

## DAILY SHIPPING NEWSLETTER 2003 – 196



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The **tug 10** assisting the **MSC LIESELOTTE** in the Port of Antwerp

**Photo : Willem Kruit ©**

## **EVENTS, INCIDENTS & OPERATIONS**

### **Oil Spill Vessel Delivered to Spain**



In the wake of the Prestige disaster RO-CLEAN DESMI and its Madrid representative SENTEC have delivered its third specialized oil spill vessel to Spain. These vessels are working at oil terminals in Algeciras, Ceuta and Huelva and provide a multipurpose workboat that is able to recover, store and transport oil as well as other general duties. The Algeciras vessel has already been in service in several incidents and proven its abilities. The POLLKITTEN is a versatile dynamic oil skimmer vessel ideally suited for sheltered terminal and harbor operations. This vessel is ready to go into action at a moments notice, oil recovery can begin immediately by simply driving the boat over the oil slick. The integrated rope mops are simply lowered into the water and will start recovering oil once circulating. Oil can be recovered while the POLLKITTEN is stationary or moving ahead at speeds up to 4 knots, and stored on board until ready for transfer. This steel craft is equipped with onboard diesel hydraulic power pack and oil transfer pump. Propulsion is by two inboard diesel engines providing excellent maneuverability and speed in excess of 6 knots. Designed by RO-CLEAN DESMI the POLLKITTEN follows a long line of oil skimming vessels produced over the last 20 years for oil terminals and harbors around the world.

## **US court puts block on foreign dredger**

DREDGING companies in the US have won the latest skirmish in a long-running war with Dutch giant Royal Boskalis over control of the US market. The US Court of Federal Claims ordered that a dredging contract first awarded to Bean Stuyvesant, a Royal Boskalis subsidiary, should be granted instead to Norfolk Dredging, a US firm.

In seeking to block the award of the contract to Bean Stuyvesant, Norfolk Dredging argued that a "grandfather clause" in the Oceans Act of 1992 exempting the Stuyvesant, a large hopper dredge controlled by Royal Boskalis, from US citizen requirements, could not be allowed to permit the unlimited expansion of Royal Boskalis' dredging interests in the US.

US dredging interests took the decision as vindication of their fight to protect the market from foreign competition. Rich Weeks, president of the Dredging Contractors of America, said: "The foreign principals of Bean Stuyvesant developed and exploited a loophole in the law to aggressively expand their position in the US dredging industry, and this opinion confirms that such foreign-controlled expansion is not permitted under the law."

Mr Weeks also repeated the DCA's long-standing argument that the 1992 Oceans Act was framed expressly to ensure "that the US dredging industry would continue to be controlled by US-owned companies in accordance with federal maritime law". Royal Boskalis, through its subsidiary Stuyvesant Dredging and its US-owned partner CF Bean of New Orleans, contends that the law is clear and they are permitted freely to charter hopper and non-hopper dredges exactly as they have done for several years.

It also argues that US dredging companies, led by domestic leader Great Lakes Dredge & Dock, are simply trying to drive a strong competitor out of the market.

The battle stems from a 1992 amendment to the Dredging Act that applied the 75% Jones Act citizenship requirements to all dredges, and all companies owning or chartering dredges, working US

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navigable waters. When the amendment was passed, the Stuyvesant, US-flagged and US-built but chartered to Stuyvesant Dredging, was granted an exemption from that minimum citizen requirement.

Four years ago Stuyvesant and Bean formed the 50-50 joint venture Bean Stuyvesant, which has been highly successful in bidding on projects around the US. The battle has been intense almost since then, with both sides spending heavily on Washington lobbying and assembling regiments of backers on Capitol Hill.

In testimony to Congress last May, CF Bean chief executive James Bean said both Customs and the Coast Guard had approved its operating structure many times. He also observed that in the four years of its existence Bean Stuyvesant had invested more than \$50m in US equipment and had successfully bid on more than 40 jobs, saving the taxpayer around \$100m. It owned no dredges but chartered in only US-built, US-flag dredges with US crews for use on local projects, just as the law intended.

He argued that, while it operated only seven chartered dredges or 5% of the US total, and so represented no real threat to the market, its presence brought increased competition and lower prices for US ports and waterways.

Describing his opponents as seeking “a pretext to eliminate Bean Stuyvesant as a competitor”, he said: “The end game of this effort is to reduce the competitors on dredging projects from three or four to two or three.”

At the same hearings Mr Weeks countered: “Royal Boskalis now effectively controls a fleet of 16 dredging and support vessels through Bean Stuyvesant.

“If this exploitation is allowed to continue Royal Boskalis’ stated strategy of expansion and consolidation could well lead to its domination of the US dredging market.”

## Ruzie over kombuis wordt Haagse kapitein fataal



De **REMBRANDT VAN RIJN** gemeerd in Curacao – foto : John Smit ©

Een uit de hand gelopen ruzie met een bemanningslid over 'de gang van zaken' in de kombuis, is de 35-jarige Hagenaar Marc de Bruine op Sint Maarten fataal geworden. De

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**Bruine werd vorige week donderdag op de driemaster [Rembrandt van Rijn](#) door de 27-jarige Curaçaose kok doodgestoken.**

De Bruine was samen met zijn vriendin Gabriëlla al enkele weken op Sint Maarten ter voorbereiding van de oversteek van de klipper naar de thuishaven in Vlissingen. Het wachten was nog op enkele vrienden die met hem mee zouden varen. De bemanning had hij inmiddels wel gereed, onder wie kok Jersey P.

„Uit het verhoor van de verdachte is gebleken dat ze vanaf het begin onenigheid hadden“, zegt een politiewoordvoerder in Philipsburg. „P. was van mening dat de voedselvoorraad aan boord ontoereikend was voor de overtocht. Bovendien wilde hij andere ingrediënten, maar De Bruine ging daar niet mee akkoord.“

Donderdag ontstond er opnieuw ruzie, omdat De Bruine P. ervan beschuldigde dat hij etenswaren uit de kombuis had gestolen. De Curaçaoënaar ontstak daarop in woede en stak De Bruine met een koksmes neer. De Hagenaar overleed vrijwel direct. P. werd enkele uren later door de politie aangehouden. Volgens andere booteigenaren op Sint Maarten was De Bruine een graag gezien persoon. „Altijd vrolijk maar zeer serieus bezig met zijn boot“, zegt de Amerikaan Pat York. „We zijn regelmatig bij elkaar aan boord geweest. Hij stoorde zich vreselijk aan zijn bemanning. Dat waren allemaal mensen uit de Caribische regio. Ze zouden volgens Marc lui zijn en de meesten hadden nog nooit van dichtbij een boot gezien, zo klaagde hij. Hij had daar al meer dan eens ruzie over gehad“, zo weet York.

„Die kok werkte al een paar weken voor hem, maar kon volgens Marc niet koken. Het probleem was echter dat hij geen andere kon vinden. Er lopen hier wel genoeg Haïtianen en Dominicanen rond, maar dan zit je met het probleem dat ze voor de meeste landen een visum nodig hebben. Daarom wilde hij per se een Antilliaanse kok, maar die liggen hier niet voor het oprapen.“

Naar verwachting wordt het lichaam van De Bruine nog deze week overgebracht naar Nederland. De verdachte van de fatale steekpartij wordt waarschijnlijk vandaag voorgeleid.

## Turret Sections for the 'White Rose' FPSO



830 mt ([photo right](#)) and a gantry of 973 mt. ([photo below](#)) The gantry's dimensions were 36m wide by 31m long by 37m high.

A variety of specialized loading techniques was used for this loading operation. The lower turret

The mv "[Happy Buccaneer](#)" left Abu Dhabi with 3 of 4 huge sections for a turret destined for SBM Imodco's '[White Rose](#)' project off the east coast of Canada.

The turret will be integrated into the FPSO being built in by Samsung in Kojé. The sections included a lower turret of 809 mt, ([photo left](#)) an upper turret of



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The whole operation took only 4 days to complete, after which "[Happy Buccaneer](#)" set sail for Kojé where the sections will be integrated into the FPSO being built there.

was rolled on board via the ramp at the stern followed by the upper turret was lifted on with the ship's own two cranes and skidded over deck to make place for the gantry. Finally the largest piece, the gantry, was lifted on board and placed in between the 2 cranes on deck.



Early 2004 mv. "[Happy Buccaneer](#)" will return to Abu Dhabi to pick up the 4<sup>th</sup> section, a 1000 tonne buoy destined for Marystown in Canada.

## CASUALTY REPORTING

### CSCL HAMBURG (CYPRUS)

Following received from Coast Guard San Francisco, timed 1730, UTC: C.c. [CSCL Hamburg](#) (39941 gt, built 2001) lost 35 containers in heavy weather about 200 miles off the California coast on Thursday (Oct 16). Vessel is proceeding towards Los Angeles, where ETA 0900, UTC, Oct 19. It has an additional 10 containers hanging over its side. We presently estimate that the vessel is about 30 to 50 miles off port

### STEVNS POWER (DENMARK (INT. REGISTER))

Following received from Aarhus RCC, timed 1205, UTC: While tug/supply [Stevns Power](#) (761 gt, built 1976) was carrying out an anchoring handling operation involving pipe layer Castoro Otto (33862 gt, built 1976) [Stevns Power](#) capsized, very quickly, and sank in lat 03 57.6N, long 07 18.25E, at approximately 1815, local time, yesterday. The 11 crew members from Stevns Power are still missing.

### ANDREW J.BARBERI (U.S.A.)

Ferry [Andrew J.Barberi](#) was moved today from the crash site to the Brooklyn Naval Yard. Six people remained hospitalised in critical condition and seven patients were stable, CNN reported. Among the critical was Richard Smith, who was piloting the vessel when it crashed into the pier at full speed Wednesday (Oct 15). A National Transportation Safety Board spokesman said that the investigation

into what happened will continue at the Naval Yard. Investigators have already ruled out engine or mechanical failure and toxicology tests on Smith did not show evidence of alcohol or illegal drugs. The captain of the ferry, Michael Gansas, was to be interviewed next Tuesday, officials said. "The investigation is not completed at all. We continue to look for information," Keith Holloway of the NSTB said.

## **SEA ELEGANCE (SINGAPORE)**

Part c.c. **Sea Elegance**, which caught fire last Saturday (Oct 11) while laying at anchor outside Durban, has docked safely at the port. Officials say the off-loading of the vessel's cargo is expected to start tomorrow after a thorough inspection has been done. Water samples from the vessel's hold have been taken for analysis and results are expected shortly. The owners of the vessel could, however, face at least three charges relating to the carrying of hazardous cargo. Durban's Border police say they are considering tough action against the shipping line for allegedly infringing maritime cargo security. One man is believed to have died in the blaze. The police will use search and rescue dogs to comb the vessel for the missing crewman and a quarantine area is to be set up to prevent exposure to hazardous cargo.

## **SHIPYARD NEWS**

### **VT Halter Marine and NOAA Launch FSV**

VT Halter Marine Inc. and NOAA launched the first of four planned NOAA fisheries survey vessels on October 17. Christened **Oscar Dyson** by Peggy Dyson-Malson, wife of the late Alaska fisheries



industry leader for whom it is named, the ship will be one of the most technologically advanced fisheries survey vessels in the world. Senator Ted Stevens (R-Alaska), the scheduled keynote speaker, was unable to attend the ceremony at the VT Halter Marine shipyard in Moss Point, Miss., because of a late-breaking vote on the senate floor. The senator was instrumental in gaining congressional funding for the new ship; his wife, Catherine Stevens, is

a sponsor of **Oscar Dyson**. "**Oscar Dyson** was a North Pacific fisheries pioneer and an industry leader and a great personal friend," Stevens said from his Washington, D.C. office. "It is an honor to his memory and for Alaska to have this NOAA research vessel named after him. The community of Kodiak will be proud to have this vessel honoring one of its favorite sons homeported in their harbor." At the ceremony, retired Navy Vice Admiral Conrad C. Lautenbacher Jr., undersecretary of commerce for oceans and atmosphere and NOAA administrator, announced that NOAA has exercised its contract option with VT Halter Marine Inc. to build a second fisheries survey vessel of the same design for \$38.8 million. VT Halter Marine began construction of the new ship (FSV #2), kicking it off with a steel-cutting ceremony. FSV #2 will replace **Albatross IV** in New England, which is more than 40 years old. Approximately 150 VT Halter Marine employees will be working on the two NOAA ships over the next three years. If the additional two planned FSVs are funded, that time span will extend to more than six years. "Improvement of marine fisheries management is one of the President's four core focuses for the Department of Commerce as well as a NOAA strategic goal," Lautenbacher said. "Launching Oscar Dyson and exercising the option for the second vessel are both important steps forward in supporting this goal with modern platforms. These ships will provide higher quality data to fisheries managers about targeted fish populations and the environment that sustains them

## **Kamer doet weinig voor marinewerf**

door Harmen van der Werf

**DEN HAAG - De marinescheepsbouw met De Schelde in Vlissingen als marinewerf hoeft voorlopig nergens op te rekenen. Veel verder dan een oproep aan minister Kamp van**

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### Defensie om een toekomstvisie op de Koninklijke Marine te maken, kwam de Tweede Kamer gisteren niet in een debat over de Defensiebegroting 2004.

VVD-Kamerlid H. van Baalen pleitte voor zo'n visie. Hij wil op basis daarvan eind volgend jaar besluiten nemen, bij de behandeling van de Defensiebegroting 2005. Van Baalen ziet veel in het afstoten van twee extra Multipurpose-fregatten, in ruil voor de bouw van vier kleinere marineschepen voor de kustwateren. Van Baalen wil tevens het bevoorradingsschip **Zuiderkruis** vervangen door een schip dat helikopters kan vervoeren. Voor de nieuwbouw van vier kleinere marineschepen kreeg hij steun van CDA'er R. Kortenhorst en T. Huizinga-Heringa (ChristenUnie). PvdA'er F. Timmermans zei het idee 'interessant' te vinden, waarmee het VVD-plan op een meerderheid kan rekenen.

#### Ferrari's

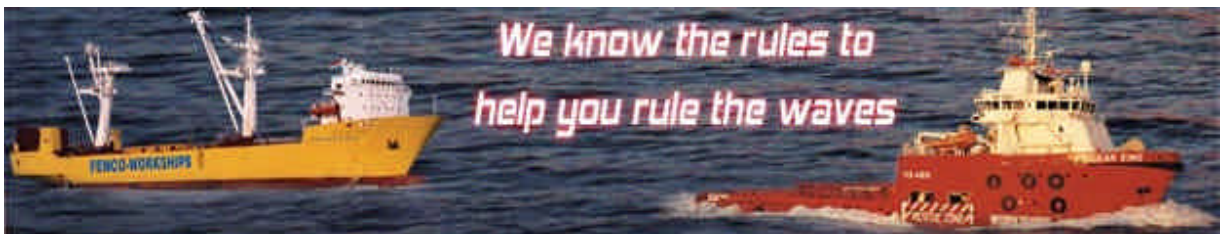
Timmermans vergeleek de huidige fregatten met Ferrari's die geregeld worden ingezet als boodschappenwagens. „Dat kan doelmatiger.” Minister Kamp van Defensie gaf echter geen krimp. Hij wil niet nog eens twee M-fregatten afstoten, omdat dit kapitaalvernietiging betekent. Met tien fregatten - zes M-fregatten en vier Luchtverdedigings- en Commando-fregatten - kan de marine naar zijn idee prima uit de voeten. M-fregatten kunnen desnoods met een beperkte bemanning kustwachttaken doen en ze zijn direct inzetbaar, als een conflict uit de hand loopt. Kamp heeft geen behoefte aan een toekomstvisie op de Koninklijke Marine. „Wij hebben een visie op de hele krijgsmacht, die moet breder inzetbaar worden. Als de Kamer een apart stuk over de marine wil, hoor ik dat.” Van Baalen kondigde voor later deze week een motie aan. De Tweede Kamer realiseerde zich dat met het uitblijven van orders een bedrijfstak uit Nederland te verdwijnen. In 2006 wordt het laatste nieuwbouwschip aan de Koninklijke Marine overgedragen. „We zijn volop bezig een industriecluster te vormen voor de ontwikkeling van het nieuwe gevechtsvliegtuig JSF, terwijl we al een marinebouwcluster hebben”, betoogde B. Bakker (D66). Hij verbond daaraan geen conclusies. Schelde-directeur R. Berkvens liet in een reactie weten een studie naar de toekomst van de marine toe te juichen, al kon hij zich niet voorstellen dat daarvoor een jaar nodig is. „Dat moet ook binnen een halfjaar kunnen.”

Het marinebouwcluster heeft volgens hem een goed aanbod gedaan met het voorstel voor de bouw van marineschepen die in de exploitatie veel goedkoper zijn. „Dat zou de minister moeten aanspreken.” Kamp gaf daar geen blijk van. Hij stelde slechts één order in het verschieft, de vervanging van de Zuiderkruis door een nieuw bevoorradingsschip. De bouw is voorzien vanaf 2011. Het schip moet in 2015 operationeel zijn.

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## Hamburg 'set to top 6m teu'

HAMBURG will break the 6m teu barrier this year, the local association of port companies believes.

"Its strong position in trades with central and eastern Europe as well as Asia will secure double-digit growth rates in container traffic," predicted Unternehmensverband Hafen Hamburg. The port's growth rates were still the highest in the Hamburg-Antwerp range, the association added.

Hamburg will handle more than 100m tonnes of cargo this year after reaching nearly 98m tonnes last year, the association predicts.

It was only last year that the port of Hamburg exceeded the 5m teu mark, ending the year with 5.4m teu. Surveys in 2000 had forecast a volume of more than 6m teu for 2015.

Now that these assumptions have been overtaken by reality, the infrastructure has to be adapted speedily to the new needs, the port companies are demanding.

They referred in particular to a further deepening of the river Elbe connecting Hamburg with the North Sea.

By 2010 container handling in Hamburg will probably be around 9.7m teu and therefore 76% higher than in the official surveys, which form the basis for infrastructure investments, the association added.

Earlier this year the Hamburg handling giant HHLA challenged rival port Rotterdam by saying that it was seeking to make Hamburg the largest container port in the area.

## NAVY NEWS



The Chinese space tracking ship **YUAN WANG 3** arrived at Cape Town after completion of the first manned space flight conducted by China - **photo : Ian Schiffman ©**

## HMS ENTERPRISE COMMISSIONING CEREMONY

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The Royal Navy's newest survey ship, **HMS Enterprise**, was formally commissioned into the Fleet at a ceremony at Devonport Naval Base on Friday 17 October 2003.

Vice Admiral Mark Stanhope, Deputy Commander-in-Chief Fleet, and Lady Sally Forbes were the guests of honour at the ceremony and inspected the guard and platoons from the ship's company. Lady Forbes is the ship's sponsor and formally named the ship in May 2002.

During the ceremony **HMS Enterprise's** Commanding Officer, Commander Vaughan Nail, read the Commissioning Warrant from Commander-in-Chief Fleet



and a short service of dedication was conducted by three Royal Naval Chaplains. The youngest member of the ship's company, Chef Richard McFetridge, aged 19, and the Commanding Officer's wife, Mrs Claire Nail, had the honour of cutting the commissioning cake at the reception after the ceremony.



Families and friends of members of HMS Enterprise's ship's company were also be among the guests, along with representatives from the ship's affiliated town of Tiverton, including the Mayor, Councillor Alan Griffiths, and the Commanding Officer of the Tiverton Sea Cadets.

Commander Vaughan Nail said: "This superb ship, which embodies many innovative features, is the third survey vessel built and based in Devon to enter service in the last five years. Her comprehensive equipment fit, excellent sea keeping qualities and ability to operate between the extremes of the Arctic and tropics will place her at the forefront of Naval surveying operations for many years. "

HMS Enterprise, together with her sister-ship **HMS Echo**, is a Multi-Role Hydrographic and Oceanographic survey vessel. She will work in world-wide front-line operational roles, including support for mine warfare and amphibious operations as well as undertaking specialist surveying tasks.

## MOVEMENTS

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The **ROMAIN DELMAS** seen here arriving in Le Havre — photo : Pierre Hebert ©



The **HIGHLAND WARRIOR** passing Hook of Holland inward bound — photo : Piet Sinke ©



the **CARIBBEAN HIGHWAY** at the Westerscheldt river — photo : Willem Kruit ©

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The **TROMS TJELD** departed Monday again with **JUMPING JACK** – photo : Jan Simons ©



The tug **HUA AN** arrived with the **OCEAN SEAL** in Rotterdam

Photo's :  
**Ton Duivestein**  
©



The **INVERCLYDE** arrived on the Tyne bound for A&P, Wallsend No2 dry-dock  
photo : Kevin Blair ©

## STELLA OCEANIS DEPARTED

October 19<sup>th</sup> morning the **Stella Oceanis** left the Eleusis anchorage. Five days ago **Olympia II**, gone too. Today the only remaining vessels at the ROC's row, are the **Apollon**, and **Stella Solaris**.

## AIRCRAFT / AIRPORT NEWS

### Air France, KLM move on merger

AIR France and KLM have signed the final transaction agreement, announced on September 30, which they expect to lead to the creation of Europe's leading airline group through a share exchange offer by Air France for KLM common shares. The terms of the transaction are the same as those announced on September 30.

## RIJNMOND WEATHER

**OBSERVATION LOCATION : HOEK VAN HOLLAND – Tuesday 21-10 19:00**

PRESENT WIND DIRECTION / FORCE	:	ESE 0 - 5	KNOTS
MAX WIND DIRECTION / FORCE LAST 24 HRS	:	NNE 5	KNOTS
PRESENT BAROMETER READING	:	1009.1	hPa
MIN TEMP LAST 24 HRS	:	5.5	°C
MAX TEMP LAST 24 HRS	:	10.6	°C
OUTDOOR HUMIDITY	:	70	%
DEWPOINT	:	4.7	°C
WINDCHILL	:	9.4	°C

Vooruitzichten van woensdag t/m zondag:

**KOUD HERFSTWEER!**

Perioden met zon en vrijdag een kleine kans op een bui. De temperatuur daalt tijdelijk naar 6 graden en in de nacht bestaat er kans op lichte vorst.

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© Ed Aldus 2003	WO-22	DO-23	VR-24	ZA-25
Maximumtemperatuur:	10	7	6	8
Minimumtemperatuur:	2	2	0	2
Zonnekans in %:	40	50	40	50
Neerslagkans in %:	20	20	30	20
Windrichting kracht:	O-4-6	NO-4-6	NW-3-4	ZW-3-4



The **LUPUS**, homeported now Tromsø, is the former **BANJAARDSBANK**  
photo : Henk de Winde ©

## .... STORY OF THE DAY ....

### Justice nears for 283 'ship of death' victims

#### Seven years after Med disaster, smuggler faces mass murder trial

A public school-educated former cab driver is to go on trial in Sicily this week, charged with mass murder for his part in the biggest maritime disaster in the Mediterranean since the Second World War.

Turab Ahmed Sheik, from Pakistan, owned a boat that plunged to the bottom of the Malta-Sicily channel on the night of Christmas Day 1996, taking at least 283 clandestine migrants to their deaths. But the survivors' account of the tragedy was widely disbelieved and shown to be true only after a prize-winning, two-month investigation by The Observer .

It has taken the Italian authorities nearly seven years since then to bring the affair to court. And despite a campaign launched two years ago by the playwright Dario Fo and three other Nobel prize winners, the victims' bodies have never been retrieved. What happened on 25 December, 1996, is still in dispute. But all agree the victims, most from the Indian subcontinent, died after being transferred at sea from a bigger ship, the Yiohan.

According to survivors, the migrants were forced off at gunpoint by the skipper and crew. Twice the captain of the Yiohan, Youssef al-Hallal, has been arrested and jailed in Italy; twice he has been

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allowed to go free. The first time was in 1998, on the ground that the disaster took place in international waters outside the court's jurisdiction. The second time was in 2001, when al-Hallal was himself classified as an illegal immigrant, sent to a detention centre and extradited to France.

One week later, the wreckage of the boat was filmed on the seabed between Sicily and Malta. It later emerged that body parts had been turning up in the nets of local fishermen over five years, but they had not informed the authorities for fear of involvement.

Al-Hallal, who is to be tried in his absence, was last reported to be living in France and working as an antiques dealer. His co-defendant on trial on Tuesday in the Sicilian city of Syracuse is a multilingual business man nicknamed 'Mister Tony'. In an interview with the Italian newspaper La Repubblica last week, he minimised his own role in the events leading to the tragedy, but admitted to having been involved in migrant trafficking since 1988. He acknowledged making vast amounts of money out of the business: \$7.5 million over five years.

Turab Ahmed Sheik said his parents had emigrated from Pakistan to Libya, from where they had sent him to the prestigious St Edward's school on Malta. A naturalised Maltese citizen, he is fluent in Urdu, Arabic, English, Maltese and Italian.

Sheik told La Repubblica he had moved to London after falling in love with an English holidaymaker and ended up working as a cab driver. It was in London that he fell into the business of smuggling human beings.

'A Pakistani friend told me about an easy way to make money. There were lots of Indians who wanted to get to Europe and did not know how. It was a matter of studying the visa and customs regulations and helping them. They paid well. I needed to find a route. I got hold of the Travel Information Manual. One of the routes went through Malta. I sold my taxi and came back here,' he said.

He began by arranging for migrants to enter the European Union via Frankfurt after a journey by way of New Delhi, Moscow, Athens and Valletta. He later turned to smuggling them from Malta to Sicily on launches.

Sheik said that in 1994 he entered into an agreement with an Athens-based Indian operator, who was running cargo ships full of migrants in the Mediterranean. His role was to run the offloaded migrants from ship to shore. The man he named, Mandhir Kumar Wahi, was charged in India in 1997 for his alleged part in the Yiohan disaster. Wahi has denied being involved and even that the tragedy took place.

Sheik said, however, it was he who was behind the loading of the Yiohan with about 400 migrants. Such was the size of the 'cargo' that it was agreed to buy a special boat, a 16-metre former RAF search-and-rescue launch. 'It cost 24,000 Maltese pounds, around \$50,000,' said Sheik. 'I put up the money. I was meant to have got back twice that amount.' But, he said, he refused to take part in the operation because of bad weather.

According to Sheik, the mission was taken over by a Greek associate of the alleged Indian trafficker who assembled a crew at the last minute. One Maltese crew member claimed to have experience of the sea. 'I asked him what kind. [He said] he cleaned the beach.'

Sheik said the crews got 340 passengers on to the smaller vessel. 'With a calm sea, you could even get 400 people onto a boat like that. But with that sea it was folly.'

Only two of the launch's three pumps were working and it began to ship water. Sheik said he was later told by the Greek that, after two hours, with the migrants in the hold up to their knees in the water, it was decided to link up again with the Yiohan. The plan was to return some of the migrants to the

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bigger ship. But, as the vessels tried to come alongside, the Yiohan collided with the launch, sending it to the bottom.

The Greek man in charge of the smaller boat, whom Sheik identified as Eftichios Zerboudakis, saved himself by grabbing a rope thrown from the Yiohan. Sheik said he next heard from him on Boxing Day. 'At three in the morning Zerboudakis called on a mobile from the Yiohan. He said: "Big trouble".'

## SMITWIJS TOWAGE B.V.



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