年6回 1, 3, 5, 7, 9, 11月の1日発行 定価1部100円(税込)(組合員の購読料は組合費に含む)

I N S I D E roinbow

Voices from seafarers

Page 3

JSU head cites professionalism of Filipino seafarers worldwide

ll Japan Seamen's Union (JSU) President Yasumi Morita lauded Filipino seafarers for their "professionalism" they demonstrate worldwide, around 35,000 of them are currently deployed aboard Japanese-owned merchant vessels.

Speaking before maritime industry stakeholders during a dinner-reception tendered in his honor by the Associated Marine Officers' and Seamen's Union of the Philippines (AMOSUP) at Le Salon of New World Manila Bay Hotel in Ermita, Manila, on January 30, 2015, Mr. Morita thanked AMOSUP, the government, the country's maritime schools and training centers for shaping up their students to become maritime professionals.



JSU President Yasumi Morita

The Japanese maritime union leader happily announced that the number of Filipino marine officers and seafarers (ratings) working on Japanese-flagged

ships continue to grow in number. Of various nationalities, he said 75 percent of them are Filipinos. He thanked AMOSUP

President Dr.
Conrado F. Oca
and executive
vice president
Vice Admiral
Eduardo Ma. R.

Santos AFP (ret.) for strengthening their teams to work effectively to reach collective bargaining agreement (CBA) to the benefit of AMOSUP members deployed aboard ocean-going vessels.

Morita vowed to continuously protect and strengthen the relations of JSU, AMOSUP and their respective governments concerned. For one, he cited the graduates produced by AMOSUP who now are world-class

marine deck and engine officers.

Filipino seafarers are the most preferred by Japanese shipowners. Last October, before officials

Filipino seafarers are the most preferred by Japanese shipowners

of Philippine Embassy in Tokyo, Japanese shipping moguls expressed satisfaction on the Filipino seafarers' competence, skills, culture-adjustment, and respect for fellow men. Masami Sasaki, chairman of International Mariners' Management Association of Japan (IMMAJ) lauded the Filipinos' dedication to their maritime profession.

Other good news is that there are now 4,477 Filipino seafarers who are holders of Japanese li-

censes or certificates.

IMMAJ has 96 members, composed of shipowners and managers, crewing firms, with

2,389 vessels and 48,703 seafarers from Japan, the Philippines and other countries

Aside from Dr.

Oca and Admiral Santos, also gracing the event were DOLE Under-Secretary Reydeluz Conferido, Magsaysay Maritime Corp. Pres. Marlon Roño, NYK brass Josie Francisco; Doña Mercedes Fernandez, with Marissa Oca, Migz Oca, and other AMOSUP officers Johnny Oca, lawyers Jojo Sale, Noli Partido, Raul Lamug, Anna Ibarra; maritime leaders Eduardo Manese, Ericson Marquez, Teddy Quijano, and several others. (Source: Manila Bulletin)

Intertanko welcomes EMSA guidance on sulfur inspection

Intertanko says it welcomes a guidance on sulfur inspection from the European Maritime Safety Agency (EMSA) to support implementation of European Council Directive 1999/32/EC (The EU Sulfur Directive).

Intertanko says the EMSA guidance aims to support a harmonized approach for the inspection of ships in regard to the sulfur content of marine fuels, ascertaining their compliance, identifying non-compliances and applying control procedures for

the enforcement of the directive.

"The guidelines are a result of extensive work under the European Sustainability Shipping Forum (ESSF) aimed to ensure enforcement of the EU Sulfur Directive," notes Intertanko Managing Director Katharina Stanzel. "We welcome these guidelines and commend the efforts to harmonize EU Member States' approaches to ships."

The guidelines suggest that proof of compliance of sulfur content in fuels should be taken

both at delivery to the ship and also onboard ships, taking samples of fuels used by the ships.

Intertanko particularly supports the method of sampling at delivery as it relates to the enforcement of the part of the EU directive that states: "Member States shall ensure that gas oils are not placed on the market in their territory if the sulfur content of these marine gas oils exceeds 0.10 percent, by

On fuel sampling in ships' engine rooms, Intertanko welcomes

standardization of such practices and the request for quality evidence from laboratories running tests on fuel samples.

"Intertanko, which participates in the ESSF activities, is pleased to see harmonized enforcement, and advocates a balanced approach, not only implementing control measures on ships, but also ensuring fuels delivered to ships are ECA compliant," says Ian Harrison, Senior Technical Manager of Intertanko. (Source: MarineLog)

Shipping futures market bright

This year will be strong for the futures market after a buoyant 2014, brokers SSY has forecasted.

Mark Richardson head of SSY Futures Ltd. said that the industry had experienced an "extended growth in Iron Ore derivatives".

He also saw strong interest in CME Coking Coal futures, which achieved an annual volume of more than 3.5m metric tons and open interest at above a million metric tons throughout the fourth quarter.

According to the brokers, 2013 saw the dry cargo FFA market return to growth with the highest volume since 2009 as 1.13m lots were traded.

This growth continued in 2014 with a year-on-year gain of about 6%.

The volume was led by the Capesize market, which accounted for 53% of the volume, with Panamax at about 36% and Supramax and Handysizes at a combined 11%.

This represents the highest annual turnover of FFAs since 2008.

The iron ore markets have also continued their growth. SGX Asiaclear saw total volume for iron ore derivatives jump from 269 million metric tonnes at the end of 2013 to more than 582 million by the end of 2014. (Source: Sea-web)

Anti-piracy group calls for more naval patrols to fight threat

Anti-piracy Regional Cooperation Agreement on Combating Piracy and Armed Robbery against Ships in Asia (ReCAAP) has proposed for an extension of naval and coast guard patrols in response to the sharp rise of piracy and sea robbery incidents.

Singapore-headquartered Re-CAAP was referring to the patrol routes from the Malacca Strait into the South China Sea.

In 2014, a total of 183 incidents were reported, a 22 percent increase from the 150 incidents reported in 2013. Out of these incidents, 168 cases were classified

as actual incidents, while 15 were attempted incidents.

Lee reiterated the needs for sustained coordinated efforts by the littoral states in South China Sea, Strait of Malacca and Singapore to commit naval assets for patrols to deter piracy and sea robbery incidents.

Despite the high incidents figures, Lee Yin Hui, assistant director of ReCAAP said that more than half of the 168 actual incidents belonged to less-severe cases of petty thefts or Category 3 (CAT 3) incidents.

"There is a difference in the in-

cidents reported here [in Asia] as compared to Somalia. Incidents reported in Asia comprise more cases of 'opportunistic' sea robberies." Lee said.

According to ReCAAP, 67% of the 168 incidents belonged to CAT 3, 41 incidents were classified under moderately significant or Category 2 (CAT 2), while 13 incidents belonged to very-significant incidents or Category 1 (CAT 1).

Lee also raised concerns on the rise of fuel siphoning in the South China Sea, where sea robbers mainly targeted 1,000 to 2,000

gross ton oil/product tankers during the 20:00 to 23:45 hours timeframe.

However, in most of such incidents, the crew was not harmed as the sea robbers were only interested in ship fuel siphoning and had no intention to hijack ship or kidnap the crew.

For the petty theft incidents, Lee observed that sea robbers had shifted their focus from stealing scrap metals for the first half of 2014 to robbing the crew of cash and personal items such as phones and laptops during the second half of 2014. (Source: Sea-web)

Survey: IMO admin 'not burdensome'

he administrative requirement of IMO mandatory instruments on shipping crews is "not perceived as burdensome", an IMO industry survey has found.

The organization's first-ever public survey and consultation on this matter, "Have your say!", attracted 3,229 completed consultation documents evaluating the 563 mandatory IMO instruments such as conventions and codes.

In an analysis of the responses released today, the IMO said, "A major – and perhaps surprising – finding has been that the majority of administrative requirements addressed in the consultation process, 351 out of the total of 563,

or some 66%, were not perceived as being individually burdensome by any of the respondents."

However, even where individual administrative requirements are considered justified, stakeholders said the "combined volume" of administrative tasks – from charterers, ship management companies, P&I clubs, and port agencies – "causes ships' crews to spend considerable time on bureaucratic tasks rather than actually manning and operating the ship, and this in itself may risk compromising safety", the IMO report said.

The organization noted that the technically "savvy" nature of the "new generation" is evident from suggestions to use "intelligent" databases on "websites with secure

access in order to rationalise the fulfilment of administrative requirements".

In the case of the 182 administrative requirements that were perceived as burdensome, many responses identified problems with excessive paperwork associated with regulatory compliance. This is reflected in the 13 recommendations that have come out of the survey and consultation, six of which focus on the need for electronic methods of submitting or reviewing documents, and for reporting. The report states that 24% of IMO administrative requirements viewed as burdensome could be reduced by using electronic means.

Maritime security awareness

was among the recommendations, with stakeholders identifying the International Ship and Port Facility Security Code (ISPS) and SOLAS Chapter XI-2, through which the code is implemented, as "burdensome and disproportionate".

Respondents included ship management (masters, crews, and companies), surveyors, recognised organizations, governments, maritime administrations, and the IMO secretariat. A majority, 60%, of responses were from ship masters, senior officers, and crews.

The recommendations will be used to guide the IMO and its partners to "achieve improved solutions", said the report. (Source: Sea-web)

Cheap bunkers may discourage ship scrapping

The sharp drop in crude oil prices and the subsequent dip in the cost of bunkers have been hailed as good news for shipping.

But oversupply of tonnage could mount as owners are discouraged to demolish old ships despite their high fuel consumption.

"The disadvantage in fuel consumption that older ships incur becomes smaller when bunker prices drop. In that sense it may reduce the incentive to let them go out of the fleet for breaking. As fuel costs remain the biggest single cost item of seaborne transportation, in spite of falling prices, they can prove to extend the commercial life of certain parts of the older fleet," as long as the business is there for them, said Peter Sand, senior shipping analyst at Bimco in Denmark.

The price of oil has been volatile in the recent past. The price of crude hit a high of about US\$147 per barrel in 2008 and then plunged by half, as the financial crisis set in, after which it crept back to more than \$100 before the latest dive that started in mid-2014. Combined with elusive recovery in many sectors of shipping, high bunker costs have encouraged owners to place orders for eco designs, said to be up to 25% more fuel efficient than older vessels.

The VLCC market has seen a recent return to six-digit spot rates and so the temptation may well be for owners to retain their aging vessels to cash in the strong market.

And in other parts of shipping, lower bunker costs are easing the pain in the wait for a cyclical recovery that must come at some point.

In the tanker sector, the picture is a bit more complex. Lars Christensen, executive vice-president of product tankers at D/S Norden in Copenhagen, which operates about 50 product tankers, said the company keeps these ships for only five years before selling them. "The vetting regimes of oil majors mean that it is difficult to fix 10- to 15-year ships with them," he said in a presentation.

Owners of old product tankers tend to look at trades in which the oil majors are not dominant, but even there the scope of employing such tonnage is narrowing. This again brings the economic lifecycle of product tankers into question. "Many owners look at the cash flow, not the balance sheet," Christensen said.

"As we are talking about two quite different ships, when comparing any newly built ships to the same old design, the direct competition is not obvious," Sand said. "At the same price – freight rate – the new ships are preferred, so you always need to consider a discount on the older ships, including considering the larger bunker consumption. (Source: Sea-web)

Auditing system launched to end enclosed space deaths

An auditing management system that will include live input from crew members has been created to address the ongoing problem of enclosed space deaths.

Maritime e-training provider Videotel has teamed up with Mines Rescue Marine, which was originally a mine rescue specialist, to create the Enclosed Space Management System. It was launched last night in London.

Describing the system as an "auditing process that allows safety risks to be identified and solutions put in place", the developers said the programme was a "living system" in which crew members could add "comments, photographs, and experiential data" about a space to create a "space record". This ensured that knowledge was retained about the space.

Karl Lumbers, loss prevention manager at Thomas Miller (UK P&I), praised the crew involvement built into the program, telling IHS Maritime, "This is an approach we ourselves are taking. If you get those at the sharp end involved you have a much better chance of resolving issues. It's the crew who have the experience/expertise, and we need to support

that capacity."

He added, "The industry has been trying to address this issue for many years, and anything which assists in reducing the likelihood of such an incident happening has to be encouraged and supported."

The International Chamber of Shipping (ICS) has recognized the ongoing hazard of enclosed spaces in its fourth edition of the Tanker Safety Guide (Chemicals), which offers best practice advice for tanker operations.

"While earlier editions of the ICS guide provided advice on the precautions to be taken prior to entering enclosed spaces, serious accidents have continued to occur, primarily due to a failure to follow established procedures," ICS director of policy and external relations Simon Bennett told IHS Maritime.

He added, "Enclosed space entry has therefore been given an entire chapter in the new ICS guide, with special emphasis on the risks associated with nitrogen as an inerting medium, and advice on permits to work, testing before entry, and hazards involved in working in cargo tanks."

A key hazard recognised by both

the ICS and the developers of the new auditing system is rescue operations.

"In the event of accidents, speed is often vital in order to save lives, but it cannot be overemphasized that rescues should not be attempted until assistance has arrived and a planned approach made using the necessary equipment," Bennett said.

"Sadly there are just too many examples over the years of lives having been lost through hasty, illprepared rescue attempts."

Lumbers supported Bennett's comments on rescues. "People's natural instinct is to help, sometimes ignoring the risks to themselves, and especially within a close-knit community such as a ship's crew," he said.

The promotional video for the auditing management system points out that ships contain at least 30 enclosed spaces. These have limited openings, have little or no ventilation, and are not continually occupied. They are also spaces that are volatile, changing their condition as circumstances change. They are, the video states, spaces that kill.

Speaking on the video, safety ex-

pert and Salvare Worldwide chairman Capt. Michael Lloyd said that enclosed spaces continued to kill more crew members than many other causes, such as fire or man overboard. He said it was therefore shocking that no dedicated training with rescue equipment for enclosed space rescues was conducted for crews.

He added that a crew member was killed in an enclosed space on the first day he went to sea. "Enclosed spaces are killing people today. How many more are going to die before it stops?"

The developers pointed out that weaknesses in the managing of enclosed spaces currently included: risks not being considered; hazards not being identified; no proper procedures being in place; and a failure to establish safe working methods.

Bennett said that complacency could also play a part. Referring to chemical tankers, he said, "One of the special challenges on chemical tankers is that entry into cargo tanks is a routine practice, which means that complacency with respect to strictly following the correct procedures is always a potential danger that must be avoided." (Source: Sea-web)

'Ghost ships' reveal flaws in PSC, maritime checks

Smuggling of migrants to Europe on two merchant ships over Christmas and the New Year has raised questions over the effectiveness of port state control (PSC) and maritime checks on ship movements.

On January 2, the Italian coastguard took control of Sierre Leone-flagged livestock carrier *Ezadeen*, apparently abandoned by its crew and left to drift towards the Italian coast carrying hundreds of migrants. A female passenger reportedly gave the distress call.

On December 31, Italian rescue services took the Moldavian-registered *Blue Sky M* into port, after people traffickers had apparently applied the same tactic.

IHS traffic movement data shows that *Ezadeen* was anchored in or around Famagusta for most of December. On December 19 it apparently set off towards Turkey, before loitering in an area about 40nm south of Mersin.

But from December 22 until 26

the ship disappeared from tracking. During this period, the ship may have made a movement into Syria, as it reappears at the spot where it vanished, said IHS Principal Maritime Analyst Richard Hurley.

On December 26, the ship started heading off at about 8 knots around Turkey westwards. It moved north of Crete and then, on January 1, it detoured toward the Greek island of Cephalonia, stopping or drifting near Argos-

toli. After this, the ship headed off towards Italy.

"Did the smuggler crew disembark at Cephalonia, then put the ship on autopilot to head towards Italy?" Hurley asked.

The smugglers appeared to be taking advantage of the quiet holiday period and the end of Italy's wide-ranging Mare Nostrum search-and-rescue program, he added.

Continued on Page 4

VOICES from **SEAFARERS**



Capt. Tomy Eric C. Navarette & Crew of MV CORAL GARNET

We perceived that the next IBF salary increase will take effect on January 2015. This is a fresh start in encouraging every member to be employed continuously in the company.



Capt. Ferdinand P. Morre & Crew of MV AZUL CIELO

Access of the free e-mail on board is one of the tools in communicating with our families. The JSU and ITF should exert an extra effort to upgrade this system for the benefit of its members.



Capt. Voltaire J. Lapore & Crew of MV ATLANTIC RAINBOW

The food allowance that we have is not enough. It would be helpful to the members if there is an increase from the present amount.



Capt. Rodolfo K. Hernandez & Crew of MV ARPEGGIO

To be engaged in sport, would contribute to a healthy living. We need a significant support from the JSU to introduce a health care program onboard ship so that our wellbeing may be improved.



Capt. Ramon E. Dela Cruz & Crew of MV SHIN HEIRYU

The entry of the year 2015 is so promising for seafarers engaged in vessels with an IBF agreement. Their expected salary increase is due for implementation as mandated.



Capt. Paul Q. Jaugar & Crew of MV OCEAN JEWEL

In consideration of every seafarer's performance and welfare, membership fee should be waived or be shouldered by the company. This will encourage the seafarers to be loyal to the company. Consequently, it will create an increase of membership to the union.



Capt. Ronaldo L. Jubay & Crew of MV SUNNY ETERNITY

We've been expecting the salary increase for seafarers under the IBF agreements. Now that we reach a positive outcome, our sincere appreciation goes to everybody who spent time for the significant ahievement.



Capt. Eduardo T. Aquino & Crew of MV CELEBES CLOVER

All of the maritime related documentations for Filipino seafarers will soon be handled by MARINA. To lessen the queries and delays, the JSU and AMOSUP should work together to coordinate with the government in adopting a system to make the processing faster in consideration with the members' schedules and contracts.



Capt. Fernando S. Soriano & Crew of MV AYUTTHAYA BRIDGE

We're hoping those vessels under the JSU agreements should liberalize the use of the e-mail and internet on board by introducing broadband connection. Every member would be pleased when there is a ready internet connection to their family even when they are at the open seas.



Capt. Ricardo Salazar Miranda & Crew of MV ASIAN NAGA

The salary increase is a welcome news this year. This will convince the members to stay longer with the company and it could be more if the JSU will consider including the increase of the food allowance.



Capt. Gadwin Fernando Valdez & Crew of MV GRAND PACE

The JSU should recommend a prompt solution concerning its members' sluggish documentations in their country. Proper coordination and communication with the concerned government agency are required to prevent the delays of the members' embarkation.



Capt. Michael R. Estorosas & Crew of MV LOS ANDES BRIDGE

We kindly ask the JSU to deal with our government agencies concerned in the prompt processing of our documents. Thank you in advance and more power.

USCG warns on water mist systems

he Republic of the Marshall Islands issued a Marine Safety Advisory on the increase in the number of vessels detained over inoperative water mist systems.

This increase in detentions underscores the importance of having all water mist systems fully checked and verified in satisfactory working order prior to entering U.S. waters, particularly in the ports of the U.S. Gulf of Mexico and the U.S. Atlantic Coast.

Masters, officers and crew should take note that there have

been over 40 foreign flagged vessels detained due to inoperative water mist systems or found in "manual" mode instead of "automatic" mode.

Masters, chief engineers, DPAs, and ship superintendents are advised to ensure adequate measures

are in place to ensure the water mist system is in the fully operational and in automatic mode (and power supply turned "on"). These measures should be included as part of the vessel's Safety Management System. (Source: RMI Marine Safety Advisory)

Mental health support to piracy survivors offered

It is only after some time following traumatic events that mental health complications may surface. Assessment immediately after such events would most probably show signs of the common and perfectly normal after effects of extraordinary life events.

While research is scant, all indications are that seafarers respond to trauma as we all do. We are usually quite resilient. We recover over time. Only very few of us experience ongoing symptoms and need some form of mental health care. And even then, we are assured by men-

tal health professionals, post trauma stress is treatable.

As persistent symptoms are key, the need for intervention would show itself only after four weeks, at the earliest.

The Maritime Piracy Humanitarian Response Program offers ongoing support to piracy survivors. MPHRP is therefore well placed to identify the risk and the need for mental health interventions.

To alert MPHRP personnel of possible mental health complications after piracy, our consultants attended a Trauma Risk Management course presented by March on stress. The course helps to signpost the possible risk of mental health symptoms that seafarers might experience after piracy, by measuring, over time, the prevalence of those symptoms. Awareness of symptoms that do not abate over 28 days, enables us to refer seafarers to our network of mental health professionals.

The course was aimed at MPHRP personnel and our Welfare Responder network. In attendance were Yasmin and Chester from SeafarerHelp

(ISWAN) who receive calls from seafarers and families who want assistance, Dirk and Martin (Deutsche Seemannsmission) who are part of the global network of port chaplains (ICMA), and Hennie and Alexander from MPHRP, Gavin from March on Stress, and Roy and Chirag, also from MPHRP.

The group were unanimous: the course, they said, was invaluable for referring seafarers to the help they deserve in overcoming the trauma of piracy. (Source and Image Credit: MPHRP)

Australian authorities ban third ship over MLC violation

The Australian Maritime Safety Authority (AMSA) has announced that it had banned a third ship from Australian ports for breaching the Maritime Labor Convention (MLC).

The Indonesian-flagged multipurpose ship *MV Meratus Sangatta* had been refused entry to any port in Australia for three months, after being detained three times since November 2012. AMSA has a "three strikes" policy for repeat offenders. It also has the power to bar ships indefinitely under the new Navigation Act, which came into force in July 2013, AMSA CEO Mick Kinley told IHS Maritime. However, to date the bans have been limited to three months.

MV Meratus Sangatta was detained in Port Alma, Queensland, on January 2 despite AMSA urg-

ing the ship's operator, PT Meratus Line, to improve its performance after the banning of another of its vessels, *Territory Trader*, in Cairns in November last year.

AMSA CEO Mick Kinley said a complaint was received in accordance with the MLC ahead of an inspection of the ship last week.

"The recent detention found numerous failings in compliance with the MLC, which place the welfare

of seafarers at risk," Kinley said in a statement.

"The more serious of these deficiencies included not having enough food and potable water for the next voyage, defective and insufficient refrigerated storage to safely store fresh food, defective laundry, sanitary and cooking facilities, as well as having expired Seafarer Employment Agreements (SEA)." (Source: Sea-web)

PSC called to now respond to trend of buying old ships for smuggling

Continued From Page 2

Blue Sky M, which was escorted to the Italian port of Gallipoli loaded with nearly 1,000 migrants on December 31, had been sold earlier in the month.

Paul Stanciu, the ship's former designated person ashore, told IHS Maritime that he had ended in October his contract with the ship, which he described as unsatisfactory in both its maintenance and crewing.

All certificates have been withdrawn from the ship and both the class society and flag state have been informed, he said. IHS data shows that the ship was declassed from GL in 2009.

Stanciu said he had expected the ship to be sold for scrap for about US\$300,000. But the vessel was eventually sold to a new operator, reportedly a Syrian national, he said. He added that the ship had been bought in Turkey and its last port was likely to have been Istanbul.

It is still unclear how *Blue Sky*

M left port and what certifications it was carrying.

IHS ship-tracking data shows the vessel's final destination, after Diliskilesi in Turkey, as Varna in Bulgaria, with time of arrival set at December 11.

Instead, the ship journeyed down through the Sea of Marmara to southern Turkey and then Syria.

By December 26, the movement data shows the ship's new destination set to Rijeka, Croatia, but the estimated time of arrival (ETA) is still December 11, which suggests a change for the ship in Turkey, Hurley said. The failure to change the ETA could also suggest a new crew less familiar with the ship or working under pressure, he added.

Blue Sky M had a convenient passage plan for smugglers, Hurley said. The ship's movements show that it would call at Syria at least yearly – its last call was in January 2014 – then travel to Europe, so a voyage from Syria to the west would escape suspicion.

With *Blue Sky M*, it is unclear where the traffickers would have disembarked, unless they stayed on the ship.

In the case of *Ezadeen*, some migrants reported that the crew wore masks, so may have mingled with the migrants and disembarked with them at Corigliano Calabro in Italy, where the ship was towed by the Italian coast guard on January 2 at 23:00.

Hurley sees key similarities between the two incidents:

- Both ships were old and were bought for near scrap value;
- Both ships were seen near Syria but disappeared off AIS for long enough to load refugees which is unusual, as vessels legitimately calling into Syria or Turkish ports can normally be tracked;
- Both ships appear to have detoured toward and presumably offloaded their smuggler passage crews near to Greek islands (Corfu for *Blue Sky M* and Cephalonia for *Ezadeen*) before setting the ship on autopilot towards Italy;
 - In both cases the traffickers

chose the New Year period to try to get the vessels past the Italian authorities. With *Ezadeen*, it seems the smugglers may even have waited three weeks off Famagusta before starting the run;

• Both vessels had recently traded in the region, so presumably would arouse less suspicion than ships brought in from outside the area.

The United High Commission for Refugees said smugglers had switched from small fishing boats to merchant vessels in response to rougher winter conditions, the EU's revised maritime security measures, and the ability of better-off Syrian migrants to pay for a safer way into Europe than through small boats leaving the North African coastline

Port state control authorities must now respond to the trend for buying old ships for people smuggling and ensure such ships do not leave port without proper checks and follow-ups. (Source: Sea-web)

EPA unveils new penalty guidelines

The U.S. Environmental Protection Agency (EPA) has released penalty guidelines for ship operators who violate Emission Control Area (ECA) rules.

Starting January 1, 2015, operators have been required to use 0.1% sulfur fuel within 370 km of U.S. shores. The new penalty policy "is intended to deter potential violators, ensure that the EPA assesses fair and equitable penalties and allow for the swift resolution of claims arising from non-compliance", said the agency in a statement on January 16.

The new policy is meant to be used for civil penalties calculated in negotiated settlements, not to "control the penalty amount in a case where a complaint has been filed". In the latter instance, the EPA would assert a claim for up to the maximum allowable under the Act to Prevent Pollution from Ships.

Under the new guidelines, the penalty would include an "economic benefit component" (designed to remove any economic benefit of noncompliance) and a "gravity component" (designed to reflect the seriousness of the violation), as well as adjustments based on various factors such as cooperation, history of noncompliance and the ability to pay.

The economic benefit component would be equivalent to the cost of purchasing compliant fuel minus the cost of the non-complaint fuel that was used.

Under the gravity component, first-time offenders would pay a penalty scaled to the sulphur content of the noncompliant fuel, ranging from US\$150-\$750 per ton of fuel burned within the ECA. In addition, record-keeping violations would be assessed at \$2,500-\$15,000 per violation per day.

For repeat offenders, the gravity component would be increased by up to 30% for the second violation and by up to 70% for the third violation and thereafter. (Source: Sea-web)

ALL **J**APAN **S**EAMEN'S **U**NION 15-26, Roppongi 7-Chome, Minato-Ku, Tokyo 106-0032

Tel.: (03) 5410-8320
Fax: (03) 5410-8336
E-mail: iss@jsu.jp
Internet: http://www.jsu.or.jp

Publisher: Hiroyuki Tachikawa

Send inquiries to the attention of Mr. Hiroyuki Watanabe, Director, Foreign Trades Dept.