



Number 211 * COLLECTION OF MARITIME PRESS CLIPPINGS *** Tuesday 30-07-2013**

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The GINALDAG assisted by the Damen ASD 3212 MULTRATUG 19
Photo : Arie Boer ©

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The **POSH ASSISTOR** anchored at Singapore Jurong Anchorage - Photo : Piet Sinke ©

Somali pirates now protecting illegal fishing ships, says UN report

Frustrated by a string of failed hijacking attempts, Somali pirates have turned to a new business model: providing "security" for ships illegally plundering Somalia's fish stocks — the same scourge that launched the Horn of Africa's piracy era eight years ago. Somali piracy was recently a fearsome trend that saw dozens of ships and hundreds of hostages taken yearly, but the success rate of the maritime hijackers has fallen dramatically over the last year thanks to increased security on ships and more effective international naval patrols.

Somali pirate gangs in search of new revenue are now providing armed protection for ships illegally fishing Somali waters. Erstwhile pirates are also trafficking in arms, drugs and humans, according to a report published this month by the U.N. Monitoring Group on Somalia and Eritrea. The security services for fishermen bring piracy full circle. Somali pirate attacks were originally a defensive response to illegal fishing and toxic waste dumping off Somalia's coast. Attacks later evolved into a clan-based, ransom-driven business.

Up to 180 illegal Iranian and 300 illegal Yemeni vessels are fishing Puntland waters, as well as a small number of Chinese, Taiwanese, Korean and European-owned vessels, according to estimates by officials in the northern Somali region of Puntland. International naval officials corroborate the prevalence of Iranian and Yemeni vessels, the U.N. report said.

Fishermen in Puntland "have confirmed that the private security teams on board such vessels are normally provided from pools of demobilized Somali pirates and coordinated by a ring of pirate leaders and associated businessmen operating in Puntland, Somaliland, the United Arab Emirates (UAE), Oman, Yemen and Iran," the report said.

The "security" teams help vessels cast nets and open fire on Somali fishermen in order to drive away competition. "The prize is often lucrative and includes large reef and open water catch, notably tuna," the report says.

The nearly 500-page U.N. report also accuses Somalia's government of wide-ranging corruption. In response, Somalia's presidential spokesman said that the report contains "numerous inaccuracies, contradictions and factual gaps." "We are pleased to see the huge reduction in piracy, and yet equally concerned by the reports of increased criminality. We have much work to do to create legitimate livelihoods and deter Somalis from crime," said presidential spokesman Abdirahman Omar Osman.

Somali piracy has been lucrative. The hijackings of 149 ships between April 2005 and the end of 2012 netted an estimated \$315 million to \$385 million in ransom payments, according to an April World Bank report.

But fishermen who have participated in piracy might argue that the attacks were merely bringing back money stolen from Somalis. A 2005 British government report estimated that Somalia lost \$100 million in 2003-04 alone due to illegal tuna and shrimp fishing in Somali waters. In Somalia, pirates sometimes refer to themselves as "saviors of the sea." A piracy expert at the International Maritime Bureau, said the protection racket makes for a "potentially dangerous situation at sea."

"I guess the region has always been rich in this kind of organized crime," said Cyrus Mody. "I think that probably the positive side of all this is it's being highlighted which would hopefully give the government in place now enough movement to try and do something about it with the help of the EU and U.N."

Piracy peaked in 2009 and 2010, when 46 and 47 vessels were hijacked respectively, according to the European Union Naval Force. Hijackings dropped to 25 in 2011, five in 2012 and zero so far this year. Still, Somali pirates netted an estimated \$32 million in ransoms last year, the U.N. report said. One current pirate said he did not know about pirates providing protection to foreign fishing vessels, but he said some pirates are using Yemeni fishermen to smuggle weapons into Puntland. "That's our current money-making business because ship hijackings have failed," a pirate commander who goes by the name Bile Hussein said by phone from Garacad, a pirate lair in central Somalia. "If you drop one business, you get an idea for another." **Source: Associated Press**



Pirate Attacks on the Rise in Indonesia:

Indonesian waters remain a hotbed for pirate attacks and petty theft, despite global drops in reported attacks on shipping vessels, a recent report revealed. Worldwide, the total number of pirate attacks has fallen from 177 in the first half of 2012, to 138 in the first half of 2013, according to the research conducted by the International Chamber

of Commerce's International Maritime Bureau (IMB), while attacks in Indonesia have grown by 50 percent during the same period.

Of the 43 actual attacks reported in Indonesia in the first half of 2013, 35 of the ships were anchored, 4 were berthed, and 4 were steaming, the report said. Six of the 13 ports and anchorages which had three or more reported incidents were located in Indonesia, with the ports in Dumai and Belawan encountering the highest number of attacks with eight each.

"Incidents are scattered in location, however, the waters surrounding Riau are most at risk," Boy Rafli Amar, spokesperson for the Indonesian National Police (POLRI), said. Although the global trend in pirate attacks has been decreasing, experts warn it would be ill-advised to compare the situation in Indonesia with the improved conditions in other countries. "We can't compare regions, each region is very individualistic and unique in the types of crimes which are committed," Cyrus Mody, Assistant Director of IMB, said. "For example, in East Africa, boats are attacked when they are sailing on waters as far as 12 miles away from dock or even in international waters. Within Southeast Asia, most of the attacks occur on Indonesian anchorages." The report suggested piracy incidents in Indonesia are less alarming than those occurring in regions elsewhere, with knives being the common weapon of choice. From January to June 2013, seven victims were taken hostage in Indonesia, while attacks in Malaysia produced 16 hostages. In Africa, the differences are dramatic — 28 people were kidnapped and 15 hostages were captured in Nigeria, 31 in the Ivory Coast and 20 in Somalia. "These incidents [in Indonesia] are low level opportunistic crimes — there are very few serious cases and most involve robbers," commented Mody, when asked about the frequency of attacks around the archipelago. In a recent incident, robbers boarded an anchored crude oil tanker in Dumai. According to the report, the robbers stole spare engine parts and escaped undetected. The ship's crew noticed the theft when they found bare foot prints near the ship's store the next day.

Securing Indonesian waters

Mody suggested that a factor that could explain the increase in number of Indonesian attacks is the lack of law enforcement present in the waters. "What we have seen in previous years is that as policing reduces in a region, crimes tend to increase. When coast guards are deployed, the crimes reduce." Richard J Lino, the President Director of Pelindo II, the state-owned port operator in Indonesia, declined to comment on the issue when contacted by the Jakarta Globe, stating his belief that curbing piracy is the role responsibility of the police not the port operators.

Boy echoed Richard's sentiments.

"When it comes to securing the seas, responsibility is equally shared between the National Police and the Navy [TNI AL]," Boy said. "The Navy and the National Police deploy patrols to monitor waters three times a day."

Source: Jakarta Globe



The **COSCO DEVELOPMENT** moored at the Singapore Pasir Panjang terminal **Photo : Piet Sinke ©**

NEW PILOT BOAT FOR SOHAR

At July 28 the new pilot boat was placed in service in the Port of Sohar. Manufactured by **Safehaven Marine** Cork Ireland the pilot boat replaced the pilot tender "**Tiwi**". Pilotboat is owned and manned by **Svitzer**. The vessel is built as an **Interceptor 38**. This pilot boat is a self rightning vessel as can be seen via the following link: www.youtube.com/watch?v=dUgmqkoda04 Actually, the boat seen on youtube is the pilot boat which is shipped to Sohar.



Photo's : Rik van Marle ©

Since the pilotboat has arrived last month in Sohar an intensive training of the crew was done under supervision of the experienced pilot tender skipper **Charles Bijl**. All crew are Omani skippers and ratings. Implementation of the pilot boat will improve the turn around time of movements in the **Port of Sohar** once the speed is almost 3 times higher than the speed of the tender "**Tiwi**" (left). The name of the new pilot boat has not yet been

revealed, the official name giving ceremony will take place in September 2013. -

The specs of the new pilot boat are as follows:

Length 11.7m, beam 4.1m, max draft 1.35m; 2 VOLVO D9 engines 425hp with a cruising speed of 22 knots and a maximum speed of 28 knots. Cruising range 245nm. Vessel equipped with Raymarine radar, echo sounder, Raystar GPS plotter, VHF, AIS, CCTV with 3 onboard camera's. Light ship 12.85 ton, maximum of 5 passengers in the main cabin and 7 under deck. Vessel built in accordance to plans approved by Bureau Veritas, fitted out in accordance with the UK's MCA pilot boat regulations CAT II.

NATO Shipping Centre - Weekly Piracy Assessment

There is further reporting which suggests the initial report of 4 crew perishing in the sinking of **MV ALBEDO** was correct. The remaining 11 crew members have apparently been taken ashore to an unknown location.

A yellow hulled **FV DEEQA** was reported missing and assumed stolen from Boosaaso Harbour. There are no indications that the FV is being used for piracy activity. It is requested that ships' masters conform with the standard operating procedures for reporting possible acts of piracy as recommended in BMP4. A reminder that without providing this information in a timely manner, UKMTO, MSC HOA and NSC cannot pass data onto warships in the region. Delays in reporting incidents increase the search area and therefore decrease the likelihood of investigating and/or capturing possible pirates. It is recognized that the Gulf of Aden and the Bab el Mandeb is a very difficult environment in which to distinguish benign activity from that of potential pirates however a clear and timely flow of information is critical. No changes to the current weather pattern. The Southwest monsoon conditions continue to dominate the region and will remain in position until the fall when there will be a breakdown in the dominant weather system and the transition to the North east monsoon season. Until sometime around September the overall forecast for small boat / skiff operations is unfavourable along the East Coast of Somalia extending from the tip of the Horn of Africa down through the Somali Basin.

Regional Considerations:

Masters are advised to remain vigilant at all times in transit or at anchorage and fully implement protection measures, as set down in BMP4, across the entire High Risk Area (HRA).

Sailing yachts should avoid transiting the HRA. Past activity has shown that pirates will attack both large and small yachts passing their way. Despite the fact that attacks on merchant vessels appear to have decreased, the possibility of attacks and the successful pirating of sailing vessels remains likely due to their vulnerability and the reduction of revenue sources from pirated merchant vessels.

There have been a number of incidents reported to counter-piracy organisations in the HRA involving small craft approaches to merchant vessels. Although these incidents may appear to be piracy related, the majority actually are not and have been assessed as non-piracy related activity common to the pattern of life in the area. This can include fishing, small vessel trade, smuggling and other local traffic.

Fishing vessels may approach a merchant ship to maximize fishing opportunities or to safeguard fishing nets and fishermen may carry small arms. It is not uncommon for fishing vessels to follow merchant and large vessels in order to capitalise on the often increased numbers of fish in the resultant wake. Please note that, if the NATO Shipping Centre assesses an approach or incident to be piracy-related, we will issue relevant warnings.

Weather:

Southwest monsoon conditions are starting to influence the operating areas, with the exception of the GOA. Winds and seas continue to increase in all areas as the Southwest Monsoon continues to establish over the next week.

Piracy Threat:

The threat of piracy against merchant shipping continues throughout the entire HRA. Successful disruptions by naval forces over the past few months, in conjunction with masters' adherence and implementation of BMP4, have significantly reduced the pirates' ability to capture vessels. However, pirates are able to act far off the coast of Somalia and are likely in search of vessels of opportunity.

Pirate Tactics:

Pirate Attack Groups (PAGs) have made "soft-approaches" on merchant ships transiting the HRA. A skiff will often approach a vessel to probe the reactivity of its embarked security team, if present. If they elicit no response, the pirates may then proceed with an attack, sometimes accompanied by a second skiff. This practice seems designed to allow pirates to avoid needless expenditures of ammunition and personal risk without a significant probability of success.

Continued Vigilance and the use of BMP:

It is imperative that merchant vessels remain vigilant at all times in transit and/or at anchorage and fully implement protection measures set down in BMP4 across the whole High Risk Area (HRA) as it can make the critical difference of being approached, attacked, or pirated. NSC would like to remind masters that BMP4 highly recommends maintaining best possible vessel speed when transiting the HRA to deter pirate boardings.

Registration & Incident Reporting:

As per Section 5 of BMP4, early registration with MSCHOA before entering the HRA and initial and regular reporting to UKMTO are highly recommended to ensure military authorities are aware of a vessel's passage and vulnerabilities.

It has been observed that some Masters are choosing to phone their Company Security Officer (CSO) first in the event of a piracy incident. However, one of the fundamental requirements of BMP4 is that UKMTO is the primary point of contact for merchant vessels during piracy incidents in the HRA. This aims to avoid unnecessary delay and prevent inaccurate or incomplete information from reaching military commanders. CSOs should ensure their ships' security plans reinforce the BMP4 recommendation that UKMTO be immediately telephoned at +971 50 55 23215 in the event of any piracy activity. UKMTO will then make it a priority to contact the CSO with any information received whilst ensuring the relevant information reaches the military commanders without delay. Masters should provide as much accurate information as possible. This will ensure the incident can be fully assessed and information is quickly provided to other ships in the area for their awareness and vigilance. Masters should provide as much information as possible about the incident. If Masters are able to take pictures and/or video of the suspicious activity safely, please provide these via email to UKMTO at ukmto@eim.ae, NATO Shipping Centre (NSC) at info@shipping.nato.int or MSCHOA at postmaster@mschoa.org. This information will be used by Counter Piracy forces. **Source: NATO Shipping Centre**



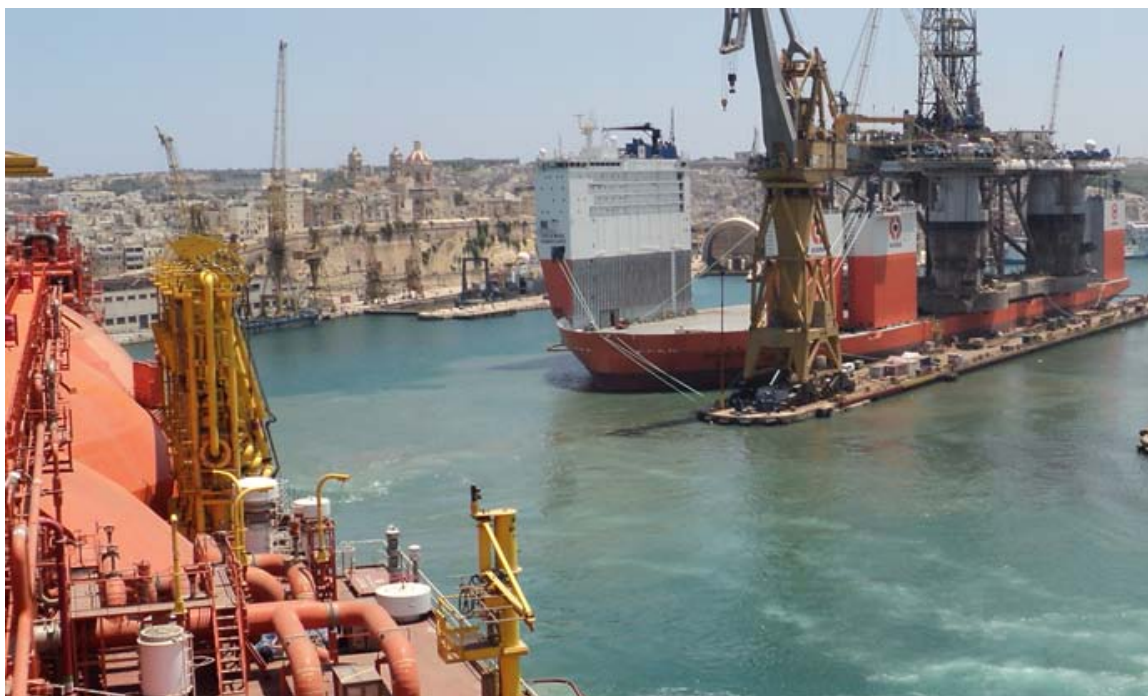
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View from the **FSRU TOSCANE** during the departure from Malta enroute Italy, with on the right seen the **DOCKWISE VANGUARD** loaded with the **Noble Paul Romano** for repairs -

Photo : Capt Hans Bosch ©

HAPPY SKY LOADS FIRST CARGO IN SHANGHAI



MV HAPPY SKY started her maiden voyage at the **ZPMC-yard** in Shanghai with loading wharf decks.



Photo's : crew **MV Happy Sky**. ©

Thai navy deployed to fight oil spill

Thai naval vessels joined efforts on Sunday to stop hundreds of barrels of oil from a pipeline leak in the Gulf of Thailand reaching the kingdom's beaches. Roughly 50,000 litres of crude oil spilled into the sea on Saturday, about 20 kilometres (12 miles) off the coast of the eastern province of Rayong, operator PTT Global Chemical said.

The company, part of state-owned giant PTT, said 10 ships were involved in an urgent clean-up and it was confident of containing the leak. "The aerial photos taken early morning on Sunday show that the area of the spill was reduced," the company said in a statement, estimating that up to about 20,000 litres had been cleaned up. At the same time there were fears about the effect of the chemicals used to disperse the crude oil.

"We still have some concern about the chemical being used, even though it is clear that the oil leak will not reach the beaches or coral," said Phuchong Saritsadeechaikol, director of the government's Marine and Coastal Resource Conservation Center in Rayong.

Another PTT subsidiary was involved in a huge oil spill off northwestern Australia in 2009 that was the country's worst ever offshore drilling accident. The slick from the Montara oil field spread as far as Indonesian waters and environmentalists said it grew to almost 90,000 square kilometres (35,000 square miles). An Australian government inquiry blamed widespread and systematic shortcomings at the oil company for the spill. **Source : Indiatimes**



The **FAIRLIFT** assisted by 2 **FAIRPLAY** tugs in the port of Rotterdam

Photo : Jan van Vuuren ©

Nigeria: Operators Set Up Working Committee On African Shipping, Energy

To ensure that the resolutions reached at the recent Africa shipping and oil roundtable investment forum are implemented, a ten member working committee has been set up.

Tagged 'African Maritime Advocacy Committee' (AMAC), the committee formation was one of the resolutions reached at the forum, which took place in Cape Town, South Africa. Attended by shipping and energy practitioners across the African continent, the event was organised by the Africa Business and Logistics Support Service (ABALSS) as an avenue to network and harmonise strategies on the way forward for the two critical sectors in the economy.

Membership of the committee, drawn from key players in the two sectors across Africa, was one of the highpoints of the roundtable and investment forum with the theme 'Global Partnership for the Sustainability of Infrastructural Development of the Maritime and Energy Sectors in Africa'. The committee members are expected to draw up resolutions from the conference and draw up a framework for their implementation in countries across the African continent.

The committee, which has already had its inaugural meeting, was also expected to come up with strategies for its funding besides setting up a secretariat to serve as a rallying point for its members.

The ten-member implementation committee has the Chief Operations Officer, South African Maritime Safety Authority (SAMSA), Mr. Sobantu Tilayi, as its Chairman, while the Deputy Chief Executive Officer (CEO), Ghana Shippers Authority (GHS), Mr. Emmanuel Martey is the Secretary; and the Project Director, ABALSS, Mrs. Remilekun Rasak, Assistant Secretary. The Special Assistant to the President of Nigeria on Maritime Services, Mr. Olugbenga Oyewole; Director General, Nigerian Maritime Administration and Safety Agency (NIMASA), Mr. Patrick Akpobolokemi; and the Managing Director, Nigerian Ports Authority (NPA), Alhaji Habib Abdullahi, are other members of the committee.

Other members are the Executive Director, South Africa Oil and Gas Alliance, Mr. Mthozami Xiphu; Managing Director and CEO, Starzs Investment Company Limited, Mr. Greg Ogbeifun; National President, Association of Nigerian Licensed Customs Agents (ANLCA), Prince Olayiwola Shittu, and the CEO Adviser on Commercial Affairs, Port of Luanda, Angola.

Members of AMAC are expected to follow up on the key decisions reached by participants at the shipping and energy investment forum, to ensure that they are fully implemented across the African continent. Following the inaugural meeting of the committee on the sideline of the forum in Cape Town, further meetings are expected to take place in the months ahead.

It is expected that the next forum, which is expected to hold at Colorado Convention Centre, Denver, USA, from July 28 to 31, 2014, will serve as a rallying point for participants to compare notes on the next line of action for the shipping and the energy sectors of countries across Africa. Several papers were presented at the forum, which attracted participants from the all over the continent, including 'Harnessing Opportunities in the Maritime Industry to boost Infrastructural Development in Africa', by Oyewole

While Akpobolokemi presented a paper titled 'Boosting Rapid Infrastructural Development for the Effective Implementation of Cabotage Regime in Africa', Abdullahi presented a paper on 'Providing Essential Infrastructure and Workable Strategies to Overcome the Challenges of Ports Quick Turnaround of Time in Africa'; Martey presented a paper on 'Protection Surveillance, Security of Coastal Waters in Africa'; and Mokhele made a presentation on "How to meet Infrastructural needs of the Maritime Transport in Africa for Greater Investment Opportunities". The event also witnessed the presentation of the African Maritime and Energy (AME) 2013 awards to 12 awardees across the African continent. **Source : All Africa**



The **LEWEK SCARLET** moored in KSB (Malaysia) **Photo : Capt. Jelle de Vries ©**

Balmoral cruise liner rescue: Woman, 85, winched off

A woman has been winched off a cruise liner off the Norfolk coast after becoming ill with a potentially "life-threatening" condition. The passenger, believed to be from Hampshire, was on board the **BALMORAL**, sailing from Southampton to Norway. A helicopter from RAF Wattisham in Suffolk flew to the ship, which was in heavy fog, 40 miles (64km) east of Great Yarmouth, at about 07:00 BST.



The **BALMORAL** in Norway - Photo : Erik Matzinger ©

The 85-year-old woman was transferred to the Norfolk and Norwich Hospital. Her condition is not known, but winchman/medic Sgt Duncan Bowden said: "She had a condition that could have turned life-threatening and she needed to get to a hospital." He described the rescue on Saturday as "extremely challenging" because of the weather conditions. "Visibility was down to about 50m (165ft) and the ship was completely enclosed in fog," he said. "We had to use radar to locate the vessel because we could barely see." He added: "It was lucky there was a doctor on board the ship who had been able to treat her before we arrived. Source : BBC News

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P&O cruise ship anchored in Dún Laoghaire forced to go to Dublin Port



The **ORIANA** – Photo : capt.Geert Dijkema ©

A P&O cruise ship which anchored off Dún Laoghaire was forced to move to Dublin Port last Friday when one of its passenger tenders got lost in fog in Dublin Bay and its tender licence was then suspended. The State's Marine Survey

Office (MSO) withdrew authorisation for the tenders on board the 261m ((856ft) cruise ship **ORIANA** Friday morning. The tenders are used to ferry cruise ship passengers to and from shore. But when passengers set out to visit Dún Laoghaire, a thick fog descended, and a Dublin Port pilot boat had to escort one of the tenders safely into the harbour. It is understood that the tender was off course and was picked up on the port's vessel traffic system. Dublin Port has pilotage authority for the entire bay, including Dún Laoghaire. Witnesses say the Oriana had sounded its fog horn.

The passengers in the escorted tender arrived ashore safely. However, by then the MSO had been informed and took the unusual step of notifying the ship on VHF radio that its tender licence had been suspended and passengers would not be able to return to the cruise ship on these craft. The ship weighed anchor and moved to Dublin Port.

P&O Cruises was unavailable for comment **Source : Irish News**

Club de Ruyter Singapore

NEDERLANDSE MARITIEME LUNCH IN SINGAPORE

Via deze weg willen wij de "Maritieme" Nederlanders en Nederlands sprekende Belgen in en rond Singapore uitnodigen voor deze lunch, wat tevens een uitstekende plaats is om te netwerken, en kennis te maken met andere Nederlanders uit de industrie in de regio

De lunch word gehouden in de **TRADEWINDS BAR** van de :

Hollandse Club in **Singapore**

op **vrijdag 2 augustus2013** tussen **12:00** en **14:00** uur

Deze lunch wordt u aangeboden door :



The **PRESIDENT HUBERT** departing with the **H-405** from Lerwick (Shetlands)
Photo : Frank de Vries - Chief Engineer - Eurodam - Holland America Line ©

NORTHWIND WITH STEMAT SCRADEWAY ENROUTE ROTTERDAM



AVRA's tug **NORTHWIND** departed with the **MPP STEMAT Scradeway** from Coatzacoalcos, Mexico bound for Rotterdam
Photo top : Willem Schmetz ©



Photo left : Capt. Geert Dijkema
Master - Tug Northwind ©

Positive psychology by ship owners favors second hand ship values

Despite the fact that the Baltic Dry Index (BDI) hasn't been at it's best during the past few days, ending this week down to 1082 points, it appears that ship owners are still keeping a positive stance, when it comes to acquiring more vessels. According to the latest weekly report from shipbroker Lion Shipbrokers, the slight decrease of the BDI, as a result of summer holidays, hasn't dented buyers' psychology, thus keeping second hand values firm, especially in bulkers.

In the dry bulk second hand market, Lion reported that "Japanese controlled Tess 82 kamsarmax **SPRING OCEAN** (82.9K BLT 2005 TSUNEISHI/JAPAN) was committed for the soft level of \$18 - \$18.3 mill basis dry-docking surveys due this October from Greek interests; remind you that last month larger sisters **BRILLIANT SUNRISE** & **GLORY POWER** (87K BLT 2006 IHI/JAPAN) attracted \$19 mill each and back in May, smaller units SHOYO (77K BLT 2006 NAMURA/JAPAN) & **OCEAN SHANGHAI** (77K BLT 2006 SASEBO/JAPAN) went for \$20 mill & \$19.4 mill respectively. Another kamsarmax unit from the Japanese market, **FORTUNE ISLAND** (82K BLT 2008 OSHIMA/JAPAN) is reported sold to Greek buyers for \$21.75 mill, in line with end June's sale of her younger sister **FLORENCE LILY** (82K BLT 2009 OSHIMA/JAPAN) for \$22.3 mill. COSCO's

Handymax **YANTIAN SEA** (45K BLT 1995 HALLA/S. KOREA 5HO/5HA CR 4X30T) changed hands within China for a soft \$6.8 mill compared with May's sale of Korean built sisters **MARY G** & **MARY H** (43.8K BLT 1996/97 DAEWOO/S.

KOREA 5HO/5HA CR 4X30T) for \$7.7 mill & \$8.3 mill respectively. Japanese controlled handy **PRINCESS ALIEL** (28.5K BLT 2000 IMABARI/JAPAN 5HO/5HA CR 4X30.5T) was purchased for \$11 mill by unnamed buyers in line with last month's sale of younger sister **ANGEL ISLAND** (28.5K BLT 2004 IMABARI/JAPAN 5HO/5HA CR 4X30.5T) for the price of \$13 mill to Greek

buyers. Sinotrans' handy **GREAT CREATION** (27.3K BLT 1998 HUDONG/CHINA 5HO/5HA CR 4X30T) has found undisclosed buyers who agreed to pay a firm \$6.2 mill basis special & dry-docking surveys due this week (27/7/2013). Remind you that middle of last month, open hatch type **CLIPPER FAITH** (29.5K BLT 1998 DALIAN/CHINA 5HO/5HA CR 5X30T) was sold at auction for \$6.4 mill basis ss/dd freshly passed", Lion Shipbrokers said in its report.

Meanwhile, in the demolition market this week, "even though monsoon season is almost over, Subcontinent market outlook remain bleak with few sales to report. Pakistan is almost full; Bangladesh is weak due to limited access to finance by the local breaking yards and a two years low of local steel melting prices. In view of the above, cash buyers are holding on to their ships in the expectation of a possible recovery in the near future. Although a quite week in China, market rates have improved by \$5 per Lt at levels well above the \$300 mark. Likewise, Turkish market has also firmed to levels in excess of \$300 per Ldt, mainly due to local steel demand, however short term prospects are negative due to Ramadan holidays & local breaking yards overcapacity", Lion concluded.

In a report earlier this week, commenting on the demolition market, shipbroker Intermodal noted that "they often say that "no news is good news" and this seems to be the case for last week's demolition scene. With the Ramadan festivities still very much in progress and with the Indian Rupee finally showing some signs of stabilization against the US Dollar these past few days, it seems that market sentiment has marginally improved in India. This is also partly evident from the reappearance of those cash buyers, who have been sitting on the sidelines for the past couple of months and who now seem to start pushing their bids up once again, reinforcing the view of those players who believe that the demo market should at least stabilize for now. Saying that, activity, as far as reported deals is concerned, has dropped massively overall, while China seems to have resumed its "effort" to further close the gap between them and Indian sub-Continent breakers, both in terms of activity and in terms of prices offered by the local yards. Prices overall this week for wet tonnage were at around 330-415\$/ldt and dry units received about 310-395\$/ldt", it concluded.

Source : Nikos Roussanoglou, Hellenic Shipping News Worldwide



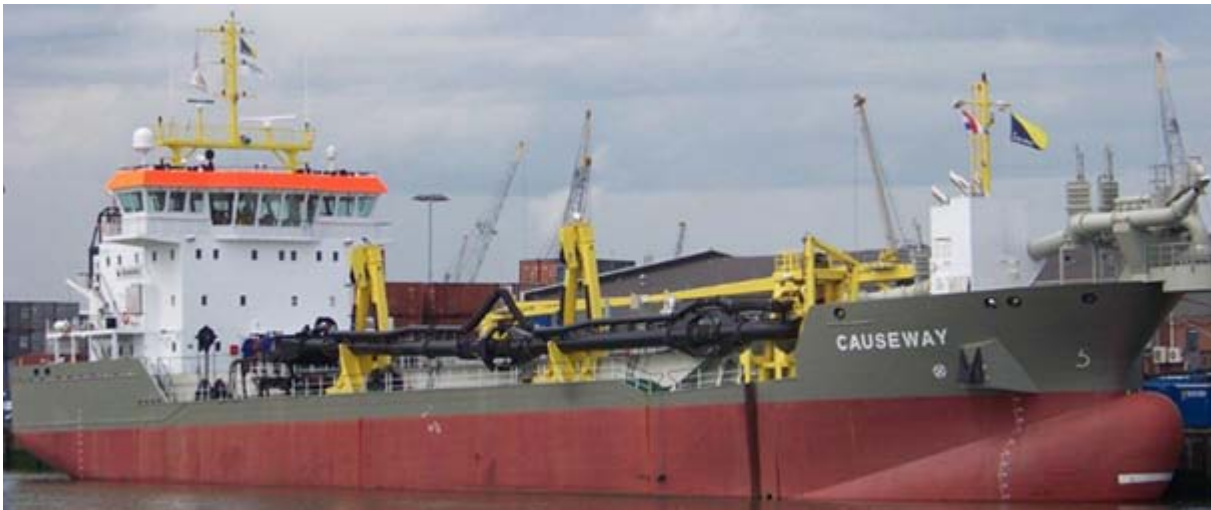
27-07-2013 : **CAP CORRIENTES** , 9670822-2013/42690gt, at 3 West Swanson Dock, Melbourne

Photo : Andrew Mackinnon – www.aquamanships.com ©

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Greek shipowner jailed pending money laundering trial

Greek shipowner Victor Restis has been imprisoned pending trial on money laundering and embezzlement charges, court officials said on Friday, making him one of only a few prominent businessmen to be jailed amid public anger over corruption. Restis, who owns a shipping fleet and has a stake in Greece's top-selling newspaper, is being investigated over bad loans of up to 500 million euros from First Business Bank (FBBank), in which his family owned a majority stake until it was wound down this year. Rated number 56 in the Lloyd's List top 100 influential people in shipping, Restis has been accused of using his influence over the bank to secure a 5.8 million euro loan for companies that are linked to him. Restis denied any wrongdoing when he appeared before a prosecutor on Friday to respond to the charges of money laundering and felony-degree embezzlement against the state, the officials and his lawyers said. These charges carry up to a life sentence in Greece. Earlier this week, Restis Group said in a statement that the shipowner was "shocked by the false accusations", which were made by a former employee and were "baseless". A Greek prosecutor and the investigating official said Restis needed to be imprisoned pending trial because he might flee. They shrugged off a goodwill gesture by Restis, who deposited with authorities the amount he is accused of having embezzled. Arrest warrants for two more people in connection with the case have been issued, court officials said. Under Greek law, Restis can remain in pre-trial detention for up to 18 months. Greece's judicial system is notoriously slow and inefficient, and the country's international lenders have criticised it as one of the reasons for the country's economic crisis. It could take years until the trial or a final ruling. The country's descent into a crippling recession has triggered public anger against a political and business elite widely viewed as privileged and corrupt, prompting prosecutors to step up investigations into corruption cases. The shipping industry accounts for about 5 percent of GDP, but shipowners pay tax based on their tonnage, rather than their profits, and have been sharply rebuked by opposition parties who say they are sidestepping their share of austerity. **Source: Reuters**



Boskalis new TSHD **CAUSEWAY** was shifted from shipyard **De Boer** to Rotterdam – Photo : **Michel Kodde** ©



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NAVY NEWS



the Royal Navy Hunt Class Minehunter **HMS LEDBURY M30** entering Grand Harbour, Malta on Saturday 27th July ,2013 berthing at Valletta Cruise Port Pinto 3 Wharf. **Photo : Capt. Lawrence Dalli - www.maltashipphotos.com ©**

Scorpene: '€115m is Perimekar's service management fee'

The architect of the Scorpene submarine purchase has vehemently denied the existence of elements of corruption in the controversial Scorpene deal. Allegations by certain quarters on the issue of payment of RM452 million (€115 million) as "commission" to Perimekar Sdn Bhd, was crushed by Jasbir Singh Chahl, who pointed out that the amount was meant for the company's service management fee.

In an exclusive interview with the New Straits Times, Jasbir who spoke for the first time about the deal, said the company was in charge of the logistics and training of the officers and men of the Royal Malaysian Navy's Submarine Force.

According to the report, the fees covered project management and project integration services, coordinating the involvement of Malaysian companies in the industrial participation programme in the provision of services during the construction phase and to monitor the performance of these firms.

Perimekar Sdn Bhd is owned by the Armed Forces Fund Board (LTAT), Boustead Holdings Sdn Bhd and K S Ombak Laut Sdn Bhd.

The fees were also for helping the main contractor comply with all local laws and procedures, relating to the execution of the contract, coordinating and monitoring the training of Royal Malaysian Navy (RMN) personnel, in compliance with the main contract and in accordance with the Malaysian government and RMN expectations, and providing monthly reports on all of the above.

The biggest chunk of the fees went to the provision of food and accommodation and all the necessary services for the training of RMN personnel and their families in Brest (France) and Spain for six years, inclusive of health insurance premiums and per diem allowances of a minimum of €50 per person. Other costs include their return travel fares to Malaysia three times a year.

In all, 145 RMN personnel, including 49 officers and dependents, were covered by this. "We've been made out to look like profiteers who just sat back and collected when, in fact, there was a lot of hard, tangible work, that was done," said Jasbir. He was also quoted as saying that the commercial offer was attractive because of the superior industrial participation programme that was put together.

"The counter-trade and offset programme that we proposed as part of the overall proposal also swung the odds in our favour," he said. Jasbir said based on the strength and commercial superiority of the proposal, "we did not have to lobby anyone to influence the commercial evaluation process as there was no need to. "The Scorpene was the best non-nuclear powered-submarine that we, as a nation, could have selected," he added. **Source : fz.com**

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Taiwanese survey vessel **POLARIS** doing a pipeline survey in Taiwan Strait - Photo : Bert de Ruiter ©

11 firms submit proposals for developing container terminal at Ennore Port

Eleven companies, including four foreign firms, have submitted their Requests for Qualification (RFQ) proposals for developing the Rs.1,270-crore container terminal at Ennore Port. These proposals will be evaluated by Ennore Port authorities and the names of short-listed firms announced within the next two weeks. Thursday was the last date for submitting the proposals for developing the Ennore Container Terminal (ECT).

According to sources, Hindustan Ports, Adani Port and Special Economic Zone (APSEZ), Gammon Infrastructure Projects, Essar Ports, Sterlite Ports, Consortium of Concast Infratech Limited & Hyundai Engineering & Construction Co. Ltd, Consortium of Bollore Africa Logistics & Megalift Material Handling, L&T IDPL, APM Terminals B.V., Consortium of IMC-SEW and PSA Chennai Investments Pte Ltd took part in the RFQ process.

As per the proposal, the selected firm has to construct ECT on design, build, finance, operate and transfer basis for a concession period of 30 years. The terminal will have a capacity to handle annually 1.4 million twenty-foot equivalent units of containers.

Interestingly, APSEZ and Essar Ports were shortlisted for constructing the mega container terminal of Chennai Port Trust. But their offers were rejected as the revenue offered by them was considered too low. Earlier, EPL decided to build ECT with a quay length of 1,000 metres costing Rs.1,407 crore. Later, the proposal was modified to 730 metres, to be built in two phases, at a cost of Rs.1,270 crore. After having failed in its maiden attempt, Ennore Port Ltd (EPL)

Chairman-cum-Managing Director M.A. Bhaskarachar modified the project in January based on feedback from interested parties. Eleven players responded to the Expression of Interest notice issued by the port and the pre-bid meeting was attended by seven firms. **Source : The Hindu**



Maersk line chartered vessel **OCEAN PROMISE** discharging fruit at Ringaskiddy, Cork. **Photo : Aidan Fleming ©**

Yuzhny Zavod Metall Profil LLC v EEMS Beheerder B.V. ("the EEMS SOLAR").



Circular to Assureds (no 003 2013)

Introduction

The aim of this Circular is to alert Charterers to the ruling of the High Court in London to this case, namely that "where the responsibility for stowage has been contractually passed from the shipowner to the charterer (or cargo owner), the shipowner will not be liable for damage arising from improper stowage even if it renders the vessel unseaworthy, unless it is established that the bad stowage leading to the damage arose from a significant intervention by the shipowners or their master".

Background

The case arose from damage to a consignment of 411 steel coils loaded in Xingang, China to Novorossiysk, Russia. The cargo was shipped under a Congenbill 1994 form bill of lading concluded between the Owners and a third party, incorporating both the Hague Rules 1924 and the Gencon form voyage charterparty between Owners and Charterers, which was identified on the face of the bill. Charterers appointed the stevedores to stow the cargo. Subsequently due to adverse weather conditions encountered during the voyage, the cargo shifted and damage was sustained.

A claim was filed by the Russian cargo owners against the Owners for breach of their duty of care, as well as negligence in the loading, handling and safe stowage of the cargo. The issue was essentially where liability for the cargo damage would fall.

Reasoning

Upon evaluation of the evidence, the court found that the proximate cause of the loss was the vessel being improperly loaded and stowed. The question to be answered was which party was contractually liable for stowage of the cargo?

Was the charterparty effectively incorporated in the bill of lading?

Clause 5 of the incorporated charterparty provided that "the cargo shall be...stowed...lashed and/ or secured by the Charterers, free of any risk, liability and expense whatsoever to the Owners". The cargo owners argued that this clause was not incorporated because it would not make commercial sense in the context of a bill of lading, even if a degree of verbal manipulation was permitted, as per *The Miramar* [1984] AC 676, *The Spiros C* [2000] 2 Lloyd's Rep. 319.

Even if it was accepted that the clause was incorporated in the bill of lading, it was argued that the Owners were not relieved of their duty to take care of the cargo, as any such provision relieving Owners of their duties under a bill of lading should be struck out by the operation of Article III rule 8 of the Hague Rules (which states that "Any clause, covenant, or agreement in a contract of carriage relieving the carrier or the ship from liability for loss or damage to , or

in connection with, goods arising from negligence, fault, or failure in the duties and obligations provided in this article or lessening such liability otherwise than as provided in these Rules, shall be null and void and of no effect"). Reference was also made to Article III rule 2 which, said the cargo interests, placed primary responsibility for cargo operations onto the contractual carrier, here the Owner.

Court's ruling

Rejecting cargo interests position the court held that clause 5 was effectively incorporated into the bill of lading, evidencing the intention of Owners to transfer responsibility for stowage to another party. Furthermore, it was held that clause 5 was not invalidated by the operation of Article III rule 8, unless the Owners or their Master had significantly intervened in the loading of the cargo. Reference was made to *The Jordan II* [2005] 1 Lloyd's Rep. 57, where it was held that such a transfer of responsibility for loading, stowage and discharge of cargo by way of an agreement to the effect that responsibility moved from Owners to shippers, charterers and/or consignees, was not invalidated by Article III rule 8. The court also considered whether Owners were residually responsible for the acts of a third party, but in the present case clause 5 expressly provided "cargo secured by the Charterers, free of any risk, liability and expense whatsoever to the Owners".

On the facts of the case the court found no significant intervention on behalf of the Owners. While the stowage plan implemented by the Master did not provide for locking coils, lack of which led to the damage, the court found no evidence suggesting that the stowage plan prepared by the crew and provided to the stevedores at Xingang, had contributed to the improper stowage.

Conclusion

This case grants considerable protection to Owners/contractual carriers in circumstances where a charterparty is validly incorporated into a bill of lading, the terms of which shift responsibility onto a third party such as shippers/charterers/ cargo owners.

Comments

It is important to note that the cargo was loaded in China where we have seen a recent and sudden increase in claims deriving from poor lashing and stowage. This has resulted in certain circumstances in placing the crew, vessel and cargo at peril.

While in accordance with SOLAS, Masters remain under an overriding duty to ensure that cargo has been adequately loaded and stowed, it is of utmost importance that where other parties are involved (i.e. stevedores, charterers) and the duty to take care of the cargo has shifted, the former should exercise their authority in order to secure safe stowage. Certainly such concerns should not remain unaddressed, i.e. Masters and others responsible for cargo operations should file Letters of Protest/preserve evidence where it appears that cargo operations are not being carried out properly. It may also be sensible that in order to address the poor quality of stevedores in certain jurisdictions those ultimately responsible for cargo operations should appoint supercargoes as a "watch dog", in order to remediate flawed practices. Certainly all parties involved must employ measures to ensure they have complied with their duty to take care of the cargo.

Increased exposure for Charterers

While the full implications of the decision have yet to be seen there is concern that the additional level of protection granted to Owners as a result may encourage cargo interests to turn their attention to Charterers at an earlier stage. Charterers should accordingly be aware of their exposure when undertaking responsibilities for cargo operations and selection of stevedores. Finally, in circumstances where Charterers do have such primary responsibility for cargo operations it is vital that they monitor and manage the operations and take steps to intervene where they are aware that the suggested loading practices are inadequate and could expose the crew, vessel and cargo to peril.

If Assureds have any questions arising from this circular they should get in touch with their usual contacts in the claims department, either in London or Shanghai.

Source : Michael Else and Company Limited, as Managers E. & O.E. - Dated London, 26 July 2013

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The Dutch Pilot cutter **POLARIS** inbound for Hoek van Holland – Photo : Luuk Silvius ©

Malaysia's Coastal wins OSV orders

Malaysia's **Coastal Contracts Bhd** reports that its wholly-owned subsidiaries, **Coastal Offshore (Labuan) Pte Ltd** and **Thaumas Marine Ltd** have collectively secured shipbuilding contracts for the sale of five Anchor Handling Tug Supply (AHTS) vessels, a 300 person Accommodation Work Barge and an 85 m Subsea Support/Maintenance Vessel for an aggregate value of approximately RM425 million (about US\$133 million). Five of the vessels were sold to new customers from Southeast Asia and Africa, and two vessels were sold to regular customers. The 85 m Subsea Support/Maintenance Vessel is one of Group's high-end products. It is specifically designed to transport liquid cargo and equipment, move men and materials between platforms, and for external fire fighting. The 300 Accommodation Work Barge is designed to accommodate up to 300 work personnel and crew in the offshore work site. One of its main functions is to provide a better workplace for the offshore workers. These vessels are scheduled for delivery during 2013 and 2014. "Future prospects for the OSV sector look to be positive in the near future, underpinned by stable oil prices and a favorable oil and gas market outlook," says M r Ng Chin Heng, the Executive Chairman of Coastal. "We believe that the oil and gas industry will continue to provide opportunities within the OSV market. Moving forward, greater emphasis will be placed on constructing more technologically advanced and deepwater-capable OSVs that can withstand harsher environment as Coastal Group seeks to broaden its product offering and scale up its shipbuilding value chain." Source : **Marinelog**



The **MSC MAGNIFICA** visited last Sunday unexpected the port of Rotterdam, the vessel was bound for Amsterdam but due to the weather forecast and the passage of the IJmuiden locks the master decided to enter Rotterdam instead, above seen the liner assisted by the **KOTUG** tugs **SD REBEL** and **SD JACOBA** departing from Rotterdam – Photo : **Nico Ouwehand** ©



CSD 'Phoenix' (Boskalis) has plenty of horses towing her into Mina Al Shuwaik. The picture was taken from TSHD 'Oranje', just leaving port. Photo : Mike Haarbrink ©

MariFlex introduceerd een milieu ponton

Vlaardings bedrijf voegt een ponton toe aan haar vloot.

Het Vlaardingse bedrijf **MariFlex** introduceerd op zijn nieuwe locatie aan de Zevenmanshaven wederom een nieuwe bedrijfs activiteit. Het ponton "Ryan" gaat ingezet worden bij diverse "groene" bedrijfs activiteiten van het bedrijf.

Het ponton gebouwd onder Scheepsvaart Inspectie en gecertificeerd volgens ADNR heeft de afmetingen van 20 x 6



mtr en 120 ton dw capaciteit. Met een spill rand van 16 cm hoog, kan het ponton aan dek 12 m³ vloeistof herbergen. Daarnaast is het ponton uitgerust met 4 slop tanks van elk 10 m³, wat de total capaciteit geeft van ca 50 m³ aan bijvoorbeeld terug gewonnen gemorste olie. Hier blijkt ook gelijk uit de functionaliteit van dit ponton wat bij

calamiteiten van dit soort zaken direct kan uitrukken voor assistentie, voor bijvoorbeeld olie opruiming werkzaamheden

of indien er brand is, worden er per direct brandblus units aan deck gezet om te assisteren bij brandblus werkzaamheden. Ook wordt het ponton gebruikt voor het vervoer en plaatsten van **MariFlex's** nieuwe **MVRU-1100 (Mobile Vapour Recovery Unit)**, die binnen enkele maanden ingezet wordt. Deze mobiele installatie zuigt alle dampen uit het schip en stuurt die naar een koeling waar ze met behulp van stikstof weer vloeibaar worden gemaakt en opgevangen. Daarbij wordt de emissie van Vluchtige Organische Koolwaterstoffen (VOC's) tot de wettelijke waardes gereduceerd. Met recht kan dit dus een milieu ponton genoemd worden. "Door het aanbieden van een steeds uitgebreider totaalpakket aan diensten wil **MariFlex** een centralere rol spelen bij service activiteiten in de Rotterdamse haven, zoals Ship to Ship transfers, tank schepen inert maken, ontgassen van tankschepen, callamiteiten respons en daarnaast onze andere bekende activiteiten welke we al sinds 1980 in de Rotterdams haven ontplooiën," zegt commercieel directeur **Edwin van Noord**.

MariFlex verhuisde in juni van de Koningin Wilhelminahaven naar een nieuwe locatie aan de Maassluisdijk. Daar heeft het bedrijf de beschikking over een eigen kade met een 60 meter lange steiger, waar binnenvaartschepen tot 135 meter lengte kunnen afmeren. In de nieuwe hal is ruimte voor de opslag van onderdelen en producten als pompen, powerpacks, slangen en andere materiaal. Verder is er een werkplaats waar **MariFlex** zijn powerpacks, brandblus-units en hydraulische portable pompen produceert. Voor meer informatie: www.mariflex.net

OLDIE – FROM THE SHOEBOX

Referring to the photo of the Dutch tug **WITTE ZEE** in the Oldie – From the Shoebox, last week, from the same series **Jan Almoes** send some more photo's which he made during this trip



The semi submersible rig **SEDNETH I** under tow of the Dutch tug **NOORDZEE** crossing the Atlantic Ocean in November 1973 and on the left seen getting refuelled on November 18th 1973 by the tug **WITTE ZEE**

Photo's : Jan Almoes ©



.... PHOTO OF THE DAY



The **URSULA ESSBERGER** moored in Dordrecht - Photo : Cees de Bijl ©

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