

CONFEDERATION OF EUROPEAN SHIPMASTERS' ASSOCIATIONS

CESMA NEWS



OCTOBER 2014



IN THIS ISSUE:

- PRESUMED GUILTY
- REMEMBER MARPOL ANNEX 1
- MARITIME ACCIDENT INVESTIGATION
- CONTAINERSHIP NOT SEAWORTHY
- THE (LOST) ART OF CARGO CARE
- THE IMPORTANCE OF MENTORING
- THE WIDERMOS PROJECT
- EUROPEAN SHIPPING WEEK 2015

CESMA NEWS

OCTOBER 2014

THE EUROPEAN UNION SHIPMASTER INFORMATION CHRONICLE

CONFEDERATION OF EUROPEAN SHIPMASTERS' ASSOCIATIONS

SECRETARIAT: MUNTPLEIN 10
NL-1012WR AMSTERDAM
THE NETHERLANDS

TEL: 0031 650275519
TEL: 0031 206253515
E-MAIL: cesma-eu@introweb.nl

Website: cesma-eu.org

PRESIDENT: CAPT. W-V. VON PRESENTIN
NORDERSTRASSE 2
18347 OSTSEEBAD WUSTROW
GERMANY

TEL : 0049 3 82 20 / 8 03 74
FAX : 0049 3 82 20 / 6 68 43
E-MAIL: wolfvpressentin@web.de

DEP.PRESIDENT: CAPT. G. RIBARIC
OBALA 55
SI – 6320 PORTOROZ
SLOVENIA

TEL(GSM) : 00386 31375823
E-MAIL : zpu.slo@siol.net

GEN.SECRETARY: CAPT. F.J. VAN WIJNEN
JUNOLAAN 10
2741 TJ WADDINXVEEN
THE NETHERLANDS

TEL: 0031 182 613231
MOB:0031 650275519
E-MAIL: cesma.vanwijnen@planet.nl

HON.TREASURER: VACANCY

HON.VICE PRESIDENT: CAPT. R. SERRA
HON.MEMBERS: CAPT. H.B. BOER †
CAPT. J. CHENNEVIERE
CAPT. J-D. TROYAT
CAPT. G. KIEHNE
CAPT. J. JUAN TORRES

ADVISORS
PROF. J. SPAANS
CAPT. J-D TROYAT
CAPT. W. MUELLER

Opinions expressed in articles are those of the sources and/or authors only

PRESUMED GUILTY

The highest justice is often the greatest injustice (Cicero)

As has been reported in several reports, our colleague, Bulgarian Captain Sobadzhiev is still held in the la Joya prison in Panama. Recently the verdict was presented. He has to stay 80 months longer in prison as he was found guilty, or in anyway responsible, for the drug transport on the Netherlands flagged container vessel "Maas Trader" in 2011.



La Joya prison Panama, former US army barrack

After careful considerations, he decided not to appeal, not because he admits being guilty, but he is aware of the uncertain outcome of such an appeal and the long time ahead before a decision can be expected. He is now demanding to be extradited to Bulgaria to serve the remainder of his sentence in a Bulgarian prison, an action we, as CESMA, fully support.

In the meantime we found out that accusations by the prosecutor against Captain Sobadzhiev were not only the guilt or responsibility for the drug transport on board

but also because of complaints by the Philippino crew on the "Maas Trader" that they were badly treated. On asking Captain Sobadzhiev during our visit to Panama, he assured us that there were no complaints by the crew during the voyage and that there had been a good understanding and atmosphere among the Philippino crewmembers. This again points to a conspiracy between the Russian chief officer and the crew to get rid of Captain Sobadzhiev in Panama, a pure case of modern mutiny with the assistance and knowledge of the shore organisation.

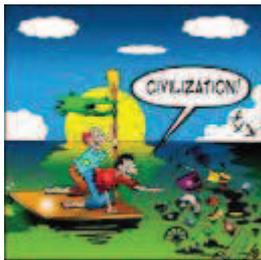
We also became aware of the way judicial cases are treated in countries in Central America. It is totally different from our western ways. The accused is guilty and has to prove that he or she is not. In many cases there is hardly any chance to prove innocence and the accused is sometimes totally unaware why he was taken into custody. The accusations are sometimes built on shadowy testimonies, like in the case of Captain Sobadzhiev. Why do prosecutors in Central America do this? It is common knowledge that prosecutors are paid per case (accusation), making it very profitable to sue as many people as possible. There are rumours that also police officers are paid each time they make an arrest. All this is a good motivation for corrupt maintainers of the law. There is a lot of criticism, also in Panama, on the way innocent people are sometimes treated but, as always, the judicial department is independent and inviolable. A documentary about this issue in Mexico was in vain thwarted by the government and has now reached an enormous popularity among citizens, confident that these abuses are finally shown in the media and become internationally known.

In a recent effort to assist Captain Sobadzhiev, CESMA has approached the permanent representative of the Panamese administration at the IMO in London. The reaction was kind and understanding, although also these high placed officials have very little influence on the legal system in Panama. But there were at least questions asked to the ministry in Panama, who are now aware of the attention given, also at IMO. **(FVW)**



REMEMBER MARPOL ANNEX 1

P&I Clubs frequently remind their members of the importance to comply with MARPOL regulations. By non-compliance with MARPOL regulations ships risk huge fines and substantial cleaning costs and, besides, they form a risk to the environment. Quoting from various P&I Club publications, we also would like to remind our CESMA News readers about the importance of complying with MARPOL regulations.



The most important regulations governing the prevention of pollution by oil from ships are contained in the International Convention for the Prevention of Pollution from Ships (MARPOL) Annex I and cover prevention of pollution by oil from operational measures as well as from accidental discharges. With seaborne oil trade growing steadily since 1970, apart from a fall in the early 1980s during the worldwide economic recession, the aim of many of the safety measures included in MARPOL Annex I is to ensure that the majority of oil tankers are safely built and operated, and are constructed to reduce the amount of oil spilled in the event of an accident (e.g. segregated ballast tanks, protected location of fuel tanks, and double hull).

Although the greater volume of the oil spilled can be linked to tanker incidents, commercial vessels other than tankers also contribute to oil pollution and MARPOL Annex I contains the required safety measures to prevent and minimize also this type of discharges (e.g. specific requirements or discharge of oil residue (sludge) and bilge water from machinery spaces).

Annex I to MARPOL requires that machinery space bilge water be processed through a functioning Oily Water Separator (OWS), with an Oil Content Meter (OCM) sampling the effluent to ensure the oil concentration is 15 ppm or less prior to discharge overboard. MARPOL is implemented into United States law by the Act to Prevent Pollution from Ships (APPS) which governs the accidental and operational discharge of oil from ships within US jurisdictional waters.

Under APPS, it is a crime to bypass, or trick, the OWS or OCM, as well as to maintain an inaccurate Oil Record Book (ORB) when in US waters. If the OWS or OCM is bypassed, or tricked, and that discharge is not logged, or is logged wrongly, it will follow that the ORB is inaccurate, which is also a breach of APPS and can result in prosecution under APPS and/or other statutes.

APPS also enables the US authorities to offer very substantial rewards to those who report alleged violations, often referred to as 'whistleblowers'. These awards can amount to as much as 50% of any criminal fine paid for APPS violations, in the discretion of the court. Corporations can be found vicariously liable under APPS for the illegal acts of their employees if the acts are done during the scope of an employee's employment and, at least in part, for the benefit of the Company. There does not have to be an actual benefit, but rather something that did or could have benefited the Company, in the employee's subjective view.

It is commonly known that ship owners and individual crew members can face huge fines or even imprisonment if they breach applicable regulations (Marpol regulations). Not only in the USA, but also in other areas of the world, the consequences of breaching environmental regulations can have serious impact. **So remember MARPOL – Annex I (!) (From DPI Newsletter)**



TRANSPARENCY IN MARITIME ACCIDENT INVESTIGATION

Society has become accustomed to aviation accidents being thoroughly investigated. Many countries also commit considerable resources to the investigation of accidents on their roads and railways. In merchant shipping however this is totally different.

Historically, difficulties, associated with geographical location, were regarded as insurmountable difficulties in locating wrecks in deep water, have limited the scope of many marine accident investigation. A good example is the accident of the bulk carrier "Derbyshire" which sank to a depth of 4.200 m in the South China Sea. After years of inactivity, the investigating has been revived and initiated by the relatives of the crew of the vessel, resulting in finding the causes of the accident by determining the location of the vessel with the assistance of modern technologies. The wreck of the vessel has produced enough evidence to confirm the most plausible causes of the accident, giving the maritime industry workable solutions to improve the design of bulk carriers to be built in the future.



mv Derbyshire

Although there have been many technological impediments in recent years, it can however be reasonably argued that the unwillingness of the industry and flag states to find out the root causes of accidents and/or incidents and to take appropriate action to prevent their recurrence has been the prevailing constraint on efforts and resources devoted to investigation.

This constraint has been exacerbated by a marine insurance sector which has been structured to spread risk rather than to reduce risk. However, certainty about the cause of the accident would potentially reduce litigation and raise knowledge about underlying safety issues, while the prime purpose of an investigation would surely have to be to prevent similar incidents from taking place in the future, to save lives of seafarers and to protect the marine environment.

Disappointingly, international marine accident investigation is still remarkably inconsistent and the shortcomings in the current system create profound problems. This limits the collecting of data and restricts early detection of trends also undermining any attempts to develop effective formal safety assessment processes, based on the cost effectiveness of risk control options for an eventual change of regulations. There is a lack of desire for change and this is demonstrated by many flag states, classification societies, designers, shipbuilders and other vested interest, inhibiting the creation of more effective investigative processes.

During the late 1980s and 1990s, the debate in the IMO on the rapidly increasing marine losses – and notably the significant rate involving bulk carriers - initiated a proposal on the introduction of Voyage Data Recorders (VDR's). Many of the accidents were after all written off as "mysterious" or unexplained losses such as the "Derbyshire".

Not sooner than 27 November 1997, an IMO Performance Standard was adopted as a resolution stating that it was desirable that ships, in particular passenger ships, be fitted with VDR's to assist in investigations into casualties and invited governments to "encourage ship owners and operators of ships entitled to fly their flag to install VDR's on such ships as soon as possible". Despite the obvious advantages, there was considerable opposition throughout the maritime community, especially from flag states with questionable records. However, phased introduction, with appropriate amendments to the SOLAS convention, was accepted by the IMO's Maritime Safety Committee on 6 December 2000, with completion set for 1 July 2010. Since then VDR technology has been able to assist accident investigators in methodical appraisal and analysis of the causes of incidents which can then be translated into improved regulations covering the design, construction, operation and manning of merchant vessels. Information obtained from VDR's has also reduced cost and time required to complete investigations and has also cut the cost of incident related litigation. During the process against Captain Schettino of the "Costa Concordia", many details on the disaster came to light because of the recovered VDR.

Thorough and independent investigations of marine casualties is essential, not only to determine the cause and circumstances of individual accidents, but also to examine whether common patterns exist and also to produce recommendations that seek to prevent similar incidents in the future.

Article 94 of the United Nation's Convention of the Law of the Sea (UNCLOS) states that it is the responsibility of the flag state to institute an "inquiry" (investigation) into accidents on the high seas for ships flying the flag of that state causing loss of life or serious injury to nationals of another state or serious damage to ships of another state or to the marine environment where it is in the public interest to do so. This responsibility may shift to the coastal state in case of accidents occurring in territorial or inland waters. However currently, there is something of a "get out clause" in the IMO obligations for flag states to conduct investigations. Under IMO rules, a flag state is effectively required to institute an investigation into a marine accident of significance, only where there is likely to be an amendment to a Code or Convention. Each administration should "conduct an investigation of any casualty occurred to any of its ships subject to the provisions of the present Convention when it judges that such an investigation may assist in determining which changes in the present regulations might be desirable".

During the recent Annual General Assembly of IFSMA in Sandefjord, Norway, this issue was widely discussed as a result of a paper presented by Mr. Alan Graveson, National Secretary of Nautilus International. There were some misinterpretations of the IMO regulations but finally everyone present, including CESMA, was of the opinion that all cases of serious casualties should be investigated for a number of reasons. Firstly, accidents are very seldom the same and secondly, who is going to decide whether a regulation has to be changed. Changes in regulations are very subjective and up for interpretation. Knowing the "speed" in which IMO produces legislation, effective measures may take many years to be implemented. Administrations will also look for loopholes to avoid investigations view the high cost to be incurred. Therefore there is considerable concern within the maritime community about the variation in the quality of marine accident investigation around the world. This has resulted in the development of the IMO Code for the investigation of marine casualties and incidents and the subsequent creation of a working group to suggest solutions for the implementation of a mandatory Code.



Mr. Alan Graveson

The European Union has sought via the European Maritime Safety Agency (EMSA) to address the lack of uniformity in marine accident investigation in EU waters by developing a Directive, providing for a mandatory framework for independent investigation of serious marine casualties, involving "substantial interests" of Member States. It also trains investigators of EU member states and issues a yearly report on marine accidents in European waters. However the marine community believes strongly that global uniformity can only be achieved, not by a regional regulatory solution, in Europe or elsewhere in the world, but by a universally applied and clear Convention through the IMO.

There are many examples of serious casualties in recent years which were never properly investigated, notwithstanding pressure of large organisations such as the ITF. And if there was an investigation after all, details were withheld by the flag state on grounds of confidentiality or any other excuse. Moreover quite a number of flag states have no sufficient means or infrastructure to provide a professional investigation team. They are only offices that exist to provide substandard ship owners with easy going rules and reduced tariffs. Yet, they all have a representation at the IMO and in that position are allowed to vote on important marine safety regulations.

(based on paper by Mr. Alan Graveson at the IFSMA AGA in Sandefjord)



EUROPEAN UNION NOTES DECREASE IN PIRATE ATTACKS NEAR SOMALIAN COAST

The European Union noted a decline in piracy activity off the coast of Somalia, the EU Foreign Affairs Council said in a recent press release following a meeting in Luxembourg "The EU welcomes the significant decline in piracy activity in the Gulf of Aden and Western Indian Ocean and encourages the Federal Government to further increase its contribution to this success. However, networks supporting piracy are still operating and the threat of piracy remains,"

The Council also expressed concern with regard to the reports on the recent release of a pirate leader in Somalia's capital Mogadishu and underscored the need for the authorities to "end impunity of piracy network leaders and strengthen the rule of law. "The prosecution of piracy leaders remains a prerequisite for the disruption of piracy networks' operational capabilities. Therefore the EU calls on Somali authorities to take concrete measures towards the establishment of such legislative framework pertaining to piracy and maritime crime," the Foreign Affairs Council conclusion said. The Council also urged the Mogadishu authorities to establish an independent national electoral commission in order to carry out a legitimate vote in 2016. Global powers launched anti-piracy missions in response to a rising amount of piracy off the Horn of Africa and in the Western Indian Ocean in 2009. The operation has been extended until the end of 2014. Somalia ceased to exist as a unified state in 1991 with the fall of the dictatorial regime of Siad Barre. The international community recognizes the federal government, which controls Mogadishu and some adjacent areas, as the only legitimate authority in the country. The remaining parts of Somalia are currently under control of unrecognized state entities or are self-governing territories. Certain areas of southern and north eastern Somalia are ruled by local clans and radical Islamist movements, including the militant group Al-Shabaab. **Source : RIANovost**



P&I CLUB WARNS ON FAILURE TO PRESERVE VDR DATA

The London P&I Club says failure to preserve Voyage Data Recorder (VDR) data in the event of an accident or incident can compromise the owner's position in the event of a claim

In the latest issue of its "Stop Loss Bulletin", the club says that its ship inspection programme confirms that the operation of VDR units is generally well-understood by its ship owner members. But it notes that there have nevertheless been instances where masters have failed to perform the steps required to preserve VDR data, or failed to recognise circumstances in which such data – and particularly voice traffic on VHF and on the bridge – may be very valuable in the defence of a claim.

In one occasion, a ship heading into port was presented with a 'head-on' situation as described in Rule 14 of the International Rules for the Prevention of Collisions at Sea. Although it was a departure from the rules, a deal was struck on the VHF between the two ships, involving an alteration of course. The ships subsequently collided, resulting in a substantial claim on the club.

The club says, "The master did not save the VDR data, presumably because the data could have been incriminating and used against him. While the same information was not likely to have reversed any liability for the incident, it may have been useful evidence to assist in reaching an amicable settlement. The effect on the settlement of the claim cannot now be quantified, although it stands to reason that the ship owner would have preferred the master to have saved the information. In an attempt to protect himself, the master may have exposed the owners to a larger settlement."

In another incident, a container ship was forced, due to impending poor weather, to depart from a container berth with many of its containers unlash. Unfortunately, when the ship was exposed to the poor weather, a number of the unlash containers were lost overboard. The club says, "In some ways, understandably, the master did not consider this situation to be one where VDR data ought to be saved. But, during the handling of the ensuing claim, the club felt that the VDR data would probably have represented a valuable narrative of the exchanges between the port authorities and the bridge team and could have helped greatly in the claim negotiation. The club notes that onboard emergency guidance manuals usually contain aide memoir sheets to assist the master with those structured and ordered tasks which need to be taken in priority order, and are aimed at ensuring that steps are not missed in an emergency. It advises its members to consider the insertion or addition of VDR data saves in an appropriate position on such lists.

Source : www.londonpandi.com



CONTAINERSHIP NOT SEAWORTHY

On 14th February of this year the Danish container vessel "Svendborg Maersk" ended up in very heavy weather in the Bay of Biscay. She lost 517 twenty foot containers over board which seriously affected maritime safety and the environment in neighbouring areas.

The Danish maritime accident investigation board, Den Maritime Havarikommission, recently reveals in a report that the ship became vulnerable after a conversion in 2012. This adaptation ensured increased cargo capacity but reduced safety in heavy seas. In fact she was no longer designed for hurricane-strength weather which it encountered on 14th February 2014. The conversion "may" have affected the ship's ability to operate safely in adverse weather conditions and it is "likely" to have detrimental consequences, the report found.



Damage "Svendborg Maersk"

The ship rolled twice unexpectedly to extreme angles during the adverse weather, losing 517 twenty foot containers into the sea while a further 250 containers were damaged. The report could not give any reasons why the ship rolled heavily twice, once in the afternoon and again later that night, but mentioned that the conversion in 2012 which increased the ship's capacity by 3.000 to 8.160 TEU, made the ship vulnerable to rough weather.

The report also revealed that the ship was equipped with route-planning tools based on meteorological data and forecasts. These instruments could predict the ship's movements and the risk of harmonic resonance although it appears that they were not used during the adverse weather conditions. How sad to be informed that the incident has already led to Maersk Company changing a number of procedures on its ships, including new and improved weather warning systems, including a better training for captains and chief officers sailing in rough seas.

Source: Copenhagen Post

"After the horse has bolted, the stable door is locked"

If the remarks by the Copenhagen Post are a true reproduction of the opinion of the Havarikommission, we can ask some questions:

- **How can a classification society approve plans to lengthen a vessel if it affects her seaworthiness?**
- **Every ship of this size and its cargo should be able to withstand adverse weather conditions.**
- **If parametric rolling has been the cause of the accident, why was ship's command not sufficiently trained to cope with sailing in rough seas?**



On the front page of this issue:

- **the premises of the European Commission in Brussels**
- **The new President of the European Commission Mr. Claude Juncker**
- **The "Svendborg Maersk" in better shape**

THE (LOST) ART OF CARGO CARE

Those old enough to recall the general cargo ships which operated liner services to all parts of the world before the container area began, will remember the inordinate amount of time and effort spent in cargo care. Huge fortunes were spent on dunnage, mats, Kraft paper and many other materials. The supervision was in the capable hands of the deck officer.

The art and science of good stowage and cargo securing occupied a large part of both the practical and theoretical knowledge, necessary for the statutory qualifications of deck officers. The avoidance of and the faithful recording of any damage was also regarded as essential to the good out-turn of the cargo after completion of discharge in a port.

Although it is generally known that the major part of cargo is presently transported in containers, there is still cargo which is carried as breakbulk for various reasons. Therefore it is sad that very little of this huge repertoire of knowledge and experience seems to disappear. The transfer from break bulk to containers which came to dominate liner operations are accountable for this regrettable development. In the first years the major consortia tried hard to educate those responsible in the inland container stuffing yards how to stow and secure cargo within a container. But once it was assumed that these messages were absorbed, the lines withdrew and left it to those thought capable enough to ensure the safety of the cargo in the containers.

The evidence of collapsed stows of cargo bursting through the sides of the containers and the sheer cost of cargo insurance paying for eminently avoidable damage, all suggest that there is a good deal of work to be done in this area. While it might be the maritime which appears to bear most scars in this respect, road and rail modes each have too many claims in this area. Unbalanced or unsecured cargo causes containers on trailers to overturn on roundabouts or bends and entire trains have been derailed because of the same failures of proper stuffing of containers.

However there is some hope that the appearing of the new IMO/ILO/UNECE Code of Practice for Packing of Cargo Transport Units (CTU) will make a difference. It has been three years in development and will hopefully be very much more effective than the CTU Packing Guidelines of 1997. It is to be anticipated that the new guidelines will be finalized this month for approval next year. The Code is a much more all-embracing document and although non-mandatory, it is hoped that individual governments might see the benefits of its more rigorous approach to CTU packing.

But how can this good practical advice, contained in this document, be transmitted to the thousands of people in premises in the most remote areas in the world and who are responsible for loading these units? The International Cargo Handling Coordination Association (ICHCA) deals with this problem and organises seminars where everything from practical training to enforcement are covered. The Code, it seems, will be structured in such a way that it can be broken down into sections so that specialist packing staff can be trained in their specific specialities.

There are already good chapters available for e-learning and similarly structured training while the use of pocket guides and even apps would appear to provide means of getting the message across. It has been suggested that CTU packing companies would themselves see the advantages of quality training in a competitive world with its marketing advantages. And in the end, of course, the results will speak for themselves. As always, the ones who perform best, will be selected to do the job.

Fewer claims, better out-turns, less damage will be the true test of the efficiency of this Code and its implementation. (Source: BIMCO)



THE IMPORTANCE OF MENTORING

The Nautical Institute (Netherlands Branch) and the Royal College Zeemanshoop, which hosts CESMA as well as the Institute in the Netherlands, organised a seminar on 21 November 2013 in its own premises in Amsterdam on the importance of mentoring for nautical students during their mandatory period on board. The learning stage on board is crucial for the development of future merchant navy officers and the mentor plays an important part.



Stephen Gosling (NI)

The seminar was introduced by the chairman of the Netherlands Branch of the Nautical Institute, Captain Jim Vink, maritime simulator consultant after a career with Holland America Line and the Dutch Royal Navy Academy. He introduced the first speaker Mr. Steven Gosling, training & quality manager of the Nautical Institute, London. Mr. Gosling summed up some of the activities of the Institute such as the publication of important brochures and books about maritime

knowledge and accidents as well as the NGO status of the Institute at the IMO, giving members the possibility to bring forward ideas to the Organization. Next Mr. Gosling spoke about some essential ideas discussing mentorship such as the definition of a mentor. What is expected from him or her and how eventual problems such as different languages, can be solved.

Next speaker was Mr. Gerrit van Leunen, director of the Maritime Institute "Willem Barentsz" at Terschelling, one of the northerly Wadden islands. He gave a short introduction of his school and the possibilities for various education and training possibilities in the maritime field. Due to the economic malaise, the general interest for his school is abundant also due to the stage and job guarantee by ship owners in the Netherlands. He pleaded for a better selection before admitting maritime students to the Institute, in an effort to prevent students from leaving the school and



Mr. Gerrit van Leunen

quitting the profession altogether because of proving unfit to cope with the social and remote conditions seafarers have to endure. In familiarization with these conditions, a proper mentorship plays an important role. Because of the conditions for obtaining a masters' degree, students have to finish a relevant study on a certain subject. This makes the task of a mentor all the more complicated. Mentoring should be a good cooperation between school, ship owner and mentor on board. With modern communication possibilities, this should not be too difficult if every partner shows the right enthusiasm and professionalism.

The last speaker was Captain Ben Kollen, master on the "Pride of Rotterdam", a cruise ferry connecting Rotterdam Europoort and the UK port of Hull. He spoke from the practical side, having to deal constantly with at least two trainees, often female apprentices because of the "civilized" voyage length and the regular calls at Rotterdam. In coaching of the trainees, attention is asked for learning to work in a team, creation of safety consciousness, social contacts with other cultures, acceptance of authority and last but not least respect for each other on board. In this the mentor has a clear exemplary function. Trainees are not expected to take any responsibility in whatever duty they perform. All speakers emphasized that trainees on board should not be used as cheap labour. **(FVW)**



THE WIDERMOS PROJECT



For a number of years the Motorways of the Seas (MoS) project, initiated by the European Commission, has done much to promote carrying cargo on ships in stead of by road or rail transport. This was done partly to free roads of congestion but also to contribute to the environment as maritime transport is seen as a “cleaner” way of transport.



Mr. Brian Simpson

Although a number of initiated routes were seen as successful, some new energy was crucial to bring new life to the concept. This new energy is now provided by the former president of the Transport Commission of the European Parliament, Mr. Brian Simpson, who believes strongly in the benefits of the concept and will act as coordinator. The new project will be known as “Wider” MoS

The new TEN-T (trans European Network) guidelines designs the transport infrastructure in two layers:

- the general network called "comprehensive network"
- the core network cove ring the main transport streams between capitals, large urban nodes, major ports and border crossing points.

Specifically, 9 multimodal core network corridors will be the main tool to develop the EU TEN-T network of the future, with a specific focus on modal integration, interoperability, as well as on a coordinated development and management of infrastructure.

Motorways of the Sea will remain the maritime dimension of the TEN-T network and, by improving Maritime and Ports operations, will allow the development of the underlying skeleton of the new multimodal core network corridors.

As an operative and policy supporting framework, WiderMoS will improve the interface between maritime transport and other modes (mainly rail), developing new port/ship/train interfaces and efficient port-hinterland connections, connecting ports and integrate origins and destinations and bridging gaps in and between different trade corridors.

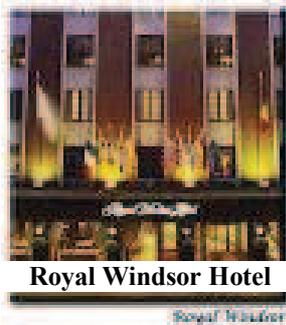
In other words, WiderMoS aims at facilitating the homogeneous connection between Motorways of the Sea and the TEN-T core network corridors throughout several activities:

- a **MoS prospective study** in 2020 and beyond, setting options and opportunities for the future deployment of MoS and assessing its potential as the maritime dimension of TEN-T as the 11th Corridor in the TEN-T Network
- an in-depth analysis of 4 topics (including customs procedures and logistic processes) linked to the deployment of the **future governance model** of the core network corridors

- a number of 5 pilot projects in the Mediterranean, Atlantic and the Baltic sea focused in the development of an **IT Corridor Management Platform** acting as a Logistic Single Window for the integration of sea based transport services in the logistic chain, considering all types of freight operations, in order to allow a seamless shipment management and communication between all the actors of the supply chain; the pilots aim at overcoming specific bottlenecks with a focus on paperless logistics / e-customs processes and with priority for the integration of inland terminals and rail.

WiderMos will be supported by a large stakeholder platform working as a think tank for the actual and future MoS in terms of performance, capacity and requirements, programme of measures, market studies, implementation and investment plans. The platform will be composed by institutional entities, regional and local authorities and other relevant public and private stakeholders including chambers of commerce, port authorities, shipping lines, shippers, infrastructure managers, transport and logistics operators. CESMA has been invited to take part in the stakeholder platform.

On Wednesday 22nd of October a conference took place in the Royal Windsor Hotel in Brussels under the title: **"Motorways of the Seas – Today and Tomorrow.: State of the Art and Prospective Options for 2020 and beyond"**.



The experiences of different MoS-funded projects were presented with the purpose of drawing lessons from the past. The project partners furthermore presented possible strategic directions from the MoS programme, based on an analysis of EU maritime policy, future macro-economic trends and interviews with maritime stakeholders. The event was opened and closed with conclusions by the new MoS EU coordinator Mr. Brian Simpson. (from project circulars)



EUROPEAN SHIPPING WEEK RECEIVES PATRONAGE OF THE EUROPEAN PARLIAMENT



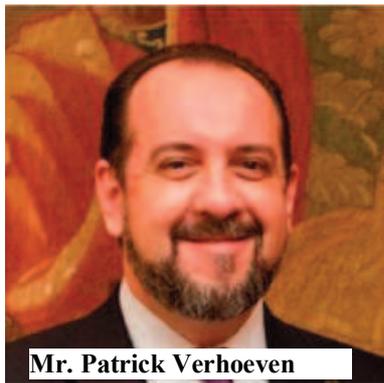
European Shipping Week has been granted the European Parliament's official patronage by its President, Mr Martin Schultz. Both the European Commission and the European Parliament have now actively expressed their support for the week-long event which will be held in Brussels during March 2-6, 2015.



The aim of the initiative, namely to bring together the leading members of the shipping industry of the EU and give them an opportunity to meet, debate and share experiences is welcomed by the European Parliament. Inviting the members of the EU policymaking bodies and presenting to them the practical side of the shipping industry can only lead to a better mutual understanding and contribute to the promotion and competitiveness of European maritime transport.

Mr Schultz has been invited as a keynote speaker at the European Shipping Week's opening ceremony, which will take place on Tuesday 3 March, 2015 in the European Parliament.

News of the European Parliament's patronage follows recent similar comments by the outgoing European Transport Commissioner and Vice President of the European Commission Siim Kallas who voiced his strong support for the launch of European Shipping Week, claiming it will help to raise the profile of shipping in Brussels "and allow for a good interaction between its multiple players and decision makers".



In a letter to Patrick Verhoeven, Secretary General of the European Community Shipowners' Associations (ECSA), Commissioner Kallas said there was no doubt that Europe needed a high quality shipping sector "that can compete around the world." Maritime transport is a cornerstone of European industry, he said, playing an essential role in Europe's economy.

European Shipping Week will be held in Brussels during the week of March 2 - 6, 2015 when shipping industry leaders from Europe and around the world will descend on Brussels to meet and network with top legislators from the European Commission, European Parliament and the Council of Ministers.

The week - long series of high level events will bring together the major players in the shipping industry with the primary aim of promoting the strengths and significance of European and global shipping to these important regulatory bodies in Brussels.

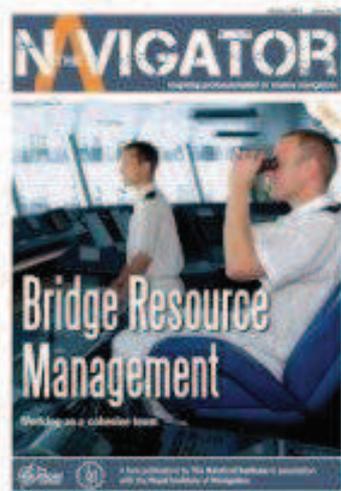
European Shipping Week was the brainchild of the European Community Shipowners' Associations (ECSA) and is run by a Steering Group made up of Europe's main shipping organisations as well as the European Commission and Shipping Innovation. The shipping organisations involved on the Steering Group include: ECSA; Cruise Lines International Association (CLIA) Europe; European Community Association of Ship Brokers and Agents (ECASBA); Interferry; the European Dredging Association; the World Shipping Council, as well as the European Tugowners' Association. Other European shipping associations may also be invited to support the initiative and hold relevant events during the week.

ESW is organised by Shipping Innovation – the driving force behind the highly successful London International Shipping Week (LISW). More detailed information about the European Shipping Week is available at <https://www.europeanshippingweek.com/>



NAUTICAL INSTITUTE PAYS ATTENTION TO BRIDGE RESORT MANAGEMENT

The latest issue of **The Navigator** – The Nautical Institute's popular, free publication – tackles the important topic of excellence in bridge resource management this issue. The 12-page publication, aimed at marine navigational officers at all stages in their career, launches its seventh issue today (Wednesday), marking the start of its third year of production. Editor of The Navigator, Emma Ward, said: "Bridge resources can be a vessel's strongest asset or weakest point. Through effective training and solid teamwork, mistakes made by individuals can become lessons learned, rather than devastating catastrophes. This is why we were so keen to focus on effective bridge resource management for this issue, to ensure our readers appreciate how important it is to get it right for a successful, incident-free voyage." The bridge resource management issue covers such topics as shore-based training, best practice onboard ship, the human machine interface and lessons learned from a tanker accident caused by inadequate bridge resource management.



Bridge resource management is the process and practice of using all available information and assistance to ensure that navigators make the best possible decisions. To get the best out of these resources, it is essential to train regularly, practise using them together and always reflect on how improvements can be made, whether things go right or wrong." The Nautical Institute launched its Navigator distributor scheme over the summer, encouraging a wider, global distribution of the free magazine to as many professional marine navigators as possible. Anyone interested in becoming a distributor can sign-up online at the Institute's website (www.nautinst.org/en/Publications/the-navigator/). The Navigator is produced for free by The Nautical Institute with support from the Royal Institute of Navigation. It is freely available to all shipping companies and navigators in printed format or in digital format as an App, pdf and online desktop magazine via The Nautical Institute's website. Printed copies are currently distributed alongside The Nautical Institute's membership magazine, Seaways, as well as through welfare missions, shipping companies and maritime training establishments. **(Nautical Institute)**



Viareggio

We anticipate to organise the next CESMA Annual General Assembly in the ancient beautiful Italian city of Viareggio on 15 and 16 May 2015 at the invitation of our colleagues from USCLAC in Genoa.

**20 years of CESMA anniversary
More particulars in the next issue.**

PROSECUTORS SEEK DEATH PENALTY FOR MASTER OF “SEWOL”

Monday 27 October 2014 was a day that will never be forgotten in the global shipping industry. It has been announced in court in Republic of Korea that the prosecutors in the trial of the crew of the “SEWOL” are seeking the death penalty for Captain Lee Joon-seok. The last person to be executed in Republic of Korea was in 1997, but due to the circumstances surrounding this case the prosecution has been moved to seek such a penalty.

The loss of the “SEWOL” is a tragedy of the very worst kind. Over 300 people have lost their lives and the effect on the countless family members and friends cannot be understated. For the Republic of Korea, it has been an event which has brought focus to bear on the maritime community and in particular the domestic shipping sector. But will the taking of another life, resolve matters? A prison term for the master and crew may be acceptable but does it do anything to bring back the loved ones who were lost?

The International Federation of Shipmasters’ Associations denounces this move and would plead to the government of the Republic of Korea to remove this terrible injustice from the options when sentencing is passed at the court.

IFSMA does not seek to change the laws of any sovereign nation but asks for clemency for a man who may be judged to have failed in his duty, but did not seek to be part of this disaster and will have to live with the consequences of it for every day of his life.

Captain Hans Sande
President
IFSMA

It goes without saying that the Board and Council of CESMA fully support this initiative and plea of IFSMA to the Korean Government for the sake of humanity

CESMA LOGBOOK (2014 – 3)

We were represented at the following occasions:

11 Sep Brussels	SAGMAS meeting
19 Sep IJmuiden	Christening of new NL pilot vessel “Procyon”
25 Sep Cork	Presentation at Irish National Maritime College
26 Sep Cork	Presentation at Irish Maritime Forum
01 Oct Brussels	ENISA meeting (cyber security)
08 Oct Amsterdam	NVKK seminar on maritime accident investigation
16 Oct London	Command Seminar NI
22 Oct Brussels	Widermos (Motorways of the Seas) meeting



FROM THE EDITOR

- MAERSK Line has announced that from 1 January 2015, it will implement a surcharge on cargo with an origin or destination in the new low-sulphur zones. These low sulphur zones are being introduced by the European Union in the North Sea, Baltic Sea and the English Channel and by the USA on both coasts of North America. The surcharge varies, depending on how many miles cargo remains in the control zone. Other companies, such as the Mediterranean Shipping Company (MSC) have also announced similar surcharges, making sea transport less competitive with road/rail transport. It looks like something which the EU does not want. It promotes sea transport such as with its project Motorways of the Seas, continued by WIDERMOS in which CESMA participates.
- Recently Japan has announced ratification of the ballast water convention. Herewith only 2,98% remains of the 35% global tonnage required to enforce the convention.
- VSTEP has been awarded the contract to deliver two NAUTIS Bridge Simulators and classrooms with desktop Navigation and Engine Room Simulators for the simulation centre of the Technical University in Varna, Bulgaria. The Technical University Varna is one the leading maritime universities in the Black Sea area. The new simulators include a NAUTIS 360 degree full mission bridge (FMB) simulator and a NATIS 120 degree bridge simulator, as well as a simulator classroom with six NAUTIS desktop stations.
- The general secretary has represented CESMA during the Irish Maritime Forum on 26th September in Cork, Ireland. A paper on the image of European seafaring and the necessity to attract more young Europeans for a seafaring career, was presented.
- Mr. Gregorio de Falco of the Italian coastguard, who ridiculed Captain Schettino during the disaster with the “Costa Concordia” and ordered him to go back on board, has been transferred to an office job. Mr. de Falco leaves his position at the Coastguard centre under protest, arguing that he is fallen victim of hatred. The question remains from which side.
- The IMO has taken important steps towards electronic certificates in the maritime industry. In the future, members states should accept the use of electronic certificates. This is at the request of the facilitation Committee (FAL) and hence the road is paved for less paperwork on board, nuisance and delays for the shipping industry. The FAL committee has approved a set of updated guidelines on the use of electronic certificates. Hereby the IMO is sending a clear signal to Port State Control inspectors, vetting companies and other maritime players.
- A shipmaster who spent more than two weeks as hostage of West African pirates is chasing his company for mental and physical damages. He claims that it was fully aware of the dangers in Nigerian waters although he had expressed concerns over the vessel’s security but the company did not take any action to address the hazardous conditions of a high risk area. It failed to take appropriate remedial measures to protect their employees. The vessel was using VHF radios instead of the more secure satellite phones, something that made the vessel vulnerable to pirate attacks.
- Lithuania has ended its dependence on gas deliveries from Russia by installing its own floating LNG terminal at Klaipeda.
- CESMA has been invited to take part in the Mona Lisa Project of the European Commission which deals with vessel traffic management in EU waters. The project which is on its half way stage, organises a conference in Barcelona on 5th November. Captain Mariano Badell, Council Member for ACCMM, will represent CESMA during the conference.
- Because of the serious threat posed to people working in enclosed spaces on board ships, the IMO has introduced new requirements to SOLAS Chapter III, regulation 19 which enters into force on 1 January 2015. Crew members will be required to participate in an enclosed entry and rescue drill on board the ship at least once every two months. It also finalising mandatory requirements for portable atmosphere testing instruments to be carried on ships.



CONFEDERATION OF EUROPEAN SHIPMASTERS' ASSOCIATIONS



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

ANNUAL SUBSCRIPTION:

EURO 14,- (EXCL EURO 5,- ENTR. FEE)
PER SEAGOING MASTER
(WITH A MINIMUM OF 25)
FOR FULL MEMBER ASSOCIATIONS
EURO 7,- PER SEAGOING MASTER
(WITH A MINIMUM OF 25)
FOR ASSOCIATED MEMBER ASSOC.)

LIST OF CESMA MEMBERS AND REPRESENTATIVES

MEMBER REPR	CAPT. E. MUELLER	TEL: 0049 40 384981
VDKS	PALMAILLE 29	FAX:0049 40 3892114
GERMANY	22767 HAMBURG	E-MAIL: vdks.office@t-online.de
MEMBER REPR	CAPT. B. DERENNES	TEL: 0033 2 98463760
AFCAN	RUE DE BASSAM	FAX: 0033 2 98468361
FRANCE	29200 BREST	E-MAIL: courrier@afcan.org
MEMBER REPR	CAPT. F. VANOOSTEN	E-MAIL: vanoosten.francis@wanadoo.fr
ACOMM/AENSM	201 RUE RENE CASTELIN	
FRANCE	59240 DUNKERQUE	

MEMBER REPR CAPT. L.J.H. GEENEVASEN TEL: 0031 512 510528
 NVKK WASSENAARSEWEG 2 FAX:
NETHERLANDS 2596 CH THE HAGUE E-MAIL: nvkk@introweb.nl

MEMBER REPR CAPT. M. CAROBOLANTE TEL: 0039 040 362364
 CTPC VIA MAZZINI 30 FAX: 0039 040 362364
ITALY 34121 TRIESTE E-MAIL: collegio69@collegioditrieste.191.it

MEMBER REPR CAPT. O. LONGOBARDI TEL: 0039 010 2472746
 CNPC VICO DELL' AGNELLO 2/28 FAX: 0039 010 2472630
ITALY 16124 GENOA E-MAIL: info@collegionazionalecapitani.it

MEMBER REPR CAPT. C. TOMEI TEL: 0039 010 5761424
 USCLAC VIA XX SETTEMBRE 21/10 FAX: 0039 010 5535129
ITALY 16121 GENOA E-MAIL: usclac@libero.it

MEMBER REPR CAPT. M. BADELL SERRA TEL:/FAX 0034 93 2214189
 ACCMM CARRER ESCAR, 6-8 MOB.: 0034 680321138
SPAIN 08039 BARCELONA E-MAIL: info@capitansmercants.com

MEMBER REPR CAPT. J. CUYT TEL 0032 3 6459097
 KBZ ITALIELEI 72
BELGIUM ANTWERP E-MAIL: kbz.crmb@pandora.be

MEMBER REPR CAPT. B. KAVANAGH TEL: +353 214970637
 IIMM NATIONAL MARITIME COLLEGE
IRELAND RINGASKIDDY / CORK E-MAIL: bill.kavanagh@nmci.ie

MEMBER REPR CAPT. G. RIBARIC TEL(GSM): +386 31 375 823
 ZPU OBALA 55
SLOVENIA S1 – 6320 PORTOROZ E-MAIL: zpu.slo@siol.net

MEMBER REPR CAPT. D. DIMITROV TEL : +359 52 683395
 BSMA 17 PANAGYURISHTE STREET E-MAIL : mitko652012@yahoo.com
BULGARIA 9000 VARNA E-MAIL : mitko652012@gmail.com

MEMBER REPR CAPT. J. SPRIDZANS TEL: +371 67099400
 LKKA TRIJADIBAS STREET 5 FAX: + 371 67323100
LATVIA RIGA, LV-10 48 E-MAIL: jazeps.spridzans@ja.lv

MEMBER REPR CAPT. ANTE ROJE E-MAIL: udrugakapetana@zd.t-com.hr
 UKPTM TRG PAPE ALEKSANDRA III,3
CROATIA 23000 ZADAR - HRVATSKA

MEMBER REPR CAPT. J. MILUTIN E-MAIL : captain@t-com.me
 SAOM PELUZICA b.b TEL : +382 32 304 672
MONTENEGRO 85330 KOTOR FAX :+382 325 107

MEMBER REPR CAPT. J.LIEPUONIUS E-MAIL : jurukapitonuklubas.com
 LCC AGLUNOS g.5 TEL : mobile +37069875704
LITHUANIA KLAIPEDA/ LT- 93235

MEMBER REPR CAPT. J. TEIXEIRA E-MAIL : sincomar.fesmar@net.vodafone.pt
 SINCOMAR CAIA DE ROCHA TEL: +351 213918180
PORTUGAL CONDE D OBIDA
 ARMAZEM 113
 1350 352 LISBON

**CONFEDERATION OF
EUROPEAN SHIPMASTERS' ASSOCIATIONS**

SECRETARIAT: MUNTPLEIN 10
1012 WR AMSTERDAM
THE NETHERLANDS