

CESMA NEWSLETTER

THE EUROPEAN UNION SHIPMASTER INFORMATION CHRONICLE

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BEST MANAGEMENT PRACTICES

During our presence at recent maritime security sessions in Brussels, we were given to understand that a number of vessels passing the piracy infested area in the Indian Ocean still do not notify the MSC-HOA centre in Bahrain. Statistics show that these vessels are mostly attacked by pirates. Reasons for not reporting cannot be given but it is suspected that they have to do with business secrets or ignorance from some how to register. Another reason might be that they unlawfully carry private security guards on board. CESMA calls for all masters of vessels which have to pass the danger area in the Indian Ocean to notify the MSC-HOA centre notwithstanding any outside influences. Notifying the centre is one of the main components of the Best Management Practices (BMP).

Meantime the anti piracy "Best management Practices no. 4" was published.

It can be downloaded on:

[http://www.mschoa.org/bmp3/Documents/BMP 4%20Low%20Res_Sept_5_2011.pdf](http://www.mschoa.org/bmp3/Documents/BMP%20Low%20Res_Sept_5_2011.pdf)

or on request at the CESMA secretariat by e-mail.

It has been reported that vessels which keep exactly to the best management practices are almost surely excluded from any attack by pirates in the Somalian basin.



NATO NAVIES GO CRAZY IN SOMALI WATERS

As a regular reader of your excellent news clippings service, I especially enjoy reading up-to-date reports on the piracy issue. I am a retired captain and maritime lawyer and this issue is very close to my heart. However, I was not very happy about the report sourced from ECOP Marine in the April 30 Issue entitle "NATO Navies go Crazy in Somali Waters". Both the title and content of this report is not only over emotional but also quite irrational. It is also rather hard to follow as the author probably has limited English. In any case, it is quite senseless to criticize anti-piracy naval action when the NATO ships have been regularly criticized for taking insufficient action and even returning pirates safely to Somalia after they have been apprehended. Many of us in the maritime sector believe that the only way to excise this maritime cancer is through drastic action. The pirates are now increasingly violent and only strong measures against them will result in overcoming this problem. Simply paying pirates billions of dollars will not eradicate this problem at all. Of course it is always regrettable if hostages are endangered or even hurt. However, this is really a 'war zone' and mariners must be aware that they are sailing into dangerous waters on this route. Seafarers have operated in dangerous waters before and have the choice whether to go there or not. Furthermore, if sufficient seafarers decline to sail to this area, it is quite likely that the international community will take long overdue action and eradicate this problem once and for all. This can be relatively easily achieved by establishing a patrolled "no shipping" zone outside the Somali territorial sea limit. Any vessel moving from a Somali area into this zone would be subject to destruction. If the pirates cannot get out they cannot hijack! However, the political will to do this is not there at this time. Nevertheless the naval vessels in the area are doing a highly professional job with very limited rules of engagement. Criticizing is neither fair nor appropriate.

Captain Edgar Gold (from Newsclippings)



SHIPPING WORLD ASKS FOR IMMEDIATE ACTION



Mr. Ban Ki Moon

The assembled Round Table of International Shipping Associations (International Chamber of Shipping (ICS), BIMCO, INTERTANKO and INTERCARGO) wants to see shipping protected from Somali pirates by armed guards - provided by the United Nations.

It has written UN Secretary General Ban Ki Moon asking for a "bold new strategy" to curb rising levels of piracy.

The letter states: "It is now abundantly clear to shipping companies that the current situation, whereby control of the Indian Ocean has been ceded to pirates, requires a bold new strategy. To be candid, the current approach is not working."

The shipping industry organizations – which represent more than 90 percent of the world merchant fleet – say they fully support the UN's longterm measures on shore aimed at helping the Somali people, but are concerned that these "may take years, if not decades, to have a meaningful impact on piracy."

Asking the UN to bring the concept of a UN force of armed military guards to the attention of its Security Council, the letter says: "The shipping industry believes that the situation can only be reversed with a bold approach that targets the problem in manageable pieces"



Somalia Pirates in charge???

"We believe that an important element in this approach would be the establishment of a UN Force of Armed Military Guards that can be deployed in small numbers onboard merchant ships. This would be an innovative force in terms of UN peacekeeping activity but it would do much to stabilize the situation, to restrict the growth of unregulated, privately contracted armed security personnel and to allow those UN Member States lacking maritime forces – including those in the region most immediately affected – to make a meaningful contribution in the area of counter-piracy."

September 9, 2011

Info sent by Council Member Captain F. Vanoosten (ACOMM)



CESMA ANNUAL GENERAL ASSEMBLY IN ZADAR / CROATIA

The CESMA Annual General Assembly 2011 was organised at the ancient and maritime city of Zadar at the invitation of our Croatian colleagues of the ZHUPK of which the secretariat is located in Zadar. The Council Meeting which was organised at the Bastion, one of the main hotels in the city centre, was attended by 9 Council members from Germany, France, Belgium, the Netherlands, Slovenia, Bulgaria, Croatia and Montenegro. The Annual General Assembly took place on 7th May in the afternoon, after the seminar on Places of Refuge, in the IMPACT building of the European Centre for Cross-Sectoral partnership.

The Assembly was presided by the CESMA President, Captain Wolf von Presentin (VDKS).



ZHUPK President Captain Edo Deskovic opening the Assembly

When reviewing the progress made in relation with the resolutions of last year, it was noted that not much progress was made on several subjects, particularly with criminalisation and piracy. A new case of criminalisation was brought to the attention of the Assembly, whereby a Bulgarian master has been jailed in Panama in appalling conditions since 28 March this year, on unproven charges of drug smuggling. CESMA will seek more information on the case before evaluating which steps to take to the defence of the master involved. There are also cases pending in Venezuela and Australia.

CESMA had invited Captain Kristo Laptalo, the Croatian master of the reefer vessel "Coral Sea", who was sentenced in Greece to 14 years imprisonment for alleged drug smuggling, but was fully acquitted on appeal after spending 17

months in a Greek jail. Although his lawyers had advised him not to comment on his ordeal, he spoke out about his findings after release from prison. Since his return to freedom, Captain Laptalo has not been able to find employment with European shipping companies.

Although, up to now, the Assembly always defended the principle of "no use of arms on board", nor by the crew, nor by the military, nor by private armed security teams, some delegates put this principle in question in view of the escalation of violence used by the pirates since several months. They pleaded to allow armed guards on board in certain circumstances (low freeboard, slow steaming) under strict conditions regarding the liability and authority of the master, which should in no way be affected by the presence of armed guards on board.

The Assembly was divided and could not reach an agreement on this subject. A majority of the CESMA delegates advocated the principle that all means should be activated to protect the lives of the seafarers but denounced the use of firearms on board, and is critical about the employment of armed guards on board ships. This opinion is motivated by the concern for escalation of violence on board, bringing the lives of seafarers in danger when arms are actually used.

Large passenger ships with thousands of passengers and crew have appeared to be very vulnerable in case of an emergency, in spite of the many tests that newbuildings are subject to in order to obtain the necessary class certificates.



Genesis of the Seas

CESMA will observe developments closely and will convey its concerns to the European Commission and Parliament. It will also exchange practical information regarding this subject with EU bodies.

During SAGMAS (Stakeholders Advisory Group on Maritime Safety) discussions of the European Commission the problem of stowaways on board is regularly touched upon. Apart from being a nuisance to the crew, stowaways also form a potential safety and security hazard mainly because of the usual unanimity. CESMA, together with EU shipowners (ECSA) have asked for attention to this problem. Disembarkation of stowaways in European Union ports should be properly arranged without problems to the ship's staff.

The Assembly again noticed again with concern that little or no progress was made in relation with the fatigue problem, in particular with regards to the "6 on/6 off" watch system on smaller coastal vessels. The Assembly reconfirms its full support for the principle requiring at least three certified bridge watchkeepers on each seagoing vessel of over 500 GT. The European project HORIZON, developed and conducted by the Warsash Maritime Academy,

investigating via simulation the impact of fatigue on the cognitive performance and decision making of ships' watchkeeping officers, will be closely monitored by CESMA as an observer.

The Assembly further emphasizes the need to provide sufficient accommodation on board newbuilt coastal vessels in order to properly accommodate the required crewmembers and/or apprentices.

CESMA defended the principle of streamlining wage and tax systems for the various nationalities of EU seafarers to common (EU) level. This initiative was raised by several EU shipmasters in order to eradicate competition among EU nation seafarers. **(the cheapest are the best)**. It was, however, advised by some members (a.o. by the KBZ) not to be engaged in actual discussions on wages and leave, as they belong to the exclusive domain of the social partners, from which CESMA should refrain from interfering.

With reference to the shortage of EU seafarers, CESMA re-affirms its commitment to co-operate with any organisation in the European Union in any way possible to make the seagoing career more attractive.

The Assembly discussed the participation of CESMA in the E-maritime concept, initiated by the European Commission, aiming at the implementation of E-maritime systems, i.e. governing the entire chain of maritime transport by electronic means, and creating a European maritime transport space without barriers. E-maritime is an ambitious initiative which affects a large number of stakeholders, both public and private, from various maritime transport sectors. It is therefore necessary to assess the possible impacts before drafting the legislative proposal and the communication on the EU E-maritime project.

As the concept looks also at the reduction of paperwork on board, the system could work out positively for the ship's staff. With regards to the transfer of duties from ship to shore, however, other parameters such as liability and responsibility of the shipmaster should be determined before CESMA can give its full support to the system. CESMA will maintain a positive but critical approach.

In the project Shore Support, conducted on board 25 Dutch coastal vessels, the chief engineer was replaced by a starting dual purpose officer (MAROF). Although the principal aim of the project is to save the cost of an (expensive) chief engineer on technically advanced smaller vessels, using only gasoil, the advantage was pointed out as a better availability of the MAROF also for bridge duties.



Councilmembers at work

The Dutch representative confirmed that the tests had contributed in a positive way to the fatigue problem and the general atmosphere on board. Permanent support and back-up from the shore technical staff remains, however, a

prime condition. It is the intention to test the concept also on larger vessels as indicated by the Netherlands' maritime authority.

The 'Blue Belt' concept, or EU maritime transport without barriers: ships on intra-EU routes are today still hampered by cross-border formalities (customs etc.), which do not affect rail and road hauliers. The resulting red tape risks a 'co-modal backshift' away from sea freight to road freight. CESMA considers this project as a positive development towards decreasing the administrative workload for ship's officers.

Referring to the discussions during the AGA of 2010, the Assembly again discussed the safety of life saving equipment on board seagoing vessels including many incidents and accidents during drills such as the recent accident on board the container vessel "CMA CGM Christophe Colomb", whereby two crewmembers lost their life, a third being seriously injured. The case was brought forward by the French Councilmembers of AFCAN and ACOMM. CESMA urges international bodies and flagstates to introduce proper legislation to improve the safety and design of life saving equipment in order to improve efficiency and avoid fatal accidents.

The Annual General Assembly was concluded with the invitation of Capt. Eberhard Müller, representing the German Masters' Association VDKS, to hold its 17th AGA in 2012 in Rostock, Germany, which was received with applause.



PLACES OF REFUGE IN LATVIA

One of the presentations during the seminar preceding the CESMA Annual General Assembly concerned the arrangements for places of refuge in Latvian waters, prepared by Captain Jazeps Spridzans, Council Member for our Latvian member shipmasters' association and officer of the Latvian Maritime Administration and presented by CESMA General Secretary Captain Fredrik J. van Wijnen.

The system of Places of Refuge in Latvia is regulated by an Inter- Ministerial Agreement on provision of Places of Refuge. The agreement was conducted in accordance with IMO resolution A.949 (23) Guidelines on places of refuge for ships in need of assistance and resolution A.950 (23) on maritime Assistance Services on 31 March 2006 by the Ministries of Defence, Transport, Interior and Health.

The Maritime Rescue Control Centre (MRCC) was appointed as the competent authority in charge for evaluation and decision-making to choose for a place of refuge for a ship in need of assistance. The Centre also performs assistance service functions (MAS functions).

The Latvian maritime administration and the Marine Safety Law stipulate, in section 7, the competence of the Coast Guard. It regulates the co-ordination and performance of marine search and rescue (SAR) of persons in the area of responsibility for SAR of the Republic of Latvia and **assignment of places of refuge for ships**. Section 46 stipulates that the Co-ordination Centre (MRCC) and sub-centres thereof shall have emergency action plans available that prescribe procedures and authorities involved in search and rescue of persons as well as co-ordination of rendering of assistance and assignment of places of refuge for ships in the Latvian area of responsibility, including port areas.

In a Cabinet Regulation no. 1171, adopted on 21 December 2010, the issue of places of refuge was further stipulated in the **“Regulation on the use of the navigational regime in Latvian waters”**:

The MRCC develops a plan of places of refuge for ships in Latvian waters. The plan includes the following information:

- authorities in charge of receiving the alarm and provide response.
- competent authority in charge of evaluation of the situation and decision-making for the admission of the ship in a chosen place of refuge.
- preliminary coastline inspection and assessment of factors to include environmental and economical factors and nature conditions in order to make a decision on the place of refuge for the relevant vessel in distress.



Port of Liepaja / Place of Refuge

- assessment procedures to determine whether the ship is in need of a place of refuge.
- means and equipment which are suitable for assistance, rescue and pollution prevention.
- procedures for international co-ordination and decision making
- financial guarantees and liability procedures for ships admitted in a Place of Refuge

The Ministry of Defence has published the following information in the official national newspaper of Latvia:

- main technical parameters and contact information of the places of refuge
- contact information of tugboats, oil recovery equipment, auxiliary vessels and other technical means available for salvage operations.
- contact information of ship repair facilities available to a ship in an emergency
- main parameters of technical aids available and contact information of the National Firefighting and Rescue Service.

- contact information of the Emergency Medical Service and other medical assistance services for assistance in relation to a ship in emergency.
- contact information of authorities responsible for receiving of and responding to the alarm of the vessel in need of assistance.

Finally the MRCC, based on the previous assessment of the situation in accordance with the plan previously mentioned, decides on the admission of the ship in a place of refuge. MRCC provides a place of refuge to a ship if it considers that that is the best possible action to ensure protection of people and the environment. On request of neighbouring countries, information can be provided as contained in the plan previously mentioned in paragraph 34.

The regulation has stipulated several areas in Latvian waters which can be appointed as places of refuge. Information given is stipulated by position, ship's maximum draft, advice on unfavourable wind direction and distance from nearby living dwellings. Places mentioned are Liepaja, Riga, Ventspils and the anchorage at the Kolka Cape.

Presentation by Captain Jazeps Spridzans LKKA / Latvia



AIS, A NICE INVENTION

In our previous issue we quoted Captain Hubert Ardillon (AFCAN President) about comments he made during the Safer Sea Seminar in Brest (May 2011) about some modern inventions which were introduced in recent years on board vessels. This time the subject concerns the Automatic Identification System or AIS. Captain Ardillon is seagoing master on board VLCC's.

AIS is a nice invention. That is if it is used to exchange information with ports and VTS. And, of course, AIS should have as a consequence to limit oral exchanges with the same VTS. It should also be the guarantee on a better follow up of vessels in narrow waters and straits.

Unfortunately, AIS is also described as an anti-collision device. Yes unfortunately, because AIS is not an anti-collision device. AIS is working on VHF waves. And on VHF it is sure one knows who is calling, but not who is answering, leading to collisions assisted by AIS. There is the believe that the called vessel has understood that we have understood his answer to our call, but in fact it is really more complicated than before AIS was invented. And we should say also that AIS was very quickly used by bridge officers to help them to manoeuvre contrary to good common sense and the Colregs.

Another problem with AIS. It is enough to have a receiver to know where vessels are and specifically the one which should be attacked for piracy, robbery or terrorism. Actually, in Indian Ocean, it becomes rare to meet a vessel with AIS powered on.

And now a good use: in the China Sea all fishing boats are equipped with AIS, which is very useful for merchant vessels sailing in this area. Why not elsewhere? Why not in the English Channel? In the North Sea? And not only the main and large fishing boats? Also why not pleasure boats?

Captain Hubert Ardillon, President AFCAN



QUESTIONNAIRE ON LOCATION OF WINDFARMS

The NVKK (Netherlands Shipmaster's Association) is actively involved in the spatial planning of the Northsea. (Shipping Advisory Group Northsea). We are concerned about the large number of concessions granted for windfarms and particularly in the future geographical locations of these farms at sea. Our association's main objective is to support Shipmasters in general, so they can carry out their profession and to support them in marine related matters.

To have more actual data to support our case we would very much appreciate your opinion in this matter.

Captain Alex van Binsbergen

President NVKK nvkk@introweb.nl

www.nvkk.nl

Questionnaire on offshore wind farms

1.	1. Have you observed false echo's when passing wind farms?	Yes/No
2.	2. If you have observed false echoes could they be faded out?	Yes/No
3.	3. When adjusting the gain for these false echoes could small targets still be	
4.	observed? Yes/No	
5.	4. What was the effect of false echoes on the ARPA? Please state your reply on the	
6.	reverse side of this questionnaire.	
7.	5. Could small targets be tracked in the vicinity of the wind farms?	
8.	Yes/No	
9.	6. Could small targets be observed inside the wind farms?	
10.	Yes/No	
11.	7. What is in your opinion a safe passing distance for wind farms?	
	500 mtrs- 0,5 mile; 1 mile; 1.5 mile ; 2 miles or more	
12.	8. What is in your opinion a safe clearance if wind farms are located near a TSS?	
	Please state your reply on the reverse side of this questionnaire	
13.	9. Should a VTS have a greater jurisdiction if a wind farm is located in their area?	
14.	Yes/No	
15.	10. Should a guard ship be located near a wind farm in case of drifters (NUC ships).	
16.	Yes/No	
17.	11. Should AIS be used to mark corners of wind farms?	
18.	Yes/No	

Please state: nationality crew, type ship, length, width and draught-----

Please state your reply on questions 4 and 8 on a separate sheet and forward to the CESMA secretariat. Your co-operation is highly appreciated in this important matter.



NAVFOR CALLS FOR MASTERS TO TESTIFY

If there are stakeholders in the justified fight against piracy, they certainly include shipmasters. Yet the European naval forces, combined in NAVFOR, are looking for the co-operation of shipmasters to put more pirates in jail. What they need to do so is testifying so pirates can rightfully be convicted. Without evidence from crews from the ships that have been attacked, a case against the pirates is difficult to piece together.

EU Navfor claims that pirates are escaping conviction partly because of the reluctance of shipmasters to provide witness statements. Instead, captured hijackers are often freed owing to insufficient evidence that would stand up in court.

Faced with frequent complaints from shipowners and the general public to bring pirates to trial and the number of occasions when navies have released their captives, EU Navfor has struck back with its own criticism against relevant parties. There are several reasons why many pirates are not being brought to trial. In some cases governments decide not to proceed with a criminal prosecution for various, sometimes domestic reasons, even though EU Navfor may have built a strong case.

In other cases, though, it is those who are being protected who seem unwilling to cooperate with legal proceedings. There is a reluctance of masters of vessels which have been attacked to provide a proper statement. From Navfor's side, once the pirates have been detained, it is to look at all the evidence and get their lawyers involved. One of the big links in the evidential chain is a statement from the master of the vessel that has been attacked and, if private security teams are involved, one from them as well. Without such statements, prosecutions are likely to be dropped.

Should a case get to court and witnesses are to be called, the UN office of Drugs and Crime will pay for the master to attend, covering flight and accommodation costs, but there is a reluctance to do that. It could be possible that owners are playing a role in this. Therefore EU Navfor is now urging owners to provide guidance to masters, other officers and crewmembers and advise them to provide evidence, if asked to be the military.

No numbers are available of how many piracy cases have failed because of the lack of witness statements or the number of pirates that have been released as a result. However, naval sources have confirmed that around 90% of suspected pirates caught, are released without being prosecuted.

There is speculation that shipmasters or other seafarers could be anxious about the risk of intimidation, should they give evidence in an open, sometimes African, court. They could also be concerned about the time involved if the trial took place a long way from home especially when the time spent would be at their own convenience.

Based on Lloyd's List 23-05-2011

CESMA has asked attention for this problem at the European Commission in order to create safe and reasonable conditions for shipmasters who are asked to testify.



EU MARITIME ACCIDENT REVIEW 2010



"North Spirit" going down off NW Spain / Dec. 2010

The latest issue of the most popular document on the EMSA website is without question the Maritime Accident Review 2010, the fourth in the Agency's series of statistical and analytical reports on commercial shipping accidents in and around European waters. Waters, has recently been released.

This year's review reports a small increase of the number of accidents in EU waters. 559 accidents and 61 lives lost against 540 against 559 accidents and 52 lives lost reported in 2009. However these figures are considerable below the figures reported for 2007 (715 accidents, 76 lives lost) and 2008 (670 accidents, 82 lives lost). The mild increase of 3,5% in accidents reported for 2010 possibly reflects the recovery in shipping traffic and volume during the year.

Indeed, the marked decline in accidents, reported for 2009, in comparison to the economic boom years of 2007 and 2008, suggests that there is a link between maritime accident numbers and economic activity.

This year's review includes full maps of accidents reported during the year, plotted against their geographical locations, enabling readers to see accident spots and patterns. The complete document can be downloaded from the EMSA website: www.emsa.europa.eu



In the wake of the 2011 AGA in Zadar, Croatia, CESMA member association ZHUPK sent us their thoughts on resolution no. 2 on piracy as adopted by the Assembly.

All means to prevent the criminal acts of piracy should be activated to protect the lives of seafarers. Seafarers should be properly briefed before the vessel enters piracy infected areas. Yet CESMA still denounces the use of fire arms and armed guards on board ships as it could escalate violence and threaten the safety of the ship and the lives of seafarers.

However if the company decides to put fire arms or armed personnel on board, the captain and the crew member, who do not want to proceed, must have the possibility to disembark and to be repatriated without any consequences.

In case that ship carries fire arms or armed personnel, following issues should be taken into consideration:

- Neither the captain nor the crewmembers are trained to use fire arms.
- The status of armed personnel on board is not defined.
- It is not defined who will command the use of fire arms.
- It is not defined who will be responsible for eventual victims among the crew and third parties and for the damage to ship and/or cargo.



DEATH OF THE NORTH EUROPEAN SEAFARER

Deaths can, as an American author famously experienced, be prematurely announced and obituaries often written while their subjects are still in the land of the living. So the idea now gaining ground that the European seafarer is now on his or her deathbed, might too be a false rumour, but if the subject is a certain kind of European, the stories may be more credible.

In June this year, the head of fleet personnel at a leading shipmanager told a conference in Manila that the current crisis had “killed off the **north** European seafarer”. At about the same time a poll on the website of Nautilus, the Anglo-Dutch officers’ (north European) union, resulted in a small majority (58% of 158 replies) answering in the negative to the question “Does the European seafarer have a long-term future?” The distinction made by the shipmanager (a north European himself) is important. “European” can cover a wide range of nationalities: from Irish in the West to Russian in the East and from Icelanders in the North to Maltese in the South. In the context of shipping “North European” refers to “traditional maritime countries” such as the UK, Germany, The Netherlands, as well as those in Scandinavia.

Over the last 20 years seafarers from eastern and central Europe, including the Baltic States, have been increasingly employed by ship owners mainly but not exclusively in western and northern Europe, including Scandinavia. Poles, Russians and Ukrainians – all Europeans – are among the top nationalities in today’s crew lists from which the North Europeans are forecast to disappear. With the exception of some domestic trades and specialist trades such as liquefied natural gas carriers, however, the manning of the world fleet will, according to the shipmanager, be dominated by nationalities from Asia, with China, The Philippines and India the main suppliers of labour.

The main reasons for the dwindling numbers of North European seafarers are by now familiar: earlier crises such as those of the 1970s and 1980s resulted in the loss of competitiveness that forced their employers to turn to new and cheaper sources; and the fading attraction of a seagoing career to young northwest Europeans. Efforts – half-hearted, some might say – to reverse the decline by governments individually and through the European Union (EU) have had limited success. The current economic crisis, bigger than those before, has seen shipping companies aggressively cutting costs and replacing north Europeans with Asians. Last year, for example, sea-based workers’ remittances sent from Europe to The Philippines almost doubled to USD 1.1 billion. The evidence pointing to terminal decline, however, is not conclusive. Earlier this year a survey of countries in the European Economic Area (the EU plus Norway, Liechtenstein and Iceland) suggested European officer numbers had, in fact, increased by 5% over the previous five years. The rise, unexpected perhaps, was attributed to improved recruitment tactics and higher investment in training.

The report, commissioned by the European Community Shipowners Association (ECSA), however, warned that the increase could be reversed as a result of the ageing of the workforce, many of whom are close to retirement. Last year the UK noted that 65% of its 11,400 certificated and active-at-sea officers were over 40 years old, with the figure for the 10,400 deck and engineroom ratings higher at 72%.

The EEA controls almost 42% of the world fleet in gross tonnage terms (almost 23% registered in EEA countries) and, according to ECSA, its shipping industry provides, in addition to 126,000 jobs ashore, 470,000 jobs at sea but only 165,000 or just over a third are held by EEA nationals. Similarly, the recently published update of the BIMCO/ISF manpower survey suggests that the number of officers from Organisation for Economic Co-operation and Development (OECD) countries, including most of Europe, has increased significantly to 184,000 or almost 30% of the world total of 624,000. While the rise in numbers, now based on holders on STCW certificates, may be due to increased training, the latest report cautions that certificate-holders may include those who are no longer active at sea (working ashore, for example). The report is based mainly on country-supplied data but also includes figures based on responses from around 100 companies. These put the number of OECD officers at less than 10% of the total. The caveat here is that the companies responding may not be fully representative of all those employing OECD officers.



An endangered species?

The BIMCO/ISF report also warns that, while the decline in the number of OECD officers may have been temporarily halted, demographic trends and the 10 years it can take to produce a senior officer, mean it is likely the trend to source from the Indian subcontinent and the Far East will continue. With European governments distracted by more pressing issues, it will take loud voices to remind them of the implications of a decline in the number of their seafarers. These have already been spelled out but will no doubt be stressed again by the European Commission's taskforce under Sir Robert Coleman when it reports next year: the dangers of over-reliance on non-European seafarers in manning not just European-flag ships but ships of any flag carrying European trade, including imports of vital energy supplies; and the gradual loss of maritime skills.

As ECSA has acknowledged, however, any government action will be influenced by the need to maintain the competitiveness of European shipping. Balancing strategic and economic needs, particularly in a time of both austerity and geopolitical uncertainty, will be a challenging task. With government spending being ruthlessly cut, any support for training and employing nationals at sea will be difficult to justify. European seafarers, like their counterparts in other OECD countries, will be increasingly at the mercy of forces beyond their control. Even if their governments are able to produce policies that help recruitment and training, decisions already taken by European companies to increase their reliance on non-OECD officers will be difficult to reverse. **Reports of the death of the European seafarer may be greatly exaggerated but the patient is clearly in need of intensive care.**

Source: BIMCO



EMSA ON TRAINING

The European Maritime Safety Agency (EMSA) is starting get involved in a number of new initiatives, and has announced the launch of their new STCW information system (STCW-IS).



This is available on-line for public consultation, and contains relevant information on EU's maritime administrations, maritime education, training, certification systems and training institutions as well as EU approved programmes and courses, and career progression schemes available in the EU Member States. The system provides information on countries which are party to the STCW Convention, and sets out the number of dispensations issued per year, and the career paths for maritime education, training and certification.

The system also provides the contact information for all entities involved in the implementation of the STCW Convention in each country, and the type of certificates of competency issued by those entities can be found. Plus there is contact information on the maritime training institutions available in each country, their programmes, the number of enrolments and diplomas issued by the institutions, and the type of training facilities made available for maritime education and training.

The **STCW-IS** is also able to produce general statistics and reports based on the information available in the system, considering EU and non-EU seafarers certified by EU Member States. See <http://goo.gl/s5OCS> and find out the inner workings of the mighty EU maritime training behemoth today.



PIRACY GOING WEST

It seems the "Somali disease" of piracy is increasingly being spread, and piracy is on the increase on the opposite coast of Africa.

Warnings are now being issued to ships travelling past Benin and in the Gulf of Guinea, following a spate of piracy attacks off the West African country. There have been an increasing number of attacks in the area, and vessels are now being hijacked and crews held. According to the UK P&I Club, this new West African "piracy" trend is extremely worrying. Previous attacks off the West coast have usually involved petty theft and pilferage, while the higher profile, large scale attacks have been politically motivated. Now it seems that there is a change, of both scale and ferocity with two tankers taken last month in quick succession, and 12 tanker attacks off the Benin coast since March. It seems pirate groups have turned their attentions to the wholesale theft of oil and diesel cargoes. In a string of attacks, gangs have boarded vessels, in order to transfer oil from the tanker into their own small tanker vessels. The operations have been known to take as long as four days, and the vessels and crew are effectively hijacked for the duration of the theft.

There has been a geographic spread of the problem too. Pirate activity had previously been confined to port areas or the politically sensitive Bonny River and Niger Delta regions, now however the pirates are on the move.

They are reaching further afield and even into foreign territories to capture vessels. As tankers have moved further offshore away from the danger zone around Lagos to transfer cargoes, so too have the pirates. They have been known to operate along the coasts of Benin and Cotonou. The pirates are believed to be Nigerian, and the push outwards is believed to be a direct response to the successes of the Nigerian Navy in their own territorial sea.

Criminals are quick learners, and where they see temptation mixed with success elsewhere, then they are likely to join the fray. Shipping, it seems, is a soft target. The Norwegian Shipowners Association has issued a Security update for West Africa/GoG/Nigeria. <http://goo.gl/chCeq>



HIRING ARMED GUARDS SHOULD BE LEFT TO GOVERNMENT

In the wake of an independent report recommending the Netherlands government to provide Dutch shipowners with better levels of protection against piracy, including the hiring of armed guards, a Netherlands law firm says that shipowners who directly hire armed personnel themselves could face criminal prosecution.

The so-called De Wijckerslooth Committee report was designed to assess the desirability and possibility of deploying private sector armed security to help protect Dutch ships from the threat of attack by (mainly Somali) pirates. It recommends that the Dutch government moves towards a higher level of protection of its merchant fleet including, "if necessary", the use of armed private security guards. The report, however, cautions that such security guards should only be hired by the government, and should only perform their security duties as soldiers under the full authority of the Ministry of Defence. The authors of the report add that, under the current circumstances, it is not desirable that shipowners privately hire armed private security guards, an option which should only be considered "in case of special conditions". The committee argues that, if the government uses its own resources, or engages reservists or hires armed private security guards who will temporarily be given military status, this will not constitute privatisation of security duties.



By creating additional defence capacity in this way, no amendment of legislation and regulations will be required. It is envisaged that the recommendations of the committee could lead, relatively quickly, to providing the level of protection against piracy considered necessary for merchant vessels. The alternative - whereby shipowners themselves hire private security guards (an approach endorsed by the Royal Association of Netherlands Shipowners) - entails "several problems", according to the committee, and would require drastic amendment of Dutch legislation and regulations, which under normal circumstances could take "several years".

Clearly, it is the duty of government to do its utmost to protect the merchant fleet from attacks by pirates. In the event that the government is not able to fulfil its duties, for whatever reason, it will have to employ outside help. It is not desirable that privately owned companies hire armed protection to perform the duties which are the responsibility of government, which should retain its monopoly of force. Furthermore, the cost of providing protection against piracy should be borne by the state. Shipowners should only be allowed to hire private armed guards in special situations, in the event that the government is not able to fulfil its duties.

In the event that Dutch shipowners do hire armed personnel, or provide weapons to those on board, those directly involved, as well as shore-based personnel (including the ultimate management of the company) could face criminal prosecution. Furthermore, shipowners could be faced with local legislation covering the import and export of weapons in the event that the vessel has weapons on board and enters the jurisdiction of another country.



**Defence Minister
Mr. Hans Hillen**



STATISTICS WE CAN TRUST

The world's three biggest flag States reported last month that pirates took 1,090 sailors hostage last year. Panama, Liberia and the Marshall Islands said that 4,185 seafarers were attacked with firearms and rocket propelled grenades, 342 survived attacks in vessels' "security rooms", and 516 were used as human shields.

The three countries, used by owners from Greece, China and elsewhere to register vessel ownership, were speaking about a joint declaration committing to provide data on attacks for the International Maritime Bureau (IMB) to collate.

Getting reliable statistics regarding piracy attacks is notoriously difficult. There are too few reports, and then even when they are received the actual contents can be "doctored" to varying degrees. Throw in various elements of self-interest and spin doctoring, and it can be seen that sometimes the numbers do not speak for themselves.

The news that flags, owners and a trusted and respected third party, such as the IMB are coming together is great news. "What gets measured gets done", as they say and hopefully by doing the sums properly we can hopefully manage risk effectively, while also putting in place effective and appropriate safeguards.

The guesswork, the posturing, the blind ignorance and the showy media flashes have to stop, and we have to produce numbers which truly add up. The navies of the world will not stick around based on scanty information, the time for definitive figures is here!

Let's hope this doesn't fire up the old definitions argument though. Just one of the problems with piracy is that it has two definitions, there is the IMB one and the UN Convention of the Law of the Sea. If we are going to start counting properly, this could turn into an issue.

(from Shiptalk)



ECDIS – THE NEXT STEP

Electronic Chart Display Information Systems (ECDIS) represent the navigational future. Used properly, they offer substantial advantages over the old paper and pencil variety, a continuous plot of the ship's position, warnings about navigational hazards in the vicinity, and improved safety.

A huge bonus is the ease of correction compared to the labour-intensive manual correction process necessary with paper charts, which would drive a navigator with a world chart folio mad. So why is there some apprehension about the now-mandatory process that will see the world fleet fitted with ECDIS over a six year period? What is there to be afraid of in this hugely positive technological development? There remain a number of major concerns about the adoption of electronic chart systems. None are new, but as with many developments which are enthused over by the manufacturers which have produced the new equipment, it is the translation from principle into practice that tends to be glossed over for the changeover from paper to electronics represents a major change, and one that has important implications for training and bridge procedures. An ECDIS is not something that can be installed by the manufacturer, with a few reassuring words offered to the crew in residence, which is then left to make the most of this exciting piece of kit. Indeed, there have already been groundings where precisely this neglectful procedure had been adopted and had contributed to the mishap.

Perhaps it is the computer age we live in when few of us ever receive any formal training in the equipment we have to use every day which produces a mindset that regards an ECDIS as just another sort of business machine to become used to, when it is, for a navigator, a major "change of course". But it is also clear that during the developmental stage of ECDIS and its performance standards, insufficient emphasis was given to the need to develop a common presentation and standardised symbols and controls. There might be no great surprise at this – radar sets and most navigational equipment are subject to the same problems. But changing from one radar to another is very much less complex than changing from paper to electronic charts.

So training becomes a very much more serious matter. "Generic" training, which introduces the navigator to the principles of ECDIS, is absolutely essential as a precursor to the type training which will ensure that the navigator is capable of operating the equipment fitted to the ship he or she will sail in. And it is the development of this training which is still the subject of debate over its length, and extent, at a time when equipment is already being fitted to new ships, and retrofitted to others. It also has implications for the movement of officers around a fleet, especially if different types of ECDIS equipment are fitted. Officers will be required to undergo longer periods of familiarisation when they change ships, making them less flexible from a personnel department's point of view. And in that the adoption of mandatory ECDIS will almost certainly be accompanied by a good deal of rapid development and equipment improvement, it is probable that regular updating and refresher training will be required. There are likely to be important implications for the operator who must, besides purchasing this new equipment, ensure that all the ships' officers are competent with it. It is worth remembering that more than one significant "seaworthiness" legal case involved out of date paper charts. With ECDIS, the likelihood is that the charts will never be out of date, but the skill of the operator with his chart display will be the subject under review!

Source: Watchkeeper, BIMCO



CESMA ON NATIONAL CROATIAN TELEVISION

In the days preceding the 2011 CESMA Annual General Assembly, our Croatian colleagues of the ZHUPK had arranged an interview to be broadcasted on a national Croatian Television programme.



ZHUPK, with its seat in Zadar, was founded in 2008. It comprises shipmasters' associations from Rijeka, Kostrena, Zadar, Sibenik and Split with the Dubrovnik association probably joining. ZHUPK is an associated member of CESMA since 2009, with full membership foreseen after Croatia has become a member of the EU.

Cpts. Von Pressentin and Van Wijnen during the interview.

Captain Vrdoljak, General Secretary of the association explained that the main reason for joining CESMA was the de-criminalisation of shipmasters. A recent case was the criminalisation of Croatian Captain Kristo Laptalo. ZHUPK has made, together with CESMA, pressure on judicial and other authorities in Greece to get our colleague released.

On the question what the main aims of CESMA were, President Captain Wolf von Pressentin answered that the organisation envisaged good contacts between European shipmasters and the EU Parliament and Commission. In this way the voice of EU shipmasters is heard in EU politics. There are many subjects for discussion on the agenda. Among them the big problem of piracy, criminalisation of seafarers and the main subject this year's AGA is maritime safety with regard to the issue of places of refuge in the Adriatic Sea for ships which are in need of assistance. This very complex and sensitive issue has now been solved legally, organisationally and technologically during a project which took two years to complete. With this initiative Croatia has implemented the IMO obligation of 2004 and has fully harmonized its legislation according to the guidelines of the European Commission.

General Secretary Captain Fredrik van Wijnen stated that the membership of the Croatian shipmasters' association is very important for CESMA in view of the maritime history of the nation of Croatia and the fact that many Croatian shipmasters are actually sailing on ships of various nations and represent a lot of expertise. Therefore ZHUPK can play a very important role in the CESMA organisation. This is also one of the reasons CESMA is in Zadar for their General Assembly.

Conclusion of the interview: Working internationally together with other shipmasters' associations has the advantage that problems are solved much better and faster. This should improve maritime safety and seafarer's rights all over the world. **(by Cpt. N. Dunat)**



SAVE OUR SOULS

Next year it will be 100 years ago since the brandnew passengership "Titanic" went down in the Atlantic Ocean after hitting an iceberg. 1522 people on board of the "unsinkable" vessel lost their lives. The investigation in the disaster have proved that many things went wrong. The accident has however caused the international maritime world to carefully consider measures to prevent similar accidents to happen again in the future. It is this subject that will be highlighted during a symposium which will be organised by the the Netherlands Association of Master Mariners (NVKK) on 6th October next. Presentations are expected from the Netherlands' Coastguard and Live Saving Association as well as representatives of the cruiseline company Holland America Line and suppliers of lifesaving equipment Schat Harding. The symposium links with our visit to Romania to attend the seminar on Search and Rescue in the Black Sea area. We will report on both events in our next issue of the Newsletter. (FVW)

CESMA LOGBOOK (2011 – 3)

We were represented at the following occasions

24 Jun	Amsterdam	Disciplinary Court on maritime accidents
29 Jun	Paris	Meeting EMRF
06 Jul	Cardiff	SIRC Symposium
12 Sep	IJmuiden	Visit Netherlands Live Saving Association
19 Sep	Brussels	SAGMAS (23)
23 Sep	Den Helder	Visit Netherlands Coastguard



IN MEMORY OF CAPTAIN LUCIANO TOMASINI

On August 23rd, at St. Anne Chapel, we have said farewell to our colleague Captain Luciano Tomasini, president of Collegio Capitani di Trieste.

Capt. Tomasini, born July 12th 1930, spent the years till August 1987, when retired, at sea as employee of Italian Company Adriatica di Navigazione.

After the retirement he assumed various charges in Collegio covering the position of Vice-president and from 2001 that one of President.

He has been a man always working to improve collaboration among local Port Authorities, Nautical College and the Head Offices of Steamship Companies located in Trieste. His efforts have been mainly concentrated to stimulate the young generations to choose nautical careers.

Good member of CESMA and IFSMA, he will be always remembered as the "classic captain" of a passed romantic era.

Collegio di Trieste dei Capitani di LC & DM

FROM THE EDITOR

- The International maritime Organisation has issued guidance on the use of armed guards on board ships in piracy infested areas. This guidance does not signify that the IMO agrees or recommend private armed guards on merchant navy vessels.
- The European Safety Agency (EMSA) organises a maritime conference on the evolution of the tasks of EMSA in its Headquarters in Lisbon on 11 November. At the same occasion the Executive Director, Mr. Willem de Ruyter and the Chairman of the EMSA Administrative Board, Mr. Jorgen Hammer Hansen will say farewell to the organisation.
- The UN Security Council has voiced concern over increased maritime piracy, armed robbery and hostage-taking in the Gulf of Guinea. The crimes are having an adverse impact on security, trade and other economic activities in the area. It is too early to assume that these piracy activities are related to similar activities near Somalia but they are a reason for concern for the shipping community.
- Following the resolutions of the 2011 AGA, CESMA will make a contribution to a conference, organised in Constanta, Rumania, on 31 October and 1 November 2011 discussing the Search and Rescue (SAR) system and its shortcomings in the Black Sea area. The conference will be organised by the Rumanian Naval Authority.
- During European Maritime Day in May this year, Captain Andreas Mai, Harbourmaster of Bremerhaven, has officially presented the European Nautical Platform (ENP) to the European Commission and Members of European Parliament present. The platform, in which CESMA participates, looks at the maritime safety in the reach of port areas from pilot station to berth. Issues such as safe mooring practices, pilot / master relationship and mutual co-operation and understanding between the various players. Taking part are harbourmasters, shipmasters, pilots, tugmasters and boatmen. Accidents will be assessed and recommendations issued.
- The man who invented the modern sea-container, Keith Tantlinger, has died in the United States, at the age of 92. He also invented the steel corners and the twistlocks which made it possible to stack the containers. According to many, this invention has had great influence on the development of the world economy.
- The contents of the MARPOL, annex VI treaty on the emission of sulphur from the engines of seagoing vessels will be also supported by the European Commission. This means that EU Member States have to implement the treaty in 2012 in order to have a two year timespan to reach the deadline of 2015. This regulation will imply that vessels trading in the North and Baltic Seas have to use fuel of less than 0,1% sulphur emission, starting from 2015 and remaining European waters fuel of less than 0,5% sulphur from the year 2020. Meanwhile the German Senate has protested against this inequality of areas where the new rules are due.
- We have been advised that longtime Member of EU Parliament Mr. Dirk Sterckx will leave the Parliament this year. Mr. Sterckx has been rapporteur on important maritime legislation and has shown to have a keen interest in maritime affairs.
- Authorities in the Philippines are aiming at improving the quality of a number of maritime training institutes to meet the requirements of the European Maritime Safety Agency (EMSA) which had judged the level of these institutes as inferior during assessments performed by officers of the Agency last year.
- Mr. Koji Sekimizu from Yokohama, Japan, has been elected new secretary-general of the International Maritime Organisation (IMO). He will take over from vice admiral Efthimos Mitropoulos at the end of this year. Mr. Sekimizu has no maritime experience but has had a long career in the service of the UN organisation.



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APPLICATION FOR (ASSOCIATED) CESMA MEMBERSHIP

Association full name:

Full address:.....

Phone/fax/E-mail:.....

Name president:

Name vice president:.....

Name secretary:.....

Name Treasurer:.....

Number of: seagoing masters :.....
 shorebased masters :.....
 retired masters :

THE PRESIDENT OF THE ASSOCIATION OF SHIPMASTERS, MENTIONED ABOVE, DECLARES THE PARTICULARS TO BE CORRECT TO THE BEST OF KNOWLEDGE AND HEREWITH APPLIES FOR FULL OR ASSOCIATED MEMBERSHIP OF THE CONFEDERATION OF EUROPEAN SHIPMASTERS' ASSOCIATIONS (CESMA).

NAME AND SIGNATURE:

DATE:

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