

Prestigious "BHARAT JOTHI AWARD" conferred on to Dr. K. THIAGARAJAN

An Internationally renowned Population expert and Founder of United Writers' Association, Chennai, Chevalier Dr. K. Thiagarajan has been selected for conferment of **BHARAT JOTHI AWARD** and Gold Medal instituted by Foundation for Social Amity and Peace, Cuttack. The Insignia, accompanying the Award eulogizes that Dr. K. Thiagarajan has been categorized As an effervescent scholar and subtle performer "whose sole motivation is not to become a Billionaire but his intrinsic ability to bring people together for a noble cause and motivate them To achieve the impossible is truly awe-inspiring". Demography and Social



Dr. Subir Gokuran, Deputy Governor, Reserve Bank of India addressing the gathering

Anthropology are his main research areas and through innumerable Publications he has eminently succeeded in juxtaposing the social, cultural and creative human Development against the backdrop of emerging cultural and social milieu-a-relationship that the Dominant society idealizes, yearns for and even romanticizes but is often unable to practice.

A Writer, according to Dr. K. Thiagarajan, "rigor is more important than vigor" and has 'The innate power to mould public opinion'. He is not comparable to a potter or sculptor or a Painter but regarded as a mother who enshrines life and gives birth to truth. Indeed his Eloquent pen, depicting varied and storied picturesque subjects such as lofty Himalayas, the snow-capped Kanchenjunga, the flowing waters of Holy Ganges, the intricate carvings and Stunning frescoes of world-famous Ajanta, Ellora, the sacred shrines and temples of our major Heritage sites, the ruins and remnants of war-ravaged times and ancient civilizations, indigenous Arts and crafts, the romantic lifestyles of wandering

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caravans was found to be highly Delectable with emotive expressions always refreshing with innate lyrical grace and style.

Several prestigious organizations and Universities at Hungary, Nepal, Norway, Austria, Bulgaria, Sweden, Japan, Belgium, Ireland, Poland, Brazil etc. have conferred several academic



Dr. K. Thiagarajan addressing the gathering

Accolades and Gold Medals to Dr. K. Thiagarajan in recognition for his enrichment and design of several innovative educational programmes for the marginalized poor including propagation of Education for tribal boys and girls and vividly demonstrated what a duly-elected democratic Government could indeed accomplish within the framework of proverbial excellence.

Effulgenet Star of the Decade 2012-13

Dr. Peechulli Krishnan Chandran, Managing Editor and Publisher of "MARINE WAVES" international maritime newsletter have to his background, 44 long years of rich

Industrial experience, of which 24 years ashore and around two decades of rich experience in Shipping (sailing and ashore) in Corporate Management. Last twelve years, he is dedicated to the welfare of the voiceless Seafarers, who are handicapped to get together and raise their voice, on their poor living and working conditions, out on the hard deep seas, leading a



Dr. P.K. Chandran, Chief Editor, "Marine Waves" receiving the Award from Dr. Subir Gukuran. Standing to his left is Hon'ble Justice, Madras & Kerala High Court Mr. Vallinayagam and right Mr. Narendra, CMD, Indian Overseas Bank

sacrificial life, away from their near and dear ones of their lives, with no tall claims, unlike those working ashore. An eminent engineer, writer and follower of Swami Vivekanand and Satya Saibaba, well known to have demonstrated outstanding achievement, in the field of marine engineering and management of administrations. Commonly known in shipping circles of his thoughtful vision, as 'Seafarer's man', a Rights and Social Activist concerned to seafarers well-being and welfare. The UWA Effulgent Star of the Decade Award for the year 20122013, for his outstanding achievement of excellence, in his specialized sphere of working.

At least 36 dead after Hong Kong ferry sinks following collision

HONG KONG (Reuters) - At least 36 people died and dozens were injured when a ferry carrying more than 120 revellers on a company outing collided with another ferry and sank near an island south of Hong Kong on Monday night, in one of the city's worst maritime accidents.

The ferry belonging to the Hongkong Electric Company, controlled by billionaire Li Ka-shing, was taking staff and family members to watch fireworks in the city's Victoria Harbour to celebrate China's National Day and mid-autumn festival when it hit the other ship and began sinking near Lamma island.

Survivors said they had little time to put on life jackets before the ferry flooded, trapping passengers.

"Within 10 minutes, the ship had sunk. We had to wait at least 20 minutes before we were rescued," said one male survivor, wrapped in a blanket on the shore. Some survivors said people had to break windows to swim to the surface. "We thought we were going to die. Everyone was trapped inside," said a middle-aged woman. HongKong Electric, a unit of Power Assets



Holdings <0006.HK> which is controlled by Asia's richest man Li, said the boat had capacity to hold up to 200 people. The tragedy was the worst to hit Hong Kong since 1996 when more than 40 people died in a fire in a commercial building.

The other ship, owned by Hong Kong and Kowloon Ferry Holdings, suffered a badly damaged bow in the collision but made it safely to the pier on Lamma, an island popular with tourists and expatriates about a half-hour boat ride from Hong Kong. Several of its roughly 100 passengers and crew were taken to hospital with injuries. "After the accident, it was all

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From the Editor's Desk



The secret of life is not enjoyment, but education through experience. — Swami Vivekananda

This is true knowledge: to seek the Self as the true end of wisdom always. To seek anything else is ignorance. — Bhagwad Gita 13.11

Mind is consciousness, which has limitations. We are originally unlimited and perfect. Later on we take on limitations and become the mind ... There is no mind to control if you realise the self. The mind having vanished, the self shines forth. — Ramana Maharshi

We look forward to the time when the Power of Love will replace the Love of Power: Then will our World know the blessings of peace. — William E Gladstone

The function of education is to teach one to think intensively and to think critically...Intelligence plus character - that is the goal of true education. — Martin Luther King, Jr

The end product of education should be a free creative man, who can battle against historical circumstances and adversities of nature. —

S. Radhakrishnan

The Universe is a multilayered existence; there are many levels: there are the molecular, the atomic and the subatomic levels. So also the human consciousness: though one, yet, it is many. — Sri Sri Ravi Shankar

We are today trying to master every kind of knowledge but are unable to discover our own true nature — Sathya Sai Baba

Desired level of Quality and Safety, can be achieved only through proper regulation, strict enforcement with the right zeal, energy and mindset, thereby determination to practically demonstrate the real conducive quality living and work-style onboard vessels out at sea. — Chandran Peechulli

It is with great pleasure that we send-out our newsletter, each month. We appreciate the feedback and reviews that we receive in so many contexts. I was pondering as to what message should be all about, to be mentioned in the interest of fairness and justice to seafarers and mankind. What I am finding and what we are finding is inspiration, hope, and a new refresh for creativity. So whether we are looking for increased intelligence, an ever deepening spirituality, capacity to gracefully cope with stress, breakthroughs of whatever fields of endeavours we are involved with, from personal relations, academics etc. because we are evolving and increasing the functional capabilities of that ever more revelatory and essential organism the human brain. We are getting individually and collectively better. And, what is rather amazing and exciting, is that we are just beginning this journey together. As we evolve together and figure out new applications of technology, we are evolving the technology as it evolves us - talk about a feedback in your own practices, our thoughts, and meditate to free from excess stress, we face in our daily lives. It is very important that seafarers venturing to sea are very well trained before their employment out at sea for performing efficiently, in living and working onboard ships and combating piracy. Hence, one should keep their hearts clear and fair (clean) with transparency, commitment and responsibility, not just outwardly appearance or be just sweet lipped in expression. Broadmindedly consider 'almighty God's creation of humans, by their outlook is either baked or frozen product, depending upon their placement in a cold country or the tropical country, which each one of us should agree of the reality, by exchanging our thoughts in a clean and free manner without clouding, with mutual respect and co-operation. 'Get ahead of the competition both professionally and personally' - invest in your capability, unlock maximum potential and develop your career. "Whatever you do, if done with integrity, quality and commitment, it's bound to endure."

“PEACE IS POSSIBLE ONLY WHEN WE ARE COMMITTED TO THE TRUTH”

PEACE not be restricted in viewing to land alone, consider 'SEAFARER'S VIEW' with the due human consideration. Calls for a wider perspective view, since Shipping is International and 'Act that similar way', for the national and international bodies to act unbiased for appropriate action. "SEAFARERS are not SOLDIERS" but specialised trade personnel, with the requisite skills, in the respective depts., of Navigation, Marine Engineering and Catering discipline (Food & House-keeping), to support the transportation of goods by sea. Primarily serve their employer (Shipping Companies) keeping the world trade active. Maritime nations should ensure all those employed out at sea are protected, considering their welfare, in their health, safety and environment. Some vested interests in a lop-sided manner are only trying to promote security guards and arms on-board exploiting the existing piracy situation by publicity and advertisement, and primarily not just for the seafarer's safety or their interest alone, for all their (SEAFARER's) risks out at sea and sacrifices, separation from their near and dear ones, not considering the after-effects, of arms on-board. "IT WOULD BE THE GRAVEST MISTAKE TO GIVE WEAPONS" AS DESIRED BY Somalia's PRESIDENT o "It is high time the maritime nations of the world awake and get united, to eradicate the pirates out at sea - Once for all " Un-arming the pirates, ensuring no arms reaches the PIRATES" also ensuring able-bodied personnel who are physically and mentally fit, are employed on-board the merchant vessels rather than considering arms on-board the merchant navy vessels, thus complicating the issue to add on problems on-board. Funds to SOMALIS, be restricted, considering basic needs of humanity.

'INDIA' LACKS A UNIFIED POLICY owing to states acting to their whims and fancies, without control of the centre, but for political capital out of it. 'THE CENTRE' to be in total preparedness to meet any eventuality, in the interest of the nation. Media should work towards exposing the wrongdoings in the society. Media has power of initiating the change in society, for making it better. But at some instances, some stray incidents reporting were completely baseless as with the Directorate General Shipping, of the Ministry of Shipping. This misleads the people, which should be prevented at any cost. All media is not engaged in such false-reporting. Maximum-media is engaged in good way as our Arnav Goswami of TIMES NOW, does. Media should not interfere in the judiciary-process, but for highlighting all the wrong-doings as feedback for early corrective action. Media is not expected to report as a messenger, without discussing the issue with the relevant. The moment some decides to discuss, they fall a prey by being biased to their own values, own political or social views etc. Even a judge can't say that he or she is not biased towards justice and truth! And finally a wrong media is always better than no media. Instead of framing guidelines, the judiciary or officials can take action on the erring media and make that action a deterrent one. But then the media must have the right to defend. HENCE all human acts to be under check to define the limit of decent reporting. Media is certainly crossing its limit as reported on shipping and maritime reporting. Without trying to verify the full facts, the media comes to conclusions on major issues and strengthen their conclusions by panel discussions with the same set of panellists, the so called 'expert commentators'. It is nothing but fooling and prejudicing the minds of public. The need for an upright IAS officer like, Sri. Lukose Vallatarai, who had earlier served as Jt. DGS. Media has a very important role to play. They are supposed to find factual positions keeping all aspects into consideration before coming to public. Instead they flaunt fragmented documents as evidence and influence the public.

Dr. Chandran Peechulli, Ph.D ; D.Sc., F I E (India), F.I.L.P.E., M.S.E.I., Pg.DTED, Pg.DIMS(UK), MSNAME(US), Fellow - Institution of Engineers (India), Indian Institution of Plant Engineers & Ex. Vice Chairman TN Chapter, Life Member & Ex.Executive Member-Indian Institute of Standards Engineer T N Chapter, Indian Institute of Occupational Health, Managing Editor & Publisher - "Marine Waves" International Maritime Newsletter. Corporate Member, Chennai Press Club. Ex. Chief Engineer (Marine) & General Manager (Tech), Consultant - Cee Cee Industrial & Marine Management Consultants. seafarersman@indiatimes.com Address : M107-5, 29th Cross Street, Besant Nagar, Chennai-600090. +91-44-42018982.

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chaos and people were crying. Then water began seeping in and the vessel began to tilt to one side and people were all told to stand on the other side and everyone started putting on life jackets," a male passenger who was on the Lamma ferry told reporters.

SEARCH FOR SURVIVORS CONTINUES: Hong Kong is one of the world's busiest shipping channels, although serious marine accidents are rare.

The waters around Hong Kong were busy on Monday with numerous passenger ferries, private leisure boats and fishing vessels out to watch the city's fireworks, but it is unclear why the two ferries collided. "Our ferry left Lamma island at 8.15 pm to watch the fireworks display out at sea, but within a few minutes, a tugboat (ferry) smashed into our vessel," Yuen Sui-see, a director for Hongkong Electric, one of the city's two main electricity generators, told reporters. A spokeswoman for Hong Kong and Kowloon Ferry said they were assessing what had happened. "Our captain is not well and we have not been able to talk to him so far," the spokeswoman told local television. A maritime department spokesman told reporters: "Normally vessels ought to stay and help other vessels in distress. But what we heard was that the other ship had passengers who were injured and needed help." The nighttime collision sparked a major rescue operation involving dive teams, helicopters and

boats that saw scores of people plucked from the sea. Television pictures showed the red and blue bow of the Hong Kong Electric Company ferry pointing skywards, surrounded by rescue vessels. By Tuesday a large crane on a barge had been connected to the stricken ferry. "We will continue our search. We also don't rule out that some may have swam to shore themselves and haven't contacted their families and so may not be accounted for," Ng Kuen-chi, acting deputy director of fire services told local television. The search was hampered by the vessel being partly sunken, poor visibility and too much clutter inside the vessel, Ng said. Teams of men in white coats, green rubber gloves and yellow helmets carried corpses off a police launch in body bags on Tuesday. Local media reported that children were among the dead. At one of the city's public mortuaries around 50 grieving relatives gathered, some crying, while others were called into identify the dead. More than 100 people were sent to five hospitals and nine people suffered serious injuries or remain in critical condition, the government said in a statement. Hong Kong leader Leung Chun-ying visited survivors of the collision and pledged a thorough investigation into the crash. Flags flew at half mast at Li's Cheung Kong Group headquarters in the heart of the city's financial district on Tuesday, as well as at government headquarters. Thousands of Hong Kong residents live on outlying islands such as Lamma, which lies about three km (two miles) southwest of Hong Kong island.

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

2 Ships Collide Off Northeast Japan, 13 Crewmen Missing:

Following a collision with a large cargo ship off northeast Japan, 13 crewmen from a 22-man fishing vessel are missing, according to the Japanese Coast Guard. The 119-ton Horiei Maru and the 25,047-ton Panamanian Nikkei Tiger collided about 900 kilometers east of Sendai in the Pacific Ocean around 2:30 a.m. Sunday, reports the Washington Post.

The smaller ship may have sunk, but reports remain unclear currently. Two Shioyama Coast Guard rescue planes were deployed to search for any survivors. Nine members of the fishing boat's crew were rescued by another nearby fishing vessel. Twelve of the missing men are Japanese, and one is Indonesian. The cargo ship and its crew of 21 were unaffected overall.

Norgas at the centre of ferry deaths inquiry:

Following a collision with a local ferry in the Sunda Strait, which allegedly caused the deaths of eight people this week, Norgas Carriers confirmed that its 10,200 dwt LPG carrier 'Norgas Cathinka' is now anchored at Merak Roads, Indonesia.

Investigations into the incident were continuing, the company said.

'Norgas Cathinka's' Master, Chief Officer and an ordinary seaman were continuing to assist local police in their investigations into the incident in which the vessel was in collision with a ro-ro passenger ferry, which later sank.

Norgas Carriers said in a statement that it had appointed a firm of international maritime consultants to conduct an independent investigation into the incident.

Local reports said that eight people from the ferry are still missing, presumed dead and more than 100 were rescued.

It was also reported that The National Transportation Safety Committee of Indonesia had assumed responsibility for the independent inquiry.

Norgas Carriers said that it noted local reports alleging the 'Norgas Cathinka' did not stop immediately following the incident in the early hours of 26th September. The company said that it wished to point out the Master has reported that the vessel stopped, as soon as it was safe to do so following the incident.

It also stressed that such an allegation is speculation and does not help in the authorities' efforts to conduct a fair and impartial investigation.

Morits Skaugen, CEO of IM Skaugen, owner of the Norgas operation, said: "Our sole aim here is to ensure that the absolute truth comes out about the events which led up to the accident on 26th September. It is our firm intention to co-operate in every way we can with the on-going investigations in Indonesia. It is important the investigation is impartial and contains all the facts. I believe the outcome of the investigation will uncover the full truth of the incident and that our Master did everything he could under the circumstances after the incident."

Norgas Carriers, which is a wholly owned subsidiary of IM Skaugen, also said that the voyage data recorder (Black Box) on the ship's bridge will be taken from the vessel thus enabling the data to be analysed in the presence of Indonesian National Transportation Safety Committee representatives.

The Harbour Master at the Port of Merak and his technical representatives will also be present at the handover.

Earlier, the company had said: "We can confirm the 'Norgas Cathinka's' cargo of propylene is secure and there is no pollution or environmental damage from our vessel." The vessel had sustained structural damage as a result of the collision, the Master said.

Pilot error blamed for Aframax collision:

US Federal investigators have concluded that pilot error caused the collision of an Aframax with a containership in the Houston Ship Channel in October 2011.

The National Transportation Safety Board (NTSB) said in a statement this week that the collision between the tanker 'Elka Apollon' and the containership 'MSC Nederland' "...was likely caused by the inappropriate response of the pilot..." controlling the tanker.

Also a factor was the combination of a narrow waterway and dense marine traffic.

The NTSB urged the US Coast Guard to become "more proactive" in keeping vessels adequately separated in higher-risk sections of the channel. The collision happened where the Bayport and Houston ship channels intersect.

Capt Robert Thompson of the Houston Pilots disputed the finding of pilot fault, saying the proximity of another vessel resulted in the collision, according to local press reports.

Warsash to inaugurate full mission engine room simulator: Warsash Maritime Academy (WMA) is due to officially launch its new full mission engine room simulator next week.

It will be officially opened by Milhar Fuazudeen, the Head of the Maritime Training and Human Element Section, within the Maritime Safety Division at IMO on Thursday 4th October.

This specially designed, full mission engine room simulator is claimed to be the first of its kind in the world and features facilities that mimic real shipboard environments.

By integrating simulator technology with real vessel control and electrical systems, it represents a significant advancement in bringing realism into this highly specialist training area, providing candidates with an environment in which they can develop their technical engineering skills and their non-technical human element, leadership and management skills to exceed the requirements of STCW10, WMA said.

A suite of rooms, which consist of an engine control room, an emergency switchboard room, a high voltage room and a photorealistic engine room, as well as an instructor station, will provide training for students from all over the world.

An engineer using the new simulator learns in a virtual photorealistic engine room, which deploys realistic operational time delay, as well as typical noise and temperature levels, closely recreating the engine room environment.

In addition, the closed room set up means the operator has to communicate with the rest of the team by radio or telephone, as they would on board a ship.

There are three photorealistic engine room options, including a VLCC slow speed diesel engine. It took over three months to plan the photorealistic component of the interactive 3D work stations and took a specialist cameraman four days to film on board.

The types of trainees who benefit from the new simulator are serving engineering officers, marine surveyors, technical

superintendents, electro-technical officers and merchant navy officer cadets, WMA explained.

Under the guidance of Lloyds Register, the layout of the power and distribution system is in accordance with current class society rules.

Andrew Hair, director of Warsash Maritime Academy said; "The set up and design of our new full mission engine room simulator is the first of its kind in the world and it is backed by extensive experience of practical simulator training and academic application. It also reflects a focus that lies at the heart of many of our successful training programmes - namely, creating an atmosphere within the simulator that mirrors the exact conditions to be found in a real engine room environment on board ship."

ISU not happy with proposed bunker removal clause: Members of the International Salvage Union (ISU) are to discuss a proposal to insert a new bunker removal clause in salvage contracts.

This and other issues were aired at the ISU's 58th general meeting held in Istanbul, 25th-26th September 2012.

The proposal for a new bunker removal clause came from the International Group of P&I Clubs, who suggested it should be inserted as an option in the commonly-used Lloyd's Open Form (LOF) salvage contract.

The intention is to enable liability insurers to have more influence over the process of removing bunker fuel from casualty vessels.

Commenting on the proposal, ISU president, Andreas Tsavlis, said: "We have had preliminary and informal discussions with the Clubs and others but I have to say we have serious concerns about a Bunker Removal Clause. Nevertheless, the idea is relatively new to us and our executive committee and our membership have agreed at our AGM to form a sub-committee to give the idea more consideration and we have asked that committee to report its views to the next scheduled ISU executive committee in December."

At the same meeting, salvors confirmed their intention to press for a change to the 1989 Salvage Convention at the forthcoming meeting of the over-arching marine law body the Comité Maritime International to be held in Beijing in October 2012. Possible changes to the Convention are set to be a key part of the CMI's agenda.

ISU has suggested that changes should be made to the Convention to enable financial awards to be made that specifically recognise salvors' efforts to protect the environment. The changes would also mean that payment for environmental protection in salvage cases would be more fairly spread between property and liability insurers.

Tsavlis said: "We believe we have made a strong case for change and we think it can come about through quite simple amendments to key parts of the 1989 Convention. We think our suggestion is fair and will give proper encouragement to salvors to intervene in cases which threaten the environment. This was always the intention of the 1989 Convention. We know

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that the P&I Clubs do not share our views on this but we are looking forward to hearing the matter fully discussed in Beijing."

The ISU also announced that it will introduce its own award to recognise meritorious service among its membership. The award will not be made annually but on an ad hoc basis and will be judged by members of the ISU executive committee.

Underwriters should shoulder more responsibility:

Underwriters should be asking more questions at the time of placing, or renewing marine insurance, Braemar (Incorporating The Salvage Association) has suggested.

The company explained that this would reduce the risk of major incidents and cut unnecessary costs.

Speaking at the International Union of Marine Insurance (IUMI) annual conference in San Diego last week, regional director for the Americas, Richard Gayton, said the vulnerability of vessels to both attritional and major losses should not be masked by the label of human error.

He called for underwriters to ask more detailed questions when rating or determining the need for a risk assessment survey to ensure these vulnerabilities were properly identified at the time of placing.

With manning levels having more than halved in the past 60 years and automation on board resulting in fewer technical personnel, Gayton pointed out that recruiting surveyors to survey damages, review tenders, monitor repairs and approve costs will ultimately significantly reduce restoration costs when casualties do occur.

"Underwriters play a pivotal role in our market, having driven necessary industry changes in the past while industry players have dragged their heels. More pointed questions by underwriters at placing, especially regarding crewing levels and training, could make a real difference to restoring unjustifiable deficiencies, and so cutting casualties and costs," Gayton said.

Day of the Seafarer Celebrated:

The Government has decided to increase training slots for cadets and ratings and also pay for it, this was revealed by Capt. P.V.K.Mohan, Chairman, National Shipping Board, Chief Guest at the "Day of the Seafarer" celebrations. Capt. Mohan also revealed decision to deploy CISF on Indian ships and in Major



and non-major ports. Talking of shore leave for seafarers, he assured that he would personally take it up with authorities. On taxation of income of Indian seafarers' he said, Mr. G.K. Vasan, Minister of Shipping had led a delegation on the issue to Finance Minister; Capt. Mohan added he would take it up with Shri M.C. Jauhari, JS (S), MOS. Regarding piracy, he opined

that besides on sea, there was a need for taking action on land too to contain the menace. Responding to the concern expressed by Shri Abdulgani Y Serang, General Secretary, NUSI about ratification of ILO Convention MLC 2006 and 'Seafarers Identity Document Convention', (Convention 185) Capt. Mohan stated that it has been taken up seriously.

In his welcome address, Mr. S. Hajara, CMD, Shipping Corporation of India and President of INSA explaining the significance of the "Day of the Seafarer", celebrations said The International Maritime Organization (IMO) has identified 25th June of each year as 'Day of the Seafarer' to recognize the invaluable contribution of 1.5 million seafarers to international trade and the world economy, often at great personal cost to themselves and their families. The celebration also aims to show respect, recognition and gratitude to seafarers everywhere, he said adding competent seafarers' are the backbone of shipping. The celebrations are an innovative way of creating awareness of the seafarers role, he concluded.

In his address Mr. Deepak Shetty, IRS, officiating Director General of Shipping, highlighted the steps being taken by DGS at digitisation of various services. Talking of e-Pariksha he said the recent MEO exams was well accepted and it would be replicated for Nautical side too. Another significant highlight in his address was about need for engaging seafarers in policy initiatives in the form of their feedback enabling refinement before their implementation. For this he suggested greater use of social media such as You Tube and Twitter. He expressed hope that things would turn around in 2 years and there was no need to be pessimistic.

In his keynote address Shri K. Rajvanshi, MD, Fleet Management Ltd, Hong Kong highlighted some of the factors that were dissuading people from joining a seafaring career. He said wider publicity to negative news such as criminalisation of seafarers and piracy were making youngsters have second thoughts about joining a seafaring career. Besides, he added rising affluence and better opportunities on land were also preventing youngsters from joining career at sea. He suggested need for government policies and special incentives for joining sea career. Cost effective way of improving edge of Indian seafarers would be by mentoring, he said.

In his keynote address by Capt. Sudhir Kumar, Sailing Master highlighted that Indian certificates command high respect and for this he credited maritime administration. Not providing shore leave to Indian seafarers' in India he said was something that was not done by any other country. This was burning out the seafarers more so the senior management. He urged industry to return dignity to the seafarers. Turning to piracy, he urged administration to set up mechanism to ensure that the families of the seafarers taken captive by pirates were paid their salaries and allowances. India he said is the only country in the world that has an ocean named after it, he said we must defend the honour of our ocean.

In his address by Shri Abdulgani Y Serang, General Secretary, NUSI presented a wish list urging government to ratify ILO Convention, MLC 2006 and SID 185, which he said had implications for the Indian seafarers. Besides he asked for gainful employment opportunities for India seafarers; compliance with maximum working hours; communication facilities for seafarers on ship; and income tax exemption. He appreciated governments role in prosecuting pirates. As a measure of countering piracy Mr. Serang suggested declaring area beyond Somalia as no Skiff zone.

In his brief address by Shri M.C. Jauhari, JS (S), MOS conveyed the best wishes to the seafarers on behalf of Mr. G.K. Vasan Minister of Shipping and Mr. Pradeep Sinha, Secretary Ministry of Shipping who were unable to attend the function. He assured Mr. Serang that the Ministry would do their best to address the issues raised by him.

Mr. A.K. Gupta, Director, SCI concluded the function with a vote thanks.

Maritime Leaders Cite Seafarers' Congress:

MANILA, Philippines - For the first time in the history of the country's maritime and shipping industry, Filipino seafarers deployed on board ocean-going vessels aired their voice presenting actual situation in their work life, their problems, and expectations from authorities for positive actions during the 2nd Philippine Seafarers' Congress (PSC) held at the convention hall of the Associated Marine Officers' and Seamen's Union of the Philippines (AMOSUP) in Intramuros, Manila last Sept. 27 to 28, a major highlight in the 2012 celebration of National Maritime Week (NMW) carrying the theme, "100 Years after the Titanic: Lessons from past maritime disasters."

AMOSUP president Dr. Conrado F. Oca, who delivered the opening address at the confab, said the dreams of many Filipino seafarers "to uplift the economic lot of their families has become a big reality," as they are undoubtedly "hardworking, God-fearing, could easily adjust to various foreign cultures, and continue to strive to be the best in the job assigned them, with good command of the English language," that jibed with the congress' theme, "Global Competitiveness of Filipino seafarers."

After acknowledging the presence of officials from the maritime-related agencies who engaged in healthy discussions and interactions with participating seafarers, one good development that sprang up during the open forum was the suggestion of seafarers to make the renewal for issuance of Seaman's Identification Registration Book (SIRB) "free of charge."

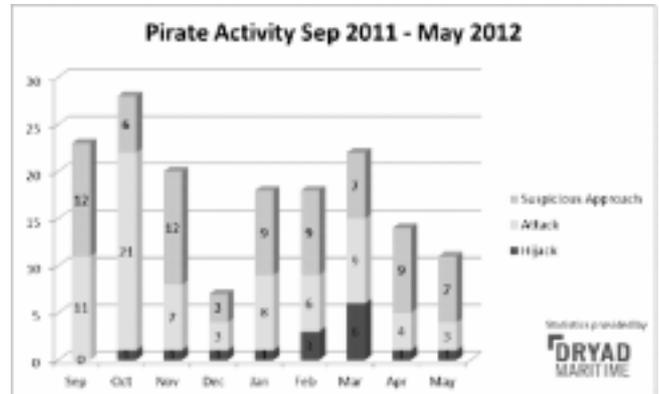
Fortunately, the suggestion was approved by Maritime Industry Authority (MARINA) Administrator Nicasio Aranas Conti, himself a son of seafarer. Conti welcomed the suggestion, stressing "this will be given priority," as seafarers deserve this privilege. "We remain as the largest supplier of seafarer manpower in the world's crew fleet with now more than 400,000. Last year alone, on record, they had a joint remittance of US\$4.3 billion," he said. Congress chairman Engr. Nelson P. Ramirez, who is president of United Filipino Seafarers (UFS) Union, led in recognizing DIWA party-list Rep. Emmeline Aglipay who, they described, as "the voice of seafarers" in the House of Representatives for sponsoring the proposed "Magna Carta of Filipino Seafarers."

Maritime intelligence agency cautions against complacency:

Pirate operatives have awoken from their hibernation to venture forth from safe havens and launch long-range mothership-enabled pirate operations with the first confirmed attack in the Arabian Sea on Monday this week.

Following three months of very limited deployments constrained to the Southern Red Sea, Gulf of Aden and sheltered areas along the Omani coast, Dryad Maritime predicted that, despite industry optimism of 2012, the end of the South West monsoon season will see the resumption of pirate attacks. The first attack of the pirate season came on Monday when an Omani dhow was attacked near the port of Salalah.

"Somali pirates are not out of business, even if times are hard when compared to the success of earlier years. The pirate business has suffered a few setbacks, but the threat remains a very real one; the capability is intact and the motivation of those engaged is unlikely to have been diminished to the point of defeat. The message is clear - complacency is the greatest threat and constant vigilance, the greatest weapon in the fight against Somali pirates".



Ian Millen, Director of Intelligence, Dryad Maritime:

Dryad Maritime's combination of monitoring and regular observation of environmental conditions has confirmed that, over recent weeks, wind speeds and wave heights across the Indian Ocean and Arabian Sea have decreased heralding the approach of the inter-monsoonal period. This will create the optimum conditions for pirates to test the water further afield, no longer constrained by adverse weather conditions.

However, various international maritime bodies have heralded the end of this year's monsoon season as 'pivotal' going so far as to champion cautious optimism. Indeed recent statistics would support this approach. The relative calm of recent weeks has been a reflection of the suppressive operations conducted by naval forces in waters normally featuring pirate activity (Gulf of Aden and Southern Red Sea) in previous South West monsoon periods. Only a few months ago the US Navy issued a report which showed acts of piracy in the treacherous waters around the Horn of Africa had fallen sharply. This was supported by a similar paper issued by the International Maritime Bureau (IMB). The numbers are astounding and encouraging - only 46 pirate attacks occurred in the area in 2012 compared with 222 in 2011 and 239 in 2010. Only nine of the piracy attempts this year have been successful, a significant decrease set against 34 successful attacks in 2011 and 68 in 2010 (See Dryad's Pirate activity graph 2010-11).

"In the face of such figures, we could be forgiven for thinking that it is 'game over' for Somali pirates, beaten into submission by coalition maritime forces and frustrated by the layered defence of predictive intelligence, armed guards and effective physical protection. To do so, however, would be a big mistake because so little has changed when viewed through the eyes of the maritime criminals in question".

This sea-change is largely attributed to both aggressive patrolling by international forces and increased vigilance by the commercial shipping industry. Commercial vessels are increasingly carrying armed security teams and no vessel with such a team on board has yet been hijacked.

Even Superyachts with their superior speed and maneuverability carry armed guards when transiting through the high risk Gulf of Aden area.

Similarly, 2012 has seen a number of well reported high profile counter-piracy raids conducted by US and European forces. Some experts believe this is acting as a deterrent to potential hostage-takers. March saw the release of Judith Tebbutt who had been held since September 2011; July, Deborah Calitz and Bruno Pelizzari held for seventeen months and in August, the crew of the MV Albedo who had been held since November 2010. Dryad concur with security commentators that for the first time in many years there are no cruising sailors known to be held captive by pirates.

The most striking fact is that there have been no successful pirate attacks on large merchant vessels since May and none attempted since the end of June. Although this is normal and expected in open ocean areas during the monsoon season, it is the longest gap in pirate attacks in the last five years in the Horn of Africa.

But this optimism must be tempered, piracy remains rife in the waters around Somalia meaning that the most popular and natural route for recreational sailors is still firmly off limits and all cruising sailors are still advised in the strongest possible terms to avoid the North Western Indian Ocean. Based on the changing trends a transiting yacht may appear a far more attractive target (despite meagre pickings) than a commercial vessel.

Despite the interventions carried out by international naval forces which act as a preventive measure to contain pirate motherships and skiffs in harbour; with well over 1000 miles of Somali coastline to launch from, Dryad predicts that pirates will manage to get to sea and evade military patrols in the area.

Similarly, following the end of the South West monsoon, Dryad advise that the sheer vastness of the Arabian Sea and Indian Ocean will open up for pirate business. It is extremely difficult for international naval forces to comprehensively patrol such a sizeable threat area and responding to incidents in such open ocean areas is by no means instantaneous. Although there are plenty of statistics and reports to show months of inaction, Dryad Maritime have issued guidance to caution against complacency - the biggest threat to vessels at sea. Somali pirates only have to get lucky once to carry out the next successful hijacking.

Marine Engineers' Convention on overcoming economic meltdown: At the two-day convention of marine engineers the focus was on resolving impediments which obstruct progress of the maritime sector.

It is incredible that the two-day 26th National Convention of Marine Engineers finally took place in Mumbai, (Navi Mumbai to be exact) over the past weekend on 22nd and 23rd September 2012. It is in fact the first time in several years that Mumbai was selected as the venue of this convention. But the choice of the venue proved to be a boon as it saw a fabulous turnout with representatives of every sector of the maritime trade turning up - the who's who of the marine trade was in attendance.

Held under the aegis of Marine Engineering Division Board, The Institution of Engineers (India), which is one of the oldest trade organizations in the country with its roots way back into 1920 - during the days of the British Raj - this mega establishment and their associates had eventually decided on holding the event after several years in this metropolis, which serves as the maritime business center.

The organizers of the convention were The Institution of

Engineers (India) Belapur Local Centre, Navi Mumbai (IEI) and The Institute of Marine Engineers (India) Mumbai Branch & Navi Mumbai Chapter - IME(I). They invited the newly appointed Prof G Raghuram as Vice Chancellor of the Indian Maritime University to grace the occasion as the chief guest.

According to Subrat Mukherjee, Secretary IME(I) Navi Mumbai Chapter, who was the main inspiration in coordinating and organizing the event remarked that the event drew one of the largest gatherings of marine engineers in the city in recent times, as some of the heartburning issues were deliberated upon at the forum under the theme "Economic Melt Down - Overcoming, Effects on the Maritime Industry".

He also stated that the reason for selecting this theme is that over the past three years, there has been a dramatic melt-down in the world economy affecting international trade and consequently, the maritime industry. To overcome this downward trend on the global economy and maritime industry, IEI need the support of not only the government but also from all the stake-holders with positive long term and short term measures, without the international free-trade falling prey to protectionism.

"Under these circumstances, this convention dealt with the maritime industry as a whole, and shipping in particular, on matters pertaining to technology, financial systems, human resources, regulatory measures, environment and safety for overcoming the shrinkage of the global economy," Subrat Mukherjee said.

To put it succinctly there was a lot of soul searching and proposals made to resolve the vexing issues threatening to derail various sectors of the maritime industry. In his welcome address, Anil Rao the convener of the convention pointed out that, "A good period which is considered good for growth was also responsible for future slump. Whilst there is no subsidy for ship repairs and getting licenses was frustrating, engineers make ship repairs happen everywhere but in India."

Dr. K. Gopalakrishnan, Chairman of IEI touched upon the government maritime agenda and the investment required for tripling the cargo throughput of Indian ports by 2020 which can happen through public private partnership. Hence, all this hinged on private players taking on a major role. He desired that marine engineers turn their attention to the Exclusive Economic Zone (EEZ) and help explore and exploit the offshore resources for the benefit of the nation. "We marine engineers need to rise to the occasion and explore the offshore wealth in order to make the maritime sector competitive," he said.

Appealing to the chief guest Prof G Raghuram, President of IME (I), Dr. B. K. Saxena requested that the IMU introduce value added courses on the same lines as in the U.K.

Giving a brief insight into the cyclic nature of shipping trade and the gap between supply and demand that was affecting the trade A. K. Gupta, Director (T & OS) of the Shipping Corporation of India, the guest of honor, asked fellow marine engineers to turn their focus on the last mile transport which was important to bring down the cost of shipping goods. In this regard he also spoke about development of fuel efficient engines and the need to make the maritime trade more competitive.

P. K. Jha, M. D. of MSC Shipmanagement Ltd., who was also guest of honor, remarked that the operating costs have gone up mainly due to various regulations having come in. "Today, the challenge is to survive the recessionary climate and at the same time continue to grow without sacrificing quality standards

and safety. In this regard MSC has introduced various initiatives to enhance safety and quality of service," he said.

In his presidential address, Prof Raghuram observed that India had plenty of talent and resources. He contended that India needs to unlock the value of its maritime sector. "International trends affect India's own growth," he said. "Unless India unlocks the huge potential it has, it will not be possible for the country to take the present crisis in its stride."

Industry Celebrates World Maritime Day - September 27, 2012: The World Maritime Day theme for 2012 is "IMO: One hundred years after the Titanic", which will focus on the Organization's roots and raison d'être, i.e. safety of life at sea.

One of the consequences of the sinking, in 1912, of the Titanic, in which more than 1,500 people lost their lives, was the adoption, two years later, of the first International Convention for the Safety of Life at Sea (the SOLAS Convention). The 1914 version of the Convention was gradually superseded, respectively, by SOLAS 1929, SOLAS 1948, SOLAS 1960 (the first adopted under the auspices of IMO, then known as IMCO) and SOLAS 1974. SOLAS 1974 is still in force today, amended and updated many times.

This year's World Maritime Day theme will provide an opportunity to take stock of the developments in maritime safety since that disaster and to examine which areas of ship safety should be given priority in the years to come.

UN Secretary-General's Message for 2012: When the passenger liner Titanic departed from Southampton on 10 April 1912 on her first transatlantic voyage, no one could imagine the drama that would unfold over the next four days. After the ship hit an iceberg and sank, with the loss of more than 1,500 lives, the story of that ill-fated ship became etched forever in the public consciousness.

Undoubtedly the most important legacy of the Titanic disaster was an urgent acceleration in the process of setting and implementing international standards and procedures for maritime activity. The first international conference on the safety of life at sea was held in London in January 1914. Its outcome - the Convention on Safety of Life at Sea - remains the leading international treaty on maritime safety. The task of keeping it updated, and maintaining its development in light of technological advances, falls to a United Nations agency, the International Maritime Organization.

Each successive generation brings new challenges. In recent years, the passenger shipping sector has seen phenomenal growth on all fronts - numbers of passengers, numbers of ships, new destinations and, perhaps most significant of all, in ship sizes. And despite advances in technology, accidents continue to occur, as demonstrated when the Costa Concordia ran aground in Italy earlier this year.

Nevertheless, thanks largely to the IMO regulatory regime, shipping today is safer and more environmentally friendly than it has ever been. New regulations for passenger ships were adopted by the IMO in 2006 and entered into force in 2010. They ensure that all new passenger vessels are constructed to the highest possible standards. A century after the Titanic was lost in the icy waters of the North Atlantic, the IMO is striving to ensure continual improvement in safety at sea. Its work is as important now as ever. - **Ban Ki-moon**

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I.M. Skaugen releases update on incident involving Norgas vessel off the coast of Indonesia:

Norgas Carriers Pte Ltd of Singapore reports its operated vessel the Norgas Cathinka has anchored off the port of Bakauheni in Indonesia and local coast guards have now left the vessel.

The move follows an incident earlier today in which the vessel was involved in a collision with a Ro-Ro passenger ferry Bahuga Jaya near Merak.

A search and rescue operation, which was mounted immediately after the incident at 05.40 hours this morning, is continuing.

Local but as yet unconfirmed reports in Indonesia say that eight people are still missing. More than 100 passengers from the ferry were rescued.

We are awaiting Flag State and Classification society confirmation of seaworthiness of the vessel and the integrity of the cargo. Upon such approval we will relocate the vessel in cooperation with the authorities to a safe anchorage. This will enable the authorities to complete their investigation.

The Master has reported that our vessel sustained structural damage to its hull but there has been no ingress of water and there is no danger of the vessel sinking.

We can confirm the Norgas Cathinka's cargo of Propylene is secure and there is no pollution or environmental damage from our vessel.

Local police are still on board the vessel and our Master and crew are co-operating fully with on-going investigations.

A team of senior crisis response executives from Norgas has now arrived in Indonesia and Norgas Carriers stresses again it will continue to co-operate with inquiries into the causes of the incident.

Morits Skaugen, IM Skaugen Chief Executive Officer, said: "I wish to personally place on record my regret and sorrow over this sad and unfortunate incident.

"I also wish to offer my condolences to the families who have lost loved ones today and stress again that as a responsible ship owner for almost 100 years, it will be our company's absolute duty to discover the truth about how this happened.

"We shall be unstinting in our efforts to discover the facts of the incident and we are giving full co-operation to the investigations into the incident which continue".

Norgas Carriers will issue another statement once there are developments.

LPG Tanker & Passenger Ferry Collide Resulting in At Least 8 Fatalities:

An LPG tanker and a passenger ferry collided to the west of Indonesia's main island. The ferry sank shortly following the collision, in the early hours of Wednesday morning, leaving at least 8 people dead.



The collision occurred about 4 miles from Bakaheuni port in Lampung province. A Bakauheni port official - located on southern Sumatra Island - stated that over 210 passengers were rescued from the accident area. At least 80 of those survivors are currently being treated at a nearby hospital for injuries; one person is confirmed to be in critical condition as of now.

Although it is unknown how many people may still be in the water, authorities are continuing their search. Two helicopters and two warships were joined by a naval dive squad and several other search and rescue vessels in the search for survivors. The cause of the ship collision is still under investigation.

The LPG carrier has not confirmed any damage due to the incident as of yet. A team of experts have been checking for gas leaks from the ship, however, with no signs reported currently.

According to the Associated Press, ten nearby merchant ships quickly responded to the captain's distress signal, sailing in from the Sunda Straits to help rescue passengers and crew. Just 20 minutes after the distress signal was given, the ferry sank.

Eight bodies have been pulled from the surrounding waters, including that of a 10-year-old girl. They are believed to have drowned because they could not swim and jumped into the sea without life jackets.

The official manifest showed the ferry was carrying 213 passengers and crew, as well as 78 vehicles. It has the capability to transport 300 passengers and 70 vehicles. Unfortunately, manifests are often unreliable in Indonesia because tickets are sold onboard to passengers who are never registered. The Bahuga Jaya ferry links Java and southern Sumatra. It went down about 40 minutes into the 90-minute journey, after departing from Java's Merak port.

Hours of rest: Have you done the math lesson ?

STCW 'fitness for duty - hours of rest' requirements: As you are well aware of IMO has amended the "fitness for duty - hours of rest" requirements to provide watchkeeping officers aboard ships with sufficient rest periods at the Diplomatic Conference to adopt amendments to the STCW Convention, (successfully completed in Manila on 25 June 2010).

Under the Manila Amendments to the STCW Convention, in full implementations since 1.1.2012 all persons who are assigned duty as officer in charge of a watch or as a rating forming part of a watch and those whose duties involve designated safety,

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prevention of pollution and security duties (including Masters and catering staff NOT affected by previous regulation referring ONLY to those with watch duties) shall be provided with a rest period of not less than:

1.a minimum of 10 hours of rest in any 24-hour period; and 2.77 hours in any 7-day period.

Minimum restrictions include that the Hours of rest:

May be divided into no more than two periods, one of which shall be at least 6 hours in length, and the intervals between consecutive periods of rest shall not exceed 14 hours.

Schedule need not be maintained in the case of an emergency or in other overriding operational conditions. Musters, fire-fighting and lifeboat drills, and drills prescribed by national laws and regulations and by international instruments, shall be conducted in a manner that minimizes the disturbance of rest periods and does not induce fatigue.

An interesting and most useful bit in the new regulation is that it provides for the MASTER'S OVERRIDING AUTHORITY (A-VIII/1, para 8) stating that " Nothing shall be deemed to impair the right of the master of a ship to require a seafarer to perform any hours of work necessary for the immediate safety of the ship, persons on board or cargo, or for the purpose of giving assistance to other ships or persons in distress at sea. Accordingly, the master may suspend the schedule of hours of rest and require a seafarer to perform any hours of work necessary until the normal situation has been restored. As soon as practicable after the normal situation has been restored, the master shall ensure that any seafarers who have performed work in a scheduled rest period are provided with an adequate period of rest."

Obviously when a Master is exercising such an authority a relevant entry should be made in the ship's log book to avoid future implications on a possible inspection of rest hours.

The most controversial issue however in the new regulation is the exemptions provision (A-VIII/1, para 9), stating "Parties may allow exceptions" in two cases :

Case 1

Hours of rest may be minimised to 70 hours in any 7-day period, provided that exceptions from the weekly rest period shall not be allowed for more than two consecutive weeks. The intervals between two periods of exceptions on board shall not be less than twice the duration of the exception.

Case 2

Hours of rest may be split into no more than three periods, one of which shall be at least 6 hours in length and neither of the other two periods shall be less than one hour in length, provided that the intervals between consecutive periods of rest shall not exceed 14 hours and that the exceptions shall not extend beyond two 24-hour periods in any 7-day period.

Here some additional clarifications may be required by the IMO to be honest.

What does the "Parties may allow exceptions" means in real life ? In case IMO would like to provide an exception the text for the regulation should read "Exceptions may be allowed ...". Here the "parties may allow" should read "Flags may allow .." indicating some form of written allowance through some sort of national legislation, a circular or something similar as

indicated by STCW Part B-VIII/1. The case may be more complicated in the CASE OF A Flag strictly requiring 77 hours of rest in any 7-day period allowing NO exemptions (e.g. Marshall Islands).

How is a vessel eligible to these exemptions? Normally an entry into official ship's log should be enough to cover any sort of problem against a Port State Control examination.

How exactly is this going to work especially on the 77 or 70 hours in any 7-day period? Lets assume that a seafarer has a 10 hours of rest per day (this is an absolute minimum, it cannot be minimised further) for the last 7 days in the preceding 15 days . The Master makes an entry into log book for an exemption (70 days rest on any 7 day period) from day 8 to day 14 (a total of 7 days). The exemption will work fine up to the end period (on day 14). During this period a 70 hours rest on any 7 day period are being provided and this may be OK up to day 14. On day 15 however the rule fails and at that day the Seafarer has to comply with the 77 day on any 7 day period (days 7 to and including day 15) so on day 15 the seafarer has to take rest for $10+7 = 17$ hours. Does this makes sense ? Not sure, unless you apply some sort of math trick!

Day	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15
Rest Hours	11	11	11	11	11	11	11	10	10	10	10	10	10	10	14
Last 7days							77	76	75	74	73	72	71	70	

The last interesting issue is on the STCW vs ILO MLC hours of rest and Hours of work issue. Many think that by keeping records for both makes things easier, especially on a PSC Examination. Lets see if this makes sense :

ILO MLC rules on record keeping that every seafarer hours of rest /work should comply with the rule:

- (a) maximum hours of work shall not exceed:
 - (i) 14 hours in any 24-hour period; and
 - (ii) 72 hours in any seven-day period; or
- (b) minimum hours of rest shall not be less than:
 - (i) ten hours in any 24-hour period; and
 - (ii) 77 hours in any seven-day period.

Lets see the arithmetic's on a daily basis : Daily 24 hours minus MIN 10 hours of rest minus MAX 14 hours of work leaves a balance of ZERO (0) hours. This is OK

Now lets see the weekly figures : Weekly $7 \times 24 = 168$ hours minus MIN 77 hours of rest minus MAX 72 hours of work leaves a balance of NINETEEN (19) hours. This is AMAZING !!!!

It may mean in the case that you are recording hours of work ONLY that you are providing the crew with a period of rest of 96 hours ($7 \times 24 = 168 - 72 = 96$ hours !) Do you think this is true in many cases on an ocean going vessel which is for sure undermanned even in the case of 20-25 persons crew?

The obvious result from the above is that in case you need to fully comply with BOTH STCW and MLC plus minimising the liability of false record keeping you need to keep records of hours of rest ONLY !

STCW Regulation needs advance maths especially with the new rules plus a background check that any crew rest hours software used is tuned with the above requirements.

So what you need to ask is : Have you done your math lesson?

Changing Mindsets: One of the fundamental human skills needed by those working in the maritime industry is that of changing mindsets.

At the core of Human Factors is the move away from blaming the personnel whose actions ultimately triggered the incident/accident. This change of mindset is potentially the most important skill to develop. Blaming and firing an individual(s) does not solve the problem.

It may be viewed as being quick, efficient and convenient, but the root causes are still there, on the surface or deeply buried away, forgotten or not known about.

Changing mindsets also include viewing the human not as weak, unreliable, lazy and reckless, but as competent, reliable, capable and professional. This can only be achieved if the human is given the right training, has a chance to use his/her skills on a regular basis, is motivated and is working in the right environment - both the physical working environment and the cultural environment which includes the prevailing safety culture.

We can't change the human, but we can change the environment and conditions in which Justin Caird-Daley, Human Factors Specialist, Involve Consulting, Norway, www.involveconsulting.com we work. But, the most experienced, most motivated, dedicated and well trained personnel can also make the worst mistakes!

The phrases 'must pay more attention' 'why can't they be more careful' and 'not vigilant enough' are often used when talking about the way people behave - such phrases do not help in any way and I would urge a move away from using these expressions.

The important human skill here is to understand what is actually meant by attention and vigilance and how we perform as humans, looking at both our mental and physical capabilities and limitations.

Another important change of mindset skill is to see human error as not just the actions performed by the end user, but to understand how we are involved in all parts of a system and hence how and why 'human errors' are something that can be made by anybody involved in each part of the system.

For example: During a routine crane operation in strong winds, a load slips off the pallet forks and lands on the quay narrowly missing quayside personnel. Was the accident solely due to Changing mindsets to crane driver error or supervisor error? Could the accident have happened on another shift/watch with a different crane driver? Was the driver unlucky that it happened to him? Or was the accident due to a combination of poor equipment design and insufficient training? Was there a factor that was missed by the classification agency design rules or by 3rd party warranty surveyors during an inspection? Was there over reliance on use of procedures to control risk? Was it a scenario nobody thought could ever happen?

Understanding organisational or latent factors such as these and how and why they occur is such an important skill to develop.

We are the key part of complex systems. As humans we design, build, operate, train, inspect, maintain, regulate, enforce and ultimately we punish. We design automated systems, which produce a whole set of challenges for the human operator.

Without developing all of these changes of mindset skills, existing or new safety programmes will struggle and potentially not succeed.

Corporate social responsibility comes to maritime shipping: Growing realisation industry needs to move with times by formulating CSR policies and implementing self-regulation.

I had read with interest the article 'It is time to take action to make a major and permanent improvement in shipping's standing and image' from Det Norske Veritas.

It was important because it reflects the growing realisation that corporate social responsibility and industry self-regulation is an up-and-coming issue in maritime shipping. As DNV points out, shipping as an industry has been uniquely slow to adopt corporate social responsibility policies.

Multi-modal shippers such as DHL and FedEx, for example, have strong formal CSR programmes in place, as do most large companies in industries of comparable size to shipping - automotive, electronic, apparel, toys, petroleum.

In fact, the very companies that are the major beneficiaries of maritime shipping - Toyota, Shell, BP, Ford, Volvo, Cargill - have themselves become leading advocates of formal and forward-looking CSR programmes.

These major companies find it important to demonstrate to customers, activists and investors that they are aware of - and avoiding - unnecessary social and environmental risks by implementing a formal CSR policy and reporting on their efforts.

It can't be long before they realise that a major component of their supply chain - maritime shipping (an industry that accounts for more than 80% of world trade by volume) - has no formal policies, and is potentially a source of vulnerability for their corporate reputation.

So why, when most other major industries and organisations have moved rapidly to adopt CSR, have the leading companies in a multi-billion dollar industry such as maritime shipping not formalised their CSR policies?

It certainly isn't because the maritime shipping industry doesn't have social, environmental and corporate governance concerns. In fact, the same issues that apply to these land-based industries also apply (in spades) to maritime shipping.

On the social side, for example, shipping is driven by the same pressures for low labour costs that push any company toward globalisation of the supply chain and access to cheaper labour sources.

Ships are manned increasingly by crews from all over the world, with varying degrees of training on safety and incident management.

As the pressure to crew ships with low-cost labour has grown, a multitude of welfare issues - low pay, poor health care, "indentured servitude", blacklisting, agent fees, abandonment, prosecution - have become almost commonplace.

These issues are no different (or at least are perceived as being no different by interested stakeholders) from any other major industry - apparel, electronics, soft toys - where employees are exploited through low pay, long hours, and poor or unsafe working conditions.

And, of course, following 9/11 and the enactment of the International Ship and Port Facility Security code, port security issues affect not only the safety of the population but, through prosecution, port access and crew leave issues, affect the welfare of a ship's crew as well.

On the environmental side, of course, issues extend well beyond the high-profile disasters of the Prestige or the Tricolour.

It is not just oil spills or collisions that can threaten the good name of individual companies or the industry as a whole.

Ships are, after all, large pieces of metal travelling long distances carrying potentially polluting materials; which means that the maritime cargo industry has to deal with environmental issues as diverse as bilge water, ballast water, and anti-fouling paint. Sailing substandard ships, and even disposal and ship breaking policies, have both environmental and human rights implications. Then there are airborne emissions issues.

The reason for recent EU efforts in the Baltic and the North Atlantic regions to curb sulphur dioxide levels in bunker is that sulphur dioxide (causing acid rain) levels from marine sources alone have jumped from 10% of all acid rain in 1990 to an estimated 45% in 2010. It is predicted that, at the current rate, sulphur dioxide emissions by ships will overtake all land-based SO₂ emissions by 2015; something that, once better appreciated, promises to severely tarnish the industry's name.

Ethics and corporate governance issues are exemplified in the lack of ownership transparency and flags of convenience issues. Substandard ships or poor adherence to IMO regulations by developing-world crews harm the reputation of quality shippers (and the industry as a whole), and will eventually contribute to higher running costs through greater insurance premiums, higher bank loan rates, and stiffer crew penalties and company fines.

Ironically, one reason that shipping has been able to avoid formal CSR programmes is that it appears to be, if anything, "over-regulated". After all, there are plenty of rules governing social, safety and environmental practices.

But although the IMO sets the regulations, the responsibility for enforcement still remains primarily with port state authorities. And that enforcement varies widely.

The fact is, maritime shipping is a truly global industry and, despite the best efforts of regulatory groups, it still remains subject to much less scrutiny than similar land-based industries. But that means that shipping is more-not less - dependent than most industry groups on self-regulation and voluntary compliance.

In fact, as other industries have found, mere compliance is seldom the answer anyway. When activists accused Nike of accepting sweatshop labour in their overseas contract factories, for example, it was not enforcement of regulations by the Chinese or Cambodian governments that forced the company to adopt a strict code of conduct or formal supplier monitoring policies. It was market forces - reputation damage, loss of brand value, a drop in share price, upset employees, boycotts by customers - that forced Nike and the apparel industry in general to adopt a formal CSR programme.

And it is only Nike's insistence (not regulatory compliance) that forces their suppliers in developing nations to adhere to higher standards of behaviour.

In short, the same pressures that apply to other major industries can also directly apply to shipping. NGOs like Greenpeace and WWF, for example, can expose ships owners and ships managers for poor environmental practices just as quickly as Corpwatch or Oxfam can highlight sweatshop policies or pollution in factories or farms. Shipowners - no different from brand owners in any industry - need to protect their brand image

by making certain that they can prove to activists, investors, charterers and insurers, that their ships are safe and environmentally sound.

Even if ship owners do not face these types of publicity and consumer pressure issues directly themselves, many of their customers will, and will seek to manage risk in this area by selecting shippers with verifiable CSR policies.

Similarly, ship management companies need to be able to prove to the owners (their customers) that they can provide reliable, well-trained crew, and have good environmental, health and safety policies built into their day-to-day operations.

That means being able to assure owners that they will not be embarrassed by seeing their ships on the evening news being hauled into an EU port for illegal liquid discharge (especially if the incident was a result of the actions of an indifferent or poorly-trained crew).

For all of these reasons, and for the good of the industry and the good name of quality shippers, the time has come for leaders in the shipping industry to lobby for uniform - and self-enforced - standards in environmental, health, safety and corporate governance. A single, transparent publication of compliance against IMO and International Safety Management codes would be a good start.

In short, it is time that the maritime shipping industry began to adopt a formal and standardised approach to CSR. The good news is that this is already starting to happen. NYK, for example, have a laudable policy on social responsibility that includes a formal and published approach to issues such as corporate governance, IMO compliance, safety, social and environmental activities.

The distinction between 'crew negligence' and 'crew incompetence' and the consequence thereof:

Assume a ship with only two valves (No.1 & No.2). Valve No.1 is the one that should be handled, the correct valve. Valve No.2 is the wrong valve and should be kept closed during cargo operations because, if handled, there will be a cargo contamination. Both valves are properly marked and labelled and located in the same room at a distance from each other.

Whilst cargo operations are in progress at the port, the Chief Officer instructs, over the walkie-talkie, a deck cadet (who is for the first time at sea) to go into the valve room and open valve No.1. The deck cadet does so but, instead of opening valve No.1 as instructed by the Chief Officer, he opens valve No.2 resulting in cargo contamination and a huge cargo claim. Will the shipowner be required to satisfy the cargo claim? Or, will he manage to escape liability by relying on the cadet's negligence?

In other words, was it negligence or incompetence? If it was the former the shipowner might be able to rely on the 'crew negligence' defence, but if it was the latter the ship would be held unseaworthy due to having an incompetent crew. Such unseaworthiness would be causative and the shipowner, then, should pay for the cargo claim.

Therefore, in the above factual context, the crucial question is: negligence or incompetence?

The answer is simple: it can be either negligence or incompetence. On an ultimate analysis, the starting point is the mental state of the cadet at the time of his mistake. If he

opened valve No.2 believing, at that very moment, that he opened valve No.1 then we are entering the path of negligence. If, however, he opened valve No.2 believing, at that very moment, that the valve he opened was the valve he should open, i.e. the correct valve, then we are led to the path of incompetence.

This is, however, the starting point only and a whole range of inquiries would be required to establish the cadet's negligence or incompetence. Do not rush to conclude that it was incompetence from the mere fact that it was his first time at sea. All those who have served on board merchant ships are well aware that handling valves is a daily routine for cadets. Otherwise, a master in command for the first time would be, by definition, incompetent as would anybody else holding a post for the first time and such an outcome would violate common sense. This brief article gives some guidance as to what may constitute incompetence as derived from the existing case law.

Crew negligence vs crew incompetence

The distinction between 'crew negligence' and 'crew incompetence' is of crucial importance in shipping. Depending on the legal and factual context, the answer as to whether a shipowner¹ will be answerable to another party (e.g. a cargo interest) or deprived of some of its rights against another party (e.g. the insurer) may be determined by whether the vessel was, at the material time, seaworthy or whether the shipowner exercised due diligence to make the vessel seaworthy.

In this context, when a crew member's actions or lack of actions are involved, the seaworthiness of the ship may be dependent upon whether those actions or lack thereof resulted from the crew's negligence or incompetence; a 'negligent crew' may not render the vessel unseaworthy whereas an 'incompetent crew' almost certainly will. To be negligent, a crew member must fall below the expected standard of care required by that particular crew member.

The test is that of the 'reasonable man'. The most common definition of negligence is the one given in *Blyth v Birmingham Waterworks*:² "[n]egligence is the omission to do something which a reasonable man, guided upon those considerations which ordinarily regulate the conduct of human affairs, would do, or doing something which a prudent and reasonable man would not do".

This standard of care onboard ships is a professional standard and relates to the post the particular crew member occupies on board. The standard of care expected of a master, chief officer, chief engineer, bosun, AB etc. is that of the reasonable person of that rank (i.e. of the master, chief officer, chief engineer, bosun, AB etc. respectively) in the shoes of the person in question, with the skill and knowledge which the person in question had or ought to have had.³ Pilots are also included in the above list of crew members.

On the other hand, an incompetent master, chief officer, chief engineer, bosun, AB etc. does not possess the level of capability or skill to be reasonably expected of an ordinary person of his rank. An incompetent crew member is not able, i.e. does not possess the necessary skill, to carry out the particular task or duty, whereas a negligent crew member is actually able, i.e. possesses the necessary skill, but fails to carry it out.

The consequence of crew incompetence is unseaworthiness. The test is whether a reasonably prudent shipowner, knowing the relevant facts, would have allowed the vessel to put to sea with the particular master and crew, with their state of knowledge,

training and instruction. If the answer is no, then the ship is not manned by a competent crew and is, therefore, unseaworthy.

Incompetence or inefficiency is a question of fact. Each case needs to be examined on its own merits and sometimes it is difficult to draw the line between crew negligence and incompetence. Incompetence may be proved from one incident and need not be demonstrated by reference to a series of acts. On the other hand one mistake, or even more than one, does not necessarily render the particular crew member incompetent. Anyone can make a mistake, for making mistakes is human nature.

There is extensive case law on this topic with the leading case being *The Eurasian Dream* where Creswell J gave valuable guidance as to what may constitute incompetence. In this brief article, however, a summary only of the forms or different types of incompetence as derived from the existing case law can be given.

In broad terms, and from a legal perspective within the context of cargo and insurance claims, incompetence and negligence may be mutually exclusive terms: for any specific activity, an 'incompetent' crew member cannot be 'negligent' and vice-versa. Incompetence, in turn, may be distinguished between 'general' and 'specific' incompetence.

Therefore, a crew member's action(s) or inaction may be held to have resulted from and range between the following four categories.

(1) 'General incompetence': this means total, complete incompetence and unsuitability of the crew member for the assigned role, not least for a particular task or duty. A crew member may be found to be 'generally incompetent' regardless of whether he is fully certificated for the assigned role.

(2) 'Specific incompetence': this is when a crew member is generally competent but either:

a. ignorant and/or lacks training and/or familiarisation on specific elements concerning:

- i. a particular type of vessel; and/or
- ii. a particular vessel; and/or
- iii. a particular system on board, or feature of, the vessel; and/or
- iv. a particular operation or situation;

b. has such physical or mental disability or incapacity as well as habits and/or characteristics that render him unfit or unsuitable (ie incompetent) for the assigned task, duty or role onboard the vessel; and

c. has the propensity to casualness, lack of effort and failure to use ability even though theoretically capable of performing the job properly (ie a disinclination to perform the job properly) that, again, renders him unfit or unsuitable (ie incompetent) for the assigned task, duty or role on board the vessel.

The revised STCW Convention caters for both (1) and (2) above as well as for the crew complement's 'collective competence', the effective communication of the crew with each other, including the crew's good command of the English language, and the provision for adequate rest periods (lack of which may lead to incapacitation of a crew member which might arguably be interpreted by a court as an instance of 'specific incompetence').

(3) 'Competence with negligence': this is when the crew member was neither 'generally' nor 'specifically' incompetent but failed nevertheless to perform at the standard reasonably expected on that particular occasion. This is what the ISM Code and the industry's standards cater for: the prevention of human error.

(4) 'Competence without negligence': this is when a competent crew member was not at fault, i.e. he performed at the standard reasonably expected on the particular occasion. In this situation, the crew member did exactly what the reasonable ordinary competent crew member in that position and in those circumstances would have done, but nevertheless the damage or loss occurred. This is regardless of whether a more knowledgeable individual, viewing the situation dispassionately, might have concluded and done differently and thus have prevented the damage or loss. Again, the ISM Code and the industry's standards are relevant here.

For cargo and insurance claims purposes, general and specific incompetence mean improper manning and an unseaworthy vessel. This is the consequence. For this consequence to in turn affect the shipowner's rights and liabilities, two further elements need to be considered. For cargo claims these are causation and lack of due diligence on the part of the shipowner (carrier), and for insurance time policy claims causation and privity of the shipowner (assured).

In insurance voyage policies the consequence of unseaworthiness has an immediate consequence on the shipowner (assured), who may not be indemnified by the insurer owing to breach of the implied warranty of seaworthiness regardless of whether or not the incompetence in question was causative to the loss. In cargo claims, the shipowner (carrier), once an 'incompetent crew' has been found, bears the burden of proving that 'due diligence' was exercised in this respect.

The exercise of due diligence by a shipowner is equivalent to the exercise of reasonable care and skill. Lack of due diligence is negligence and it is relevant to consider "what other skilled men do in comparable circumstances". In other words, the standard, again is what the reasonable prudent shipowner would have done in the circumstances. This includes the initial selection and appointment of crew and the necessary specific instruction of the crew in relation to a specific vessel and/or her systems and/or voyage.

The continuous supervision and training of crew is an element of the shipowner's 'due diligence' which may extend even to inquiries for the discovery of crew's 'latent' incompetence insofar as, at least, there is a concern of emergency preparedness; hence the importance not only of general training but also of emergency preparation training. The duty of seaworthiness is non-delegable; the obligation, therefore, and liability for crew selection, appointment, supervision & training is also non-delegable and cannot be avoided by appointing even the best manning agent. The ISM Code, insofar as it requires the shipowner (company) to have in place proper and documented procedures, according to the industry's minimum standards, may prove to be either the shipowner's friend or worst enemy. In insurance time policy claims, questions of causations apart, once an 'incompetent crew' has been found, the insurer is burdened to show that the shipowner (assured) was personally 'privity' in this respect.

Again, the ISM Code, with its associated trail of documents and creation of the DPA, who must have access to the highest levels of management, appears highly relevant and important.

However, if its actual implication on the shipowner's 'privity' for insurance time policy purposes (and for other purposes as well) is to be made clear, this provision still needs to be interpreted by a court in a future case.

I will close giving another example, but remember first the example of the deck cadet mentioned at the beginning of this article and his mental state at the time he opened the wrong valve. The second engineer, who is a heavy smoker, habitually and consciously breaches the smoking prohibition on board the ship and causes damage by a discarded cigarette. What do you think would be the chances of a court finding him incompetent?

Maritime Security In Asia: What The EU Can Do: EU needs to begin engaging on the issue of maritime security:

Maritime security may be the defining issue for Asia's geopolitical and security architecture in the twenty-first century. As Europe's growth is contingent on Asia's prosperity, ensuring unrestricted navigation in Asia's waterways is thus of the utmost strategic interest to the European Union. Given that Asia's geopolitical hotspots will increasingly revolve around maritime zones, the EU needs to begin engaging on the issue of maritime security.

Growing instabilities in an increasingly integrated Asia menace EU interests. Almost 90 per cent of global trade, and the same share of EU external trade, travels by sea. Freedom of navigation is a precondition for global growth. Some of the world's busiest and most crucial waterways are found in Asia. South East Asia in particular has a delicate maritime scenario, in which such issues play a big part in foreign relations. These issues remain highly complex. Territorial overlaps are unavoidable. Bottlenecks like the Straits of Malacca, Sunda Straits, and Lombok and Makassar Straits are strategic gateways for the transport of goods and energy resources from Europe and the Middle East to East Asia and the Pacific Rim, and vice versa. The Straits of Malacca, connecting the Indian Ocean to the Pacific via the South China Sea, is the bottleneck of the most strategic importance internationally - perhaps with the sole exception of the Strait of Hormuz. As the transport of energy becomes a mounting concern to fuel an ascendant Asia, any blockage of these vital bottlenecks is likely to cause a hike in the price of oil.

Asia: Sovereignty disputes over maritime territory increase the threat of armed conflict in the world's fastest growing region. Piracy, terrorism and the risk of maritime disasters such as collisions, groundings or spills intensify the volatility of the area. The region's geography reflects this dynamic: concave coastal areas, 'turning points' and numerous islands over which sovereignty is disputed, can require clearance agreements at times from three or more countries. A collective management of maritime resources is furthermore missing.

Straits of Malacca: The slender Straits of Malacca are just 2.8km at their narrowest point in the Phillip Channel near Singapore. They are also shallow: a mere 23m deep on average. A third of the world's merchant fleet tonnage passes through these waters, including around a quarter of all oil carried by sea. The Maritime Institute of Malaysia states that around 75,000 ships pass through these waters annually. Japan predicts that this figure will reach 114,000 ships by 2020. Traffic moves frustratingly slowly.

These waters are undeniably significant for the Association of Southeast Asian Nations (ASEAN) member states and their North East Asian neighbours. A quarter of Chinese imports and

15 per cent of its exports traverse these narrow straits. According to the International Energy Agency, 77 per cent of Chinese and 80 per cent of Japanese oil imports are transported through the Straits of Malacca. More than 75 per cent of South Korea's oil from the Middle East also passes through them.

The EU is a leading trade partner for all these countries and thus has a stake in free passage through these waters. Trade flows are set to rise and the EU is working hard to develop a web of free trade accords across the region. Growing energy requirements from some of the fastest growing economies in the region will create even more pressure. Alternative routes are less feasible. The Sunda Straits are even shallower and narrower, with greater risks (sand banks, tidal flows, oil rigs). While the Lombok Straits leading to the Makassar Straits are deeper, wider and less congested, journeys through them take longer.

Major legal issues abound in the Straits of Malacca. The 1982 UN Convention on the Laws of the Sea (UNCLOS) essentially covers the entire area of South East Asia's marine zones encompassed under territorial seas, Exclusive Economic Zones, contiguous zones and archipelagic waters. Complexities are aggravated by legal and management disputes amongst littoral states. Indonesia and Malaysia disagree over overlapping jurisdiction and Kuala Lumpur employs straight baselines to measure its territorial waters. They oppose any international management of the straits which they believe would compromise their sovereignty. Both have rejected the US proposal for a Regional Maritime Security Initiative. While a Cooperative Mechanism was launched in 2007, enabling user states and shippers to assist littoral countries to fulfill their responsibilities in securitisation, such contribution explicitly excludes maritime security; it is limited to environmental protection and other areas of safety.

Given that these waters fall under international freedom of passage laws, mandatory transit fees are not imposed. Ensuring sea lane safety thus falls entirely on the littoral states. Perceptions, priorities and capacities vary amongst the three littorals.

Singapore has the busiest sea port but the most limited sea space; it has more resources and sophisticated technologies for traffic management, including an advanced ship tracking mechanism whose radars can track up to 70,000 ships simultaneously. Its Changi C2 Centre, currently under construction, will be a state of the art information and response coordination centre, contributing to national and international collaboration. But Malaysia and Indonesia are visibly less well equipped and more relaxed about piracy and maritime crime than about illegal fishing, smuggling, tourism and environmental issues. Indonesia prioritises the Straits of Lombok and Makassar more than the Straits of Malacca for its own use. Malaysia is also less preoccupied with the Straits of Malacca as Kuala Lumpur's attention remains consumed by its South China Sea dispute. Coordination gaps amongst state agencies are large and those amongst the littorals even wider. Provinces supersede state jurisdiction over coastal areas at times, as is the case with Indonesia.

Cooperative mechanisms do exist. The Malacca Straits Council (MSC) established in 1969 provides aids to navigation and navigational safety. The Tripartite Technical Experts Group coordinates measures between the three littoral nations. The Malacca Straits Patrol (MSP) includes the three littorals and Thailand, and encompasses a set of practical measures to

ensure security in the Straits of Malacca. The MSP surveillance framework includes the Malacca Strait Sea Patrol, the air patrol 'Eyes in the Sky Programme', an Intelligence Exchange Group and a Joint Coordinating Committee. Piracy is almost non-existent in these straits, but more needs to be done to increase capacity. An Aids to Navigation Fund operational since May 2008 was set up to receive voluntary contributions from user states.

The South China Sea: The geostrategic significance of the South China Sea (SCS) is immeasurable. It is a conduit for more than a third of global trade transported by sea, and half of its traffic in oil and gas. One of the busiest waterways in the world, it is estimated to hold oil reserves of around 213 billion barrels and gas deposits of around 3.8 trillion cubic metres. Both could supply China's energy needs for decades if proven. Its strategic significance is compounded by regional power-jockeying characterised by sovereignty disputes and competing international influences. The vast majority of maritime transport from Asia's pressure points empties out into the SCS and passes through to the Pacific Ocean. The increasing volume of trade will only compound the pressure. The Trans-Pacific Partnership will involve 12 Pacific countries, with whom EU trade is already substantial. The EU is already China's leading trade partner and an FTA with Japan will boost volumes significantly.

Key issues in the SCS are sovereignty disputes, energy deposits and security. The SCS is disputed between China, four ASEAN member states (Malaysia, Vietnam, the Philippines, Brunei) and Taiwan. Two core groups of disputed islands include the Spratlys (claimed wholly by China and partly by the Philippines, Vietnam, Malaysia and Brunei) and the Paracels (disputed by China and Vietnam). The Spratlys are believed to contain considerable oil and gas reserves. The SCS has already seen armed conflict amongst disputed parties. Tensions rose in 2009 when China, Vietnam and Malaysia formally submitted their claims under UNCLOS. China asserted sovereignty over the entirety of the SCS, demarcated by a 9 dash line, averring 'historical claims and rights'. While other international mechanisms for dispute settlement exist, such as the International Tribunal for the Law of the Sea (ITLOS), a solution is not guaranteed and governments are often presented with a fait accompli. As a result, China has rejected the Philippines' request to approach the ITLOS.

Given the Sea's importance, these issues are of international significance. But China warns against any internationalisation, mandating bilateral negotiations amongst concerned parties instead. However given the great disparities in size, economic influence and armed strength amongst the disputants, such an approach is weighted in China's favour. ASEAN provides an alternative where China's advantages of scale are diluted, especially given that ASEAN and China share a free trade zone since 2010.

The ASEAN forum has been instrumental to a certain extent. In November 2002, the 10 foreign ministers of ASEAN and China signed a Declaration on the Conduct of Parties in the South China Sea (DOC). This calls for peaceful resolution of the dispute and other cooperative measures. But prevailing conflicts question the effectiveness of the DOC's leading states in calling for a more legally binding code of conduct. Much to China's chagrin, the SCS issue is increasingly being discussed by third parties at ASEAN-sponsored venues like the ASEAN Regional Forum (ARF), the ASEAN Defence Ministers Meeting and the East Asia Summit (EAS).

ASEAN itself is divided. Only four of its 10 members are

claimants. Its own security structure is not streamlined and regional cooperation remains problematic. Furthermore, China is able to curry favour in Burma, Laos and at times, even Indonesia. The greatest danger is that military rivalry is turning the region into a crucible of geopolitical tension. Antagonism between regional powers like the US, India and Japan can have a disruptive impact on the entire region. The US 'pivot' towards Asia is seen as a counter-balance to China but is set to bring about a militarisation of the region. It has also to some extent eroded ASEAN centrality in security policy. The US has already deployed 36 attack submarines and six carrier groups in the Pacific and has agreed with Australia the stationing of 2500 troops in the port city of Darwin within five years. The recent renewal of its Mutual Defence Treaty with Manila adds to the disquiet. The US Secretary of State, Hillary Clinton's use of the phrase 'West Philippines Sea' in a recent visit to Manila counter its protestations of neutrality.

The situation could easily escalate. Amid a growing arms race in Asia -countries have boosted arms purchases by over 50 per cent in the past five years - the region bears the hallmarks of incipient geopolitical struggle. Whilst China and the US seek to assert their interests in Asia, China will nonetheless refrain from a military showdown which could harm neighbouring relations and contradicts its desire for a peaceful ascent. The EU's biggest concern should therefore be in pursuing its own interest of a stable and dynamically growing Asia for which peace is essential.

Bringing in the EU: The EU has kept a relatively low profile in South East Asia's maritime tensions despite sizeable navigational interests. Whilst holding maritime stability vital, it cannot be seen to meddle. For now the EU's overall political engagement in South East Asia remains negligible. It is hindered by divisions between member states, especially over policy towards China.

The EU will not be a lead player in Asian maritime security but could be doing more to encourage solutions, to a degree consistent with its economic weight. The EU's main interests lie in ensuring the stability of global commons and maintaining Sea Lanes of Communication open. It must also be more seized of the risk of bellicose conduct, especially in the SCS. As Asia is increasingly integrated in commercial terms, a disruptive event could unravel the entire region and engender a serious dip in global trade. This is the very real risk of 'the Asian century'. Thus it is imperative to channel parties towards a peaceful settlement of their rumbling disputes.

The EU must engage in constructive diplomacy and conflict management to prevent a great power conflict in South East Asia. Given its projection as a neutral power, it can propose and encourage cooperative solutions that address the roots of the conflicts, based on international law. An inclusive China is a must for regional stability; a China that feels contained will be more introverted and hostile. Political engagement conferring confidence and trust must be stepped up. The EU is ASEAN's major trade and investment partner; yet it has been inactive in ASEAN regional forums like the ARF. The EU is conspicuously mute on security issues in contrast to the vocal dynamism of the US.

Visibility is key; the EU must participate in Asian forums like the ARF. While membership in the East Asia Summit remains an ambition, the EU must ensure regular visits of top officials to the region, including smaller ASEAN states. The EU must place a premium on working towards a comprehensive multilateral, multilayered framework involving all regional players

to allay fears of mistrust and weak cooperation. Cooperative security institutions can also greatly reduce tensions. The rule of law must be underlined even if disputes go on for decades. The EU should encourage all disputants to clarify their claims and facilitate dialogue and discussion.

In the Straits of Malacca, the EU must pursue effective maritime partnerships that build on its main attraction: soft power. Little is being done so far; there is scope to expand. The EU can play a positive role in maritime issues by providing technical assistance to the littoral states and sharing legal expertise which could contribute to better management of the Straits. The EU can do much more to institutionalise the process of regional frameworks. The ASEAN Maritime Forum could be reinvigorated and the ARF ISM on Maritime Security more effectively supported. Disaster management cooperation can be enhanced by working together with the littoral states to develop contingency plans. The EU can contribute to empowering the capability and role of the Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships (RECAAP) as an effective clearing house of information and also consider membership in the future. RECAAP includes ASEAN states (except Indonesia and Malaysia), Japan, China, Korea, India, Bangladesh and Sri Lanka. A nominal financial contribution from the EU towards the Aids to Navigation Fund would go a long way not only in terms of visibility but also embedding cooperation. The Fund already receives support from countries like Saudi Arabia, South Korea and the UAE amongst others. Effective multilateral institutions, such as a Users Consortia for the better management of the Straits of Malacca, are required where regional cooperation can develop.

In the November 2011 EU-ASEAN senior officials meeting in Warsaw, the EU did encourage ASEAN to pursue a more unified approach and the EU offered to share expertise on the joint management of maritime resources and its fisheries policies. The EU has resolved serious disputes in the Baltic and the Mediterranean Sea, but has offered to share its expertise only with ASEAN as a group and not with its member states individually. Given that ASEAN is divided internally, this has stymied uptake of the offer. The EU fisheries and maritime model may not be replicable in ASEAN, of course. The EU must instead first foster consensus amongst ASEAN members, building greater confidence through political engagement and support through the ARF. While the political track might be slow, the EU should engage in technical cooperation on relatively less sensitive issues. For instance, the region possibly has the most diverse marine flora and fauna in the world. Protection of this environment remains entangled in sovereignty disputes and conflicting or overlapping maritime jurisdiction. The EU can engage with the tourism boards of regional countries in joint preservation and protection of this environment.

The EU should not over-stretch its relatively limited leverage in Asia. But it must engage more systematically on maritime security in the region. This is an issue that acutely impinges upon its commercial interests. It is an issue which demonstrates that economic and strategic diplomacy cannot ultimately be separated.

Human factors in surveyor training - meeting the challenge: susi : ship survey simulator developed by DNV: Classification society surveyors attend new vessels under construction, vessels damaged or under repair or annually for routine inspection while the vessels are in service. The surveyor's job is to ensure that vessels

surveyed comply with the own rules of the class society and the statutory requirements of the Flag states they are authorised to represent.

Given the multitude of new ship types and MOU's afloat today and the trend towards the concentration of dry dock surveys in a fewer and fewer locations worldwide the challenge of training surveyors who are able to support the industry with practical solutions which comply with all the required regulations is increasing.

Many surveyors join classification societies with degrees in naval architecture as I did. In the development of my training plan I asked for the opportunity to go to sea and within a few months of joining DNV I was signed onto a 23 year old open hatch bulk carrier with twin gantry cranes. Half of my time was spent in the engine room and the other half on the deck side. Participating in auxiliary engine overhauls, changing a cylinder liner at sea and joining bridge watch keeping and cargo operations were highlights.

Seek the opportunity to sail on a merchant vessel to gain a better understanding of how ships are operated as this will improve your knowledge and communication with the crew and officers on board. This in turn will make you a much more effective surveyor, designer or auditor as often the best way of finding out the strengths and weaknesses of the team on board and the true condition of the ship is to ask the right questions.

Opportunities to participate in dry dockings and voyage surveys have reduced in some parts of the world. Although no direct substitute for practical experience, surveyor competence development can be supplemented and enhanced through virtual reality training which is increasingly used by the military today.

In 2009 DNV developed a ship survey simulator called SuSi. Initially this was available only at our training school in Gdynia, Poland, where it was developed but it has been used in classrooms around the world and finally has been installed on each surveyor's laptop. Thousands of survey findings and damage cases have been entered based on DNV's knowledge base to test the surveyor's knowledge of statutory requirements, terminology and reporting. For instance load line convention specific items can be highlighted on the ship to aid clarity.

Just as in real life, the surveyors have a camera, torch and spray to use in the simulation. Part names, certificates and surveyor checklists are displayable on a virtual PDA as they move around the ship. In tank inspections torch light is simulated to demonstrate the difference good lighting makes to observations. Close-up surveys using cherry-pickers is also simulated. As trainees develop the skills they need to report findings correctly, they must also deal with the safety hazards that would be experienced on board a real ship.

Conditions such as corrosion and coating failure can be accelerated or retarded and resulting damages included that vary depending on the structure involved and the ships "history". All of this is presented in a realistic 3D environment which allows views from any angle including the bottom in dry dock which accelerates experience in reporting structural defects accurately. Even very experienced surveyors have been surprised by what they learned in the simulator.

Human factors and experience can't be replaced by technology however we should embrace it as part of the solution to enhance the competence of surveyors going forward.

The Developmental Effects of Somali Piracy: Using Satellite Imagery to Track the

Developmental Effects of Somali Piracy: There are increasing pressures to develop land-based approaches to Somali piracy. By making use of non-traditional data sources including local market data and satellite images, this paper is intended to be an objective analysis of who benefits from pirate ransoms.

Significant amounts of ransom monies are spent within Somalia, but conspicuous consumption appears to be limited by social norms dictating resource-sharing. Around a third of pirate ransoms are converted into Somali shillings, benefiting casual labour and pastoralists in Puntland.

Data analysis is complemented by examination of satellite imagery to establish where the beneficiaries are located. Pirates probably make a significant contribution to economic development in the provincial capitals Garowe and Bosaso. Puntland's political elites are therefore unlikely to move decisively against piracy.

The positive economic impacts of piracy are spread widely and a military strategy to eradicate it could seriously undermine local development. However, coastal villages have gained little from hosting pirates and may be open to a negotiated solution which offers a more attractive alternative.

There is widespread agreement in the academic and naval communities that Somali piracy needs a land-based solution. Several years of naval counter-piracy missions have "failed to strategically deter piracy". Pirates have simply shifted their attacks to ships that have not adopted best management practice, and operate in the open sea to evade counter-piracy measures in the Gulf of Aden. Since mid-2010, the nature of piracy off the coast of Somalia has changed. Pirates and navies have become considerably more violent. Because of the increased difficulty of hijacking ships in waters monitored by warships from over thirty nations, pirates invest more resources in maximizing the return from each captured ship.

Ransom negotiations now drag on for longer and result in record payments. Moreover, there are as yet unproven assertions that al-Shabaab is offering attractive cooperative agreements to pirates, meaning that piracy could at some stage fund regional instability and terror. There are therefore strong incentives to try a fresh approach to resolving the issue of piracy off the

Horn of Africa. A land-based solution might involve replacing piracy as a source of income to relevant local communities. However, it is unclear where the beneficiaries from piracy are located, whether revenue from pirate activity is mostly channelled abroad or used domestically and how widely the benefits are spread. Owing to the absence of central government, conventional data on economic activity in Somalia have been lacking since 1989.

This paper seeks to understand the on-land impacts of piracy, in order to assist those seeking to find on-land solutions. The paper proposes and evaluates a number of alternative indicators for economic activity in Somalia. First, data collected by internationally funded NGOs monitoring commodity prices show that a significant proportion of pirate ransoms are converted into Somali shillings; that cattle prices have risen with the development of the pirate industry; and that piracy is not driving food price inflation but on the contrary has offset the loss of purchasing power of local wages after the 2007/08 food price shocks.

Secondly, satellite imagery shows that none of the pirate towns on the Puntland coast have enough power output to feature on global nightlight images. This indicates that coastal communities have not greatly benefited from piracy. Instead the regional centres of Garowe and Bosasso, which provide the material inputs and the fire-power of the pirate operations, appear to benefit from piracy-related investment.

Thirdly, analysis of changes in the built environment based on high-resolution satellite images corroborates these results. Garowe has seen massive investment between 2002 and 2009, much of the development being concurrent with the explosion of pirate ransoms. The 'pirate capitals' Eyl and Hobyo, however, have seen little investment. While each of the data sources has significant weaknesses, a consistent story emerges regarding the impact of ransom money on the Somali economy. Piracy appears to lead to widespread economic development and therefore has a large interest group behind its continuation.

However, most beneficiaries are located in the provincial capitals. Puntland's coastal communities could easily be made considerably better off through activities other than hosting pirates. The international community should bear these results in mind when developing land-based strategies to resolve Somalia's pirate problem.

Shipping faces some grim realities: Attend any given conference on shipping, particularly maritime finance, and you will hear, and see, many presentations, accompanied by PowerPoint, predicting a recovery some time in 2013. Read some articles in the trade press, and you will learn that "cash-rich Greek shipowners" are heavily invested in second-hand and newbuilding-resale purchases, notwithstanding ominous economic and market signs.

What, however, if these omens of recovery are wide of the mark? Indicators seem to be pointing toward a much longer global recession, which is not a good sign for shipping in general. For a change, let's look at the big picture:

Shipping, particularly in the dry and liquid bulk trades, is dependent on China, and to a larger extent, Asia. The drought and severe storms in North America, which is the world's granary to a large extent, have led to forecasts of the worst harvest in a generation. China in particular is heavily dependent upon what Americans call soybeans, and British insist on terming soyabeans. These are used primarily to feed livestock. Higher soya prices mean that the cost of food prices in China will go higher. Food is a big part of Chinese consumer spending, and is therefore politically a "hot button" for Chinese policy makers. The Chinese government will, if this trend continues, probably react by tightening monetary policy, when many in the rest of the world, including the United States, are looking for a looser money policy in that country. This may well mean that Chinese consumers will reduce their non-food consumption, stifling China's growth. In any case, unless agricultural prices somehow begin to drop in the next few weeks, unrest is likely to develop in much of the world as food prices soar. This has happened before, with dramatic results for the global economy, including shipping.

What's happening in Europe, often shrouded in obfuscation, really does matter. In light of what is happening in Spain, with Germany's cherished credit rating now under threat, Chancellor Merkel will likely face even more trouble obtaining the support of members of her own party, the Christian Democrats, for measures to prevent a disintegration of the euro zone. Last

week, the Chancellor struggled to get a majority of her own governing coalition to support the rescue of what are familiarly termed "ailing Spanish banks". It is very clear that support in Germany does not exist, or is very slight, for giving any more aid to Greece, beyond what has already been promised. This week's warning on German credit, issued by Moody's, is likely to strengthen the dissenters in the German parliament who think that Greece should leave the Euro. We should not be under any illusions; if Greece does leave the Euro, which now looks likely, it will mean that euro zone countries will lose much of their connectivity to one another. If the euro zone does allow its bailout fund to buy up Spanish debt, it is likely that the Spanish economy will itself be virtually crippled, along the lines of what we have seen in Greece. This will be one more powerful blow to general world trade.

The decline, or exit, of German ship finance lenders, primarily banks, needs to be factored into shipping's potential to recover from the present slump. It will prolong the recession in our sector.

Then there's energy: the price of oil continues to be driven, up and down, by political troubles in the Middle East. At one point, Brent crude fell 31% from its early March high, as worries of a conflict in Iran receded. However, in the past few weeks, the prospect of a prolonged civil war in Syria and the return of threats of war in the Gulf from Iran, drove up Brent by about 20%. A high oil price may be good for some tanker owners, but overall it will act as a tax on global economic activity, particularly by China. Which is why CNOOC is buying up every oil company with assets in places other than the Gulf. It is also a reason why China continues to invest in its own tanker fleet.

Copper prices are down nearly 25% over the past year, as metals markets have been driven largely by demand from China, as it tries to build its public and private infrastructure. As Chinese import growth has weakened, so has the price of industrial metals.

When we look at the losses suffered by many companies across the shipping sector, the notion that we are an industry of cash-rich buyers needs, to put it charitably, to be revisited. The freight markets are likely to remain at levels that permit very little debt to be serviced, and debt as a whole within the industry remains far above the true value of ships themselves. As one observer has pointed out, there is now the highest percentage ever of liquid and dry bulk ships trading in the spot markets. This tells us that the sale and purchase markets are dealing in ship values without any reference to actual or projected future charter revenues.

Shipping, like the rest of world, should be prepared for unwelcome political developments. Primarily, these still draw attention to the Middle East, but the future of certain prominent Asian governments also looks vulnerable to political unrest. With regard to Iran, the combined impact of increasingly tight sanctions, a probable decline in the price of oil, and the loss of its chief client, Syria's Baathist regime is likely to give rise to a tendency to lash out militarily. China's future problems are referred to above. The problem of chronic overtonnaging across a broad swath of our industry, and the end of the commodities boom, means that although shipping may have "bottomed out", it looks like a long, chilly winter ahead. Enjoy the warm weather while you can!

Safety Management System or a Checklist for Negligence?

Does your company have a safety management system (SMS), a safety program, or internal safety policies? Are there problems with implementation or making sure that all policies are consistently complied with? Are there items in the manual which do not apply to your vessels or operations? Does the manual call for unrealistic work practices? If you answered "yes" to these questions, rest assured you are not alone. Unfortunately, however, your company could also be in danger of severe financial penalties, and/or litigation. In some case, such as a serious accident, individuals, depending upon their position in the company, might even face imprisonment.

The latest trend in regulatory schemes is performance based regulations. This type of regulation usually requires the regulated entity to come up with a plan or system which will meet the performance based criteria in the regulations, such as International Safety Management (ISM) and the impending towing vessel inspection regulations. Some organizations also require member companies to implement an SMS such as the American Waterways Operators (AWO) Responsible Carrier Program (RCP). Regardless of the source, not fully implementing and complying with these plans can have serious consequences in the event of an accident.

Unfortunately, for some companies, their SMS remains just another book on the shelf. Some company personnel may not know what is required by their company's SMS, but are successful in passing audits by convincing auditors that what they do traditionally for safety checks and procedures comes close enough to what is required in the SMS. While this may be enough to pass an audit, it may not be enough to satisfy investigators and attorneys following a serious accident.

A conversation I had with an attorney after a serious accident really drove home the importance of "saying what you do, and doing what you say." I discussed my concerns with some SMSs which can never be complied with due to the way they are written. I explained that some companies seem to have brainstormed with a bunch of "old salts" and came up with every possible thing that could ever go wrong during any one evolution. While this is never a bad idea, and produces excellent training material, it was how the information was incorporated into the SMS which created the problem. After the comprehensive list had been compiled it was entered into the SMS and labeled, "The following items must be checked prior to conducting the following evolution...." I explained that the problem I have found as an auditor is, despite the SMS mandating that the entire extensive comprehensive list be completed every time, the crewmembers can only explain the two or three items they actually check. The attorney was well aware of this problem and explained that is why a company's SMS manual can serve as a "checklist for negligence" during litigation.

In writing an SMS it is important to distinguish between training items, maintenance items, and essential operational checks. Deciding which items must be mandated to be checked every time in the SMS manual should only be done after careful risk assessment. Mandating that the entire comprehensive list be checked every time may just be setting the company up for failure. If it is an unrealistic goal which can never be complied with, it will give cause for the crew to dismiss the entire manual as unrealistic and not applicable.

The manual must also be realistic and customized for a particular vessel and operation. There are off-the-shelf SMS manuals which are hundreds of pages long, written by individuals who have no practical vessel experience. These manuals, while comprehensive, most likely contain sections which are not applicable or are unrealistic. These are the types of manuals which are most likely to become just another book on the shelf.

There are some processes and procedures which are required by regulation. These should be identified first and foremost to ensure compliance. The SMS should only include what is required to ensure compliance and safe operations, and it must be able to be implemented. If something in the manual cannot be complied with, the manual should be amended immediately and the requirement changed or removed. The best way to ensure success when developing an SMS is to start by finding out what procedures are currently done by the captain and crew, and then build on those procedures. Whatever procedures the company deems appropriate to mandate via the SMS manual, they must be done consistently, and must be enforced regularly by the company.

A checklist can be a good tool to implement once the proper risk assessment has been conducted and the mandatory checks have been determined. However, it is not realistic to expect a vessel operator, to use a written checklist for every operation that they conduct. Entering these types of requirements in an SMS just invites "gun-decking" and gives reason for the crew to disregard the entire program which they may perceive to be nonsense. If the company thinks a checklist is necessary, but the use of one is impractical, the solution is quality intensive training.

Another common oversight regarding safety management systems is their purpose. They are intended to be management systems, not just safety manuals. For instance, if a vessel lost power and a serious accident resulted, and during the investigation it is found that the loss of power was due to and automatic main engine shutdown which occurred due to a malfunctioning piece of newly installed equipment. Upon further investigation it may be uncovered that this malfunctioning piece of equipment automatically shut down the main engine twice before, and that the crew had reported it to the port engineer, but because they were able to get the main engine restarted and there were no other obvious problems, they assumed it was a "fluke." Given this real-life example, a safety manual might say what to do in case of loss of power, or to report machinery casualties to the port engineer, but a safety management system is suppose to be designed to ensure that the issue is thoroughly resolved so that the accident doesn't happen.

Even with a comprehensive system in place, it is only as effective as the decisions which are ultimately made by management. For example, during an inspection a captain was very proud of his safety management system and showed how his discrepancies had been identified, documented and carried over from the monthly reports, to the quarterly reports, and to the semi-annual reports. The problem was that one of the discrepancies was a hole in the hull ten inches above the waterline. The company had decided to keep operating the vessel, continuously pumping out the compartment until the next drydock. There must be a system, not only for reporting, and tracking of discrepancies, but also for risk based decision making to resolve issues in accordance with regulatory requirements and prudent industry practices. The intent is not

to have a manual and a system to track everything. The intent is to design a system which ensures the best possible decisions are made by the company, captains and crews, regarding safe operations.

By now most have heard of the tragic Staten Island ferry disaster which occurred in October of 2003. One lesson to take away from that tragic accident was that not only was the captain of the ferry sentenced to prison, but so was the ferry manager. The ferry manager, who failed to enforce the city's own internal policy of having two captains in the wheelhouse at all times, was also sentenced to a year and a day in prison. Remember, whatever you put in the SMS manual must be complied with at all times. Close enough, is really not, good enough.

Who will be the next Director General of Shipping?

Selection process for locating an appropriate person to fill the post of the Director General of Shipping is underway.

It's been some time that the post of the Director General of Shipping in the Indian maritime regulatory body, has remained vacant. Possible names have been doing the rounds and if sources are to be believed the ministry has finally made up its mind on appointing an official. But who will it be? The trade knows better - It is going to be another IAS (Indian Administrative Service) officer.

The Shipping Corporation of India (SCI) has a better system. Their present Chairman and Managing Director Sabyasachi Hajara who joined the SCI on May 2nd 1973 and assumed charge as CMD on September 1, 2005 is due to retire in December this year. In the case of CMD's appointment to the SCI the Ministry does not wait for the incumbent to retire to start the selection process.

In fact the process is already complete. Generally the person chosen is conversant with the work and well qualified to take on the top position of the company. In fact according to the advertisement calling for applications for the post of CMD states that it is desirable the candidate have knowledge of shipping / transport industry. According to sources the selection process for the next CMD is already complete and Capt Sunil Thapar, who is presently Director of Bulk Carriers and Tankers of SCI is likely to be appointed as the next CMD of SCI.

But unfortunately no such importance is extended while selecting a suitable person for the post of DGS. Like is the case with many other government departments here too a person from the Indian administrative service gets appointed despite the fact that the Directorate General of Shipping deals with maritime safety administration viz. IMO conventions, SOLAS, MARPOL, STCW, etc and heads over 130 Maritime Training Institutes in India. An important function of the DGS is that he has to arbitrate on issues which from start to end are totally technical. It is strange that government babus involved in the selection process fail to appreciate the fact that the concerned person could end up committing blunders at the cost of the trade and the country at large.

The appointment of IAS officers to such technical department took center stage during yesterday's panel discussion at the Intermodal India 2012 organized by UBM India and which is now underway at the Bombay Exhibition Grounds. While summarizing the discussions Shankar Chatterjee, MD of India & South Asia, Bertling Logistics India who chaired the session stated, "It is unfortunate that IAS officials who don't have much knowledge of the concerned logistic sector get appointed to

head important departments. By the time they begin to get an in-depth knowledge of the sector it is time for them to get transferred. The government needs to consider setting up a pool of officials under the Indian Logistics Administration or promote officers from within the organization to head the department. UBM India will be presenting a white paper to the government bringing all such issues to their notice.

China gets more interested in building a rival Panama Canal: Behind the puff and hot air new developments take place:

A "ho-hum" reaction has greeted a recent announcement of developments in building a second overland rival to the Panama Canal. President Daniel Ortega has given approval to the plans for a \$30 billion rail/water connection from Puerto Corinto on the Pacific and Monkey Point on the Caribbean.

Nothing much to raise the pulse rate, admittedly. Central American countries are constantly proposing grand schemes that are forgotten as soon as they are unveiled.

But then along comes the news that Hong Kong-based Xinwei Telecom will handle the financing. A joint venture will be set up, HK Nicaragua, to do the construction and the rest of it.

Place this along with the announcement about a year ago that another group of China venture capitalists are beavering away to get Colombia to build its own "canal" and the inference is clear that China is certainly going to be involved in a canal that can compete with the de facto US-controlled canal.

To some extent, the ventures are vehicles for planners and consultants to rake in huge sums, uncaring whether anything will result. A transport economist in Central America has been quoted as saying, "My own hypothesis is that these guys are really more interested in getting feasibility studies done and getting consulting fees than in getting any dry canal done." A US economist, Paul Bingham of CD Smith, tells me, "At referenced current cost of \$30 billion, [the Nicaragua canal] is almost 6 times the cost of the current Panama Canal expansion, for perspective. While that funding level for infrastructure might be possible in global financial markets in general these days, investors would want to see what they could expect in terms of a return, given the newly expanded Panama Canal and 'dry Canal' alternatives that still exist in other locations across the continent from Columbia up to, and including the rail land bridge in the USA."

Absolutely. But the nagging feeling is growing that the Chinese are getting more serious about finding another way to counter US hegemony.

Day of the Seafarer celebration feature wish list and appreciations:

Its kudos and wish list that take center stage during the Day of the Seafarer Celebration.

It was the first time that the Day of the Seafarer really got celebrated in India. There was a massive turnout this afternoon for the function which saw both mariners, who are still sailing and those having left the sea, attending the sole function to be organized on the occasion.

Though high profile guests from the Union government could not make it for the program, it did not in any way dampen the spirit, enthusiasm or the excitement that prevailed amongst the over 2000 seafarers who had gathered for the function that was held in Mumbai.

Amongst the many speeches and presentations made on the occasion, one remarkable gesture of the seafaring community that stood out strikingly was their acknowledgment of Capt T. K. Joseph's immense contribution to maritime training. Considered an icon of maritime education for having helped to raise the standard of maritime education in the country during his forty years of dedication to this field, he was presented a memento as a token of appreciation. Several cadets, marine officers and seamen too were felicitated for their outstanding performance and achievements in their field of operation.

The maritime administration too was complimented for having launched early this month the on-line examination system 'ePariksha' for the engineering side for those appearing for the certificate of competency examinations. Thus, this achievement makes the Directorate General of Shipping to be the first maritime administration in the world to introduced on-line examination. Candidates can now undertake their examination and have their answers assessed on-the-spot. A special website was launched on the occasion: "dayoftheseafarers"

In his Keynote address K. Rajvanshi, MD, Fleet Management Ltd, Hong Kong gave a narration about the dramatic rise of Indian seafaring. He spoke about the remarkable role Indian seafarers played in global shipping primarily because the Indian Standard of Certification was highest in the world.

On behalf of the seafarers, Capt. Sudhir Kumar, a sailing Master from the Shipping Corporation of India presented the dynamic role seafarers play. However, the sea-life was getting devastating and could discourage new comers into the field. "Piracy has raised its ugly head," he said. "India is the only country in the world after which an ocean is named and this Indian Ocean is become a place of disrepute because of piracy. Working on ships as it is, is hard work and it takes an enormous toll on families and on individuals. When seafarers head to work for months at a time, trying to return home can sometimes be frustrating when they are denied shore leave at the last moment." He wanted the administration to keep track of each seafarer's salary to ensure that salary payments were made in time.

From the side of the seamen's union Abdulgani Y Serang, General Secretary, NUSI listed out the various demands that were pending with the government for settlement including unfair seafarer's tax, denial of shore leave, introduction of pension scheme, more training slots, etc. He asked the government to implement Maritime Labor Convention. He said, "With regards piracy there was lack of political will to put an end to it. In my remotest dreams I wish that oil and gas discoveries take place in Somalia. This will put an end to piracy."

The Chief Guest of the function Capt P. V. K. Mohan, Chairman, National Shipping Board, said in reply to Abdulgani's demand to the government. "As there is a shortage of training slots, the government has agreed to increase these not just for officers but for seamen as well. The cost for this will be borne by the government. The government has also agreed to appoint the Central Industrial Security Force (CISF) to man the Indian ships while traversing the pirate infected areas.

He promised to continuing lobbying with the Finance Ministry, Government of India, to have the tax which is levied on Indian seafarers serving on Indian ships withdrawn since those Indians serving on foreign ships are exempted. Also he would get the pension scheme for seafarers passed.

Marine experts warn piracy dip could reverse itself: Dubai: Efforts to free a marine crew of

23 Indians aboard hijacked oil tanker Abu Dhabi Star on Wednesday serve as a strong reminder that shipping companies cannot be complacent, say marine authorities. Pirates abandoned the vessel when a Nigerian naval ship and helicopter came within range of the ship, about 14 miles off the port of Lagos.

Reuters reported that Navy spokesman Commodore Kabir Aliyu said: "There was no exchange of fire. All the crew members are safe," he said, noting the ship would be further protected until a probe into the pirate attack was completed. Online ship registries list Abu Dhabi Star tanker as owned by Abu Dhabi Star Pte., a company in Singapore. The vessel is operated by Pioneer Ship Management Services LLC which has an office in Dubai.

Lieutenant Commander Jerry Osomara, the Nigerian navy's spokesman for Lagos, said it was not known if the fuel on board had been stolen. "Definitely their intent was to steal the oil, but we don't yet know if they were successful," he said.

Piracy nets huge sums for armed gangs in the region from stolen cargo, although unlike their Somali counterparts they rarely ask for ransoms, releasing crew as soon as they have looted a vessel. The Abu Dhabi Star's management company, Dubai-based Pioneer Ship Management, confirmed the rescue. "Pioneer Ship Management would like to thank the Nigerian Naval Authorities for responding so professionally to this criminal act and are thankful that all the seafarers are now safe," it said in a statement.

Built in February 25, 2008, the double-hulled tanker flies under a Singaporean flag and is described as a oil/chemical tanker type III.

The latest pirate attack comes amid warnings from international naval authorities that as piracy has dropped in Somalia, the risk has increased in places such as Nigeria where incidents have risen this year.

The International Maritime Bureau said while attacks off Somalia decreased, incidents were increasing in the Gulf of Guinea, where 32 incidents _ not including the Abu Dhabi Star -- so far in 2012 as compared to 25 in 2011.

"In Nigeria alone there were 17 reports, compared to six in 2011. Togo reported five incidents including a hijacking, compared to no incidents during the same time last year," the IMB said in its report. "The IMB report emphasized that high levels of violence were also being used against crew members in the Gulf of Guinea. Guns were reported in at least 20 of the 32 incidents. At least one crew member was killed and another later died as a result of an attack."

Despite a 54 per cent decrease in global piracy recorded in the first six months of 2012, the three counter-piracy naval task forces patrolling Somalian waters are also urging the shipping industry not to assume years of high-seas marauding are coming to an end.

In a warning fired across the bow of global shipping companies that ship up to one-third of the world's goods through waters off Somalia and the Arabian Peninsula, European Union Naval Force Somalia - comprised of Operation Atalanta, Combined Task Force 151 and NATO -- urged cargo ship owners and operators earlier this week to continue anti-piracy measures to maintain low-levels of piracy activity.

He said: "International navies and all merchant vessels transiting the high risk area, need to remain vigilant and uphold their respective responsibilities to support the fight against piracy."

Nigerian Navy Takes Control of Hijacked Fuel Tanker:

For the third time in two weeks, Nigeria's navy has assumed control of a Singapore fuel tanker that was hijacked by pirates in the port of Lagos. According to a statement from the tanker's company, its crew of 23 Indian nationals escaped harm.

The incident, which was the latest to take place in the Gulf of Guinea in recent months, was preceded with previous hijackings that led to the theft of fuel cargo after the release of the crew



and ships.

Details were still emerging of the attack last week, as the crew sought refuge in a safe room. Meanwhile, the gasoline-laden vessel was escorted to the port of Nigeria's economic capital.

"Command was restored to the master and crew. It is understood that the pirates fled the scene on the approach of the naval vessel. All the ship's crew are reported to be well and unharmed," the statement said.

A navy spokesman told the BBC the crew was safe, the hijackers had fled and the vessel, the Abu Dhabi Star, was being escorted into the port of Lagos.

Earlier, the navy denied reports that the tanker was seized in the port. There has been a significant increase in the number of pirate attacks in parts of West Africa.

The BBC's Will Ross in Lagos says unlike the piracy off the coast of Somalia where hostages are held for ransom, in the Gulf of Guinea the armed gangs are after the cargo which is usually swiftly offloaded. Navy spokesman Commodore Kabir Aliyu said no shots were fired before the hijackers abandoned the Abu Dhabi Star. Earlier the navy had sent two ships and a helicopter to the scene.

"We want to commend the superb effort of the Nigerian navy in securing the safe release of the Abu Dhabi Star. There were no casualties and the cargo is intact," Pottengal Mukundan, the director of the International Maritime Bureau, told the BBC.

"It is very important that the Nigerian authorities apprehend, investigate and try those who carried out the attack," he said.

Our correspondent says questions will be asked as to how the pirates were able to hijack the ship so close to the coastline and how they managed to escape.

Last month there were two similar hijackings just along the coast near Togo. In both incidents the oil was siphoned off before the vessels and crew were released.

Pirates approached the Abu Dhabi Star under cover of nightfall:

The Abu Dhabi Star is the latest ship to have been attacked in the Gulf of Guinea in recent weeks, highlighting a growing threat in the region.

A total of 40 attacks have been reported this year - many others are hushed up.

News that the vessel was carrying petrol from Nigeria to the US has also raised eyebrows. Nigeria is a major exporter of crude oil but generally imports its refined fuel products. Some of the 23 crew described the terrifying moment when, in the darkness, they realised the pirates were approaching.



"Our radar picked up four unlit boats. They were much bigger than the standard boats here. They had twin engines and approached very fast. They were on both sides of the ship and each boat had about five well-armed people on board," Capt Aron Chandran told the BBC.

"Within five minutes, one or two of them were on board, fully armed and in full combat battle dress."

The crew had been trained for such a scenario and they all locked themselves in a safe room, known as a citadel, out of reach of the gang. The pirates smashed the glass windows to get access to the bridge in an effort to take control of the 183m (600ft) -long vessel.

Call for help: "I think they are professional. They knew what to do. They started reducing the speed of the engines and then stopped them," said Capt Chandran. Crew of the Abu Dhabi Star said the most frightening part of their ordeal was calling their relatives

"With the communication equipment and the satellite they knew exactly what to break and what to disable." Out of sight of the pirates, some of the crew then climbed up to the funnel deck where they could get a mobile phone signal. After the call for help, it was a long and anxious wait.

"It was very disturbing. We knew what to do but mentally we were very, very disturbed," chief engineer Rajbir Dhankhar recalled.

"From the funnel, the captain and I were monitoring the situation as we didn't want a collision or pollution so we were watching to ensure there was no accident. We still had control of the engines and the steering so we could manoeuvre a little bit," he said.

Grateful: Throughout the ordeal they would have been aware that during previous attacks in the Gulf of Guinea crews have often been treated violently. Unlike piracy off the coast of Somalia, where the seafarers are used as bargaining chips to secure a hefty ransom, in this region the gangs are after the cargo and so the welfare of the crew is of little consequence to the pirates.

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