess' turnkey VSAT services will enable BP to extend its corporate IT network and applications to its vessels and provide attractive crew welfare solutions, the company claimed.

"We decided to upgrade our VSAT network after assessing the benefits of the latest available technology," said BP Shipping service management and infrastructure manager Wasim Kayani.

"We were looking to increase the services we can provide to our vessels while lowering the total cost of ownership. SeaAccess communications leverages the platform and value-added services that we need to get the most out of our communications," he said.

SeaAccess will extend BP's corporate office capabilities to each vessel, enabling masters to send real-time reports on vessel operations, logistics and routes. The service will also provide crew welfare communications, specifically supporting the crew's heavy telephone traffic.

"BP's vessels are constantly traversing the deepseas and are rarely docked at harbour for an extended period of time, so it's challenging to get equipment installed on more than 50 vessels in such a short time frame," said Pal Jensen, president, SeaAccess, Harris CapRock.

"We rely on our 11 service-and-support centres that are strategically located nearby major ports to dispatch supplies and technicians in a timely manner. This is where Harris CapRock excels," Jensen said.

Prior to choosing Harris CapRock, BP conducted extensive testing at the company's UK facility based in Aberdeen. The engineering team developed a time division multiple access (TDMA) demonstration with test circuits for BP's experts to conduct real-time data transfers, make telephone calls and see first-hand the benefits of the company's wide area network (WAN) optimisation service.

"Securing BP Shipping's fleet communications further builds upon the strong relationship we've developed with BP," said Peter Shaper, group president, Harris CapRock Communications. "Currently we're providing communication services to BP's offshore assets in the Gulf of Mexico and in West Africa."

#### **READERS' KIND ATTENTION**

Back issues of "MARINE WAVES" from 2005 to 2008 in 2 volumes are available for sale until stocks last. Please rush your bookings to avoid disappointment. **E-mail : [seafarersman@indiatimes.com](mailto:seafarersman@indiatimes.com)  
[seafarersman@hotmail.com](mailto:seafarersman@hotmail.com)**

# **DIRECTOR GENERAL OF SHIPPING**

## **D.G. Shipping Circular No. 1-A of 2011**

**No: MSL-24(1)/2008 Dated: 12.01.2011**

**Sub:** Guidelines terms and conditions for considering the request for relaxation in the crewing or flagging requirement under Section 456 of the Merchant Shipping Act, 1958

WHEREAS increase in the shipping activities world-wide has created opportunities for Indian ships to trade in the coastal waters of many countries,

AND WHEREAS INSA and individual Ship owning companies have represented that the procedural regime in many a countries mandates crewing or flagging requirement that are at variance with requirement prescribed under the MS Act, 1958 as modified from time to time, necessitating grant of certain dispensations to, the Indian ship owners in order to prevent either loss of Indian business or of Indian Tonnage in terms of the need to flag the ship out of India,

AND WHEREAS such dispensation using the provisions of the Section 456 of the said Act is best given through a set of guidelines rather than on a case to case basis so as to provide similar dispensation to similarly situated vessels to the extent possible,

Now therefore, the Director General of Shipping in pursuance of the powers conferred on him in respect of the provisions of Section 456 of the MS Act, 1958 read together with MoS S.O. No. 3144 dated 17th December 1960 issues the following guidelines spelling out the terms and conditions for considering the request for relaxation in the crewing or flagging requirement under the Act;

1. The ship-owner shall:
  - a. Substantiate the crewing or flagging requirements mandated by the maritime administration concerned,
  - b. provide proof of the contract of work or trade entered into or being entered into with relevant details (Financial details excluded),
  - c. limit the relaxation in respect of crewing only to the extent mandated and employ Indian crew for rest of the requirement including return journey to an Indian port or any port out of the concerned country.
  - d. limit the flagging requirement to the barest minimum period.
  - e. agree to indemnify the DG Shipping for any losses or damages, directly or indirectly arising out of as a consequence to such dispensation or any liability that the DG Shipping will be exposed to in furtherance of such dispensation, in the form and manner as prescribed by the DG Shipping.
  - f. comply with all conditions that are required to be complied by an Indian ship save the ones relaxed under any dispensation as per prescribed procedure.
2. The ship owner shall in addition to the above fulfill the training requirement on the scale as indicated below. This requirement is indexed to the tonnage tax training scale and the extent of crewing and flagging relaxation and will be carried out irrespective of whether the ship owner enjoys Tonnage Tax benefit or not. Provided however, the owner will have the option to get equivalent trainee man-months completed through another Indian ship owning company through a mutual agreement.

### **Training requirement:**

- I. Crewing:** For employing up to one third of foreign crew the training requirement will be the same as under the regular tonnage tax scheme, with equal number of man-days to be added for employing more than one third but less than two third of foreign crew. If foreign crew deployed exceeds two third, equal number of man-days need to be added further.
- II. For flagging out:** Upto 4 months of flagging out the training requirement will be equal to that under the tonnage scheme. An equal number of trainees have to be trained for every addition of upto 4 months.

**Explanation:** If T is the number of man-days required under the tonnage tax scheme the additional tonnage tax requirement will be calculated as indicated below:-

<b>Crewing Dispensation</b>	<b>No Flagging Dispensation</b>	<b>Flagging Dispensation upto 4 months</b>	<b>Flagging Dispensation for 4-8 months</b>	<b>Flagging Dispensation for 8-12 months</b>
Upto 1/2rd	T man-days	2T	3T	4T
Between 1/2rd & 2/2rd	2T	3T	4T	5T
Above 2/2rd	3T	4T	5T	6T

3. For the purpose of adherence to the norms of STCW I/10, in this regard the Directorate will satisfy itself that the:-
  - a. Crew is certified by the concerned maritime administration in accordance with STCW, as amended, for operating in their territorial waters,
  - b. Designated Person Ashore (DPA) of the company certifies that he is satisfied with the engagement of the crew and their functioning on board is in adherence to the ISM Code.
  - c. P&I club accepts engagement of the foreign crew on the said ship, and,
  - d. Ship owner indemnifies the Directorate and the Central Government of any liability whatsoever arising out of the grant of above dispensation
  - e. Ship owner will take steps necessary to provide necessary documents for (a to d) above.
  - f. Above arrangements will be country specific and the recognition of the Certificates of the crew of the concerned maritime state will be limited only to the territorial waters of that country and only during the period for which such crew are employed on board such Indian ship, unless such certificates otherwise recognized by this Directorate under any unilateral or bilateral agreement for other waters.
4. The mortgage and discharge of other financial liabilities will continue uninterrupted "as if" the ship has not been flagged out.
5. DG reserves the right to reject any request for relaxation or vary, alter or rescind any of the provision above in the interest of retaining Indian tonnage, boosting Indian trade or in public interest for reasons recorded in writing.

These guidelines will come into effect from the date of issue of this order.

Sd/-

**(Dr. S. B. Agnihotri)**

*Director General of Shipping &*

*ex. officio Additional Secretary to the Govt. of India*

**NT / ENG CIRCULAR NO. 10      ISSUE NO. 01      Date : 11-01-2011**

**Subject:** Mandatory Collection of application form (for new COC / revalidation) by the post sea Institutes conducting the approved preparatory and revalidation Courses.

In order to expedite the examination and certification process, especially in the declaration of result, issuance of COCs etc, the Directorate has, in the past, issued number of circulars. One such circular is NT/ENG Circular No. 7 issued on 30.01.2009 which deals with 'Collection of application form by the Institutes conducting preparatory and revalidation courses' The stated circular was issued to facilitate the candidates for speedy issuance of COCs and also aimed to avoid crowding at the examination centers. However, since the circular was recommendary in nature, it was not followed by the candidates / institutes conducting preparatory / revalidation courses.

2. Since the practices prevailing at various centers and the difficulties that are being encountered by the candidates with reference to their submission of application forms, documents for verification, submission of

photograph, processing fees, etc. has not improved much, it has been decided that henceforth following procedures to be followed for COC's upto the grade of Mates and second engineer officer. For Master and Chief Engineer Officer grade of Examination, the online submission of application for examination is to be followed, and submission of application for revalidation shall be through the institutes conducting the revalidation course.

- 3 All institutes conducting approved preparatory / revalidation courses, henceforth, must collect the duly filled in forms along with the applicable fees for revalidation for MMD from the candidates doing the course at their institute.
- 4 The following procedures are to be followed by the institutes and ensure that there are no delays in the entire process of application:
  - 1 With respect to the engineering candidates, application form 15 / 15 A as applicable, is required to be filled up and submitted, along with legible and clear Photo copies of required documents for assessment of sea service/revalidation. No originals are required to be submitted.
  - 2 With respect to the nautical candidates, appropriate form for examination/revalidation, required to be filled up and submitted, along with legible and clear photo copies of required documents for assessment of sea service/revalidation. No originals are required to be submitted.
  - 3 Legible and clear photo copies of all the documents submitted by the candidates are required to be verified with the originals and authenticated by the Head of the institute/Course in-charge, with his name, signature, designation and date.
  - 4 Candidates are required to submit their application form along with the prescribed fees as laid down in the META Manual.
  - 5 Institutes are advised to verify all the documents and return the originals to the candidates.
  - 6 Institutes are required to contact the nearest MMD for the procedures of collecting the fees, i.e by demand draft/ challan, etc and same procedure to be followed for collection of fees and to be returned to the MMD with the candidate's application.
  - 7 Details of application forms and fees received is required to be forwarded within a day after receipt of the same to the nearest MMD for assessment (Hard & soft copy). Details are required to be filled up as per Annexure I. Institutes shall be responsible for remittance of the fees collected from the candidates to the dedicated branch of the bank, prior submitting the application forms to the MMD.
  - 8 As MEO Class IV preparatory courses is not mandatory, institutes are further requested to help the candidates in order to simplify the process.
5. The candidates applying for examination / certification to note following:
  - 1 Procedures for Assessment of the sea time, eligibility for the examination and issue of the hall ticket will remain as per the existing procedure.
  6. Post sea training institutes shall submit the application forms to the nearest MMD for those candidates who wish to appear for examination in that MMD. Incase, the candidate wish to apply for examination / revalidation in other examination centre then candidates has to submit application directly in that MMD.
  7. Once the 'on line' submission of application for other grade of examination becomes functional, the submission of application by the post sea institutes will become redundant.

This issue with the approval of the Director General of Shipping & ex-officio Additional Secretary to the Government of India

Sd/-

**[D. Mehrotra]**

*Deputy. Chief Surveyor-cum-Sr. DDG (Tech)*

**D.G. Shipping Circular No. 1-B of 2011 No: MSL-24(1)/2008 Dated: 12.01.2011**

**Sub:** Conditions for granting license to foreign flag ships under Section 406 or 407 of the Merchant Shipping Act, 1958 laying down the norms for engaging Indian crew on board these ships engaged in shipping and related activities in Indian coastal water

WHEREAS shipping industry has recently gone through one of the worst recessionary phase and has begun to slowly recover, and Indian industry has been no exception to this,

AND WHEREAS procedural regime in many a countries have imposed crewing requirements on ships doing business in their coastal waters, necessitating grant of certain dispensations to the Indian Ship owners in order to prevent either loss of Indian business or of Indian Tonnage in terms of the need to flag the ship out of India,

AND WHEREAS it is only appropriate that similar crewing requirements are also imposed on ships engaged in shipping and related activities in Indian Coastal Waters,

Now therefore, the Director General of Shipping in pursuance of the power conferred on him in respect of the provisions of Section 406 and 407 of the M S Act, 1958 read together with MoS S.O. No 3144 dated 17th December 1960 issues the following conditions for granting license to foreign flag ships under either of the sections i.e. 406 or 407 of the M S Act laying down the norms for engaging Indian crew on board of these ships;

1. Where the period of license exceeds 90 days but is less than 181 days, a minimum of one third of officers and ratings, engaged on board as per the safe manning norm or actual deployment whichever is higher and be holding relevant Indian Certificate.
2. Where the period of license exceeds 180 days; a minimum of one half of officers and ratings, engaged on board as per the safe manning norm or actual deployment whichever is higher and be holding relevant Indian Certificate.
3. The safe manning norm mentioned above will be the one applicable to the concerned ship.
4. For determining the number of Indian of Indian officers and crew to be engaged the officers and the ratings will be taken as two separate categories. Any fraction will be rounded to nearest integer.
5. Where the period of license is not continuous, above condition will be imposed whenever the cumulative period of license for that ship exceeds i.e. 90 or 180 days in a calendar year and the condition of engagement of Indian crew will be imposed from the day when 90 or 180 days are exceeded.
6. DG reserves the right to relax or vary, alter or rescind any of the provision above in the interest of retaining Indian tonnage, boosting Indian trade or in public interest for reasons recorded in writing.

These guidelines will come into effect from the date of issue of this order.

Sd/-

**(Dr. S. B. Agnihotri)**

*Director General of Shipping &  
ex. officio Additional Secretary to the Govt. of India*

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**M.S. Notice 01 of 2011 No:44-NT(6)/2010 Dated: 14.01.2011**

**Subject:** Guidelines for anti piracy measures to be implemented on Indian Ships

**1. Introduction:**

- 1.1 Attention of the ship Owners / Managers / Masters is invited to the increasing number of pirate attacks on merchant ships transiting the Gulf of Aden and off the coast of Somalia. It has been observed in the past two years that the attacks have also occurring further off the east coast of Somalia.
- 1.2 Various measures to prevent a pirate attack have been promulgated by the issuance of Circulars / Notices by the Directorate General of Shipping, IMO and the shipping industry.
- 1.3 Recently, during the 88th Maritime Safety Committee, a MSC circular No. MSC.1/Circ.1390 dated

09-12-2010 (copy enclosed for ready reference), has been issued on the subject of Guidance for Company security officers - Preparation of a company and the crew for the contingency of hijack by pirates in the Western Indian Ocean and the Gulf of Aden. This circular takes into account the Best management Practices (BMP version 3) developed by the shipping industry.

- 1.4 BMP3, which was circulated to Industry in July 2010 and is available on DG website, highlights following anti-piracy measures that a merchant ship should undertake while transiting through the piracy infested region:
- a) Enhanced vigilance during watch-keeping including use of dummy 'look out'
  - b) Control of access points and Close circuit television monitoring of vulnerable boarding points by pirates
  - c) Evasive manoeuvres
  - d) Alarms
  - e) Upper deck lighting
  - f) Deny use of ship's tools and equipment
  - g) Enhanced bridge protection
  - h) Physical barriers such as barbed wires, 'anti-climb' paint, 'dummy' signs for electrification of barbed wires etc.
  - i) Use of Water spray, foam monitors and trailing wires
  - j) Safe house
- 1.5 One of the important component of counter-piracy measures is the concept of "Safe House" where, in case when boarding by pirates seems imminent despite all other anti-piracy measures being in place, the crew could muster and lock themselves, out of the reach of pirates and are able to guide the naval forces to undertake a rescue operation.

## **2. Safe House Concept**

- 2.1 The concept of 'safe house' for vessels is based on the fact that seizure of crew members is one of the main means of pirates gaining control over the ship. Therefore prevention of seizure of crew members by intruders will be a key to foil a pirate attack. The crew can stave off a pirate attack by mustering in a secure compartment or 'safe house' so that safety of those on board is ensured until the rescue forces can arrive.
- 2.2 The design of safe house is based on the fact that initial evasive measures were employed by the vessel and pirates have been able to board the vessel evading these measures. However these measures have been able to delay the time taken by pirates to board the vessel.
- 2.3 Location of safe house: The 'safe house' should be sturdy enough to resist the attempts by the pirates to break into it. The safe house should be located at an imperceptible location so that it is difficult for the pirates to locate it onboard. However it is important that all crew members are well versed with the location and routes to reach the safe house so that the time taken by the crew members to muster inside the safe house is minimized.
- 2.3 Pirate alarm: As soon as it is appreciated that boarding of the vessel by pirates is inevitable despite the use of all the evasive measures, a 'pirate alarm' should be sounded which will not only alert the crew that pirates have boarded but also instruct them to muster in the pre-defined 'safe house'.
- 2.4 Once all the members of the crew have assembled inside the safe house, the engines would be immobilized and entire ship would be blackened out. Immobilization of the engines is recommended, since all piracy is done in the high seas away from hazards of navigation. However, in a recent case, it was observed that the crew had the control of steering compartment alongwith the engine room as 'safe house' and therefore were able to steer the ship in general direction, away from known navigational dangers. The decision, therefore, to 'shut off' the ship's engine would need to be ship specific and upto the ship's command.
- 2.5 Further, International law does not permit international military forces to protect ships attacked in Yemeni territorial waters. A ship that cannot be operated under its own power is unlikely to be taken into territorial waters of Yemen or Somalia. Immobilization is therefore an effective passive measure that does not involve confrontation with pirates. Ships Emergency Generator would also be cut off remotely from the safe house. A pirate unfamiliar with the ship would find it almost impossible to navigate in blackened out ship and it would not be feasible for them to locate the safe house.

- 2.6 The safe house would also be provided with communication equipment. The crew would immediately inform the position and information about the attack to the security forces, using available means of communication. The security forces would be informed that no hostages have been taken and rescue efforts / military action can be taken against the pirates without any harm to the ship's crew. In order that the communication is effective, a proper communication protocol would need to be developed by the company security officer in consultation with security agencies and Directorate General of Shipping.
- 2.7 In addition to above provisions the ship may also be fitted with a Pirate Warning System. This system could be activated from the safe house and would warn the pirates that security forces are on their way for help. The system would also create masked crew noise from different locations on the ship and thereby disorienting the attackers onboard the vessel. The safe house would be provided with facilities for the crew to survive till the time the help arrives and once the vessel is free from pirates, the crew can be intimated through agreed communication protocol communication to vacate the safe house.
- 2.8 Based on these facts two options for design of safe house have evolved. The safe house can be an exclusive compartment, purpose built into the ship Or in order to avoid major alterations to the ship's layout, an existing compartment such as an engine room, steering gear room, or any other compartment considered suitable based on vessel's design and risk assessment by the Company, may as an alternative option be used as a safe house. Such alternate compartment shall be suitably reinforced for use as a safe house.
- 2.9 The salient features for a safe house design are as follows:
- 2.9.1 **Construction:** The water tight doors, frames and surrounding bulkheads of the safe house should be constructed of steel. The material would be resistant to repeated hits by bullets, sledge hammer, grenades and cutting charges. It would also be difficult to make access to the safe house by undertaking oxy acetylene cutting of the bulkheads / doors. Internal cross-bars would be provided for additional security and rigidity and to avoid the dependence on locks / hinges. Steel covers with internal cross bars and securing arrangements from inside shall be provided for all openings in the safe house. These steel covers shall be of similar construction as the adjoining bulkhead. The area shall be capable of being sealed off so that CO<sub>2</sub> gas cannot be released into the area, the area cannot be flooded with water from outside, and explosives such as hand grenades cannot be thrown into the area. These considerations would define the location of the safe house onboard a vessel. Exact location of the safe house will largely depend on the type and size of the ship.
- 2.9.2 **Size:** Size of the safe house would depend on the size of the vessel and number of crew on board. The safe house would be designed to accommodate the crew for at least 3 days, which is the maximum time security forces are expected to locate the vessel and neutralize the pirates.
- 2.9.3 **Equipment / Facilities:** The safe house should be provided with the following equipment/facilities for the crew to survive and safely undertake the various activities required for communicating with the security forces and during the operations by security forces:
- i) VHF communication equipment
  - ii) Satellite phone
  - iii) Few bunks / chairs for crew to rest
  - iv) Automatic Identification System (AIS)
  - v) Hand held GPS
  - vi) Local control for immobilizing the main engines and blackening out the ship
  - vii) CCTV display of boarding points, upper decks / bridge etc.
  - viii) Emergency power supply for operating lights, ventilation (as far as practicable), communication equipment etc. only within safe house
  - ix) Toilet facilities
  - x) Tinned food and water for the entire crew to survive for 03 days
  - xi) Provision for forced and natural ventilation

- 2.9.4 The Company, in consultation with Indian Navy, should develop a communication protocol for informing the security agencies and The Directorate General of Shipping (Dgcomm) in case a pirate attack is imminent. This protocol should as a minimum address communication to be sent from the ship when:
- i) pirates are chasing the ship (Stage 1)
  - ii) in spite of all evasive measures, pirates are boarding / have boarded the ship (Stage 2)
  - iii) all crew has taken refuge in the safe house and (no) crew is left outside (Stage 3)
- 2.9.5 **Anti-Piracy Drill:** The operational readiness of the 'safe hose' procedure should be exercised with the security agencies. In addition, it is recommended that safe house entry procedure is rehearsed well before vessel's expected entry into the high risk area. The drill among other things should also test the sealing, communication and shutting down procedures.
- 2.9.6 It is feasible for the ship's crew to evade a pirate attack, by locking themselves inside a safe house with necessary communication and survival facilities till the time rescue forces can reach and engage the pirates. The whole concept of safe house is lost if any crew member is left outside before it is secured.
3. **Implementation:** It is strongly recommended that all Indian ships transiting the piracy infested waters should at the earliest implement the anti-piracy measures outlined above including the concept of 'safe house' and ship-owners are advised to submit the progress of implementation of these measures to the Directorate General of Shipping within 3 months of date of issue of this notice.
4. This is issued with the approval of Director General of Shipping & Ex-officio Addl. Secretary to Govt. of India.

Sd/-

**(Capt. Harish Khatri)**

*Dy. Director General of Shipping (Tech)*

## **Whither oil prices and tanker shipping in 2011?**

At the start of a new year the thoughts of oil producers and marketers worldwide turn to what price their loaded barrels might fetch over the coming 12 months while consumers are primarily concerned with how much they'll have to pay for their litre or gallon of fuel at the petrol pump.

Today, with the price of oil inching up through the USD 90 per barrel range towards the psychological barrier of USD 100, uncertainties about price movements appear about as great as they were exactly three years ago. In early January 2008 the price of a barrel of oil breached the USD 100 mark for the first time and didn't stop. By July 2008 it had reached USD 147, a new record, and proffered itself as a harbinger of the impending global financial meltdown which struck a few months later.

Most energy analysts are reassuringly pointing out that the events of 2008 will not be repeated in 2011, highlighting several reasons why. First of all, the global economy is not currently overheating like it was three years ago. Also, oil consumption in the industrialised nations is declining while the members of the Organisation of Oil Exporting Countries (OPEC) have a total of over 5 million barrels per day (bpd) of excess production capacity of their sleeves at the moment, much more than was the case in 2008. If oil does push past the USD 100 per barrel barrier, say the pundits, it will not do so by much and the rise will not be sustained.

Supporters of the bearish view on oil prices report that US and European consumption will continue to decline as a result of the introduction of both more fuel-efficient cars and a new generation of hybrid vehicles as well as the availability of plentiful supplies of natural gas as an alternative fuel. Furthermore, the current relatively high price of oil is spurring increased drilling activity with the result that new sources of oil in places like offshore Ghana and Brazil are being brought on stream.

In reply, the market bulls state that it is not so simple. In their view the resurgent demand for oil worldwide in tandem with cold weather reduced inventories and a reluctance on the part of OPEC to open the taps much further will maintain the upward pressure on oil prices. Additional pressure will be exerted due to the rising costs of oil production in remote offshore locations and uncertainties over offshore drilling in the wake of the Deepwater Horizon disaster in the US Gulf last Spring.

Demand for oil surged by 2.3 million bpd, to reach an average of 87.4 million bpd, in 2010, making up for a large part of 2009's mammoth slump in oil consumption. Oil use in 2011 is forecast to swell to nearly 88.6 million bpd as the world economy continues on the path to recovery.

Feeding this growing requirement for oil will require continued investment in equipment capable of developing more remote and more marginal oil reserves, now that the larger, more accessible oil fields have been exploited. The spend on new

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wells, production platforms and other energy infrastructure is likely to approach USD 500 billion in 2011 and a substantial percentage of the total reflects the higher costs associated with finding and extracting oil in harder-to-access areas.

The oil exploration and production sector's equipment requirement is benefiting from investments made three years ago when the price of oil reached an apex. Shipyards delivered 25 specialist deepwater rigs in 2010 and another 35 such units are due to be handed over in 2011.

While an earlier moratorium and current uncertainties as a result of Deepwater Horizon have effectively brought deepwater drilling in the US Gulf to a standstill, such activity is continuing largely unabated in many other parts of the world. Petrobras of Brazil, for example, is budgeting upwards of USD 30 billion for offshore oil development projects in 2011, the largest such commitment by an oil producer this year. The lion's share of the investment is committed to exploiting the rich resources of the recently discovered deepwater oil fields southeast of Rio de Janeiro.

Other plus signs for the oil supply/demand balance are improving oil field recovery technologies, increasing natural gas output and a potential rebound in Iraqi oil production. A good example of how advancing oil recovery techniques are helping to prolong the life of ageing oil fields can be found in the US. The inexorable slide in that country's domestic production, which began back in the 1970s, appears to have been arrested through the use of techniques such as hydraulic fracturing and horizontal drilling to rejuvenate geiatric oil wells.

Gas field developments have proceeded apace in recent years and the processing of the contents of these fields is producing rising volumes of not only dry natural gas but also associated liquids. Output of these light natural gas liquids (NGLs), which make good gasoline blending stock amongst other useful products, could climb by 700,000 barrels a day worldwide in 2011. OPEC members are able to increase the output of these liquids freely since they do not count as part of their production quotas.

Despite questions surrounding the strength of the market recoveries in several key trading areas, Asian economies are forecast to grow strongly again this year. Robust economic performances by China and India are expected to bolster world trade and push crude oil prices upwards by more than 10% this year, to the extent that the average world price for 2011 will be around the USD 100 per barrel level. Pragmatists point out that this is not such a frightening prospect because dollar-denominated oil is cheaper than it seems due to the decline in the value of the dollar in recent years.

In any case at the end of the day predicting the price of oil for the next 12 months requires the kind of omniscience possessed by few, if any, analysts. It involves accurately predicting global growth and output in dozens of countries, not to mention changes in technology, tax and regulatory policy as well as fickle market sentiment and geopolitics.

Motorists will have to content themselves with the fact that there are currently few signs of the bottlenecks that pushed oil prices through the roof in the summer of 2008. However, although oil supplies are readily available, demand is high and fuel will not be cheap in 2011. Oil producers and

marketers will post attractive turnovers, drillers will be active in particularly challenging environments and the world tanker fleet will be busier than ever before.

Editor's Note: Mike Corkhill is a technical journalist and consultant specialising in oil, gas and chemical transport, including tanker shipping and chemical logistics. A qualified Naval Architect, he has written books on LNG, LPG, chemical and product tankers and is currently the Editor of both LNG World Shipping and LPG World Shipping.

## Piracy crisis talks

Next week sees the launch of an action plan at IMO's London headquarters to promote the 2011 World Maritime Day theme "Piracy: orchestrating the response."

The launch will include speeches by UN secretary general Ban Ki-moon, IMO's secretary general Efthimios E. Mitropoulos as well as the executive directors of the World Food Programme, United Nations Office on Drugs and Crime. Shipowners' organisation BIMCO is sending its president Robert Lorenz-Meyer to address the meeting and David Cockroft, secretary general of the International Transport Workers' Federation will also be present.

The International Maritime Bureau's (IMB) latest annual report shows that more people were taken hostage at sea in 2010 than in any year on record. Pirates captured 1,181 seafarers and killed eight during the year, and a total of 53 ships were hijacked. The number of pirate attacks against ships has risen every year for the last four years, the IMB revealed. Ships reported 445 attacks in 2010, up 10% from 2009. While 188 crew members were taken hostage in 2006, 1,050 were taken in 2009 and 1,181 in 2010.

At the same time, naval commanders and security experts warn that Somali pirates are becoming more aggressive, and are using captured merchant vessels and their crews as 'motherships' to extend the range of their operations.

On Friday South Korean commandos stormed the hijacked chemical carrier Samho Jewelry and rescued 21 crew members. Eight Somali pirates were killed and the five captured in the rescue operation by the anti-piracy commando unit, which has been deployed as part of a joint international campaign since 2009.

UK seafarers union and Maritime London member Nautilus is seeking a meeting with UK government ministers. Nautilus general secretary Mark Dickinson has written to Africa minister Henry Bellingham to voice concern about the 'deeply disturbing' developments. He said Nautilus is particularly concerned about the potential impact of defence expenditure reductions on the already limited ability of naval forces to protect merchant ships and their crews in the expanding danger area.

"I believe that it is important for the Foreign Office to reconvene discussions on these issues and to consider further initiatives that could be pursued to ameliorate the increasing threat to merchant ships and their crews," he added.

The next Maritime London networking lunch takes place at Ince & Co on 2 February and will focus on piracy. Open to Maritime London members and their guests.

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