

CESMA NEWS

DECEMBER 2017

THE EUROPEAN UNION SHIPMASTER INFORMATION CHRONICLE

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AWARDS FOR SKILL AND GALLANTRY FOR OUTSTANDING SEAMANSHIP

Professionalism, good judgement, outstanding seamanship and crew teamwork, ensured the safe and timely recovery of the 7 survivors of the “Fluvius Tamar” which sank in the North Sea on 13th January 2017. The “Lady Swaythling Award” in the UK and the “Sunday Award” in Finland were handed to the Captain and crew of the roro vessel mv “Norstream”.



mv “Norstream”

On the evening of the 13th January 2017, mv “Norstream”, responded to a Mayday call, relayed by the British Coast Guard, from mv “Fluvius Tamar” which had reported that she was sinking 35 nm NE of North Foreland in the Dover Strait Traffic Separation Scheme. The “Norstream”, a 20.000 ton, 180 metre long Finnish owned and flagged ro-ro cargo vessel under charter to P&O Ferries, operating on the Zeebrugge to Tilbury route, was on her way to Tilbury under command of Captain Patrik Norrgard with Captain Marek Rowinski as Chief Officer. As she was the closest vessel to the reported incident, the “Norstream” responded immediately, reaching the scene 15 minutes later. Weather conditions were critical with a north-westerly wind and waves of 4 to 6 metres with good visibility.

The casualty, mv "Fluvius Tamar", a 90 metres long, 3.000 ton cargo vessel with a crew of seven, was on passage to Spain. The crew had noticed that the bow was dipping and that the ship was starting to go down. They prepared the lifeboats and sounded the alarm. The vessel began to sink and by the time the crew had reached the poop deck, the life rafts were already afloat and the crew was in the water.



mv "Fluvius Tamar"

Taking the sea condition into account, the Captain of the "Norstream" decided to stop at a range of 2 to 3 cables to the north east of the sinking ship. She arrived just two minutes before the casualty's bow submerged. In the meantime the look out on the "Norstream" spotted six flashing lights, apparently from life jackets. Later two life rafts and one open lifeboat were observed.

A paramount decision consideration for the Captain of the "Norstream" was to keep a safe distance from the sinking ship. It was not known how fast the "Fluvius Tamar" would reach the sea bottom. The local depth was about 40 metres and Captain Norrgard estimated that it could take a couple of minutes. The air draft of the sinking vessel was estimated at 22 metres and there was a risk of damaging his own ship. Additionally he was concerned that the loose parts of the sunken vessel and her mooring ropes could get in the ferry's propellers. He manoeuvred the "Norstream" so as to make a lee for the survivors on the port bow. The port side pilot door, 3,5 metres above the water was opened and the pilot ladder lowered.

To avoid that the survivors would be sucked into the propellers, the ferry approached in such a way that all of them were located ahead of the pilot door, with the wind 45 degrees to the starboard bow. Using the bow thrusters and working the port engine astern and the starboard engine ahead in order to maintain position and to use the wash of the port propeller to keep the survivors ahead of the danger zone. With a drift of 2 knots, Captain Norrgard was concerned that the rolling ferry and the strong drift would crush survivors once they were alongside. The ferry's drift was in fact creating a kind of water cushion of 1 to 1,5 metres between the ferry's hull and the survivors.

Crucial to this manoeuvring were the actions of Chief Officer Marek Rowinski who took charge at the pilot door, reporting distances to the survivors by radio to the bridge and then, risking his own life, by hanging out together with the boatswain from the pilot door to grab and help them to climb on the pilot ladder. Precise ship handling and effective communication allowed the ferry to approach the survivors safely. It took three men to drag two survivors on board.

The next task was the recovery of the liferaft with the remaining five survivors. It was in a dangerous position under the port bridge wing. It could have been hit by the flared bow as the "Norstream" pitched and rolled heavily. The liferaft was secured by heaving lines but was hitting the ferry's hull badly. The five survivors were brought on board safely and quickly by way of the pilot ladder. The recovery was completed at 01.00 hrs. The first helicopter arrived on the scene at 00.46 hrs, an hour after the Mayday. The survivors were taken ashore by two helicopters.



Captains Norrgard and Rowinski receiving the award

Managing Director of the Finnish Ships' Officers Union and the IMO Honorable Mention for Bravery at Sea in the year 2017 by the Finnish Minister for Transport Mrs. Anne Berner at the Bore Head Office in Helsingfors on 29th September.

Captain Patrik Norrgard and Chief Officer Captain Marek Rowinski were presented with the "Lady Swaythling Trophy" for Outstanding Seamanship at an awards ceremony, held by maritime charity, Shipwrecked Mariners Society at the Fishmongers' Hall in London, by the Society's President Admiral Sir George Zambellas. They were also presented with the Finnish Shipping

Safety Award "Sea Sunday". by Mr. Johan Ramsland,



ORDEAL FOR MASTER "JOLLY NERO" CONTINUES

In a previous CESMA NEWS we have reported on the accident in Genoa, Italy, on 7th May 2013 in which the Italian cargo/rorro ship "Jolly Nero" hit the harbour control tower during manoeuvring in the harbour basin, causing it to collapse. In the accident, nine people lost their lives and four were injured. The Master of the vessel, Captain Roberto Paolini, was immediately hold responsible and detained for questioning, together with Chief Officer Lorenzo Repetto and pilot Antonio Anfossi



Captain Paolini

On 17th May 2016 Captain Paolini was convicted to ten years and four months in prison. Chief Officer Mr. Repetto was convicted to eight years and six months and Chief Engineer, Mr. Giammoro, to seven years. They were accused of multiple manslaughter, assault on transport safety and collapse of the control tower due to a negligent manoeuvre. Third officer Christina Vaccaro was being questioned for failing to log bridge instrument issues, prior to leaving the port, as well as Mr. Andrea Cais who is acting chairman of the board at the owner of the vessel, "Ignazio Messina". Prosecutors commented that excessive speed, an estimated 3,5 knots, was too fast for manoeuvring in the turning basin where the "Jolly Nero" struck the control tower and the ship itself was also limited in its ability to make the turn.

The prosecutor also claims that some members of the crew were negligent in failing to alert those in the tower of the impending danger. For those convicted, certificates to perform seagoing duties were withdrawn. The pilot on duty, Mr. Antonio Anfossi, was convicted to four years and two months in prison **without** any further sanctions. The third officer was acquitted as well as the fleet manager.

From the beginning of proceedings, it became apparent that the court only holds the ship's personnel fully responsible for the accident, totally exonerating the owner of the company after a considerable sum had been paid. There is a resemblance here with the handling of the "Costa Concordia" case.

Concerning the first judgement by the court, those convicted have filed an appeal to the Supreme Court. In the meantime the grounds for the judgement have been published. In this report, all violations by the Master, Chief Engineer and the Pilot have been mentioned. Also why the owner's representative has been exonerated.



The Control Tower after the accident

In June this year, the court has questioned the builders of the control tower which collapsed and the actions of its safety control staff. The questions asked were whether the control tower was built too close to the quay side, without any protection. Also if the regular visitors to the tower were well informed on the safety procedures in case of an emergency situation. This information will be the subject of hearings which will be held at the beginning of next year 2018.

To be continued.

Based on information by Capt. G. Lettich and press clippings.



NORTHERLY PASSAGES

On 12th October this year, the Netherlands' Shipmasters Association NVKK organized a symposium in Amsterdam. The subject were the experiences of Captain Frank Versteegh and Project Manager Mr. Marcel Pera of Dutch owned Big Lift Shipping Company on the passages through the Northerly Shipping Route (NSR) and further through the North West Passage (NWP).



Captain Frank Versteegh

Captain Versteegh was Master on the "Happy Rover", a heavy lift/project carrier of Big Lift in Amsterdam. Mr. Marcel Pera is project manager with BigLift/Splithoff group in Amsterdam. He covers the daily contacts in the office between ship, customers, ports etc.

The voyage started with a call at Zeebrugge (Belgium), where the "Happy Rover" loaded project material for the Yamal project in Sabetta (Russia) in July/August 2016. The voyage went via the regular route via the North Sea, North Cape Passage, south of Nova Zembla to Sabetta. After discharging her cargo, the ship was bound for a port in Korea. Because the Northerly Shipping Route appeared to be suitable for navigation, it was decided to follow that route. It was passed without any problems because the sea is free of ice during this period. Some light ice can be encountered but because

the "Happy Rover" has Ice Class, it can easily be broken. It is however advisable to sign a

contract with Atomflot in Russia, which runs a fleet of atom driven icebreakers, for eventual assistance in case ice becomes problematic. The voyage to Korea via the NSR was completed without any problems. In Korea a cargo was loaded for Burns Harbor (Great Lakes-USA).

There were three options to perform the voyage to Burns Harbor:

- 1) Rumb Line to Panama Canal, then after passage, a northerly route and via St. Lawrence and the Great lakes to Burns Harbor.
- 2) Great Circle to Panama Canal south of the Aleuten Islands and then after passage via a similar route to Burns Harbor.
- 3) Because the voyage took place in the month of September when the North Westerly Passage is a possibility on condition that the voyage is well prepared and the ship is suitable, the NWP is an option. The voyage continues north of Canada in between various islands to the Hudson Strait and then via a southerly route to the entrance of the St. Lawrence, the Great Lakes to Burns Harbor.



mv "Happy Rover"

further on. On board, the master received every few hours images on which the movements of the ice fields were clearly visible.

At the initiative of Big Lift, a Canadian ice pilot had joined the vessel. In the meantime it had become begin October but because of the favorable ice conditions, it was decided to continue the planned voyage. The route north of Canada is far more difficult because several sea straits have to be passed where the ice conditions change continuously while drifting ice is a possibility. Moreover some of the narrow sea passages have been insufficiently surveyed while considerable current rates can be met because of tidal movements. Also multi year ice can be met which remains stuck in the sea straits. As a consequence, the information via the office has to be screened very carefully in order to deviate from the original voyage plan if necessary. Points of navigation are scarce, so careful navigation is crucial also in the buoyed channels with limited water depth. In case of emergency Canadian icebreakers are available for assistance, free of charge. After the completed passage the "Happy Rover" arrived safely in Burns Harbor via the Hudson Strait.

By choosing this route, 14 days sailing could be saved. Moreover cost for passing the Suez canal could be avoided. Big Lift and Spliethoff Shipping Company use the NSR passage on a regular basis during the 4 or 5 months yearly that ice conditions permit a safe voyage. It concerns voyages for the Yamal project, carrying project material from China to Sabetta in Russia.



Navigating through the passage

The seminar also highlighted the judicial aspects of the northwest passage by legal expert Mr. Dr. Peter van der Kruit, board member of NVKK, and the environmental consequences by Mr. Eelco Leemans, independent advisor, engaged with various environmental projects concerning the permanent use of the seas around us.

**Capt. Leo Geenevasen
CESMA Council Member for NVKK
Edited and translated by FVW**



MAN OVERBOARD INCIDENTS

KEEP ALARMING THE CRUISE INDUSTRY

Man overboard events (MOB) can occur at any time during the day regardless of weather and sea conditions and from any part of the ship. Man overboard events continue to be a problem for the cruise industry.

A fall from the ship, can cause serious injury to the victims, or worse. However, although this is a known fact for the cruise industry, only a few cruise ships have a detection system for MOB incidents, Most ships have cameras to monitor the activity on these systems, however are used for surveillance and evidential activities and do not have the ability to timely warn the crew about a MOB incident.

The crew usually knows when an accident has happened, in case they witness it or someone else close to the person who fell, notifies them. This is time consuming, as it must be first verified by the ship's staff. This is alarming, especially, given the fact that the majority of people falling overboard a ship do not survive or are never found. 268 Man Overboard Events have already been reported. An average 22 people fall off a cruise ship every year. 86% of those victims do not survive or are never found. An object falling from the top level of a large cruise ship can reach speeds of 70 mph.

A MOB system must be able to detect objects moving at these speeds, while mounted on the ship itself, which is in a constant state of pitch, roll and yaw. Therefore, a white paper has been compiled to address the man overboard issue and how to use video detection as means to increase safety and reduce time to come to rescue persons falling overboard. **Source: safety4sea**



CLEANSEANET 10 YEARS

CleanSeaNet is the Near Real Time European satellite based oil spill monitoring and vessel detection service, set up and operated by the EMSA since April 2007. The service provides aggregated products on possible oil spill's, pollution alerts and related information to the operational maritime administrations within 30 min. after satellite acquisition to allow an effective use of the data for follow up activities. The information is visualized by a specific web application supplemented by a day-to-day operational support by the Agency. With vessel traffic information being available in CleanSeaNet, the service is able to detect and identify vessels that are discharging.

CleanSeaNet service is based on radar satellite images, covering all European sea areas, which are analyzed in order to detect possible oil spills on the sea surface. When a possible oil spill is detected in national waters, an alert message is delivered to the relevant country. Analyzed images are available to national contact points within 30 minutes of the satellite passing overhead. Approximately 2.000 images are ordered and analyzed per year.

The service, which is integrated into national and regional pollution response chains, aims to strengthen operational responses to accidental and deliberate discharges from ships, and assist participating States to locate and identify polluters in areas under their jurisdiction. Vessel detection is also available through the CleanSeaNet service. When a vessel is detected on in a satellite image, the identity of the vessel can often be determined through correlating the satellite data with vessel traffic reports (SafeSeaNet). This increases the likelihood that a State will be able to determine which vessel is polluting and take action (e.g. verifying the spill, inspecting the vessel on entry into port).

Each coastal State has access to the CleanSeaNet service through a dedicated user interface, which enables them to view ordered images. Users can also access a wide range of supplementary formation through the interface, such as oil drift modeling (forecasting and backtracking), optical images, and oceanographic and meteorological information.

During a visit to EMSA by a CESMA delegation, the station where the screens receiving all images by satellite, was demonstrated. This station is constantly manned.

Over the past decade, almost 25.000 images have been delivered by the CleanSeaNet service, providing coverage of 4.300 million km² of sea surface. The number of possible spills, detected in European waters, has dropped by half

during this period, from an average of 11 possible spills per km², monitored in 2007 to five possible spills per km² monitored in 2017. In this period, CleanSeaNet also supported European coastal States in responding to 31 large accidental spills and oil related emergencies. Technical developments over the last ten years and the phasing in of a wide range of satellite missions have contributed to the accuracy of the service, improving value adding services.

Since the very beginning, the CleanSeaNet service has also had the explicit purpose of providing support during accidental large-scale pollution events. EMSA was founded following the "Erika" spill in 1999, and the Agency's pollution prevention and response tasks were extended further following the accident of the "Prestige" and resulting pollution in 2002. Fortunately there have not been any pollution incidents in Europe of such a large scale since, but the CleanSeaNet service has been activated regularly (31 times) to monitor the occurrence and evolution of unexpected incidents, and is always ready to respond when needed.



CESMA meets Mr. Mylly in Lisbon

Significant progress has been made by coastal States in addressing illegal discharges of oil (and other substances) in the marine environment over the past decade.

The enforcement process involves a number of stages - from monitoring the marine environment, to vessel inspections, and administrative and judicial enforcement procedures - and CleanSeaNet is one valuable element of the overall chain in place to detect and combat marine pollution. CleanSeaNet has so far proven to be an important resource for monitoring maritime areas, providing detections that allow for prompt follow-up actions. Likewise, national authorities have been working hard to put in place effective pollution response plans. CleanSeaNet is their main resource for obtaining satellite images. EMSA is pleased to have been a part of the significant developments which have occurred over the past decade, and is willing to contribute to further improvements in the years to come, improving the marine environment for all. **(Markku Mylly, Executive Director)**



UN WARNS AGAINST RESURGENCE OF PIRACY

The United Nations made available the Report of the Secretary-General on the situation with respect to piracy and armed robbery at sea off the coast of Somalia. It notes that pirate attacks increased after NATO terminated its counter-piracy operations.

The recent attacks demonstrate that the underlying conditions fuelling piracy have not changed, and that piracy networks are still active. Pirate groups remain opportunistic, given the relative ease with which operatives may source weapons and skiffs, making it an option with a low threshold for entry. Several factors add to the risk of a resurgence in piracy activities, including: coastal communities' perceptions of weak coastal and marine resources protection by federal, international and local authorities, especially with regard to illegal fishing by foreign vessels; the ease of recruitment of potential pirates and the financing of attacks as a result of strong criminal networks operating onshore and internationally; the weakness of the institutional capacities and legal frameworks that identify, capture, prosecute and convict suspected pirates and their accomplices; and the lack of alternative income-generation opportunities for affected coastal communities. The perception of a more peaceful environment off the coast of Somalia, the recent favourable weather conditions in the pre-monsoon period and the ongoing humanitarian crisis within Somalia may also have prompted the recent attacks.

In addition, a number of external factors contribute to the persistent risk. Commercial ships are not adhering to the Best Management Practices, and are deviating from the Internationally Recommended Transit Corridor, taking increased risks and reducing their usage of private security personnel. In addition, there is weak information-sharing on the part of the international community, regional instability, and the fact that pirates are possibly viewing the current environment as permissive owing to the recent reduction in the international naval presence. As long as those external and internal conditions remain, so will the risk of further attacks off the coast of Somalia and in the Gulf of Aden.



CROSSING TSS AREAS

CESMA attended a lecture on the crossing of TSS areas in North Sea and Baltic, organised by the Dutch Yachting Association. The reason was the results of exams which experienced yachtsmen have to pass before they can obtain official certification from the Association. This certification is accepted by the Dutch administration and is compulsory for those who sail on the bigger yachts which are trading worldwide. During these exams a question on crossing of TSS areas gave lead to many discussions among candidates and instructors.



TSS in the North Sea area

Another reason for attention are recent cases before the Netherlands Disciplinary Court and other disciplinary authorities in European waters in which sanctions were given for ships which cross TSS areas without taking the proper regulations into account. These include fishing vessels which prefer certain areas where most fish can be caught, sometimes in the midst of TSS areas. Sanctions rise to amounts of 2.000 euro and more. AIS enables authorities to catch the perpetrators. To escape

from prosecution, a switching off of AIS is becoming a usual method.

Reason for the regulation is simple. By passing the lanes under 90 degrees the crossing vessel is the shortest possible period a vessel can hamper vessels which are on the prescribed courses in the TSS area, therewith preventing dangerous situations as especially bigger vessels in areas with sometimes dense traffic have difficulty to change course or speed. However it has been shown that the criteria for the angle in which TSS areas must be crossed are widened as a result of publications by UNCLOS, the United Committee of Laws of the Sea, which allow crossing corners of 70 to 80 degrees, as a practical alternative.

The normal procedures as per regulations to prevent collisions at sea (COLREGS), which are still very much valid, shall have to be slightly amended due to recent new developments such as the creation of vast windmill parks in European waters which leave confined spaces for ships to manoeuvre, especially in the North Sea areas where many more fields of windmills are to be built in the foreseeable future, hampering shipping movements as spaces left are minimal. It will however take a long time before the existing regulations will be amended accordingly. There are initiatives in the IMO to equip vessels which are crossing traffic lanes with special navigation lights making them more visible for the regular shipping traffic in the lanes. Under all circumstances listening to the VHF on the proper channels is crucial. **(FVW)**



COURT AWARDS SPAIN \$1.9B FOR "PRESTIGE" SPILL

On 17th November, a court in the city of A Coruña (or La Coruña) awarded the Spanish government a total of \$1.9 billion in damages for the 2002 oil spill from the tanker Prestige, which broke up and sank after she was refused entry to a harbor of refuge.



mt "Prestige" breaking and sinking

It was the largest environmental disaster in Spain's history, with a total impact estimated at approximately \$6 billion.

The court left the door open to additional damage awards for individual localities along the coastline. Last year, Spain's Supreme Court convicted the Prestige's master, 81-year-old Capt. Apostolos Mangouras, of gross negligence during the vessel's final voyage. He was sentenced to two years in prison, sparking outrage in the maritime community – especially as Mangouras had requested permission to enter a harbor of refuge and had been turned away. "This sets a deplorable precedent," said Intertanko's Managing Director Katharina Stanzel, reacting to Mangouras' conviction. **"Are ships' masters who exercise best professional judgement in impossible circumstances to be shamefully treated as criminals?"**



Captain Mangouras

The International Chamber of Shipping also criticized Mangouras' conviction, noting that Spain's Supreme Court held a one-day trial without Mangouras present. ICS also highlighted the differing standards of conduct that the court seemed to apply to Mangouras and to Spanish officials who were involved in the response. "The decision also seems entirely unbalanced, applying different standards when assessing the blameworthiness of the Master to those applied to government officials on shore, whose decisions were exonerated," ICS wrote. **(Source Marex)**



MR. MARTIN DORSMAN APPOINTED SECRETARY GENERAL OF ECSA

ECSA, the European Community Ship owners' Associations has appointed Mr. Martin Dorsman (56) as its new Secretary General in Brussels. Mr. Dorsman has started in his new position on November 1st 2017.



Mr. Martin Dorsman

Mr. Dorsman has transferred to ECSA from the Royal Association of Netherlands Ship owners (KVNR) where he has held the position of Managing Director since 2011. Before taking that position he worked for five years as the association's Deputy Managing Director. He has a Doctorate Degree in Macro Economic Policy and over 30 years of experience of different leadership roles and a sound knowledge of shipping. Prior to his time at the Association of Netherlands Ship owners he worked as a civil servant for the Dutch Government, incl. 6 years at the shipping policy department.

Mr. Dorsman has also contributed to the work of organizations such as the International Chamber of Shipping, the European Sustainable Shipping Forum and has chaired ECSA's Shipping Policy Committee and Taxation Working Group.

"The Board recognizes his strong expertise and experience in the global shipping policy matters and appreciates the knowledge of the ECSA organization he will bring with him. We would like to warmly welcome Mr. Dorsman onboard and look forward to the future cooperation with him", commented ECSA President Niels Smedegaard.

"I look forward to joining the ECSA team and working with them and ECSA's international partners to promote the interests of European shipping and international trade. ECSA will continue to play a pro-active role in important topics such as the reduction of CO2-emissions of shipping while at the same time safeguarding and strengthening the business climate in Europe for shipping", said Mr. Dorsman.

For more information, please contact:



CORK COMMAND SEMINAR LOOKS TO FUTURE OF THE SHIPPING INDUSTRY

The latest in The Nautical Institute's 2017 series of Command Seminars, in Cork, Ireland on 16th October, continues to focus on Navigation Accidents and their Causes, but also looks beyond that to wider issues affecting the future development of the shipping industry. "Human factors are the real cause of many accidents. We can't get rid of human error so it is important to put up defenses against those mistakes by establishing good practice," said past president Captain Robert McCabe FNI in his opening address.

While human error has been a major focus for The Nautical Institute for many years, there is increasing concern about the possibility for accidents caused by interaction between seafarers and the autonomous vessels with which it is likely they will soon be sharing sea lanes. "There is pressure from autonomous ship development to remove ambiguity in the Colregs. But this is not likely to happen," said Hill Dickinson's Donald Keaney, AFNI.



Capt. John McCabe Past President NI

This view was backed by Professor Andy Norris, FNI, speaking on the do's and don'ts of electronics at sea: "There should be very little change in the Colregs to take into account autonomous vessel operation. They will have to learn to operate within the existing Colregs otherwise every mariner will have to be retrained," he warned.

The seminar also looked at some of the many issues seafarers continue to face worldwide, calling in particular for a worldwide regulatory regime for an industry which is a worldwide service to the human race. Other issues addressed by the conference include cyber security, the need to reduce paperwork onboard and ensure accurate recordkeeping, particularly with regard to hours of work and rest and the use of leadership and competency to prevent incidents.

This was one of a series of five Command Seminars held over the course of 2017. All the Command Seminars offer excellent opportunities for debate, discussion and networking with maritime professionals. Captain Bill Kavanagh, council member for the IIMM, represented CESMA at the seminar.

The final Command Seminar takes place in Limassol, Cyprus, on 3rd November. For more information please contact Bridget Hogan, Director of Publishing and Marketing, The Nautical Institute + 44 (0)20 7928 1351, bh@nautinst.org

Editor's notes: The Nautical Institute is an international representative body for maritime professionals involved in the control of seagoing ships. It provides a wide range of services to enhance the professional standing and knowledge of members, who are drawn from all sectors of the maritime world. Founded in 1972, it has over 50 branches worldwide and some 7,000 members in more than 120 countries. (IIMM)



MARINE PILOT, CAPTAIN, HANDED SUSPENDED SENTENCES OVER "CITY OF ROTTERDAM" COLLISION ON RIVER HUMBER

A former ship captain and a marine pilot have each been handed four-month suspended sentences in connection with the collision between the vehicle carrier "City of Rotterdam" and a DFDS roll-on/roll-off passenger ferry on the River Humber in December 2015.



Damage " City of Rotterdam "

The marine pilot who is now retired, and the former captain of the "City of Rotterdam", were sentenced at Hull Crown Court last week after pleading guilty to charges of causing a collision, the UK MCA reported. The Captain was charged with misconduct, endangering ships, structures or individuals, in violation of section 58(2) and (5) of the Merchant Shipping Act 1995. The marine pilot was charged with misconduct by endangering the ship, contrary to section 21 of the Pilotage Act 1987.

Both men pleaded guilty to the offences and were sentenced to four months, suspended for 18 months. The marine pilot was also ordered to pay £45,000 in fines while the captain was ordered to pay £750. The incident occurred at 7 p.m. local time on December 3, 2015, after the pilot, who was then working as a marine pilot for Associated British Ports, boarded the car carrier "City of Rotterdam" at Immingham Dock. He was due to navigate the Panama-registered car carrier along the River Humber to the mouth of the river, where full control was then to be handed over to the captain, who would take the vessel to sea.

The Humber Vessel Tracking Service (VTS) monitored the "City of Rotterdam" track which showed that she was straying into the north side of the shipping channel and into the Hawke Anchorage. Her passage also brought her into the track of vessels traveling west along the River Humber, including the DFDS car and passenger "Primula Seaways" which was traveling inbound along the channel. Despite alerts from VTS and the captain of the "Primula Seaways", the "City of Rotterdam" continued its passage along the wrong side of the shipping lane, eventually colliding head-on with the ferry. No injuries were reported, but both vessels sustained major damage.

"In passing sentence, Judge HHJ Richardson said this represented the destruction of their professional reputation as professional mariners which had been eradicated by this criminal act,"

A surveyor in charge for the Maritime & Coastguard's Hull office commented, "This shows that the rules are there for a reason. It was a serious collision which could have resulted in serious injury. Both of these men ignored several alerts warning them they were on the wrong track and put not only themselves but others using the channel correctly, at risk." During its investigation of the incident, the Marine Accident Investigation Branch determined that pilot error resulting from "relative motion illusion" was the likely cause of the collision. (Source: gCaptain)

The "City of Rotterdam" collision - Yet more seafarers branded as criminals. If you have watched pilots operate over any extended period of time, it is difficult not to be impressed by the way they can make a speedy mental adjustment to fit the size and special characteristics of all the ships they may meet in a large port. They will tell you it is experience, or spatial awareness, or practice making perfect, but it is extraordinary how they will go from a huge cape size, with the bridge right aft, to a car carrier, where the controls are a few meters from the bow, or an outward trip on a coaster, to an inward passage on a laden Suez max, with almost no room under the keel. They move smoothly from ships with simple and basic controls to others with navigation bridges like the "Starship Enterprise", from ships with a single master on the bridge to one with a full "team". They move from deep laden ships to those with the windage of a ping-pong ball. They handle them in confined spaces, with unpredictable gusts of wind and tides that may decide to help or hinder.

They are also human beings and despite the best will in the world, they very occasionally make mistakes. When this happens, because ships, despite what many people might think, do not handle like small cars, a lot of heavy metal can be squashed. The December 2015 collision in the River Humber between the car carrier "CITY OF ROTTERDAM" and the ro-ro ferry "PRIMULA SEAWAYS" ended up in such a fashion, with a lot of structural damage to the two ships. But nearly two years after the event the pilot and master of the car carrier appeared at Hull Crown Court and were sentenced to four months imprisonment, suspended for eighteen months, following their admission of guilt in the matter of inadequate navigation.



Damage "Primula Seaways"

There has been some professional surprise at this case, bearing in mind, that earlier this year, the UK Marine Accident Investigation Branch reported with its typically thorough investigation into the incident. It wouldn't be the first collision between two ships in a busy river, but what made this report of some interest was the belief that the design of the car carrier contributed to the unfortunate event. Conditions were far from ideal, with strong and gusting cross-winds making it difficult to keep the car carrier, with its substantial windage, on her desired course over the ground. But the MAIB also pointed to the strange hemispherical profile of the car carrier's wheelhouse, designed to smooth the airflow and save fuel on passage. This unusual feature, along with the amount of leeway the ship was making on account of the wind, led to the pilot apparently becoming disoriented, believing that he was looking ahead, when it transpired he was looking through a wheelhouse window at an angle on the bow. It is notable, with many ships which have their controls right forward, like traditional Great Lakes vessels, they will have a staff right forward on the centre line, which helps to visually indicate the heading, which, of course, is perfectly obvious on a ship with the bridge positioned more conventionally.

So it might be suggested, not for the first time, that the unintended consequences of clever naval architecture, designed to answer the demand for lower wind resistance, introduced an unforeseen hazard, which has now criminalized both the ship's master and a pilot.

A further question which needs to be asked is whether criminal proceedings and a custodial sentence were appropriate punishments for two people who, at worst, made a mistake in a dynamic situation involving the meeting of two ships? Here again we need to ask whether such a policy makes it more or less likely that mistakes will be made in future. Is there now an agenda that everyone concerned with the handling of ships ought to know about? And in that the handling of ships in close proximity invariably involves a certain amount of risk, should not a more precautionary principle be applied by those whose reputation, or even liberty, may be on the line, if their calculations of risk turn out to be wrong. **Source: Seatrade Maritime News MARITIME**



SHIP GROUNDED DUE TO UNCORRECT USE OF ECDIS

“CMA CGM Vasco de Gama” was the largest UK-flagged ship when it grounded near Southampton UK) in August 2016. Inefficient use of ECDIS and a pilot portable unit (PPU) were factors in the grounding. A report into the accident, that occurred on 22 August 2016, listed issues linked to the ineffective use of e-navigation equipment. The UK Government’s Marine Accident Investigation Branch (MAIB) said that the bridge team on the “CMA CGM Vasco de Gama” did not use the ship’s ECDIS nor the pilot’s portable equipment to their full potential, which contributed to the maritime accident.



mv “CMA CGM VASCO DE GAMA”

"CMA CGM Vasco de Gama", a 399 m ultra-large container ship, grounded on the western side of the Thorn Channel while approaching the Port of Southampton. This was despite the presence of two of the port's specialist container ship pilots on board. CMA CGM's ship was refloated soon after grounding through a combination of tugs and using the vessel's engines.

Through the investigation, the MAIB discovered that "the standards of navigation, communication and effective use of the electronic charting aids on board did not meet the expectations of the port or the shipping company". This was despite the vessel's bridge team and the port's pilots having the experience, knowledge and resources available to plan and execute the passage effectively.

Other issues highlighted in the report included the fact that a detailed ship manoeuvre plan had not been produced, the bridge team's roles and responsibilities were unclear and that the lead pilot had not briefed the team about his plan for the turn round Bramble Bank. "There was an absence of a shared understanding of the pilot's intentions for passing other vessels, or for making the critical turns during the passage," the MAIB said in the report. "Neither the ship's ECDIS nor the PPU functionality were fully utilized and resulted in each system not providing adequate cross checks or alarms."

In the report, the MAIB also highlighted how margins of operational safety were decreasing because of the increasing size of vessels being manoeuvred within restricted waterways. **"Therefore the importance of proper planning and monitoring of the passage cannot be over-emphasized."** MAIB recommended that CMA CGM review the implementation of its procedures for passage planning and the use of ECDIS to include pilotage and bridge team-pilot integration in its internal audit process. ABP Southampton was advised to improve bridge resource management for its pilots and to consider the creation of provisional pilotage plans to vessels prior to pilot embarkation. The MAIB highlighted issues with the use of ECDIS on another ship that grounded in the UK. It issued an accident report on 20 August 2017 into the grounding of bulk carrier "Muros" off the Norfolk coast in the UK, which occurred on 3 December 2016.

(MAIB)



The Board of CESMA wishes all members, supporters and their families a Merry Christmas and a happy, prosperous and healthy 2018 and for all colleagues on board: Fair Winds!



CESMA LOGBOOK

(2017 – 4)

We were represented at the following occasions:

12 Oct Amsterdam	NVKK Seminar “Northerly Passages”
07 Nov Rotterdam	Europort maritime exhibition)
15 Nov Utrecht	Workshop TSS crossing
05 Dec Brussels	SAGMAS
11 Dec Barcelona	Seminar on STM Validation



**On the front page: Eurobuilding in Brussels
Newly appointed Secretary General ECSA Mr.
Martin Dorsman
Ice navigation**

FROM THE EDITOR

- During the London International Shipping Week 2017, the UK Government has launched the "Cyber Security Code of Practice for Ships" (the "2017 Code"). The Code presents a framework and a series of steps in which it recommends those operating in the maritime industry to make the industry more resistant to cyber attacks, a danger which, up to now, is not very much applicable to shipboard operations.
- The international Maritime Prize for 2016 has been presented to Mr. Koji Sekimizu, former Secretary General of the IMO for his contribution to the work of the organization over many years. Present IMO Secretary General Mr. Kitack Lim recently presented the prize at the IMO Awards ceremony.
- Our colleagues of the ACCMM in Barcelona have organized a symposium on Sea Traffic Management (STM) on 11th December under the title "The importance of maritime transport and its impact on the international maritime industry". The event is organized in cooperation with a.o. the Nautical Faculty Barcelona, the Barcelona Port Authorities of Barcelona and Valencia. ACCMM pretends to draw the attention to the initiative of the European Union to promote navigational safety.
- The Annual General Assembly of IFSMA will take place in Buenos Aires, Argentina, on 4 and 5 April. Because of extensive travelling, CESMA will not be represented.
- Denmark has been re-elected to the IMO Council. The IMO sets the global standards for maritime safety and marine environmental protection. Consequently, the Danish shipping industry (read Maersk) benefits greatly from a strong Danish presence at the IMO. Therefore it is paramount for Denmark to be elected for the Council which functions as IMO's governing board and decides on the IMO strategy.
- Asian piracy continues to decline in November this year. A total of nine incidents of piracy and armed robbery against ships were reported in November 2017. The situation in Asia continues to improve, as the total number of incidents during the January-November 2017 period is the lowest among the ten years of reporting.
- CESMA attends regularly meetings in Brussels of the SAGMAS group of the European Commission which deals with maritime security issues. The next meeting will be organised at the premises of the European Maritime Safety Agency (EMSA) in Lisbon on 29th February 2018.
- The next stage in Sea Traffic Management has been approved by the EU. Efficient flow of shipping traffic received additional funding from the Interreg Central Baltic Programme. It will contribute to a more efficient traffic flow into the ports of Gavle and Rauma in the ScanMed corridor between Stockholm and Turku in Finland by STM integration into the full logistic chain.
- On 6th February 2018 a conference will take place on the importance of European Dynamic Positioning which is very important for precise position fixing used by many in the European maritime industry, such as offshore and pilotage. The conference, held in London, will bring together speakers from leading organisations to share insights on the latest developments including training, safety and regulations on the subject.
- From 1 January 2018 CESMA will be on Facebook under CESMA EU shipmasters. We intend to include the latest news and developments in the organization and ask members to join in



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
- TO PROMOTE THE SEAFARING PROFESSION IN EU MEMBER STATES

ANNUAL SUBSCRIPTION: **EURO 16,- (EXCL EURO 5,- ENTR. FEE) PER SEAGOING MASTER (WITH A MINIMUM OF 25) EURO 8,- PER SEAGOING MASTER FOR ASSOCIATED MEMBER ASSOC. ("" "")**

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