

# CESMA NEWS

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## LOST IN PRISON - A CAPTAIN'S SEARCH FOR FREEDOM IN PANAMA-

Enclosed by steel walls and surrounded by men (often wearing bright orange jumpsuits!), mariners have long joked that "Going to sea is like going to prison with the added chance of drowning," but some mariners are no longer laughing because going to sea is increasingly resulting in prison terms for unlucky captains.

On March 29, 2011, Panamanian authorities received an anonymous tip that drugs were on board the MV MAAS TRADER. When the vessel arrived at Cristobal, Panama, a search warrant was issued and 168 packets of cocaine were found. The vessel was detained, the officers and ratings interrogated and a few days later, the vessel and crew were released.

### **All except Captain Lyubomirov Sobadzhiev.**

Captain Sobadzhiev has now been in jail for 17 months without charge at the Jojoya Prison, a place that does not provide for the most basic needs of toiletries, clean water and nutritious food. What Sobadzhiev is not lacking however, is international support. Toward the end of 2011, The Council of American Master Mariners, an organization with a long history of supporting ship masters of all nationalities, enlisted the help of admiralty lawyer Dr. John A.C. Cartner of the firm Cartner & Fiske to help free Sobadzhiev.



In the following months Dr. Cartner, along with Peter D. Wolf of the Law Offices of Peter D. Wolf, faced a legal system that has erected numerous roadblocks to delay the case and prevent the release of Captain Sobadzhiev.

Dr. John A.C. Cartner

"There is nearly a strict liability standard for drug cases in Panama," said Dr. Cartner. "This means that once drugs are found aboard a vessel and it is determined that the Master was in charge, that an extremely strong defense is required to change the presumption of the government that the Master is closely involved and therefore is a culpable party and likely guilty. Faced with these difficulties, Cartner's team contacted many colleagues in the maritime industry for assistance. In particular, they looked to enlist the help of the ship operator, owner, and manning agent in Holland, but they were unsuccessful. Dr. Cartner believes that one major reason for our lack of success was that nearly one year has elapsed since the incident occurred.

"We are now at a crossroads," says Cartner. "Funds for the defense are depleted, but Captain Sobadzhiev remains imprisoned. Our work is not done. We are prepared to continue as long as it takes to free the man. However, funds are necessary for that time to be effective."

Sobadzhiev remains hopeful that his luck will turn, but the captain and his supporters they are also aware of the reality of the situation.... the defense fund collected by his supporters, magnified by the hours provided pro bono by Cartner and his partners, is dwindling fast against as the Panamanian legal system drags its feet.

Note: Any organizations or mariners wanting to help Captain Sobadzhiev should contact Dr. Cartner at +1.202.429.2500. By GCAPTAIN STAFF (September 26, 2012)



## THEORY OR PRACTICE – WHICH IS MORE VALUABLE AT SEA?



Capt. Dimitar Dimitrov

The maritime profession has changed enormously during the last decade. Regulations were coming daily, conventions, rules, restrictions, etc. People at sea are not better than before. The STCW Convention is stipulating the minimum standard for manning the ship. More and more countries are coming to this standard, while the attractiveness of the profession decreased. Not so long ago, in Bulgaria, there was a sub law regulating the competency of maritime professionals (Ordinance 6 of the Ministry of Transport) which required 24 months sea going experience in deep sea navigation as third navigating officer to obtain permission to get an examination for second officer, another 24 months sea going experience as second officer after successful exam to come to the examination board for chief officer's exam and another 24 months for a master's exam.

There were the following grades:

1. Fifth grade navigating officer – for maritime college graduates, normally helmsmen and boatswains had to have such a certificate;
2. Fourth grade navigating officer – for Naval Academy graduates after completing their studies and joining the ship as fourth officer for minimum six months;
3. Third grade navigating officer – after minimum six months as fourth officer;
4. Second grade navigating officer – minimum 24 months as third officer and examination before the Maritime Administration Examination Board, normally five days examinations – navigation – anti-collision regulations test, astronomy, manoeuvre solving task, tidal calculation, maritime English – written and oral examination, cargo operations – stability and draft calculations and oral examination in theory, maritime law – written and oral examination;
5. First grade navigating officer minimum 24 months sea going experience as second officer and the same examination as for the second grade but more complicated;
6. Ship master – minimum 24 months sea going experience as chief officer and examination.

So, altogether 78 months seagoing experience after graduation of the education had been necessary for a young officer to become shipmaster. This was the story till early 2000. Continuously the requirements in Bulgarian law have decreased to the present STCW requirements. The present seagoing experience is less than twice less required than before and the practice shows people get higher positions on board with less experience, less examinations and younger. The ships become more complicated, work at sea more intensive. Normally in the years before it was quite normal for all the navigating officers on board to prepare loading plans for training, to write letters of protest and to perform duties of the higher officers for training under supervision. In recent years that practice is less and less applicable as the crews are minimized and working hours are usually 10 or more. If all is going well on board, there is no problem. But the sea is not so well predictable and never mind the technology, accidents happen even more frequently than before. In such a situation experience is of great value. One of our colleagues took part in the salvage operation in Papua New Guinea and saved more than hundred people from a sunken ferry boat. He was coordinator surface search in the salvage operation. The operation was more than successful but are we prepared to do our duties? We all have some knowledge in IAMSAR. In the busy shipping we have no time to train these very important issues and in an emergency situation, timely and precise action is very important.

What is the possible solution? It seems that the most effective way to fill this gap, is more training before granting the certificates of officers on management positions and again more regular training either on a simulator or in a real situation. Especially when we speak about search and rescue it is possible the seafarers to take part in search and rescue training of SAR facilities in their countries when they are on shore leave. In that way they could get real experience and they would be acquainted with the specialized facilities, regulations and software solutions.

Another hot topic is the reliance on electronics on board. The newcomers in the maritime profession are very well prepared to use electronic equipment on board, electronic charts, GPS systems, ARPAs, etc. Unfortunately they are not enough prepared to evaluate the information received. More or less the electronics are used as a game where the own ship is one of the participants. And, of course, that is not the case and human life and environment depend on decisions of the crew. Let's take the example of finding the manoeuvring elements of ships in the vicinity. Modern ships have good radars, ARPA's, to estimate manoeuvring elements of other ships in the vicinity, AIS equipment to see their parameters of movement, electronic charts, etc. Anyhow, to take the right decision one has to analyze the information and to evaluate data from all the screens. That means the navigating officer should know that the CPA is the closest point of approach, how the ship's ARPA had calculated it, what relative motion is and how to use all the information to follow a safe route.

More and more test examinations are applied to verify the knowledge and abilities of ship officers and masters. There are too many cases where the young applicants have perfect tests without any errors but when one asks them to explain some of the questions he finds out that the answers had been learnt by heart or by any logic without realizing the core nature of the answer and the meaning. For example, the common manoeuvre decision when we have ship on our starboard with bearing which is decreasing and distance is decreasing. If the officer just sees that the CPA is enough, he usually continues on the same heading and speed. But it is not just the CPA but also the COLREG to be born in mind and never mind the CPA, the ship should change her course to starboard to express the intention of red-to-red cross-passing maneuver. There are many other examples but the outcome is very simple. More experience, more training, higher standards and the number of accidents will decrease. There should be enough time on board for training of young officers by masters and chief officers. Such training could be included as requirement for the officers to obtain their next certificate. The training must be counted as working time and it should be made available by shipowners when setting the number of officers and crew on board and working schedule. It should also be counted when the flag state administrations determine minimum safe manning.

Going back to the education, we could notice an increased volume of material to be learnt such as more regulations, new and more complicated electronics. With the same or less curriculum the details of each matter are studied in less time and the result is as in the old proverb says "the master is a man who knows less and less for more and more until finally he knows nothing of everything". The navigating officers of twenty years ago were prepared to repair their radar, to change some electronic elements in navigational systems or to do everything by the means of visual navigation. Unfortunately that is not the case nowadays as there are no means of visual navigation. One can find ships without possibilities to take bearings or horizontal angles, etc. and to fix ship's position. Something more, young officers are not eager to observe the ship's vicinity visually, they are watching most of the time the radar screens. That's why we should work on improving either regulatory base or catch on the old experience to watch not only the radar and electronic chart screens but simply to watch out through the portholes to get more information and to assess the situation in a better way.

Dimitar Dimitrov, MNI,

Master Mariner, Port Pilot in Varna, Bulgaria,

President of Bulgarian Shipmasters' Association and CESMA Councilmember.)



## HOW GUILTY IS CAPTAIN SCHETTINO?

Captain Francesco Schettino, Master of the "Costa Concordia", which hit a rock near the Italian island of Giglio and nearly capsized due to the water ingressing into the vessel, has received a lot of criticism in the news media and possibly even more from various industry insiders. The main accusation concerns the fact that he abandoned the ship before the last passenger was safe. Still, an important question is not being asked: what did he do right? If he fell into a lifeboat due to the list of the vessel, according to his own commentary, why did he not return to the vessel? In the now famous tape, the Port Captain of Leghorn ordered him to go back to the vessel in an unprecedented manner, as far as the authority of a master of a large passenger vessel permits. In fact the order made little or no sense at all for reasons mentioned further in this article. Nobody ever asked the question why he didn't go back to the vessel. Accusing people without knowing the backgrounds, is unfair and far from reasonable.

During an emergency, the Captain is the "On Scene Commander" and it is his task to direct the crew's emergency efforts. This job, however, does not consist of physical action. He cannot and should not attempt any rescue attempts himself. Instead his job is to deploy assets and communicate with his team which are actually involved in the rescue attempts. This job can be perfectly done from a lifeboat or even from ashore if the vessel is as close to the shore as the "Costa Concordia" was. Manoeuvring a lifeboat to the stern of the ship, climbing a ladder and attempting to crawl a few hundred meters towards the bridge, would take a long time, time during which he could not command the response and would have put his life in grave danger. To compare with a fire-chief's way of conduct. He will never enter a burning building but will instead set up a command trailer, blocks from the disaster. In a disaster situation we do not want the person-in-charge, the one with the most experience, to be lost. Therefore the order for the captain to return to the ship was a mistake made by the port captain and the decision to ignore the "order" was the correct action to take.

Another piece of criticism was directed to Captain Schettino for not calling a MAYDAY and not loading the lifeboats immediately after the damage to the vessel was known. Although even "experts" are of the opinion that this was an important mistake, it is a true fact that the extent of the damage and the consequences were at that moment unknown. As the ship is considered to be her own best lifeboat, the decision to delay the disembarkation of the vessel is not without logic, also considering that disembarking more than 4.000 persons from a listing vessel is not without enormous risks. As several ports that could accommodate a vessel of the size of the "Costa Concordia" were nearby, reaching one of these ports could be seen as an option. As soon as the propulsion system fell out, such an option would have depended on tugboat assistance. However it would have taken six to seven hours for tugboats to reach the vessel from the nearby port of Leghorn. Moreover there were discussions with Costa that such an action could be seen as a salvage action with significant financial consequences. It was then obvious to Captain Schettino that he was on his own. The list of the vessel was at first not very serious and there was no expectation that she would lose stability. With drifting of the ship direction shore it was envisaged that reaching shallow waters could prevent her from sinking in the event of capsizing. Regular soundings were made and the anchor was on standby to keep the vessel in that safe position with a depth of approximately 15 meters. It can be called a miracle that the wind which caused the drifting of the vessel was from a favourable direction. It was this good fortune and the initiatives of Captain Schettino and his officers that thousands of lives were saved.

Another issue which was, raised by the media, is that Captain Schettino did not live up to the stately image of Captain. This was also enhanced by the telephone conversation between the Coastguard officer and Captain Schettino. In this unprecedented conversation, broadcasted on international television stations Mr. de Falco, ordered Captain Schettino, who was directing salvage operations from ashore, to immediately return to his vessel in a very ill-mannered way.

According to the public opinion, a Captain is still a strong and knowledgeable leader. However captains of today effectively manage problems and make decisions based on pressures placed on them by shipowners, passengers and crew. Still the captain's primary job is to exude the calm presence needed to manage a disaster effectively. This does not mean that he has to go down with the ship, committing suicide. The evidence points to the fact that Captain Schettino remained calm amid the chaos around him.

On the point of "showboating", it is a known fact that, although Carnival Cruises to which Costa Lines belongs, is officially prohibiting such exercises. However reality is different. Companies know exactly where their ships have travelled by using satellite navigation and LRIT tracking and the showboat manoeuvre by the "Costa Concordia" was certainly not the first one. The fact remains whether Captain Schettino acted on his own or was ordered by the company. Moreover the Captain is by definition the owner's representative on board. Blaming the captain may put the shipowner in a precarious liability position.

It is no secret that Captain Schettino made mistakes and that he could have handled the emergency better but in the Captain's defence, much had to go right for so many people to be saved. The crew training, the ship's emergency equipment and the company procedures all made a significant and positive impact on the lives of those saved. Passengers have stated that many crewmembers have acted exemplary and the decision by Captain Schettino to use the lifeboats for tendering people to safety from ship to shore and back was an excellent one. The role of the Coastguard in saving lives was not clear and a request to send helicopters was only materialised at a later stage.

Partly based on article by John Konrad ("gCaptain")



## CHANGED PRIORITIES AFTER AN ACCIDENT



Once upon a time, there was such a thing as an "accident" and it was generally acknowledged, depending upon its seriousness, that we should attempt to discover all the circumstances surrounding it, so its repetition could be prevented. But society moves on and it now often appears that more important than discovery and subsequent prevention will be the need to ascertain whether any crime has been committed. Thus, the agencies of law enforcement will quickly be on the scene and may actively prevent the professional accident investigators interviewing witnesses and getting hold of the evidence.

It is partly changing attitudes, partly the modern belief that anything untoward that occurs must have its origins in personal fault and that those responsible must be tracked down and punished for his or her deficiencies. It is also closely tied up with the compensation "culture", which is such a feature of 21st century life. So when maritime industry people shake their heads in sadness and bewilderment at the "criminalisation" of marine professionals who have been involved in accidents of every description, it is worthwhile reminding ourselves that this, while regrettable, is not a maritime phenomenon.

A good example of this change in priorities and attitudes can be noted from any smash on the motorway. Once, the priority would be to clear the wreckage away and get the traffic moving as quickly as possible. The motorway authorities would take great pride in the speed of restoration and minimising the effects of the disruption. Today, if the accident was a serious one, the priority will be to establish blame and collect evidence for a subsequent prosecution, so the road will be closed for hours on end while forensic information is laboriously collected, regardless of the cost and inconvenience.

So when we in the marine industry complains about the effects criminalisation has on the recruitment figures or the retention figures for responsible officers, it is difficult to see much changing as long as these attitudes prevail. But another sad and reprehensible effect of all this emphasis on crime and punishment, is in the inevitable delays in determining the cause of an accident and preventing its repetition. In the collection of evidence, an accident inspector (at least in those countries where there was a professional and independent investigation body) could count on those involved giving a generally open and honest account of the sequence of events. True, their recollections might have been faulty, but their frankness was helpful in ascertaining the truth. Now, it will not be unusual for the law enforcers to have already frightened those involved from saying anything without a lawyer being present, and if the casualty investigator can even speak to them, the openness and frankness that there might have been between two professionals, will be missing.

Even with the wonderful facility of the VDR "black box", it is not unusual to have this seized by the authorities and not released to the accident investigators until they have finished with it. And while it might satisfy both the lawyers and all sorts of human emotions to engage in criminal proceedings, there is a real risk that the discovery of what caused the accident and its promulgation around the industry of what is often vital information, will be delayed for months and even years.

And that is a real cause for concern.

Source: Bimco



## WHAT ON EARTH DO WE MEAN WITH SAFE MANNING ?

We have followed with interest the paper discussion between Mr. Michael Grey of Lloyd's List and Mr. Simon Bennett, Director external relations of the International Chamber of Shipping, representing shipowners internationally. We know both gentlemen in person and we are convinced of their affinity with the maritime industry.



Sir. Michael Grey

In his initial article (LL 11-06-2012) Michael Grey proposes to have "more hands on deck", referring to many messages which are reach him from the actual seafaring community. Indeed we have certificates to prove that our manning levels are safe. They are shown to Port State Control officers if they dare to raise the subject, feeling that something is wrong and that the ship's safety might be in danger. According to Mr. Grey there is not a single serving shipmaster on any ocean in the world willing to confide that the number of hands, advertised on this pointless bit of paper, was adequate to operate his or her ship. We could make the exception of the captain/owner concept as more "hands on deck" will directly influence their profit margin.

One prominent open register certified that 10 (ten) people were sufficient to create sufficient safety for a very large crude carrier (VLCC). There is a true story of seven intrepid – and hopefully well-paid - souls, breaking a VLCC out of long term layup for a scrap voyage around the Cape. Nobody could seriously suggest that such a ship was adequately manned, even if some deluded flag state official so deemed it.

The not so long ago concluded 90<sup>th</sup> session of the IMO maritime safety commission (MSC) had safe manning on its agenda and has hopefully moved the subject further along the long road to some common sense on the number of people to safely crew a ship. It could be advised to abolish the term “safe manning” on the grounds that what one person considers safe, is in practical terms, inadequate and, in some cases, even unreasonable. If we insist on describing this adequacy as safe manning, we should perhaps need to broaden the definition of what we mean by safe and bring in some sensible and seamanlike caveats about the relationship between safety and health. This would prevent shipowners from condemning their crews, or at least their senior officers to live a sort of Stakhanovite existence for months on end.

For years, there has been a sort of competition between flag states for the one that can prescribe the lowest and most ridiculous numbers of crew on its certificates, on the grounds that owners will happily gravitate to those that require the least. Honest and sincere surveyors in decent flag states have confessed that they have been more or less forced to give an owner permission to the ridiculous number of crew he wanted. If not, he threatened to change to a more obliging flag. On the question why he is operating his ships undermanned, the owner immediately will mention the need for level playing fields. It would be good to involve insurers in on the argument but they admit to operate in a competitive field too.

Unfortunately seafarers meanwhile probably do not even recognise that their ships are undermanned because undermanning tends to become the norm and unless they are of a certain age, they have never experienced a more generous regime. Shipping is not the only industry where this phenomenon is playing a part. In our age we experience lean manning everywhere. Absolute minimum number of people are forced to work long hours while a large portion of the population is unemployed.

Discussing safe manning, owners would rightfully rush to point out that every ship differs in age and equipment, in trade and route. However there are sincere doubts whether the number of crewmembers necessary based on those conditions, should be determined with maritime employers or even flag state representatives present at the negotiations, because they have been responsible over many years to reduce the manning levels to their present, sometimes grossly inadequate, levels. Let the numbers of people on board and their skills be sufficient for the amount of work required on any particular voyage. And a little leeway just in case.

In his comment on the article Mr. Bennett states that the IMO has already adopted a new IMO assembly resolution on principles of minimum safe manning last November with associated SOLAS amendments being agreed by the maritime safety committee meeting in May. This was the culmination of a very thorough process that ran alongside the recent review of the STCW Convention. The competition regarding manning levels among flag states might have been true in the past, but the shipping industry in 2012 has to comply with international rest-hour requirements, enforced on a global basis by inspectors of Port State Control. According to Mr. Bennett, no seafarer, including the master, can now legally be on duty for more than 14 hours a day, as well as having to meet various other strict requirements governing when rest should be taken. If a ship’s crew is routinely found not to comply with STCW rest-hour rules, this will now indicate to inspectors that there is a problem with the safe manning level. This will then trigger a review of the safe manning certificate by the flag state. This changed situation should be acknowledged as a considerable improvement when modern working practices are discussed, according to Mr. Bennett.



Mr. Simon Bennett



What Mr. Bennett does not mention is the fact what will happen if, especially, the master has to work, including his bridge duties, for more than 14 hours a day on many occasions. Those circumstances are explained in many cases as an exception which is not “routinely” and are still allowed.

Mr. Grey admits that rules on hours and rest are now in place, loosely related to the safe manning certificate. However these have failed to address the real damage that was done over the last 30 years by trying to restore reasonable levels of manning back on board ship. He was suggesting to bring more generosity and common sense in manning so that a working week of excess of 90 hours was not the norm. Mentoring by masters is almost impossible, such is the ludicrous amount of paperwork they are forced to undertake.

Regarding flag states that would like to do something about manning levels, Mr. Grey remarks that these are still inhibited by the knowledge that owners would merely shift to less particular registers. The Maritime & Coastguard Agency (MCA) in the United Kingdom could confirm such assumptions.

In the discussions we are missing the fact that “safe manning” is referring to “bringing (navigating) the ship safely from A to B. What happens next is not included. We hear comments from pilots that the mooring stations during mooring/unmooring are grossly undermanned creating dangerous situations and sometimes accidents also due to the ever growing size of the vessels. We have mentioned the lean manning issue during security deliberations at the European Commission concerning ships which have to pass piracy infected areas. As we know now, these areas are not only restricted to Somalian waters. Extra vigilance has to be undertaken for many days if the best management practices have to be adhered to in a proper way. We know that safe manning is now on the agenda in Brussels.

(based on articles from Lloyd’s List)



## SOMALIA PIRACY THREAT UNLIKELY TO DIMINISH

Piracy is the second largest generator of income in Somalia, yielding an estimated \$200 million annually.

- As pirate financiers invest more and more in the success of their operations, lucrative opportunities for local business have vastly expanded. A \$4 million ransom will be injected back into the local economy, benefiting a community that once lived in abject poverty. There is little wonder why the practice has boomed when Somali per capita income is \$600 and a minimum \$10,000 is available for each perpetrator of a successful operation. With 90% of the world’s trade is transported by sea, the opportunities are vast.
- Local policing has traditionally been orchestrated by clans rather than any central authority and there are indications that this will remain unchanged in the post-transition period. Tribal elders have been asked to nominate their own MPs who are likely to be lobbied by the richest kingpins in their delegated constituencies.
- On shore, Somalia’s two main pirate syndicates continue to be active and show little sign of disarray. They have not had to shift anchorages and have the funds to consolidate their hold on it as necessary.
- The pirates have the capability to adapt, and are already doing so. There has been a recent acceleration in kidnap for ransom on land of aid workers and tourists who are then transferred to the coast for ransom negotiations. Some pirates have even begun to offer their services as ‘counter piracy’ and ‘negotiation’ experts.

What the Government can do:

- In order to tackle the problem effectively, the government would have to implement a strategy that does not solely rely on force. Communities must be presented with the opportunity to earn a wage that offers them a similar quality of life to what they currently experience. It may initiate this by a sustained investment campaign into the country's economic infrastructure to kick-start primary sector business. Before this can happen the new government needs to establish a reliable, transparent mechanism for aid disbursement, something that will not happen overnight.
- A UN report recently stated: "Under the Transitional Federal Institutions, the systematic misappropriation, embezzlement and outright theft of public resources have essentially become a system of governance." This highlights the extent of reform needed to turn the country around.
- However until the new government is able to ensure its internal stability, the rest of the world will have to continue its policy of damage limitation on the high seas.

Source: Mr. Tim Holt (Willis Group)



## EU ANTI-PIRACY FIGHT WITH WARSHIPS MUST GO ON

The European Union should continue to use warships to tackle pirates off the coast of Somalia notwithstanding a reduction in the rate of kidnappings, a parliamentary committee has said.

Operation Atalanta, which also involves putting armed guards on ships, has been in place since 2008. The Lords EU Committee said hostage-taking had more than halved in the last year and said funding should go beyond a planned cut-off at the end of 2014. It also urged more aid for Somalia. Kidnappings involving shipping travelling past the coast of the east African country - which has not had a stable government since 1991 - have become rife in recent years. One of the highest-profile cases was that of British couple Paul and Rachel Chandler, who were taken hostage for more than a year after being held while on a round-the-world sailing trip. In 2008 the EU set up Operation Atalanta, its first joint naval task force, to try to defeat the problem. Pirate ships have been attacked, with armed guards being placed on commercial vessels to deter hostage-taking. Meanwhile the EU expanded the remit to include assaults on pirates' land bases, with a well-known lair near the port of Haradhere fired upon.

The committee's report notes: "We welcome the EU Atalanta attack on the pirate land base as an effective demonstration to the pirates that they are not invulnerable on land." It also welcomes the increase in trials and imprisonment of pirates, but it raises concerns that transferring those sentenced back into Somalian custody increases the risk of breakouts. It recommends more emphasis on rehabilitating pirates and increasing aid to the country to remove poverty, deemed to be one of the key causes of piracy. The committee admits it has "changed" its view on the use of armed guards since its last report on the issue, in 2010, finding that "no ship with an armed guard has been pirated and the use of guards has not escalated violence". Its chairman, Liberal Democrat Lord Teverson, said: "Operation Atalanta has clearly made real progress in reducing the threat of Somali piracy. However if the situation is to continue to improve, it is important the pirates know the international commitment to stop their activities is real and ongoing. "To ensure this Operation Atalanta should now have its remit extended beyond 2014." He added: "As we identified in our previous report reducing piracy requires reducing the incentive for Somalis to become pirates. As well as increasing the risk involved by improving detection and punishment of those engaged in piracy, we also need viable alternatives for Somalis to provide for their families. "Again the EU is making progress but it is important that aid is now focused on providing alternative forms of livelihood so people don't resort to piracy." Source: BBC News



## NEW SAFETY MEASURES FOR CRUISE SHIPS AFTER "COSTA CONCORDIA" DISASTER

The cruise industry is to adopt new safety measures to help familiarise staff with the loading of lifeboats. The new policy, unveiled by the Cruise Line International Association (CLIA) and the European Cruise Council (ECC), requires all crewmembers to practice launching and loading of lifeboats at intervals of at least once very six months.



It will apply to all ocean-going vessels of members of both associations, which include the vast majority of cruiselines around the world, and will be effective immediately.

The regulations follow the disaster with the "Costa Concordia", last January, in which 32 people died. Subsequent investigations have claimed that a number of the ship's crewmembers were not drilled in a correct evacuation procedure. These claims were (of course) fiercely denied by Costa Cruises.

According to representatives of a.o CLIA, the cruise industry continues to work on a global level to improve safety of passengers and crew. Following the accident with the Costa Concordia, the cruise industry has voluntarily adopted seven wide-ranging safety policies. Policies include emergency training for all passengers before the ship leaves port and greater restrictions on visits to the bridge in order not to disturb navigation duties. Moreover it will be a requirement for cruiseships to carry additional life jackets.



## EMSA'S NEW DIRECTOR COMES BEFORE EU PARLIAMENT TRANSPORT COMMITTEE



Mr. Markku Mylly

EMSA's new Executive Director, who took up his duties on 1 September, was invited to an exchange of views at the European Parliament's transport committee on Thursday 6 September. This step marks Mr Markku Mylly's official appointment following the Administrative Board meeting held on 8 June. Transport committee chairman, Mr. Brian Simpson, paid tribute to the achievements of EMSA's former Executive Director, Willem de Ruyter, who was, he said, a familiar face to the transport committee. The meeting gave Mr Mylly the opportunity to set out his vision for EMSA.

"EMSA's mission is to secure and improve maritime safety at European level. EMSA must become a more and more respected body in the field of maritime safety and marine environment protection. EMSA's brand must be known widely at European level and also worldwide," explained Mr Mylly.

From EMSA Newsletter, September 2012

We wish Mr. Mylly success in his new position and envisage a good cooperation to promote maritime safety and a clean environment in Europe.



## PASSENGER SHIP SAFETY FAQs

In response to media enquiries in relation to the “Costa Concordia” disaster, the International Chamber of Shipping (ICS) has developed the following information intended to assist in response to questions that might be posed, or on passenger ship design, construction and safety in general.

It is prudent to await the official report of the “Costa Concordia” grounding before making any comment on the possible causes of the incident or recommendations for the industry or for regulators. However, the questions and answers below are intended for information purposes.

What modifications have been made to passenger ships since the “Titanic” disaster and have these modifications made them more secure and safer?



It is not just passenger ships that have been modified since the “Titanic”. Safety and emergency equipment and shore support has moved on a great deal. Like any industry, the shipping industry has learnt lessons from experience and unfortunately from accidents such as with the “Titanic”. If you wish to make a direct comparison with the “Titanic”, things that exist on today’s passenger ships include lifeboats and life rafts for 125% of the people on board. This is important to note as if in an incident some lifesaving equipment is damaged, there is spare life saving capacity on board. It might also appear that not all of the lifeboats or life rafts have been used on board evacuated ships but it may be that they were

not required in an incident as they were part of this spare capacity. Ship design is a comprehensive and heavily regulated process, passenger ships have to comply with stability requirements in the IMO SOLAS Convention which was first adopted in 1914 and it has been regularly revised ever since. Examples include comprehensive damage stability survivability requirements, the watertight compartmentalisation of a ship’s hull, calculations to ensure that ships will not immediately capsize and emergency pumping arrangements.

Crew training and certification is another area that has improved the safety of the shipping industry, crews are trained before they join a ship, they are then trained, briefed and familiarised when they immediately join the ship and then they are trained in their specific emergency duties on board. When the term crew is referred to, it is not intended to restrict the scope to only include deck and engine officers and deck and engine ratings. Almost every member of crew on board has an emergency responsibility. As an example: photographers, entertainers, hairdressers and shop workers on board passenger ships, all have emergency responsibilities. These might range from assisting and organising passengers in Assembly or Muster Stations to checking cabins and being stationed at every stairwell in an emergency to direct passengers.

Another area that needs to be considered is the responsibility of the flag states that allow these vessels to operate under their flags. The flag approval process includes approval of the design, inspection during construction and an inspection and assessment of the crew, demonstrating their emergency responsibilities. Another important safety mechanism is Port State Control where vessels are regularly inspected for safety at ports they call at by that country’s maritime administration. One of the key areas inspected is the crew’s familiarisation with their emergency duties.

Search and Rescue and Communications have also improved dramatically since the "Titanic" disaster. On board communication is so much easier, crews have many tools at their disposal including radios, paging systems and even mobile phones to communicate pertinent information to each other, as well as internal telephone systems and talkback systems. Fire Detection Systems, Damage Stability Computer software and CCTV are amongst many of the tools that are available to inform decisions on the ship.

There has also been a growing focus on the size of vessels, how big are they today versus 10 to 20 years ago and does size necessarily pose any bigger danger?

10 - 20 years ago passenger ships were over or around 200 metres in length. In the last 10 years the cruise industry has increased in popularity and size and ships have got much bigger, the largest at the moment is 360 metres in length, which is around 3 football pitches in length. Size, isn't necessarily an issue for passenger ships, they all have to meet the same stability standards. Larger ships can actually offer more stability with more space for subdivision and watertight compartments. Larger ships will probably have a larger draught meaning they sit deeper in the water and therefore there are limitations to the amount of ports and areas that they might be able to operate in. Larger ships can be more stable in rough seas and offer a more stable platform for evacuation. Of course larger vessels carry more passengers but they also carry more crew to look after the passenger's safety and of course on board enjoyment.

One of the major concerns is that a large passenger vessel makes it more difficult to evacuate during an emergency. Is this a valid concern or are bigger vessels able to provide more benefits including larger areas for lifeboats and easier access to muster stations for higher numbers of people?

There is no doubt that directing and controlling a large amount of people in an emergency situation anywhere will always be a challenge. Evacuating a larger airplane

might take longer than evacuating a smaller one, evacuating people from a large shopping centre, an office building or a nightclub will also be a challenge however. What large passenger ships offer and have in common with these comparisons is more space to muster people, more exits and more personnel to assist in an emergency. Several different lounges, restaurants and spaces such as theatres on board are used to muster passengers and these spaces all have designated lifeboats and life rafts. Contingency plans are in place if things don't go to plan and several alternative scenarios are regularly rehearsed. Larger ships allow lots of space for the launching of lifeboats and other lifesaving equipment.

The lifeboats themselves are now enclosed, sophisticated craft rather than the open rowing boats of the "Titanic" days. Is there a problem launching them in the event of a sinking or are they sufficiently advanced to pose no such risk? There is growing speculation about replacing lifeboats with some alternative. Will that fundamentally make any difference to the safety of passengers?



Passenger ship lifeboats are not all actually fully enclosed, some are only partially enclosed. The intent is to afford protection for the occupants from the elements which could be intense heat from the sun or wind, sea spray and rain, depending on where the vessel is. They are designed to be filled quickly and launched with relatively low preparation. They are required by regulation to be ready for use within 5 minutes from their stowed position. Cruise ships also carry life rafts and these are equally quick to launch and take a relatively large number of people.

There has been a gradual increase in the use of Marine Evacuation Systems. These are large inflatable slides that connect to large life rafts, similar to what aircraft have and these allow a rapid evacuation of passengers. Modern versions of these have near vertical chutes that connect into large enclosed life rafts and there are ships that operate with a combination of these and lifeboats and even some vessels, notably ferries, that only have evacuation chutes and rescue boats.

Does safety on passenger ships increasingly come down to the effectiveness of crew training rather than the stability of the vessels given changes to their designs?

One of a vessel's most important assets is the crew and this is recognised by the comprehensive international training and certification requirements as well as the requirement for companies to provide clear roles and responsibilities to their crews. The safety of passenger ships is not just down to those who operate them however. Designers, ship builders, regulators and flag and port states all have a role to play. It should also be mentioned that with respect to safety drills and instruction for passengers, there is a need for passengers to participate and take note of emergency instructions just like they should when they travel on an airplane.

Are there any changes that are needed to be made to modify the designs of cruise liners in the light of the "Costa Concordia" incident?

It is wrong to speculate on the causes of the accident at this stage. We believe that very quickly we will see preliminary results of the current investigations and only then will it be possible to examine the design requirements and to agree on any changes then required.

Do maritime regulations governing the safety of vessels also need modifying or are they sufficient as they are?

The International Convention on Safety of Life at Sea (SOLAS) is at the core of maritime safety regulation and is a robust and comprehensive framework in which we can all have confidence. However, it is normal practice to examine such regulations in the light of every accident to see whether in fact experience has revealed that something needs to be changed. The shipping industry is a willing participant in the exploration of such changes and in the development of suitable new safety regulation where it is found to be needed through lessons learned.

James Langley  
Senior Adviser (Marine Operations)  
From ICS website



## AGREEMENT ON UPDATE OF EU DIRECTIVE ON TRAINING OF SEAFARERS

End of June, the European Parliament and the member States reached a first reading agreement on an update of the EU directive defining the minimum level of training for seafarers. The new draft directive still needs to be formally approved by Parliament and subsequently by the Council of Ministers.

The update aligns the EU directive of 2008 with the recently adopted amendments to the international STCW Convention. These amendments were agreed by the IMO in 2010 in Manila. They entered into force in 2012 with transitional arrangements until 2017 and include provisions on:

- updated standards for medical fitness and fitness for duty, including standards with regard to alcohol abuse.
- the establishment of the new professional profiles of “able seafarers”, “electro-technical officers” and “electro-technical ratings.
- Security-related training for all seafarers.
- Clearer and simpler definition of certificates.
- Prevention of fraudulent practices relating to certificates.

The draft directive incorporates these amendments into European law, while adapting the STCW provisions on watchkeeping, in order to bring them into line with EU rules on working and rest time for seafarers. In addition, the draft directive extends the time frame available to the European Commission for deciding on the recognition of the training and certification systems of non-EU countries from three to eighteen months, as the three months deadline has proved to be impracticable. (Source: EU)



## THE "FAIRPLAY 22" ACCIDENT

Modern ferries nowadays are equipped with all kinds of equipment to perform their own mooring/unmooring independently. Masters are trained in performing the manoeuvring which is for them no more than daily or sometimes even more, business. Things change when severe weather is experienced. The nowadays often very large ferries have a huge windcatching surface which sometimes overpowers the capacity of bow- and/or sternthrusters. In these cases tugboats have to be called in to guarantee safe mooring/unmooring. In some companies, masters have been trained in communicating with the tugboats as they are no pilots on board.



On 11 November 2010 the STENA ferry “Stena Brittanica” arrived in Hook of Holland, the Netherlands, experiencing force seven winds. As a result, the ship ordered two tugboats to assist during mooring. On VHF the master of the “Stena Brittanica” agreed with the tugboats that one would make fast at the starboard side while the other one would make a connection at the starboard bow in order to take the

heaving line thrown from the starboard bow. A speed of seven knots by the ferry was agreed upon. During the manoeuvring of the tugboat to catch the heaving line, the forward tugboat, the “Fairplay 22”, had to manoeuvre close to the bulb of the “Stena Brittanica”. As the distance became too small, a collision could not be avoided. The tugboat came broadside in front of the ferry’s bulbous bow. The collision caused the tugboat to be pushed over to port and consequently capsize. The tug’s capsizing was accelerated by water flooding through ventilators and an open door. The accident resulted in the death of two crewmembers of the tugboat and the injuring of a third one. One person escaped unhurt.

According to the Casualty Investigation Code and EU directive 2AA9/78/EC, the accident constitutes a very serious casualty, mainly because of the two victims. The Netherlands, as coastal and harbour state, was required to ensure that an investigation should be conducted. An investigation into the accident was also required under the Dutch Safety Board Degree. According to an agreement with the flagstates of the vessels, Antigua and Barbuda and the United Kingdom, the Netherlands was responsible for leading and conducting the investigation.

During the course of the investigation, another similar accident was taken into account. On 13 January 2011, the twin screw tug "Smit Polen" was establishing a towage connection at the bow of a containership. During this activity, the tug also collided with the bulbous bow of the ship and again the tug was pushed over. However, unlike the "Fairplay 22", the "Smit Polen" was able to right herself shortly afterwards. In consultation with the relevant authorities, the Netherlands Safety Board decided to include this incident also in its investigation.



Every aspect of the "Fairplay 22" accident was studied, assisted by data available from VTS and AIS plots, subsequent research and inspection of the vessels and their historical records. Although the mass of information, data and recommendations are well beyond the scope of this summary, we want to conclude with the following conclusions.

1. About the direct cause of the collision, it can be concluded that the high speed through the water was a crucial factor in the accident. The higher the speed, the larger the hydrodynamic sphere of influence and hydrodynamic interaction between the ships. Sailing at high speed substantially increased the risk of the tug becoming uncontrollable and the risk of collision. The current and most probably also the drift angle, contributed to the dangerous situation. The investigation could not determine to what extent the captain of the "Fairplay 22" was restricted in his view and whether he had time to react. It also not clear whether the influence of the strong wind contributed to the collision.
2. As to the direct cause of capsizing of the tug, it appeared that the "Fairplay 22" was unable to move away from the "Stena Brittanica". The hydrodynamic forces and the lack of the tug's reserve power contributed to this. In addition, the limited human ability to anticipate to the circumstances may also have contributed. The "Fairplay 22" was pushed over and subsequently capsized. The capsizing was accelerated by the water flooding in. The limited design stability of the tug and the weather tight openings that had not been closed, were contributing factors to the capsizing.



## PILOTS AND SHIOWNERS JOIN FORCES ON PILOT LADDER SAFETY

The International Maritime Pilots' Association (IMPA) and the International Chamber of Shipping (ICS) have joined forces to update a brochure aimed at shipping companies and seafarers, reminding them of the vital need to ensure that ladders used for pilot transfers are safe and always rigged correctly. The revised brochure – 'Shipping Industry Guidance on Pilot Transfer Arrangements' – is supported by a wide range of other international shipping bodies. It takes account of the latest amendments to the Safety of Life at Sea Convention (SOLAS) concerning pilot ladders, which came into effect on 1st July 2012.



IMPA Secretary General Nick Cutmore explained: "Sadly, pilots continue to lose their lives as a result of accidents while boarding or disembarking from ships, and many more have been seriously injured. We are therefore very pleased by the support we have received from ICS, as well as from other industry organisations and unions, in helping to promote the message to seafarers and to shipping company management about the vital need to rig pilot ladders safely in accordance with SOLAS."



ICS Secretary General Peter Hinchliffe added: "When pilots come aboard ships it is to help seafarers during critical and demanding phases of a voyage. It is incumbent on ship operators and their crews to do everything possible to ensure safety during pilot transfer operations, which always involve a degree of risk, even when conditions are good. Some common causes of accidents still appear to be defects in the structure of the ladder treads or ropes, or a lack of a proper securing of the ladder to the ship." The updated guidance is being distributed throughout the industry by the national shipowners' and pilots' associations that make up the memberships of ICS and IMPA. The brochure is also supported by the International Group of P&I Clubs, BIMCO, CLIA, Intercargo, IPTA, Intertanko, OCIMF, SIGTTO, ITF, IFSMA, CESMA and the Nautical Institute. An electronic copy of the IMPA/ICS brochure can be downloaded from the IMPA and ICS websites.

Source: International Maritime Pilots' Association



## JUSTICE FOR SEAFARERS?

Initial results of the first major survey undertaken by Seafarers' Rights International (SRI) into the experiences of seafarers facing criminal charges have thrown up worrying claims that seafarers are subjected to unfair treatment and feel intimidated by policing authorities around the world, and that they are not provided legal representation and interpretation services when needed. The survey of 3,480 seafarers was undertaken in the 12 months to the end of February 2012. It was conducted in eight languages – Chinese, English, Japanese, Portuguese, Russian, Spanish, Turkish and Tagalog. Responses were received from 18 countries and 68 different nationalities of seafarers.

Of the seafarers surveyed, 8% had faced criminal charges at some stage in their career, while 4% had been witnesses in criminal prosecutions and 33% knew of colleagues who had faced criminal charges. Worryingly, almost 24% of Masters in the survey said they had faced criminal charges. Responses to the questionnaire were collected by sampling seafarers using the same country proportions of seafarers as contained in BIMCO's Manpower 2005 Update, the Worldwide Demand for and Supply of Seafarers. The responses were then weighted to incorporate new observations as contained in BIMCO's Report of Manpower 2010. Thus, the survey is a demographically weighted sample, and a random and representative sample of seafarers from the whole world. The results of the survey were presented by SRI to the 99th session of the UN International Maritime Organization (IMO) Legal Committee on 16-20 April 2012 under its agenda item on Fair Treatment of Seafarers in the Event of a Maritime Accident. The IMO is the only UN body currently discussing the issue of fair treatment of seafarers and the Committee noted that the statistics showed that there is a need for better implementation of the Fair Treatment Guidelines.

SRI was encouraged to submit a full report of its study to the next session of the Legal Committee in 2013. Questions in the survey specifically asked about the experiences of seafarers who had faced criminal charges. Of the seafarers who answered the questions on searches, 44.28% of vessels were searched; and 63.75% of cabins were searched without warrants. Just under 44% of seafarers reported that they were bodily searched, while 87% who faced charges relating to the discharge of their professional duties said that they did not have legal representation. Just over 91% of seafarers who needed interpretation services said that they were not provided with such services; and 89% of seafarers who had faced criminal charges said that they did not have their rights explained to them.

Seafarers were also specifically asked about their perceptions. 80% who had faced criminal charges felt intimidated or threatened. Concerning casualty inquiries and accident investigations, 46% of seafarers who answered the question said that they would be reluctant to cooperate fully and openly with such inquiries. Reasons expressed included: "The information that I would provide might be used against me"; "I would fear incriminating myself". Overall, 81% of seafarers who faced criminal charges did not consider that they had received fair treatment.

To gain a broader view of criminal charges, faced by seafarers, SRI also carried out a review of all incidents involving criminal charges against seafarers reported in Lloyd's List, TradeWinds and Fairplay, for the 12-year period from 2000-2011. There were 415 incidents reported in this period, involving 1,580 seafarers. Significantly over the period under review, the numbers of maritime criminal incidents and the numbers of detained seafarers showed a tendency to increase. "The voices



of seafarers are expressing real fears and concerns over criminal charges and it must be in the interests of the whole maritime industry that these are addressed and seafarers adequately protected. The prospect of criminal charges is daunting for any human being, whether in your own country, or even more so in a foreign country, and so for seafarers entering foreign ports on a daily basis, the risks are high and the consequences can be dire if fair and due process is not followed," said Deirdre Fitzpatrick, SRI Executive Director. She added: "We hope that the results of this survey will provide momentum for increased efforts to ensure fair treatment of seafarers, whether innocent or guilty of a criminal charge, and that from this survey, the faces and the voices of the seafarers will be seen clearly and heard loudly." Source: Seafarers' Rights International (SRI)



## USCLAC JOINS CESMA

The Unione Sindacale Nazionale Capitani Lungo Corso Al Comando (USCLAC) based in Genoa, Italy, joined CESMA as an associated member. This organisation of shipmasters and chief engineers of the Italian merchant navy, was established on 6<sup>th</sup> July 1967 by a number of retired masters, supported by active sailing masters. The first president was Captain Paolo Beretta who stayed in office until 1975.



The organisation expanded quickly with many shipmasters from important Italian shipping companies, such as FINMARE (now Federlinea), Lloyd Triestino, Adriatica and Tirrenia. For many years the number of members varied between 400 and 450 but due to privatisation of FINMARE and reduction of the fleet, membership decreased. Recently there are signs of recovery and the increase in membership will make USCLAC stronger in its negotiations with third parties.

V/ President Captain Tomei and CESMA secretary in Genoa.

USCLAC joined the National Federation of Managers of Industrial Enterprises (FNDAI) on 14 November 1967 and as a consequence also the Italian Confederation of Trade (CIDA). Through these memberships USCLAC is officially recognised in Italian industry circles. Although the name points to trade union connections, USCLAC is altogether independent and not related to the International Transport Federation or any other international trade union.

The organisation has its headquarters in Genoa with an office at the prestigious Via Settembre in the city centre. Present President is Captain Antonio Nobile who is Chairman since 1995. He made headlines on Italian television when he retorted to remarks about Captain Francesco Schettino of the Costa Concordia. In his opinion Captain Schettino is more a martyr than a criminal or a coward as stated in various media. A secretary is taking care of the daily business in the office.



## **IRISH STUDENT SEEKS ASSISTANCE**

Mr. Michael Kearney is currently attending the National Maritime College of Ireland. His lecturer and course-coordinator, Captain Bill Kavanagh, Council member for the IIMM in CESMA, referred to CESMA for assistance for his Dissertation to complete his education. On visiting the CESMA website he took note of the CESMA resolution nr. 5, compiled after the last CESMA AGA in Rostock in May, on Safety of Life Saving Equipment.

The overall aim of his dissertation is to find out the present situation of lifeboat safety and how it may progress in the future. He has drafted a questionnaire to obtain the opinion of seafarers and those involved in the developments of lifeboats and the safe practices for their operation.

The questionnaire is available on the CESMA website: [cesma-eu.org](http://cesma-eu.org)

We would appreciate your reactions to be send by e-mail to the CESMA secretariat [cesma-eu@introweb.nl](mailto:cesma-eu@introweb.nl) with copy to [cesma.vanwijnen@planet.nl](mailto:cesma.vanwijnen@planet.nl) before 7 October.

**Your reactions will be greatly appreciately by our future colleague in Ireland.**

## **CESMA LOGBOOK (2012 – 3)**

We were represented at the following occasions

20 Jun Brussels	SEANERGY / Maritime Spatial Planning
27 Jun Alkmaar	Meeting CESMA legal advisor.
27 Aug Meta (It)	Meeting i.c.w. accident "Costa Concordia"
29 Aug Genoa	Visit USCLAC
04 Sep Brussels	EC meeting Passengership Safety
25 Sep Brussels	EMP of the year election



## FROM THE EDITOR

- The handling of the container vessel "MSC Flaminia", which caught fire in the mid-Atlantic and had to be towed to a nearby port, has again raised questions on the issue of the Places of Refuge in EU Member States, which has the special interest of CESMA. All but Germany, refused admittance of the vessel to its ports because of possible chemical reactions of the on board cargo which could be dangerous to the environment.
- The shipmasters' association of the Baltic state of Lithuania and member of the European Union, has applied for membership of CESMA. It is the second membership of a Baltic state since the Latvia shipmasters' association LKKA joined CESMA in 2010.
- The rescue of the "Costa Concordia" cruise liner is delayed until next spring. The consortium hired to re-float and remove the 114.500 ton ship presented a new timeline to the Osservatorio, the body supervising the wreck salvage operations. Concerns are further damage to the vessel by winter storms to be expected and damage to the environment as not all fuel oil has been removed from the vessel's tanks.
- European ports continue to gain from a cruise market that has grown by 24% over the last three years and by over 180% during the last decade. Italian ports Venice, Savona, Genoa and Civitavecchia are the market share leaders having handled almost 2 million passenger embarkations in 2011. Spain came in second place with Barcelona and Palma as major embarkation ports, according to statistics supplied by the European Cruise Council.
- The only German flagged cruise liner "Deutschland" is endangered to be flagged out to the Malta register. Finance investors have expressed their intentions for reasons to reduce costs in operating the vessel.
- The Maritime Labour Convention (MLC 2006) which was initiated in 2006, is after being adopted by Russia and the Philippines, ratified by the required 30 nations. This means that the Convention will be in force for seafarers in all EU maritime nations. The Convention deals with minimal working conditions and rights for seafarers worldwide. It is the first labour treaty introduced globally and was an important issue for the International Labour Organisation (ILO) since 1920.
- The European Parliament has reached agreement on the limitation of the exhaust of harmful substances by seagoing ships. Ships on the Northsea, the English Channel and the Baltic Sea are allowed to burn fuel with a sulphur percentage of 0,1 % sulphur from 2015 . The measure would reduce air-pollution for inhabitants of near coastal cities. According to environment parties in the Parliament, shipping is said to be responsible for 30% of all sulphur pollution.
- CESMA was invited to attend the ceremony for the announcement of the Members of European Parliament (MEP) Public Affairs Awards for 2012 in the Stanhope Hotel in Brussels. This award is presented as a recognition for achievements in the EU Parliament. As the maritime industry is governed by the Transport Committee, our nomination went to Mr. Peter van Dalen, as maritime expert. Mr. Brian Simpson, president of the TC was elected.
- The delayed session in the investigation of the accident with the "Costa Concordia" will now take place in a theatre in Grosseto, Italy, beginning 15<sup>th</sup> October. Main object of investigation will be all details recovered from the Voyage Data Recorder (VDR).
- Singapore is said not to prohibit the use of armed security personnel on board Singapore-registered ships, although the carriage and the use of fire-arms and ammunition is not encouraged, given the potential escalation of violence and increased risks of crew injury and fatality. This is, what we call, a very useful piece of legislation.
- Flagstates Panama and Cyprus have frozen a proposal by a special IMO working group to make weighing of loaded containers to be loaded on board seagoing vessels mandatory. Both nations are of the opinion that further investigation on the effects of the measure are necessary. Many in the shipping industry are surprised about this action as it is responsible for unsafe practices because incorrect containerweights may endanger stability of ships.





AIMS OF THE ORGANISATION (abridged)

- TO WORLDWIDE PROTECT THE PROFESSIONAL INTERESTS AND STATUS OF EUROPEAN SEAGOING SHIPMASTERS.
- TO PROMOTE MARITIME SAFETY AND PROTECT THE MARINE ENVIRONMENT.
- TO PROMOTE ESTABLISHMENT OF EFFECTIVE RULES WHICH PROVIDE HIGH PROFESSIONAL MARITIME STANDARDS AND PROPER MANNING SCALES FOR VESSELS UNDER AN EUROPEAN NATION FLAG.
- TO INFORM THE PUBLIC IN THE EU ABOUT PROBLEMS IN THE EUROPEAN MARITIME INDUSTRY AND THOSE CONCERNING SHIPMASTERS IN PARTICULAR.
- TO CO-OPERATE WITH OTHER INTERNATIONAL MARITIME ORGANISATIONS.
- TO RETAIN AND DEVELOP THE HIGHEST MARITIME KNOWLEDGE AND EXPERIENCE IN EUROPE
- TO BE INVOLVED IN RESEARCH CONCERNING MARITIME MATTERS IF APPLICABLE IN CO-OPERATION WITH OTHER EUROPEAN INSTITUTIONS AND/OR ORGANISATIONS.
- TO ASSIST MEMBER SHIPMASTERS WHO ENCOUNTER DIFFICULTIES IN PORTS WITHIN THE REACH OF NATIONS REPRESENTED BY CESMA MEMBER ASSOCIATIONS

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EURO 14,- (EXCL EURO 5,- ENTR. FEE)  
PER SEAGOING MASTER  
(WITH A MINIMUM OF 25)  
FOR FULL MEMBER ASSOCIATIONS

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