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Sidelights

February 2012 Vol. 42, № 1

Written by Masters & Pilots, for Masters & Pilots

Criminalization Winners and losers Unfair treatment of seafarers



MarAd closing GMATS

Kindness of Strangers

IOOS® Mobile Apps

NOAA Surveys

RENA Grounding

Published by the Council of American Master Mariners, Inc.

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In This Issue



ON THE COVER

Island of Capri off Italian coast, Tyrrhenian Sea. Photo by Tom Bradley.

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We welcome your articles, comments, illustrations and photographs. Please email or send your submissions to *Sidelights* Chair Capt. Tom Bradley at the above address. All submissions will be reviewed, but are not guaranteed to be published.

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President Captain Cal Hunziker remarks on an old maritime tradition of close passages to greet those ashore and safety issues involved in the wake of the *COSTA CONCORDIA* tragedy.



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NOTICE The articles in this magazine are entirely those of the writer, and do not necessarily reflect the views of CAMM nor its Board of Governors.

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Anyone interesting in restarting this chapter, please contact National President Capt. Cal Hunziker.

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Captain Cal Hunziker
CAMM National
President
#2457-R

PASSINGS AND PASSAGES

We are all well aware of the events surrounding the ground-

ing of the *COSTA CONCORDIA* off the coast of Italy on January 13. The custom of close passages to blow the horn or dip the flag is an old maritime tradition. Unfortunately, this time the safe navigation of the vessel was trumped by the desire to approach land closer than was necessary. This maneuver happens much more often than the general public is aware and this is not the first time that the passage ended with similar results.

In 1977, two VLCCs — the *VENOIL* and the *VENPET* — collided off the coast of South Africa in dense fog with approximately 2/10 of a mile visibility. It was alleged and is now later refuted that the two sister ships wanted to exchange movies as they passed one another on their voyages between the Persian Gulf and Nova Scotia. Both ships were heavily damaged and were eventually towed to Japan for repairs. Two crewmen lost their lives and the rest were rescued by passing ships. Another incident concerned the ferry *ELWA* on a run from Anacortes to Orcas Island in 1983. The master, wanting to show a female passenger what her home looks like from the waterside, hit an “uncharted rock” while passing too close to the shoreline. Although there was extensive damage to the hull, no lives were lost in the ves-

sel was repaired and later returned to service. Both the master and the head of the ferry system lost their jobs over this incident.

Many of us can relate stories of close passages to accomplish either a hello to a passing vessel or a greeting to someone ashore. As a cadet I can remember one Master whom I sailed with on coast-wise voyages, who would regularly pull inshore and blow the vessels horn when passing his home in Florida. It wouldn't matter whether it was full daylight or in the middle of the night and he would continue to sound the horn until he received a signal from ashore. Later on as pilot I received requests from time to time to make passages outside of the traffic lanes so that the master could signal someone ashore. In one instance the master of a cruise ship requested that I make a close passage so he could preform a musical tribute to the owner of the line, who lived on a bluff just north of Seattle. The request was accommodated but I insured that the vessel remained in water that was at least 10 times her draft.

Safety, that's what were hired for. First and foremost, our responsibility is for the safety of the ship, passengers, cargo, and crew. Whether the request to deviate from a safe course comes from the office, a crew member, a passenger, or you yourself, the safe navigation of the vessel should always be first and foremost.

It is with profound sadness that I report the passing of our North Atlantic

VP Captain George C. Preville, #805-R, a member since 1982. Captain Preville graduated from Kings Point in 1946, and sailed for U. S. lines for 30 years, rising to the rank of captain before becoming Commandant of the New York Maritime Academy (SUNY). He later returned to sea sailing with MSC during the first Persian Gulf War. Captain Preville has been North Atlantic VP since 2008 and CAMM's and IFSMA's representative to the United Nations UNCLOS convention for the past two sessions. Our condolences go out to Rosemarie and George Jr. with a note that he will be greatly missed.

Captain Preville was standing for reelection on our current ballots. Captain Frank Zabrocky has graciously stepped forward as a write-in candidate to fill Captain Preville's post. I'm requesting that you write Captain Zabrocky's name on your ballot for the North Atlantic VP.

Registration is now open for the AGM and PDC in Seattle. You will find further information in this publication. I hope to see you all there in May. I know the committee is working on a full program for the CAMM members and their spouses. As the Alaska cruises start that weekend, maybe you can combine the AGM with a cruise north.


Captain Calvin C. Hunziker

Council Reports

Secretary's Report

Submitted by Captain Don Moore, Jr.

Happy New Year to all of our membership! I wish you all have a very successful and prosperous 2012.

Preparations are on-going for the AGM to be held in Seattle in May 2012. Details will be found elsewhere in this publication.

I want to personally thank the members of the National Nomination Committee for the work they did in producing a fine slate of national and regional officers (see page 9). Election ballot cards and member proxy cards will be arriving soon in your package that includes the 2012 dues invoice/data sheets, and the 2012 raffle ticket booklets. Please submit your 2012 dues in a timely manner. Our bank account could use some additional funds.

Our annual new member drive continues to show progress; we received two new member applications in the last few weeks. Remember, if you recruit three new members, you will receive a break in your dues for the next year. A list of the new members approved since the last issue is published elsewhere in this edition.

Watchkeepers / Positions

No reports submitted.

Seattle / PNW

*Submitted by Captain Douglas Subcleff
Chapter Secretary*

At our December meeting, Chapter President Captain Dick Klein introduced

CAMM National President Captain Cal Hunziker, who gave a quick recap of CAMM news. He also reported on a case involving a Bulgarian ship master who has been jailed in Panama for the last eight months, pending drug smuggling charges after cocaine was found in the bow thruster space.

The meeting included a planning session for the May 10th-11th AGM event to be held in Seattle. A vote was taken with all in agreement about the proposed logo modifications for the 2012 Seattle AGM. Discussion about Thursday activity for the spouses (Ride the Duck tour) and also about Thursday night dinner/activity options; most likely to be an Argosy cruise on Lake Union with dinner aboard. Another idea was to determine if there were any volunteers to be available for airport to hotel transportation for arriving attendees.

Captain Paul Willers has just returned home from his last assignment on the *MAERSK IDAHO*. He spoke a few minutes about his recent experience of having an armed response team ride aboard the ship during transit of pirate waters off Somalia. His descriptions and the details cannot be printed here but, in summary, he reported that the experience was very positive. He said the personnel were very professional and well-trained. He concluded that this procedure of having an armed response team aboard for such a transit is highly recommended. It was noted that the IMO is now supportive of this practice.

After lunch, Captain David Surface

presented a slide show about the ferry system that included photos of the different classes of ferries and harbors such as Keystone. The Washington State Ferry system is the largest passenger and auto ferry fleet in the U.S. and is the third largest in the world by fleet size. The 22 ferries are in service for Puget Sound, San Juan Islands and also a seasonal, 9 month, service to Sydney, B.C., Canada.

Included in his talk was a description of one of the newer, smaller ferries: the *CHETZEMOKA*. This ferry's design, based on an east coast ferry, the *MV ISLAND HOME*, is different than the normal Washington State ferry design. This unique design has resulted in a 1 degree list, and some now call the vessel the "Eileen", or (I Lean). It went into service in November, 2010 on the Port Townsend - Keystone run.

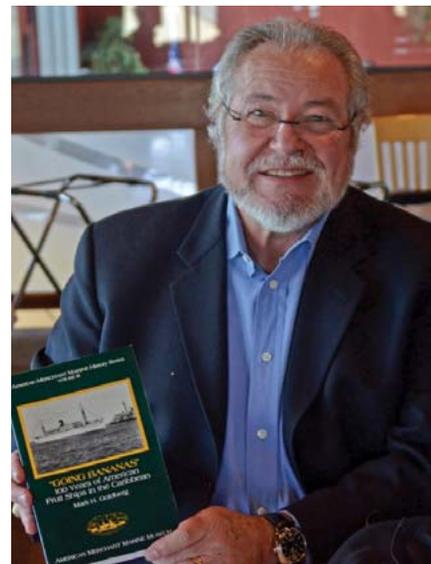


Photo: Doug Subcleff

Left: CAMM Seattle's January business luncheon.
Above: Captain Bill Bundren won the raffled book "Going Bananas: 100 years of Fruit Ships in the Caribbean" by Mark H. Goldberg at the Seattle Chapter's January meeting.



Photo: Doug Subcleff



We had a total of 14 at our January 5, 2012 meeting. Although we did not have a guest speaker scheduled, we were fortunate to have a couple of our seagoing members in attendance. Captain Kevin Coulombe and Captain Paul Willers both work for Maersk Line and have had recent experiences with onboard armed security teams during their respective voyages to the Middle East. It was very interesting to listen to their descriptions and opinions. In addition, another aspect of this particular Middle East trading pattern that includes ports in Pakistan and India is the nearly non-existent shore leave allowed for the crew.

The remainder of the meeting was focused on planning for the May 2012 AGM / PDC. There is an interesting, ongoing news story that is reinforcing our "Northwest Passage" theme for the AGM / PDC. The only working icebreaker in the USCG fleet, the 1998-built, cutter *HEALY*, is being used to assist a Russian-flagged tanker in a voyage from Dutch Harbor to Nome, Alaska. The city of Nome is in danger of running out of fuel and this Russian tanker received a special Jones Act waiver to make this emergency fuel supply trip. The other two USCG icebreakers remain sidelined in Seattle, in need of repairs as they are reaching the end of their service life. Whether or not Congress decides to allow funding for new icebreakers remains to be seen.

Columbia River

*Submitted by Captain Tom Bradley
Chapter Member*

We have moved our meeting place back to the Red Lion Inn at the Quay in Vancouver, Washington. Better food, service and meeting place, and we can also order off the menu.

At our December and January meetings, we nominated and elected officers for 2012: Captain Vic Faulkner, Captain President; Dan Jordan, V.P.; and Captain Bill Good, Secretary/Treasurer. Please note that 2012 dues are due and most have been paid.

We will continue to hold meetings in

Astoria twice a year in order to serve the Columbia River Bar Pilots. We continue to have a higher percentage of members attending our meetings than any another chapter and are looking forward to the upcoming AGM in Seattle.

We discussed the criminalization case of Bulgarian Captain Sobadzhiev, Master of the *M/V MAAS TRADER*, who was arrested in Panama after drugs were found in the bow thruster compartment and has been held since March 2011.

San Francisco Bay Area

*Submitted by Captain Klaus Niem
Chapter President*

At our October meeting, we discussed sleep-apnea and credentialing issues. The U.S. Coast Guard, in cooperation with various other federal agencies and the American Sleep Apnea Association, sponsored the Sleep Apnea and Multi-Modal Transportation Conference in Baltimore on November 8-9. Many seamen suffer from this condition and it is worth to have a sleep study performed. This can prevent strokes and heart attacks.

The U.S. Coast Guard issued a notice stating that it is proposes to cancel its current policy concerning the issuance of Merchant Mariner Credentials endorsed as Able Seaman-Mobile Offshore Units. The policy is currently found in Chapter 16 of Volume III of the *Marine Safety Manual* (MSM). If the policy is canceled, a mariner holding a credential endorsed as AB-MOU would, upon renewal, have that endorsement converted to AB-Limited, or, if the individual is so qualified, to AB-Any Waters, Unlimited. We think this is a step in the right direction.

Another Fleet Week came and went on San Francisco Bay with 13 vessels participating, including the *SS JEREMIAH O'BRIEN*.

The November CAMM luncheon took place at the California Maritime Academy. Captain Harry Bolton graciously hosted the November luncheon in the Officers' Wardroom on the CMA Campus. Fortified with superb food, served cafeteria style, and good cheer,

several upper class deck and engine cadets introduced themselves and joined us for a lively exchange of ideas. The subject of establishing a Cadet Chapter of CAMM was brought into focus. CAMM's By-Laws (Article I, Section 4) allows for the establishing of a Cadet Chapter, and we discussed the next steps for proceeding.

Captain Pat Moloney suggested to all cadets present to stay in tune with the various governmental bodies in regards to new maritime laws, national or international. Some cadets told us their versions of sea stories and CAMM members did the same.

The Ancient Mariners invited CAMM to participate at the December 7th Lunch at the Oyster Bay Yacht Club in South San Francisco. The Ancient Mariners commemorated the attack on Pearl Harbor with their guest speaker John Rauschkolb, a survivor of the battle ship *WEST VIRGINIA* (BB48), also sunk in the Pearl Harbor attack. John was a signalman on the *WEST VIRGINIA*. To our chagrin, only four CAMM members and their wives attended the lunch.

Los Angeles / Long Beach

*Submitted by Captain Paul Nielsen
Chapter Vice President*

The Los Angeles / Long Beach Chapter meets at noon the second Tuesday of the month [except August] at Ante's restaurant in San Pedro. We usually have anywhere from six to ten members in attendance. Like many CAMM chapters, LA/LB struggles to increase numbers at local meetings. Our members take an active interest in their profession and encourage all Masters living or visiting in the area to participate in our monthly meetings.

The chapter feels *Sidelights* is a great asset for communication with CAMM members should continue publishing.

Houston

Excerpted from CAMM Houston news

It was a joyful Christmas Party, sponsored by MM&P and CAMM at Brady's
Continued on next page >>>

Council >>>Continued from page 7

Landing buffet restaurant at the Port of Houston on December 15th. More than 60 members, family, and guests enjoyed Christmas music, good food, friends and good cheer. We extended a special thanks to Captain Wayne Farthing and MM&P for sponsoring the amazing Christmas party.

Father Sinclair Oubre reminds us that 2012 will be the centennial of the loss of the *TITANIC*. He is exploring the possibility of teaming up with the Houston Maritime Museum to develop a day of remembrance of this colossus maritime loss. From this tragedy, maritime many necessary safety regulations were finally implemented—saving thousands of lives.

Our February 9 meeting we'll have our Change of the Watch as well as guest speaker Captain Joe Perry on his recent

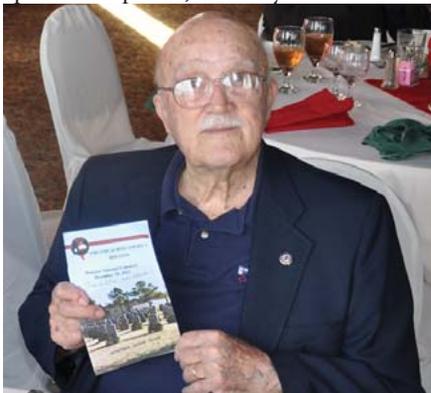


PHOTO: TOM STAPLETON

Above: Captain Jim Giblin attended the Wreaths Across America at the Houston National Cemetery on December 10th to pay tribute to the nation's fallen military at cemeteries across the country.

Right: Mrs. Robbie DeVries and Captain Wyane Farthing reflect on the joy and memories over the past year.

drydock in Singapore. Our March 8th meeting will feature a guest speaker from the Port of Houston on recent development.

Captain Gussie Roth is looking for interest in a get together of CAMM members and guests with Texas A&M Maritime Academy cadets for the purpose sharing common maritime interests and informal mentoring. We agreed that the best venue would be at the Houston Maritime Library. Please contact Captain Roth at rotha@tamug.edu to participate and for more info.

New Orleans

excerpted from NOLA's notices

Twenty-one members and guests attended our Christmas luncheon in December at the Red Maple Restaurant, with no new business conducted.

Our January meeting will be back at our normal location at Don's Seafood Hut. We look forward to large turnout for a fresh start in 2012 and we will discuss topics of interest and possible guest speakers.



PHOTO: TOM STAPLETON

Tampa Bay

excerpted from Tampa's CAMMLetter

We started our season in October with 16 members and guests present at the Columbia Restaurant. Captain Jerry Benyo reported on the IFSMA meeting he attended in June, and we appointed a nominating committee for both National and chapter upcoming elections. The chapter also voted to continue to donate the proceeds from the 50 / 50 drawing to the Special Operations Wounded Warrior Fund.

In November, CMDR Michael Henderson, NOAA Navigation Manager for Georgia, Florida, Puerto Rico and the U.S. Virgin Islands gave a very interesting presentation on the Coast Survey (formerly U.S. Coast & Geodetic Survey). Coast Survey, formed in 1807, was the first science agency of the U.S. They are responsible for surveying 3.4 million square nautical miles. They respond to disasters and other emergencies.

NOAA has six Navigation Response Teams that are regionally located and easily deployable. One of these response teams is based in St. Petersburg, FL. Mike has spoken to our chapter before, and always has an interesting topic to discuss. We look forward to your next visit Mike.

Our annual December Christmas luncheon was enjoyed by 17 captains and their 14 guests. This is the largest turnout we've had in several years!

We started 2012 strong with 18 members and 1 guest, Mr. Jim Blenkhorn, at our January meeting. Mr. Blenkhorn, guest of Captain Richard Cratty, is a 1955 Maine Maritime graduate and will

New Members

Congratulations! You now have all the benefits of CAMM membership!

- 1966-R Captain **Thomas M. Bradley** of Vancouver, WA
Upgrade to Life Membership
Sponsored by Captain Cal Hunziker, #2457-R
- 3321-A Lt. Commander **John A. Kendall** of Houston, TX
USN, Ret.; CEO/Director Houston Maritime Museum
Recommended by Captain Michael Mc Cright, #2753-S

Triple our Membership Drive

Sponsor 3 approved new members and be eligible to earn a free year's membership dues! Ask your Chapter President or Captain Liz Clark for more details. Membership applications are available online at www.mastermariner.org. Please remember applicants must include a copy of their current U.S.C.G. License for timely processing.



be our speaker for February.

We are sad to report the passing of two local chapter members, Captain Albert L. Wilder and Captain Theodore W. Laing.

Captain Albert L. Wilder cross'd the final bar in December 2011 at the age of 94. His first command was the S.S. MOSES BROWN in 1944 with American South African Line and his last command was the S.S. AFRICAN GROVE in 1950 with Farrell Lines. He served as a Panama Canal Pilot from 1952 to 1982. From 1984 to 2001 he was a shiphandling instructor at MITAGS in Linthicum Heights, Maryland.

Captain Theodore W. Laing cross'd the final bar in August 2011 at the age of 90. He was a long time Master with the United States Lines. His last command was the S.S. AMERICAN UTAH.

Baltimore / Washington D.C.

*submitted by Captain Joe Hartnett
Chapter President*

The Baltimore/Washington D.C. chapter has re-elected the current officers for another term. They are: President Captain Joe Hartnett; VP Captain Roger Hall; Sea-Going VP Captain Joseph Byrne, Jr.; and Secretary/Treasurer Captain Christopher Yearwood.

We would like to extend our congratulations to Captain Paul Hanley who recently retired from the Maryland Pilots Association.

The Baltimore/Washington D.C. chapter will be participating in the Baltimore Port Alliance Annual Bull & Oyster Roast on January 19th.

Captain Chris Yearwood continues to work with the local Seafarer Centers to improve crew member shore access.

New York / New Jersey

*submitted by Captain George Previll
North Atlantic VP*

In order to re-establish the Greater NY/NJ Chapter we are still searching for a suitable monthly meeting place in the Down Town area of Manhattan. The Whitehall and nearby Athletic Club were closed many years ago. We used them in the past since they were near our office

at the time. It is essential that we find a place in the area of Lower Broadway which has the best public transportation connections and garages for members to attend from any direction and have the meetings and luncheons expedited and still have time to attend to other business that day. I will inform you when we find the suitable place.

Meanwhile, I ask for volunteers to fill in the positions of President, 1st VP, 2nd VP, Secretary, and Treasurer. This would start the return of the active chapter similar to the what it was many years ago. We even hosted the AGM at the Coast Guard Officer's Club on Governors Island. Once we get started we can have elections, committees, etc! We also need now all the data and prop-

erty if any, that existed at time of closing the chapter. This would be a great help in becoming active.

While the NY/NJ Chapter is being reactivated, for the future benefit of our organization and the North Atlantic area, I suggest that satellite chapters be activated in Boston and Norfolk areas, if possible.

Editor's note: We are saddened to report Captain Previll cross'd the final bar three days after filing his report. See next page for notice of his passing.

Mobile Bay Port Everglades / Miami TAMUG Cadets

No reports submitted. ☆

2012-2014 National Officer Nominations

President	Captain Richard Klein #1751-R; Bellevue, WA President of Seattle/PNW Chapter; Retired Horizon Lines Master.
1st Vice President	Captain Joe Hartnett #2193-R; Edgewater, MD Founding member of Tampa Chapter; resurrected Baltimore/Washington D.C. Chapter in 2010 and hosted CAMM's AGM in 2011. Active Maryland Pilot.
2nd Vice President	Captain Dan Jordan #2698-R; Camas, WA Member Columbia River Chapter; Columbia River Bar Pilot.
Secretary/Treasurer	Captain David Williams #2318-R; Inverness, FL President Tampa Chapter
VP-North Atlantic	Captain Frank Zabrocky #1964-R; Darien, CT
VP-South Atlantic	Captain Jerome Benyo #773-R; Safety Harbor, FL Incumbent
VP-Gulf	Captain Robert Phillips #1310-L; River Ridge, LA Incumbent; Retired Lykes Lines Master
VP-South Pacific	Captain Klaus Niem #2167-R; Napa, CA Incumbent, President San Francisco Chapter, Retired, Horizon Lines
VP- North Pacific	Captain Carl Johannes #2147-R; Seattle, WA Incumbent

CHANGES ON MAILED BALLOTS/PROXIES:

- * Please write in North Atlantic VP nominee as Frank Zabrocky;
- * Correct postage is 32¢ (rate increase effective Jan 22., 2012).

CROSS'D THE FINAL BAR

CAPTAIN GEORGE C. PREVILL #805-R



With great sadness we must report the passing of friend and mentor, Captain George C. Previll, Master Mariner, Veteran and distinguished graduate of USMMA (class of '46). He died suddenly at his home the evening of 16 January 2012.

After serving in the Merchant Marine during WW II, Captain Previll sailed for over 30 years for U.S. Lines, where he rose to the rank of Master. Upon retiring from U.S. Lines, George served at SUNY Maritime as Commandant of Cadets and Captain of the training ship *EMPIRE STATE*. Later in his career, he worked for Military Sealift Command through the first Persian Gulf War.

Captain Previll was the current Regional Vice President of CMM and held the office of Past President of the Marine Society of the City of New York and Standing Committee Member; and Past President of the NY/NJ Chapter of CMM. He was also an active member of the New York Propeller Club. Captain Previll was a strong advocate of mariner's rights and education and an ardent supporter of his alma mater, USMMA. He lives on in the memory of so many whose lives he touched and will be greatly missed by the maritime community. Captain Previll is survived by his wife Rosemarie, daughter Jennifer, and son George Jr.

In lieu of flowers, donations may be sent to the American Merchant Marine Veterans, American Legion, or USO in his name.

DR. WILLIAM T. MCMULLEN, PH.D. #1793-H

Highly respected and esteemed Professor Dr. William T. Mc Mullen (1943-2012) crossed the final bar on January 5, 2012.

He held an unlimited Master's license and was a professor of Maritime Administration and of Marine Sciences (Graduate Faculty), Interim Head of the Department of Marine Transportation and Head of the Department of Maritime Administration at Texas A&M University at Galveston. He was also an Associate Director of the Center for Ports and Waterways of the Texas Transportation Institute (TTI).

He joined the faculty of Texas Maritime Academy in 1967, became Head of the Department of Marine Transportation in 1973 and remained at the Academy until 1980 when he became Professor and Head of the Department of Nautical Science at the U.S. Merchant Marine Academy at Kings Point. In 1995 he returned to Texas A&M University at Galveston as Professor of Maritime Administration and Superintendent of

Texas Maritime Academy.

From 1990-2005 he was Visiting Professor of Maritime Education and Training at the World Maritime University in Malmo, Sweden, a graduate-level institution operated by the International Maritime Organization (IMO) of the United Nations to prepare mid-level managers in the world-wide maritime community for senior positions.

His research activities include human behavioral and attitudinal factors in job design in small communities, particularly ships, inland water transportation technologies, and shipping policy and regulations within the European Union.

CAPTAIN FRANK V. MEDEIROS #2234-R

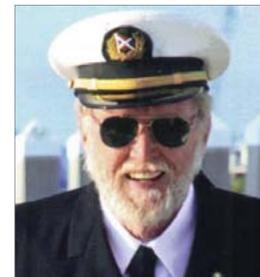
Captain Frank Vincent Medeiros passed away peacefully on January 2, 2012 at his home in Fremont, California. He was 90 years old. Frank was born in North Dartmouth, Massachusetts and was one of ten children. He was a decorated World War II Merchant Mariner and Commander of the Hellenic Post 230 in San Francisco. He was active in many veteran activities and loved the restored victory ship *SS JEREMIAH O'BRIEN* and its rich World War II history. Frank served on a similar ship and had exciting stories he gladly shared. Captain Frank's wife, Linda R. Medeiros preceded him in death. Frank is survived by his three children and six grandchildren. The Captain had a full life and will be missed. Donations to the *JEREMIAH O'BRIEN* are suggested.



CAPTAIN KLAUS MOLLER #3206-R

Captain Klaus Moller of Jacksonville, Florida, passed on October 30, 2011 at age 77. He last sailed for Waterman as Master of the *GREEN ISLAND*. His 50 years at sea began in Copenhagen, Denmark at age 14 working aboard vessels in the fjords of Norway. After serving as a cadet aboard the tall full rigged training ship *DANMARK*, he eventually emigrated to the United States.

He enjoyed traveling, volunteering at the Maritime Museum in Jacksonville and occasionally presiding over a wedding at sea. He is survived by his wife Charlene, four children, one grandchild, and an extensive family in Denmark. ☆



Please have a "Moment of Silence" for the following departed brothers.

Captain **David George** #2727-R of Port Ludlow, WA, crossed 10/2011

Captain **Howard Newton** #2169-R of Pasedena, TX, crossed 9/17/2011

Captain **Herbert Rosen** #2826-R of San Francisco, CA, crossed 9/20/2011



Annual General Meeting

Professional Development Conference
May 9-11, 2012 ☆ Seattle, WA USA

"Northwest Passage / Arctic Shipping"

Location

Red Lion Hotel, Downtown Seattle, 1415 Fifth Ave., Seattle, WA 98101. The hotel is 3 blocks from the Monorail (takes you to the Space Needle); 3 Blocks to great shopping like Westlake Plaza, Nordstrom, and Pacific Place; 5 Blocks from Pike Place Market; and 2 blocks from light rail, which connects with SEA Int'l Airport.

Professional Development Conference

The PDC will feature discussion on NW Passage / Arctic shipping, tsunami trash and more. Vancouver B.C. Ferry systems and personal electronics on the bridge are other topics that may be discussed. As of publication date, we've confirmed two speakers (see below) and have invited the USCG to present on the icebreaker program, NOAA to present on Northwest Passage charting, a representative from Canada to talk about the Canadian perspective of the Northwest Passage, Pacific Maritime Institute to present on ice navigation. For our Gala Dinner Keynote Speaker, we've *invited* U.S. Congressman Rick Larsen (D-WA), the ranking member of

the House Transportation Subcommittee on the Coast Guard.

A salmon dinner is a must when visiting Seattle; likely aboard an Argosy cruise on Thursday evening.

National Officer Nominations

The slate of officers have been officially nominated for 2012-2014. Please see page 9 for a full list of the nominees, noting the change of North Atlantic VP nominee to Captain Frank Zabrocky, #1964-R of Darien, CT.

Constitution & By-Laws

No changes submitted for 2012.

Views & Positions

Please review the views and positions on CAMM's website. Submit thoughts and new views to committee chair Lyn McClelland at lyn@mastermariner.org.

Current positions will be reviewed and voted on to continue or drop (moot), and new views will be voted on.

As of publication date, no new views have been submitted to the committee for review. Views are proposed throughout the year and members present at the AGM business meeting vote whether or

not these should be supported by the Council. Views should be published in *Sidelights* and on our website prior to the meeting, so members have the opportunity to provide input.

CAMM's positions are sought by governing bodies in local and federal governments in some decision-making processes.

Accommodations

Reservations at the Red Lion Downtown can be made online (link from CAMM's website) or by phone at 1-855-515-1144. Use the code **CAMM0509** for the group rate; \$159/night, excluding taxes.

Hotel accommodation reservations are separate from event registration. You must fill out and return the event registration.

Registration

The registration form is found on page 38 or follow the links from CAMM's website. Event registration is separate from hotel accommodations.

Socials

Golf outing on Wed., May 9th, to the beautiful Mt. Si Golf Course, and site of our annual YMTA fundraiser. A 1000am staggered start at \$50 per person includes green fee, cart and lunch.

The welcome social at the Red Lion will be late afternoon / early evening with dinner on your own. Cuisine of many ethnics are within walking distance.

Thursday we will entertain spouses and companions with an outing. Current top runner is a Seattle tour aboard a "Duck".

Sponsorships Available

Please contact Captain Richard Klein for sponsorship opportunities. ☆

Confirmed PDC Speakers

J. Penelope Goforth

Noted maritime author and researcher, she will be speaking on the Northwest Passage. Her presentation, intended to provoke and educate, will discuss the most recent history of developments and accords by Arctic bordering countries based on international conference recommendations, proposed legislation by the United States Congress, and the historic preparations underway by global maritime corporations to cash in.

Curtis Ebbesmeyer, Ph.D.

Holds a Ph.D. in oceanography from the University of Washington, best known for his expertise on ocean currents and floating objects. He is co-author of the book, *Flotsametrics and the Floating World: How one man's obsession with runaway sneakers and rubber ducks revolutionized ocean science*. Dr. Ebbesmeyer will be speaking about the Pacific Ocean tracking of the floating debris from the Japanese tsunami.

When imitation is not the best form of flattery



by
Father Sinclair Oubre
CAMM Chaplain
#3220-A

The steps that the United States took after September 11, 2001, have caused hundreds of thousands of foreign seafarers to be denied shore leave simply because they did not possess a valid D-1.

Since then, other countries including Canada, Australia and Brazil have implemented requirements that have negatively impacted visiting U.S. mariners. Though officials have denied that this was some type of *quid pro quo*, among the seafarer welfare community, there is no doubt that it is just this.

In late December, I was contacted by fellow-CAMM member, Mike Murphy in his capacity as American Maritime Officer Vice President. He was wondering if there were any Apostleship of the Sea missions in Sao Francisco do Sul, Brazil. One of his ships, the *M/V BERNARD F. FISHER*, commanded by fellow CAMM member Captain Jeremy Allen, was soon to arrive. The crew was going to be denied shore leave because Brazil had implemented in 2010 a seafarer visa regime which required a mariner from countries who had not ratified ILO 108 or 185 to make a visa application 30 days before his or her arrival.

This was especially hard on the crew, since the *FISHER* would be docked over Christmas and New Year's at Sao Francisco, and the crew would not be able to leave the vessel to call their families.

I contacted the Pontifical Council for the Pastoral Care of Migrants and Itinerants at Vatican City. Fr. Bruno Ciceri immediately sent email messages

to the Brazilian AOS chaplains. They quickly responded, but they could not do much since their AOS missions were hundreds of miles north of Sao Francisco.

I also consulted the International Seafarer Welfare Committee's international directory of seafarer centers. This online directory is the best resource for finding out what seafarer welfare services are available anywhere in the world (see: http://www.seafarerswelfare.org/index.php?option=com_wrapper&Itemid=177). Sao Francisco was not listed, but there were some seafarer services at the Port of Paranagua, which looked to be about 100 miles away. I passed this information onto Captain Allen.

At the same time, the International Transport Workers Federation's network kicked in, and a Brazilian seafarers union was contacted. They organized cellular phones and phone cards to be brought aboard. In the end, when the *FISHER* finally arrived alongside after being at anchor for about a week, the crew was

able to contact their families for the holidays.

In the January 8, 2012 Lloyd's List story, Rajesh Joshi noted,

"A seafarer is a seafarer, regardless of nationality, and inhumane treatment meted out to this cadre of the workforce anywhere in the world is a matter of concern. However, the truism comes into focus only when seafarers from certain elite nations end up on the receiving end of trouble. Fortunately, such episodes also provide an excellent opportunity to publicize the seafarer's lot—and hopefully, to do something to improve it." (The story of the *M/V BERNARD F. FISHER* can be accessed at www.catholiclabor.org/AOSUSA/LL_MajorFisher_1-8-12.pdf).

Rajesh's point of publicizing the plight

Captain Jeremy Allen and chief engineer with Brazilian union representatives.



PHOTO COURTESY: M/V MAJ. BERNARD F. FISHER CREW



of seafarers, and doing something about it, has been taken up by the CAMM. It has passed positions calling on the United States to ratify both ILO 185 (Seafarer Identification Convention) and ILO 188 (Maritime Labour Convention of 2006). In a like manner, the Apostleship of the Sea of the United States of America has



The American crew of the M/V MAJ BERNARD F. FISHER were able to contact families over the holidays via cell phones and phone cards brought aboard by a Brazilian seafarers union.

also called upon the ratification of these two documents. However, not much has been done.

I believe our present situation has a number of root causes. First, many believe that these are “foreign seafarer” issues, and don’t affect U.S. mariners. Others are antagonistic to all international conventions unless they focus on trade. Finally, for the last three years, the Senate has been focused on healthcare reform, economic stimulants, national security and raising the budget ceiling.

However, another root cause of inaction is that there is no organized con-

stituency pushing and arguing for ratification of ILO 185 and ILO 188. I truly believe that until CAMM, the Maritime Trades Department AFL-CIO, AOS-USA, the Nautical Institute and other maritime organizations organize themselves specifically for ratification, then nothing will happen, and our seafarers will suffer for it.

As a priest, I believe that this is a simple moral issue of justice. However,

morality and justice aren’t very persuasive in a world driven by bottom lines and national threats. So, who wants to join me in driving out bottom feeders that steal business from first-class shipping companies by not paying their crews and cheating on their food, and at the same time, improve our port and national security by having all foreign seafarers possess biometrically verifiable seafarer identification documents? ☆

CAMM in Action

CAMM recommends law firm for criminalization case

At the request of Captain Dimitar Dimitrov, President of Bulgarian Ship Masters’ Association, The Council of American Master Mariners, Inc. has aided in finding American counsel with qualified, competent partners in Panama to represent Captain Svetlozar Lyubomirov Sobadzhiev, master of the MV MAAS TRADER, who was arrested in March 2011 after 169 kgs of drugs were found in the bow thruster department.

CAMM will continue to follow the progress on this case. At the time of printing, attorneys are meeting with Captain Sobadzhiev. As of printing, the master has not yet been charged, though Panamanian authorities have imprisoned him since March 2011.

Captain Dimitar Dimitrov has written an article on recent criminalization of Bulgarian shipmasters, which appears on page 36.

The Bulgarian Shipmasters’ Association has established an account to collect finances to support the legal defense of Captain Sobadzhiev in Bulgaria:

Societe Generale Expressbank, Transportna branch, Varna, Bulgaria

BIC: TTBB BG 22

IBAN: BG51 TTBB 9400 5525 7756 73 USD

Holder: Bulgarian Ship Masters Association

Withdrawal condition is a BSMA administrative board formal decision and agreement of Captain Sobadzhiev’s family.

Ongoing CAMM Actions

Views & Positions Since 2004, the Council reviews and publishes positions on various hot topics within the world maritime industry. Position topics include criminalization of masters; fair treatment of seafarers; manning, fatigue and watch/rest periods for officers and crew, licensing qualifications, and more. Many of these directly or indirectly affect the safety of our vessels and promote the overall well-being of the maritime industry.

Governmental Liaisons The re-establishment of the Baltimore/Washington D.C. chapter has enabled the Council to connect with key decision makers.

Membership in IFMSA CAMM is well-represented in IFMSA, with one of our own members, Captain Jerry Benyo, serving as one of IFMSA’s VPs.

Maritime Scholarships The Seattle Chapter’s annual golf tourney supports scholarships at a local maritime school.

Speaker & Witness Bureau The Council maintains a directory of members’ qualifications for witness testimony and speaking at events. See more on our website under “Services”. This is utilized several times per year.

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MarAd: If it ain't broke, break it



by Will Watson
#3256-A
Maritime Journalist



Photo: USMMA/Tony Lopez

A critical element of maintaining a strong maritime industry is the continuing education of mariners and those ashore with whom they work.

In the United States, a key element of that continuing education program has been the Global Maritime and Transportation School (GMATS) at the U.S. Merchant Marine Academy (USMMA) at King's Point, New York. Now we hear that the U.S. Maritime Administration (MarAd) has told GMATS staffers to get their affairs in order because the school is to be dissolved.

In a press release issued in early January, U.S. Transportation Secretary Ray LaHood announced that a comprehensive strategic planning process had begun at the USMMA to plot its future. Apparently GMATS was not to be part of that future. "The U.S. Merchant Marine Academy is one of my top priorities," LaHood wrote. "This plan will provide a road map to help us better prioritize investments and help the Academy provide a first class education for all Kings Point midshipmen." What makes no sense is that the decision to axe the GMATS program came even before the announcement of the strategic planning process. It's interesting that the John A. Volpe National Transportation Systems Center in Cambridge, MA has been tasked to work with the academy lay out the formal planning process. Some have

conjectured that the Volpe Center could potentially benefit from the training vacuum left if GMATS disappears.

King's Point alumni were infuriated at hearing the announcement from Maritime Administrator David Matsuda that the GMATS program was to be terminated. Terms like "ham-handed," "short sighted," and "landlubber" peppered the comments from former King's Pointers when they learned of the news. Meanwhile, GMATS faculty and staff are continuing to do their excellent job and are pressing forward with planned courses in hopes that bureaucrats and politicians at MarAd and the DoT will

come to their collective senses and reverse the decision.

Since 1994, GMATS has been the pre-eminent post graduate training school for the U.S. maritime industry. Six divisions have offered more than 140 professional education and training programs. Additionally, GMATS has developed customized education and training programs to meet the specific needs of numerous organizations. Annually, some 4,000 students attend the school which not only features a top notch core faculty but which also relies on more than 300 subject matter experts as instructors. The educators, who bring a wealth of

diversity and talent to the campus, include: the core faculty, instructors from other institutes of higher education, as well as guest lecturers from the industry, military, and government organizations. Many are regarded as experts in their respective fields.

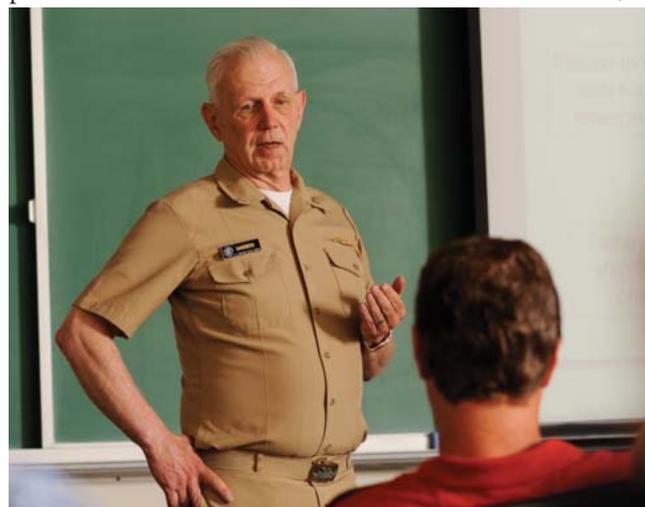


Photo: USMMA/Tony Lopez

Instructor at GMATS.



What separates GMATS from so many other educational programs and most government agencies is that it's self-supporting. The fees paid by those attending and sponsoring programs cover the costs of the school. Perhaps it's that lack of budgetary control that makes the bureaucrats nervous. There have been issues relating to budgeting and spending in the past, but if every agency that had accounting issues were shut down, there would be no federal government at all.

In direct charge of the "strategic planning process" is USMMA Interim Superintendent Shashi Kumar, who is quoted as saying, "This plan will provide the strategic vision for the Academy and strengthen our ability to attract a talented and diverse student body to serve the maritime needs of the nation." These words came even as the training vessel TV *KINGS POINTER* as being reassigned from the USMMA to Texas A&M University in Galveston, where it will be used as a training vessel for midshipmen there. It was claimed by MarAd that the vessel was no longer cost efficient at King's Point. "The Academy will use other vessels, such as the TV *LIBERATOR*, for midshipman training until a new vessel is acquired," a MarAd statement read.

**Anyone who goes to sea
should buy, beg,
borrow or steal a
copy of this book.
It can save a lot of worry,
time and money
in the long run.**

— Captain Tom Bradley

For some years now, the U.S. government has lacked a coherent commercial maritime policy. That is reflected in the shrinking size of the U.S. Flag fleet, the problems in recruiting young men and women to serve both at sea and ashore in the industry and the fact that the maritime sector of the overall transportation system is largely ignored despite the critical role it can play in moving cargo

quickly and efficiently in an environmentally sound manner that could help ease congestion on the nations roadways. ☆

Will Watson is a CAMM member, maritime professional and an award winning journalist and commentator on the maritime industry. He has also lectured at the GMATS school.

The International Law of the Shipmaster

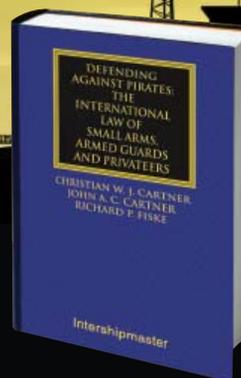
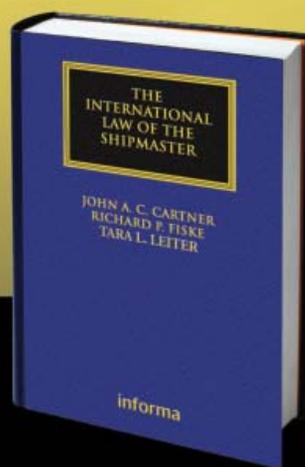
Part of the Essential Maritime and Transport Library
Informa / Lloyds Press (2009)

The International Law of the Shipmaster (Dec. 2009)
has become the standard in the field.

Defending Against Pirates: The International Law of Small Arms, Armed Guards and Privateers

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Is a Coast Survey Team coming to your home port?



by CMDR (Ret.)
Michael Henderson
NOAA Office of
Coast Survey
#3239-A

NOAA's Office of Coast Survey is well known to the nation's mariners. It is recognized as the nation's chartmaker. NOAA survey vessels respond to emergencies, speeding the re-opening of ports after hurricanes and tsunamis. Three ships with launches regularly survey coastal areas, acquiring bathymetric data for chart updates and a variety of other uses. But there's more. In addition to these highly visible activities, two- and three-person navigation response teams are working somewhat below the radar, constantly surveying around ports and sea lanes. Their small but powerful technology allows them to move quickly to meet the navigational needs of mariners.

The Office of Coast Survey is currently firming up its 2012 and 2013 navigation response team survey schedule, prioritizing critical chart updates among the nation's 175 major ports. Even after the survey schedules are finalized, though, the teams are on constant call to respond to ports experiencing slowdowns or stoppages due to major weather events and other emergencies.

"With bigger ships, crowded sea lanes, and more uses of ocean areas, shipping today is increasingly a task of precision and accuracy," explains NOAA Corps Cmdr. Todd Haupt, chief of the Office of Coast Survey's Navigation Response Branch. "Weather and man-made events can change the shape of the ocean floor and move underwater debris, which can

cause problems for mariners. Navigation response teams conduct hydrographic surveys to search for those changes."

"Pilots need precise and up-to-date depth measurements as they navigate. Our task, day in and day out, is to re-measure the ocean depths, search for dangers to navigation, and give mariners the information they need to protect lives and increase shipping efficiencies."



Hampton Roads Response Tracks

Where will the navigation teams be?

Coast Survey has six navigation response teams that survey port areas at the request of port officials or the U.S. Coast Guard. Teams are in place for some of the surveys scheduled for this year. For instance, Coast Survey will conduct a year-long survey of the sea floor in the Port of Houston and Galveston Bay navigational areas, to aid efforts to bring more trade, more cargo, more jobs, and more economic benefits to the Houston area. The navigation team arrived in Galveston in mid-December, and immediately began pre-survey preparations with mariners and federal partners.

The Texas team came from Michigan, where they were surveying the Great Lakes. The team also worked off the coast of Virginia earlier in 2011, speeding the resumption of maritime commerce after Hurricane Irene hit the Eastern Seaboard.

Further to the east, navigation teams are tentatively planning for 2012 surveys around Panama City and St. Johns River in Florida, before moving on to some of the Louisiana areas around Port Fourchon and Houma. Another team is scheduled for New York Harbor and Eastern Long Island Sound, with some mid-summer work in Portland, Maine. On the west coast, tentative plans call for surveys in San Francisco Bay and LA/Long Beach, as well as southern Puget Sound.

In 2013, Coast Survey plans much more survey work in the Gulf of Mexico, from the western Gulf to Alabama. In the east, Georgia ports, Long Island Sound, and Narragansett Bay are on the list of priorities, while western teams plan for more survey work in Puget Sound and LA/Long Beach. A team is also scheduled to return to the Great Lakes, for work in Lake Huron's Thunder Bay.



NOAA Response Team at Crescent City tsunami.

How fast will mariners get the information?

The navigation response teams have crews of two or three experienced hydrographers. They use a 28-foot survey boat equipped with both multibeam and sidescan sonar. After they acquire and check the data, they forward it on to Coast Survey processing branches before cartographers apply the changes to electronic and raster navigational

Continued on page 19 >>>

Tsunami Hazard Information through the Integrated Ocean Observing System (IOOS)



by Jan Newton, Ph.D.
NANOOS
Executive Director and
Capt. David Martin
NANOOS Board Chair

How NANOOS is employing web-based, social networking and mobile application technologies in the Pacific Northwest

In the Dec. 2011 *Sidelights* issue, I introduced you to the U. S. Integrated Ocean Observing System (U.S. IOOS®) and Northwest Association of Networked Ocean Observing Systems (NANOOS). The U.S. IOOS® office within NOAA serves as the coordination office for federal ocean observing efforts and oversees regional efforts managed by eleven regional associations, including NANOOS, arrayed along the nation's ocean coasts and

Great Lakes. As the Executive Director of NANOOS, it is my pleasure to continue to introduce CAMM members around the country to the capabilities that are being established under this system and some of the great products available to you. This month, our article is about NANOOS products focused on tsunami hazard information. I introduce David Martin, Chairman of the NANOOS Board, who has compiled this article with input from Jonathan Allan of the Oregon Department of Geology and Minerals Industries (DOGAMI).

At 9:46:23 pm Pacific Time on March 10, 2011 (05:46:23 UTC on March 11), a

magnitude 9.0 earthquake occurred 129 km (80 miles) off the coast of Sendai, Japan. The Tōhoku earthquake triggered a catastrophic tsunami that produced an inundation wave height as high as 30 m that propagated throughout the entire Pacific Ocean basin. Deep-ocean Assessment and Reporting of Tsunamis (DART) buoys positioned around the Pacific Ocean provided real-time data of the impending tsunami as it travelled across the ocean towards the U.S. West Coast. Because of this warning, coastal communities in Washington and Oregon were on guard by the time the tsunami hit the West Coast almost 9 hours

Continued on page 18 >>>



NANOOS has developed a no-cost mobile application (app) for iPhone and Android devices that provide mobile equipment-specific access to NVS. This allows access to NVS by users in the field (e.g., scientists, fishers, boaters, first responders, etc.).

IOOS >>>Continued from page 17

after the earthquake occurred. Harbors along the Oregon coast, including Depoe Bay, Coos Bay, and Brookings, and in Crescent City, California reported damage to docks and boats in the harbor. In the Pacific Northwest, NANOOS provided extensive information to the public about the timing, severity, and government agency recommended actions to take as a result of this event.

NANOOS' services included

- 1) Providing users of the NANOOS Visualization System (NVS) online and on smart phones with easy access to near real-time current, water height, and other information for a wide variety of U.S. IOOS® assets, including NOAA National Data Buoy Center (NDBC), NOAA National Ocean Service (NOS), and NANOOS-supported and other assets in Washington, Oregon, and northern California;
- 2) Featuring "Tsunami Evacuation Zones for the Oregon Coast," a Google Maps-based application developed by DOGAMI for the

public at the top of our NANOOS home page; and

- 3) Posting numerous NANOOS Facebook updates regarding the tsunami passage, including views of water levels at sites along the west coast.

The NANOOS Visualization System (NVS), aggregates, displays and serves near real-time and forecast information from a host of providers. Of these, water level and wave height information measured by the NOS tide gauges at the time of the Tōhoku tsunami were disseminated through the NVS, mobile applications, and via NANOOS' Facebook.

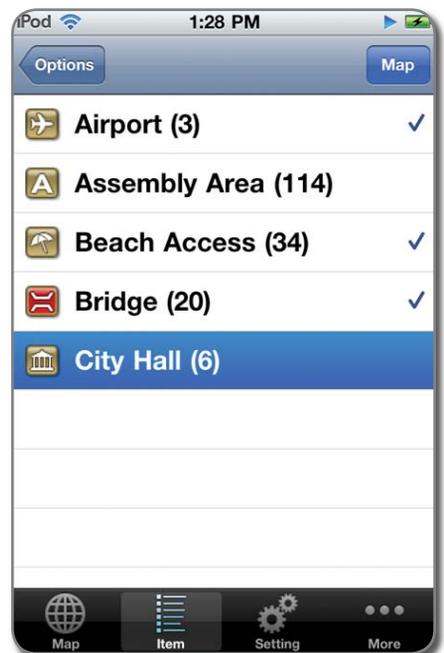
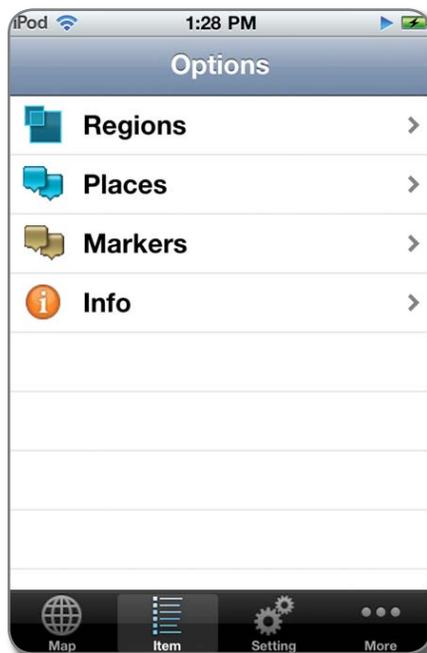
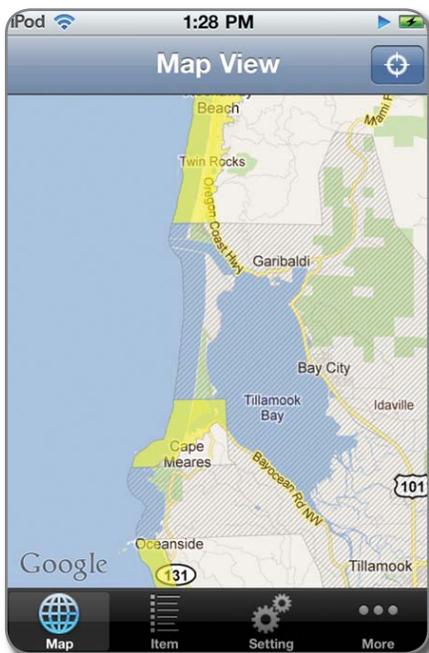
The online tsunami hazard portal *Tsunami Evacuation Zones for the Oregon Coast* displays evacuation maps depicted by the maximum extent of inundation associated with a locally generated great earthquake on the Cascadia Subduction Zone (CSZ), and accompanying tsunami for communities along the Oregon coast.

In addition to the above products, social networking, in the form of periodic information releases via Facebook,

provided a new mechanism for broader dissemination of information to the public-at-large, and could become a critical mechanism for information sharing during times of crises in the future.

NANOOS also provided relevant information through a mobile application (app) it has developed for iPhone and Android mobile devices that provide mobile equipment-specific access to the NVS. During a tsunami event, particularly a distant event, having access to ongoing conditions is clearly important to emergency managers and the public-at-large. The NVS mobile application allows such access to users who do not have either a web browser or internet access. Such users could include scientists in the field, boaters on the water, fishers, and first responders. In addition to the NVS mobile app, the development of a PNW Tsunami Evacuation app for mobile devices was accelerated as a result of this event.

NANOOS joined Facebook in April 2010 to augment our traditional outreach methods (i.e., the NANOOS web site, printed and online newsletters), not-



The tsunami evacuation zone mobile app is the no-cost mobile version of our new and robust NANOOS tsunami web-based application much as NVS mobile is a mobile version of NVS.

ing the success of social networking for communication. The Tōhoku tsunami was unique as it gave NANOOS experience in using social network technology to provide important information about this profound event. Because it was such a media-intensive event, we gained experience in keeping our Facebook network updated with real-time or just-in-time information, a capability that is increasingly becoming expected by our society during such events. We believe social media technology will play an increasingly important role in this activity.

The global and coastal components of the U.S. IOOS® system demonstrated their utility in providing needed information to people impacted by this event. At the national or federal level DART buoys, numerical models, and an effective warning and dissemination system showed the importance of the U.S. IOOS®-derived information. Similarly, state and local agencies were prepared and were able to help coastal communities in the PNW be prepared. For NANOOS, responding to the information demands of this event demonstrated the resiliency of the regional system while also emphasizing the need to have adequate carrying capacity to handle increased demand

for web-provided information. For the first time, NANOOS also explored the utility of social network technology (e.g., Facebook) to provide information to its stakeholders. Finally we note that a new tsunami evacuation mobile app “TsunamiEvac-NW” is now available and this interactive smartphone app provides information and resources that are of critical importance before, during, and following a tsunami event. ☆

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Dr. Jan Newton is a Principal Oceanographer with the Applied Physics Laboratory of the University of Washington and affiliate faculty with the UW School of Oceanography and the School of Marine Affairs, both in the new UW College of the Environment. She co-chairs NOAA’s Alliance for Coastal Technologies Stakeholder Council and is involved with several regional and nation-

al coastal/estuarine assessment efforts. She is currently working with colleagues at UW and NOAA to assess the status of ocean acidification in Puget Sound and coastal Washington.

Dr. Martin is the Associate Director for Science and Technology Integration at the Applied Physics Laboratory at the University of Washington. He served for over 20 years in the U.S. Navy and retired at the rank of Captain. During his military career, he served in a number of senior leadership positions in the naval and national oceanographic community including being the Director of the Operational Oceanography Center at the Naval Oceanographic Office, the Director of the National Ice Center in Suitland, Maryland, the Assistant for Environmental Sciences for the Deputy Undersecretary of Defense for Science and Technology and, in the position he help immediately prior to assuming his present position as Associate Director at APL, serving as the first Director of Ocean U.S., the federal, interagency planning and coordination office for the national effort to develop and deploy an Integrated Ocean Observing System (IOOS).

Coast Survey >>>Cont’d from pg. 16
chart updates.

Five years ago, it could take four years to update a chart using new survey data. Today, thanks to new technology and processes, Coast Survey can process a survey and update the charts in less than a year; high priority surveys can be completed in 90 days.

If the teams find any immediate dangers to navigation, they won’t wait for the chart updates – they will notify the public and appropriate officials.

Coast Survey issues updates through its newsletter and social media. Go to www.nauticalchart@noaa.gov to subscribe to the newsletter (see the sign up box in the lower right corner) and join Coast Survey on Twitter @nauticalcharts for the latest updates. ☆

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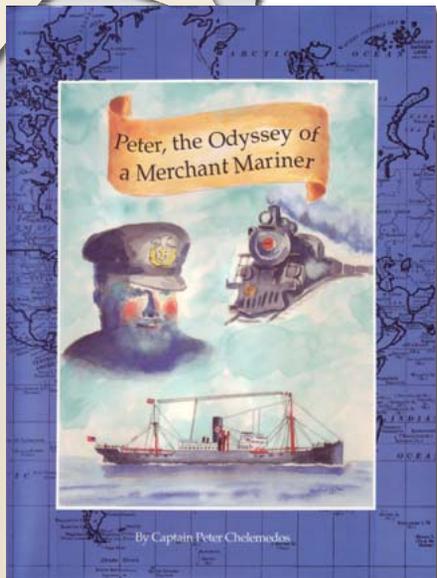
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by Captain
Peter Chelemedos
#1671-R

Peter, the Odyssey of a Merchant Mariner

Chapter 9: Coal Passer to New York Again Spring 1940

The war news told of the entry of the German pocket battleships *SCHARNHORST* and *GNEISENAU* into the North Atlantic to raid the Britain-bound convoys of war materials and food. One item told of the encounter with the British Armed Merchant ship *RAWALPINDI*, and of her being sunk in the encounter.

At Albany, I re-entered high school and, at the end of the semester in December, sat through the commencement exercises of my class. I also attended evening classes at the Navigation School in the Ferry Building at San Francisco.

As time went on, though, I realized that nothing had changed in my relations with my brother and mother. To get out of this no-win situation, I headed again for the open road.

I hitchhiked south a way, then from Salinas "rode the blinds" on the Southern Pacific's night train south. That was a cold ride, behind the engine and in the mouth of the baggage car. The ground was frosty when I jumped off at San Luis Obispo. The next day I hitchhiked to San Pedro. I spent a couple of weeks at San Pedro and at Wilmington, beachcombing again.

As a way to get from San Pedro to New York, I had an opportunity to go as a workaway on a Swedish ship, *SS O.A.*

BRODIN. This meant I could be assigned to any work needing to be done in exchange for a place to sleep and my meals. I was assigned to the engine department and put to work assisting the lampere. When I heard this, I assumed it meant I would help take care of the ship's running lights and other lamps and lanterns around the ship. In those days, electric lights were not very dependable and all ships carried a reserve of kerosene lanterns for all emergency replacements. Such is innocence.

The job title, I found out, was the Swedish name for a coal-passer. I found myself in the 'tween decks coal bunkers shoveling coal into a chute down to the boiler room where the fireman kept a steady flow into the voracious fire boxes under the ship's boilers.

When we first sailed out of the harbor, the bunkers were, of course, full. I saw a pretty easy time of it. As we sailed south toward the Panama Canal, however, the combination of the heat from the fire-room and the sun on the steel deck over me combined to raise the temperature in that black hole higher and higher in direct relation to the increasing distance from the coal pile to the mouth of that ever-hungry chute.

In any event, the temperature remained about 120 degrees. Even the pipe handles of the wheelbarrow picked up the heat.

Occasionally, I would be able to stand under the big cowl vent that brought air down from its opening on deck near the smoke stack. Sometimes, a gust of wind would hit the vent straight on and, while it was welcome for breathing, it also stirred up a cloud of coal dust in the already stuffy atmosphere of the bunker. When it was time to go off watch, it took nearly an hour of scrubbing with saltwater soap and sea water to get most of the black dust out of my hair, eyes, ears and skin. Considering I would again enter that cavern of blackness in six hours, it was a pretty futile exercise.

About all I can remember of that trip is the spaces of blackness between meals and sleep in the fo'c's'le under the bows. When I got off that ship, I vowed I would never again knowingly sail in the "black-gang," but would learn all I could about the deck department.

As I heard rumors that the ship had received orders to Montevideo, Uruguay, for bunkers en route to India, I signed off in Panama and got a job as a crew member on a motor yacht that was being delivered back to San Pedro. I later learned that the *BRODIN* had gone directly to New York.

In San Pedro, I shipped on the yacht *K'THANGA* to deliver her to San Francisco. At San Francisco, I was transferred at the boat yard on Hunter's Point to work

on the yacht *PEZ ESPADA* for a couple of weeks. I stayed in a hotel in San Francisco rather than going back to Albany.

In March, I wrote Rev. McDonald that I was on my way east. I paid twenty dollars to a “wildcat” transportation outfit and rode to Chicago by way of Los Angeles in a private car that was being returned east. I stopped in Chicago long enough to get a meal on the *CAROLITA*, and in Buffalo overnight to give my regards to the railroad men at the roundhouse who had treated me so well the last time I was there.

The following Monday I was in New York, reporting to the Seamen’s Institute for a haircut and a bath. I made the rounds of the union halls trying to get on their books for a trip-card. I was issued one by the National Maritime Union; this meant that if they couldn’t fill jobs with their regular men, I could be called upon.

The war news in April was the invasion of Norway by the Germans. The German battleship *LUTZOW* and the cruiser *KARLSRUHE* were torpedoed and damaged by British submarines, the *HMS GURKHA* was sunk and the *HMS DEVONSHIRE* was damaged in air attacks in the Norway area.

During my stay at the Seamen’s Institute, I spent a few evenings in the apprentices room and there met Tommy Finn, an apprentice from the British ship *WESTERN PRINCE*. I accepted his invitation to visit the British Apprentices Club at the Hotel Chelsea on Twenty-Third Street.

My first visit to the BAC, a club set up like the living room and game room of an English manor house, introduced me to Mrs. George, Miss Alice Hayden and Mrs. Spaulding, hostesses at the club. Since this was a club for British Merchant Marine apprentices, I felt a bit out of place. But the room was so homey and restful for my travel-weary eyes, I couldn’t help inventing a story of sorts that, if accepted, would allow me to visit the club occasionally. I signed in, using the home address of my pen pal, John Marshall, in England, and gave a

made-up story telling how I had lost my ship and all my papers in the Far East and was making my way back to Britain on my own. Because of the war and the American Neutrality act, I couldn’t get a ship to England unless I could prove I was a British subject. Being hardheaded, I would sail American ships until I was in a position to get a ship for England. My story was accepted, I believe, though with reservations.

A week or so later, I shipped out on a coal-burning steam tug, the *NOTTINGHAM*, as Ordinary Seaman, to relieve the skipper’s son for a twelve-day trip hauling barges from New York to Baltimore, back to New York, on up to Rockport, Maine, and back again to New York. March and April are not the months to be bounding around in that area of the Northeast coast fighting a twelve-inch wooden hawser that had to be let out and pulled in as we neared each terminal. Of course, I was on the winch detail, pulling the barges in and letting them out with ice cold seas sloshing around my feet and strong winds whipping me about the slippery deck. I was happy to see the skipper’s son come back to reclaim his job.

The war in Europe had been taking an ominous tone. The fall of Belgium, the invasion of Holland, and the possibility of an evacuation of the British and French armies was paramount in the newspapers of the day.

I returned to the Seamen’s Institute and, thinking I might be able to ship out in Canada, I scraped twelve dollars together from a dishwashing job at an Automat — eight dollars for the ticket to Montreal and four more to pay my way back across the border if I couldn’t find a situation there. I even toyed with the idea of trying to volunteer for the Canadian army if I couldn’t find a ship job.

The immigration official on the train was skeptical about letting me into

Canada with so little money, but I told him I wanted to visit a brother whom I expected in on a ship sometime this week. I showed him, besides my seaman’s papers, the discharges from the Canadian ship *SOUTHERN LADY*. After he had fixed up the papers necessary to send me back across the border, he held them and gave me a ten-day permit to stay.

I immediately booked a room at the YMCA and set about making the rounds of Montreal’s waterfront in search of a job on any ship there. I even thought of sailing as a workaway on a ship bound

I was on the winch detail, pulling the barges in and letting them out with ice cold seas sloshing around my feet and strong winds whipping me about the slippery deck. I was happy to see the skipper’s son come back to reclaim his job.

for England, just for the meals and a place to sleep. Maybe it is a good thing I didn’t, as the British troops were being driven back to the beaches of France. So when the ten days were up, I headed back to New York. ☆



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The definition of misery: Seasickness



by Captain
John Konrad, V
#3205-S

One of the first questions I get asked after someone finds out I work at sea is, "Do you get seasick?"

In truth I have, just once. I was cooking lasagna in the galley of a 37-foot sailboat racing upwind in 20 foot swells when the kerosene lamp broke. Taken separately, the confined space, heavy rolls, the smell of lasagna and kerosene never bothered me much, but the combination of all four proved insurmountable. Luckily I just went topside and waited for the cabin to air out but the 60 seconds it took me to escape were pure misery.

The single worst aspect of sea-sickness is not being able to stop it. In honesty, seasickness is rarely a problem for CAMM's membership of seasoned ship masters but, as leaders, it's our job to mentor new recruits and monitor the health of our vessels and crew. And, in today's environment of one/two man bridge watches, it's no longer enough to say "toughen up kid" or have someone cover his watch because the manpower might not be available.

Just remember... by the time your ship has crossed into the North Atlantic it's too late to find new crew and a watchmate bent over the rail is not looking for targets on the horizon!

So what can you do if your ship is undermanned and the new third mate on bridge watch is green with seasickness? The good news you can tell him is recent medical studies show that 75% of people eventually get acclimated to the

sea and are naturally cured of the affliction. The bad news is... the other 25% should be looking for a new career!

With that in mind, here is a list of 50 suggestions sent to gCaptain.com editors on ways to help your crew prevent seasickness. Of note: some of these are scientifically tested, others are sailors' tales, and none of them have been tested by me personally because, well, I'm not strong-willed enough to have picked a profession which makes me routinely sick! Results may vary, but all of these have been suggested by at least one professional mariner (although I can't vouch for his/her sanity).

1. Fool yourself Believe it or not (your choice), but 99% of seasickness is mental. Even the most stalwart mariner begins to feel queazy at times... but quickly solves the problem by telling themselves "I don't get seasick!" Repeat it three times in the mirror before departure. And make sure you say it with conviction!!

2. Look at the horizon When a ship is riding to a heavy sea, everything is moving. The only thing that is stationary is the horizon and looking at it will often reset your internal equilibrium.

3. Follow your nose Motion sickness is often caused by bad smells. Even pleasant smells, like a girlfriend's perfume, can often send you for the railings. So if you smell anything strange, move into fresh air fast. And be sure to keep your living area clean... a dirty room or body is a quick way to invite odor.

4. Other people One sure-fire way to get seasick is to watch other people get-

ting sick. Like a schoolyard cold, motion sickness is very contagious. Avoid other seasick people at all cost.

5. Watch what you eat One of the reasons people get seasick on cruise ships is that they over-eat. When the waves hit, greasy high-fat foods swirl around in your stomach like water in the head. Also avoid sugar which can make you light-headed and dizzy.

6. Chew gum and eat sweets Hey, didn't I just say to avoid sugar? Yes, but some people swear by it; others think just the repetitive motion of chewing (most effective with gum) helps relieve symptoms.

7. No booze Alcohol can make you sea-sick on dry land; the effects are worse in open ocean, so avoid drinking at all costs.

8. Eat only saltines An old sailors' myth is, when the seas get rough, eat only saltines. Personally I think a full and healthy diet helps prevent seasickness, but others swear by eating just saltines.

9. Drink only lime juice - Like the saltines, some old salts swear by drinking only lime juice in a storm claiming it helps contract your stomach. We think this is bogus but, if you are going to try it, be sure to avoid all dairy because the mixture of lime and cheese might be great flavor for a Dorito but, in real life, they create curds in your stomach. Ouch!

10. Ginger Whether you chew it, suck on it or dilute it in tea, ginger has long been a favorite home remedy for motion sickness. Give it a try and if you

believe it works (see rule #1), it most probably will!

11. Herbals Carrot juice, apricot juice, citrus, prunes, mints, black horehound, parsley, sage, rosemary and thyme... there are a 101 plants that are reported to help cure seasickness. We can only suggest you try them in small amounts.

12. Aromatherapy Get a fine mist sprayer and fill it with distilled water, lemon oil, cedar wood oil, dill oil, lavender oil, and a few drops of spearmint. Then spray it lightly on your face.

13. Over-the-counter drugs Dramamine and Bonine are the two most common seasickness remedies. These are available over-the-counter at most drug stores and contain antihistamines which makes some people drowsy so, if you're at sea to work, make sure to look for the non-drowsy versions.

14. Ambien One cure for motion sickness is to sleep through it, but getting to sleep is hard when you feel miserable. Ambien will knock you out no matter what your state is. Just be sure to take it well before you start vomiting (medicine needs to be in you to feel better). If you can't get a prescription for it, try its over-the-counter relative Benadryl, another antihistamine which will knock you out! Warning: These drugs are powerful, so don't expect the ship's alarm to wake you if she starts to sink!

15. Wrist Bands Anti-seasickness wrist bands come in two varieties: acupressure and magnetic. They work by applying pressure or magnets to a pressure point located on the underside of the arm about an inch and a half above your wrist.

16. Acupuncture If the band doesn't work you can try actual acupuncture needles but, be warned, sharp objects and moving ships are not a safe combination.

17. The Patch Scopolamine patches are worn behind the ear and look like small band-aids that contain small amounts of medicine which secretes into your skin. They are the most popular

prescription drug for seasickness and they also come in pill form. The great thing about the patch is that it continues working even after you start to throw up. But, be warned, prolonged use of the patch - for weeks at a time - can lead to hallucinations!

18. Kid's medicine If Dramamine and Scopolamine leave you with bad side effects, then try Stugeron (the brand name for cinnarizine), which reportedly works even after you have started feeling dizzy.

19. Change heading Sometimes a ship will get into a harmonic rhythm which drives certain people crazy. This is easily fixed by either changing the ship's course or speed... that is, if the master lets you!

20. Don't get pregnant Many women are fine aboard ships in all weather conditions... that is until they have their first child. So if you are female and plan on taking a world cruise be sure to do it before you have children. The worst part — sea-sickness has been the cause of many pregnancies by women who unknowingly threw-up their birth control pills.

21. Close your eyes Many doctors believe that seasickness is actually your brain getting confused by too many mixed signals. So start to shut these signals down by removing smells, tastes hearing and vision. For the last two ear-plugs and eye patches may help.

22. Ask an astronaut NASA has done extensive research on the causes and treatments for motion sickness. One tested treatment is to wear special LCD shutter glasses that create a stroboscopic vision of 4 Hz with a dwell of 10 milliseconds.

23. Autogenic-Feedback Training Exercise AFTE is a six-hour training program developed by NASA which is reportedly an effective method for enabling people to control voluntarily several of their own physiological responses to a variety of environmental stressors. Not sure what that means?

Continued on next page >>>

Sea-Sickness Facts

Dr. Timothy Hain, an expert on motion sickness at the Chicago Dizziness and Hearing shares of some interesting sea-sickness facts:

- Motion sickness is the nausea, disorientation and fatigue that can be induced by head motion. The first sign is usually an unhealthy pale appearance. Yawning, restlessness and a cold sweat forming on the upper lip or forehead often follow. As symptoms build, an upset stomach, fatigue or drowsiness may occur. The final stages are characterized by nausea and vomiting.
- Horses, cows, monkeys, chimpanzees, birds and sheep have been reported in scientific publications to show motion sickness. Rats, unfortunately I suppose, do not vomit so cannot serve as experimental subjects.
- According to research, nearly 100% of (human) occupants of life rafts will vomit in rough seas. 60% of student aircrew members suffer from air sickness at some time during their training. For vertical motion (heave), oscillation at a frequency of about 0.2 Hz is the most provocative. Motion at 1 Hz is less than 1/10th as provocative. About 7% of seagoing passengers report vomiting during a journey (Lawther and Griffin, 1988).
- Women are more sensitive to motion than men, by a ratio of about 5:3 (Cheung, B. and K. Hofer, 2002). Women are more sensitive to motion around the times of their menstrual cycle (Glunfeld and Gresty, 1996). This may be due to interactions between migraine and motion sickness.

Seasick >>>Continued from page 23

Neither am I but I'm sure Google® can help.

24. Avoid books and computer Screens Reading, whether on a device or paper, is a sure-fire way to get you sea-sick. But if you must be sure to read small portions at a time with frequent breaks to look up towards the horizon. If using a computer try a program that reads the text out-loud to avoid fixing your eyes on the screen.

25. Buy a program With names like "The Puma Method" and "Nevasic" a mixture of doctors and hacks offer their training programs for a price. Some are DVD sets and others come as cheap iPhone apps. Some surely work and others are a scam but all promise to relieve your pain in a few easy steps.

26. Saline drip and O₂ Between sweating, vomiting and forgetting to eat or drink seasickness can quickly dehydrate you worsening your condition fast. So, for some, a trip to the ship hospital results in an I.V. and an O₂ mask which hydrate and oxygenate the patient making them quickly feel better. But a far simpler solution is to drink water and get fresh air before you get dehydrated.

27. Hammock A hammock strung fore-to-aft will let you lay motionless while the ship rolls beneath you. It won't remove all motion (you still feel the up and down heave of the ship) but it does reduce the rolls.

28. Be a burrito If the hammock doesn't work for you, try wedging life jackets under your bed to create an acute angle between the mattress and the wall, then climb in. This essentially turns your mattress into a burrito shaped shell, pinning you against the wall and preventing you from rolling in your bed.

29. Get in the water While this is impossible on most ships, if you are on a dive boat or on a cruise ship with a swimming pool, you can reduce the water's motion by submersing yourself in it! This works best when you are fully underwater with a SCUBA set.

30. Stay in the middle A ship balances at its center, so that is the place

where motion is least pronounced. The bow and stern should be avoided at all cost.

31. Get to work Dinghy sailors rarely get seasick and this is because there is too much work to be done by the small crew to notice the bad weather surrounding them. Free your mind and body with work or exercise to avoid getting sick.

32. Hair of the dog In Britain new sailors are called "Greenies" for the color their skin takes when the ship starts rolling. Many people get terribly seasick in the beginning of their careers but become old salts after battling their first major week-long storm.

33. Lay down Some say that lying down prevents histamine from reaching the brain, decreasing nausea. Try laying on your back to prevent your stomach from being pushed into the deck by your body weight.

34. "Navy Cocktail" This remedy consists of a heavy dose of both ephedrine and phenegan taken orally and was reportedly used by both the U.S. Navy and NASA astronauts. We can't suggest taking either without seeking a doctor's advice.

35. Roll with the punches Fighting the roll of a ship can quickly cause fatigue which can lead to seasickness. Try to roll with the ship instead of stiffening up and fighting the motion (as most newbies unconsciously do).

36. Ice Water Immerse your feet in ice water. We are not sure if this is a wives' tale or real cure but I know of at least one sailor who swears by it.

37. Drink Coke® OR avoid Coke® Some people swear that Coke® helps prevent sea-sickness; others say that it causes it. Some also say that any carbonated beverage will help quiet the stomach but that ginger beer works best.

38. Get a diagnostic Some people don't have sea-sickness at all. They have vertigo or food allergies or other medical conditions that — once cured — relieve themselves to be the true culprit.

39. Steer the ship Taking the helm keeps your eyes on the horizon (2),

allows you to change heading (19) and keeps you busy (30) but mostly it gives you a feeling of control over the elements and can be a fast cure to sea-sickness.

40. Clean your ears Most of us take frequent showers and clean our ears out regularly but, if you don't, wax build-up in your ear has been reported to lead to motion sickness.

41. Lean back Keeping head movements to a minimum may help you reduce the number and complexity of inputs to the brain. To do this recline your chair slightly resting your head.

42. Pull the trigger Don't sit around fearing the sickness and go ahead and tickle your throat by sticking your fingers way down inside. Some sailors swear by it!

43. Removing part of your brain A university study (Hoffer, 2003) found that by removing the nodulus section of a dog's brain effectively prevented motion sickness. It's also thought by some that children under two are immune from motion sickness because this part of the brain has yet to develop. Loss of inner ear function and lesions in the cerebellar nodulus may also work but...

44. Monitor your breathing Hyperventilation can lead to lightness of head and induce many of the symptoms of seasickness. Take deep, controlled breaths and stay calm to prevent hyperventilating.

45. Always puke to leeward If you feel like you might throw up then go topside and puke to leeward. This is important!

46. Take a chill pill Doctors don't always do as suggested. I sailed with a doctor once who prescribed Scopolamine to all his patients but, for himself, he preferred Valium. Diazepam, lorazepam and klonazepam are all reported to work but, be careful, these meds are sedating and can be addictive.

47. Decongest Stuffed and runny noses play havoc on the inner ear so, some suggest vapor rub or chili powder to clear the nasal passages.

48. Get some rest Sleep deprivation magnifies the occurrence of motion

sickness because, according to U.S. Navy research, it interferes with the vestibular system (located in small cavities hollowed out of bone within each ear) habituation process. In the maritime environment, this is often a compounded problem since the sleeping conditions aboard a vessel. The solution? Get plenty of rest before the storm arrives.

49. Be friendly Some studies have suggested that motion sickness tends to be greater in introverts (Kottenhoff & Lindahl 1960). This may partly be due to their being slower adapters (Reason & Graybiel 1972).

50. Know the enemy

But what is motion sickness?

Sometimes the best prevention is knowledge. So to answer the question, motion sickness is a generic term for the discomfort and associated vomiting

induced by a variety of motion conditions aboard ships, aircraft, vehicles, on swings or amusement park rides, in zero gravity environments (e.g. space), and elevators. Actually, the term “motion sickness” is somewhat of a misnomer from two perspectives. First, it can be induced in the absence of motion as during a virtual reality simulation, and secondly, sickness implies that it is a type of disease, when in fact it is a perfectly normal response of a healthy individual without any functional disorders (Benson 1999). Although the symptoms and physiological responses are consistent for all motions, seasickness varies with the individual.

What causes motion sickness?

Most research suggests that motion sickness is caused by the vestibular appa-

ratus (located within the inner ear, the vestibular apparatus provides the brain with information about self motion) sending signals that do not match the sensations of motion generated by visual or kinaesthetic (awareness of the position and movement) systems, or what is expected from previous experience. Said simply, it's caused by sensory mismatch, the brain gets confused by too many unexpected inputs. ☆

Captain John Konrad is founder and Editor In Chief of gCaptain.com. He is a USCG licensed Master Mariner of Unlimited Tonnage and graduate from SUNY Maritime College.

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The Kindness of Strangers

If it hadn't been for the captain and crew of the container ship HORIZON RELIANCE, we may never have known the fate of my brother-in-law Stephen J. Brown.

by Pamela V. Brown
freelance writer

We still don't have all the answers and, realistically, we never will. Thanks to the humanity and compassion of those aboard the *RELIANCE*, we know enough to understand and accept that he's gone.

A world-class sailor who had a month earlier completed his second solo sail around the world on his 38' sailboat *SOUTHBOUND*, Steve had left San Diego bound for Morro Bay on July 7, 2003. With his skill and experience, it was a two-day trip he could have made in his sleep. He never arrived.

At 6:45 a.m. on Friday, July 25, 2003 Klaus Niem [CAMM #2167-R], Chief Officer of the *RELIANCE*, spotted a sailboat with its mainsail torn and no running lights on, a dangerous combination nearly 800 miles off the California coast. Niem asked himself rhetorically, "Why would you put to sea with a hole in your sail?" You wouldn't, of course, so he knew something was wrong.

In the first of several compassionate and humanitarian acts, Master Rick Domnitz [CAMM #1585-R] contacted the U.S. Coast Guard with *SOUTHBOUND*'s position. In the past month, my then-husband Tom (Steve's brother) and I learned from various sources that crews of foreign ships often don't contact the Coast Guard if they see anything suspicious, so we were thankful that the American-flagged *RELIANCE* spotted

Steve's boat. Indeed, Domnitz said that over the years he and his crew have checked on seemingly-abandoned boats out at sea, only to be thanked with the "international salute" from the boats' occupants. Yet he was willing to make the effort once again.

After several hours the Coast Guard telexed back that *RELIANCE* was needed to turn around and confirm the identity of the boat. Within 20 minutes, *RELIANCE* was on its way, no small feat for a 900' heavily laden container ship that had been speeding toward Honolulu, then Guam and Hong Kong.

In 15' seas, *RELIANCE* took a couple of turns around *SOUTHBOUND* to create a circle of calm in the water. Master

Domnitz maneuvered his ship so close to the smaller boat that Chief Officer Niem was able to board *SOUTHBOUND* simply by climbing down the pilot's ladder.

Niem was the only man to go aboard and because of worries that the ocean would become rough again soon, he only spent about 10 minutes there. That was long enough to confirm that Steve was definitely not aboard and that there were no signs of foul play. He retrieved Steve's log book in which he wrote daily. This is how we know that Steve's last day aboard and alive was July 8, nearly 2½ weeks earlier.

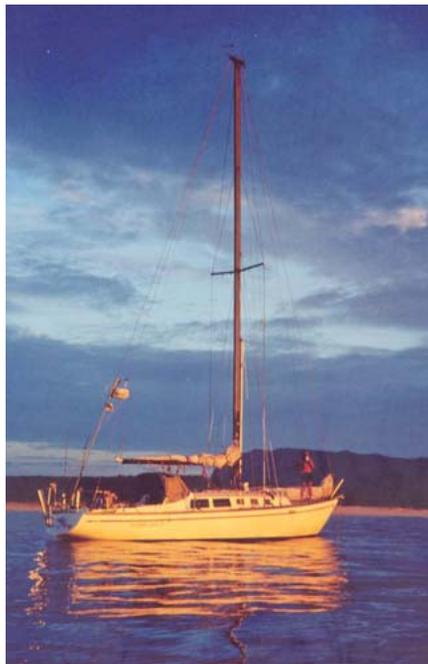


PHOTO: COURTESY PAMELA BROWN

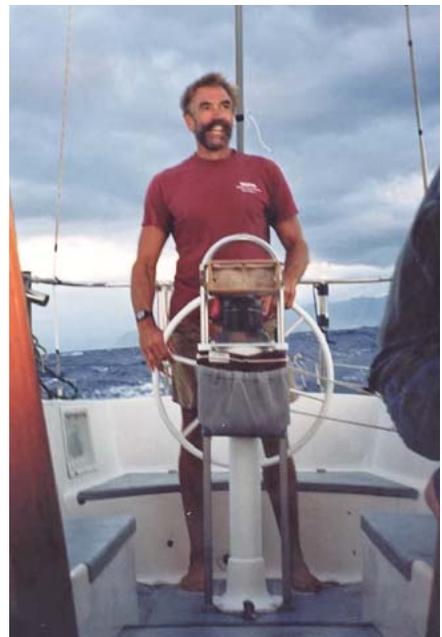


PHOTO: COURTESY PAMELA BROWN

Left: *SOUTHBOUND* aglow in early evening sun off the coast of Niihau, Hawaii, 2001.
Above: Captain Stephen Brown at the helm of the *SOUTHBOUND*.



SOUTHBOUND must have seemed tiny to the *RELIANCE* crew on their huge ship laden with containers.

Domnitz and Niem could have easily deemed the whole situation insignificant to them – they had no way of knowing that Steve had a mother, five siblings, three siblings-in-law, a fiancé in Indonesia and countless friends and other relatives who loved and respected him, all of whom were collectively holding their breaths in the hopes that he would be found safe.

Coincidentally – or not – the *RELIANCE* had been bound for Honolulu, a 30-minute flight from where Tom and I lived on the Hawaiian island of Kauai. Three days after spotting and boarding *SOUTHBOUND* adrift, she docked at Sand Island. Tom and I were there to meet the master and crew. We were welcomed warmly.

When we saw her at Sand Island, we understood at once why *RELIANCE* couldn't have towed the smaller boat in without destroying it – it would have been akin to a human dragging an ant on a leash.

Domnitz, Niem and the other crew members we met treated us and our memory of Steve with dignity and respect. They understood that he was an exceptionally adept sailor, not some unskilled goofball who went out for a day sail and couldn't figure out how to get back. They gave us their personal slants on the circumstances based on their own many years at sea. Their regard for him and empathy for us helped us move a little closer to acceptance.

When we thanked Domnitz and Niem for their time, consideration and responsibility by documenting the whole operation with nearly 60 digital photos

(of which they provided us a copy). Domnitz replied, “Any sailor would do the same. Any human being would have done it.”

I beg to differ. In this world of suicide bombers, of having to prove your shoes aren't rigged with explosives, of corporate executives raping employees' retirement funds, no, not any human being would have done it.

I have a different feeling now when I fly over or drive by Sand Island on Oahu. It used to be a fascinating place to me – and still is – filled with huge ships, machinery and people bringing in and shipping out the necessities of our daily lives here in Hawaii. In my mind's eye I now picture the kind men we met, and I can feel their consideration and empathy.

Today, Labor Day, was the day I'd set aside to finally write this part of Steve's story. I thought I'd set my thoughts down in a coherent fashion, have a few cries as I relived the emotions without being sidetracked by other responsibilities.

Coincidentally – or was it? – today Klaus Niem telephoned us to say hello, that the *RELIANCE* was in back Honolulu again and to learn whatever happened to *SOUTHBOUND*. (It's still adrift at sea.) It felt surreal to be taking the call while sitting outside Bubba Burgers in Kapaa

on Kauai, and be mentally transported back to that busy dock in Honolulu, to the huge ship, the master and crew who took the time to make a difference, to do what was right for people whom they'd never met.

On that day at Sand Island we presented the Master with a small collection of our favorite contemporary Hawaiian music CDs. He seemed almost embarrassed to accept them and actually tried to give them back until we explained that we already had our own copies of those CDs at home.

I hope Master Rick, Chief Officer Klaus and their crew listen to the music of Brother Israel Kamakawiwo'ole, Olomana, Kalapana and Hapa with good memories in their hearts and with the knowledge that Steve enjoyed listening to that music during the years he spent in Hawaii. I also hope they remember that when they “*did what any sailor would do*,” they demonstrated and shared with us the true Aloha Spirit. ☆

Pamela Brown is a freelance writer based in Hawaii. This article originally appeared in “Latitude 38”, December 2003.



PHOTO: KLAUS NIEM



PHOTO: KLAUS NIEM

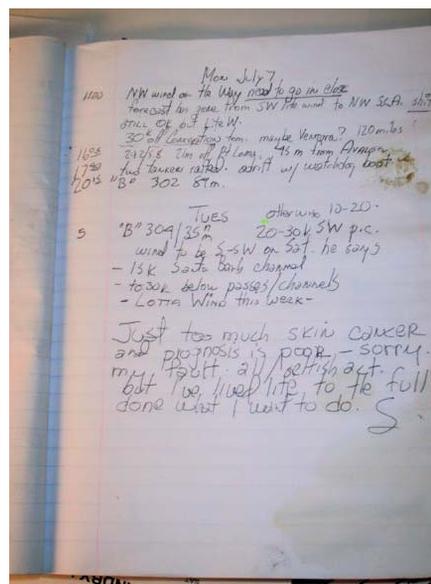


PHOTO: KLAUS NIEM

Far left: *SOUTHBOUND* adrift at sea. Left: The *RELIANCE* alongside *SOUTHBOUND*. Above: Last entry in Captain Steven Brown's logbook.



CAMM's voice in the IMO
Working together to protect and benefit Masters Internationally

News from IFSMA



by Captain
Rodger MacDonald
Secretary-General
IFSMA

Designate. John has 20 years of seagoing experience, including command. He then came ashore and operated in management roles with positions as Marine Superintendent, Quality Manager, Fleet Safety Officer and Designated Person. He then spent over four years with the IACS member, Bureau Veritas, as Chief ISM Auditor for ISM Code, Deputy Head, Statutory Procedures Department and Head of Crew and Systems Certification Department.

Since 2001, John has been actively involved in maritime education and training by creating, developing and delivering courses as well as being a senior lecturer at one of the U.K.'s leading maritime colleges. As a long standing individual member of IFSMA, he has often discussed his deep concerns for today's shipmasters as well as the need to improve the standards of training and the developing of seafarers in the future. I am confident that with your new Secretary General, IFSMA will continue to grow and fully support the interests of shipmasters.

Looking back over my ten years as Secretary-General, the most disappointing thing for me is the fact that the industry has failed to address the criminalization of shipmasters. Whilst

I am pleased to report that January has started well for IFSMA with the appointment of Captain John Dickie as the IFSMA Secretary General

IFSMA has been a major contributor in developing the IMO/ILO Guidelines on the Fair Treatment of Seafarers, and we along with our associations have worked hard to try to free those who have been unjustly incarcerated, the problem continues to this day. We have developed the MasterMarinerProtect Programme to offer some help to those shipmasters that can use it. But is this enough?

CAMM is aiding in organizing legal defense for Captain Sobadzhiev, who was arrested in Panama because drugs had been discovered in the bow thruster compartment. He has been held since March 2011 based on the crew witness evidence that the master was responsible. Having given this testimony, the crew and ship were released.

A more recent case in June 2011 involved a small 1005 DWT vessel, *MV INA 19*. The vessel's master, mate and crew were arrested in Greece because 3000 boxes of cigarettes had been found in a cargo hold on board. The vessel had loaded the cigarettes as cargo from Cyprus to Albania and had the documentary evidence. When the owners were asked to put up bail for the seamen, the shipowner disappeared.

If you consider these two cases, we are not in a position to claim innocence or guilt because we have not the evidence before us and in any case it is for the courts to decide. What is totally unacceptable is that seafarers are again being held for months without charge or a fair trial. Meanwhile, their families wait in ignorance of their plight and have no income from their husbands to support them.

I keep asking myself these questions. What has happened to our industry over the last three or four decades that today

it seems that a shipmaster is treated with such contempt? Why are shipowners quick to place the responsibility on the shipmaster and yet offer no support for when it is needed? Why are Flag States so reluctant to act as they should do and offer support to the seafarers employed under their jurisdiction? Why do coastal State authorities use the shipmasters and their crews as whipping boys for the shipowners?

The important thing is to recognize that IFSMA has to step up its efforts to deal with this. We are truly the only international organization that focuses and solely represents the interests of the shipmaster. Today IFSMA's role is more important than ever. 🌐



IFSMA
38th Annual
General Assembly

June 14-15, 2012
Copenhagen, Denmark
Hosted by
Danish Maritime Officers

Workshop:
Lean Ship of the Future

June 13, 2012
Copenhagen, Denmark

www.ifsma.org

STCW Manila seafarer training amendments enter into force on 1 January 2012



IMO Press Briefing 67
December 23, 2011

Major revisions to the International Convention on Standards of Training, Certification and Watch-keeping for Seafarers (the STCW Convention), and its associated Code enter into force on 1 January 2012, with a five-year transitional period until 1 January 2017.

The “Manila Amendments” were adopted at a Diplomatic Conference in Manila, the Philippines, held in June 2010, and are aimed at ensuring that the necessary global standards will be in place to train and certify seafarers to operate technologically-advanced ships for some time to come.

The important changes to each chapter of the Convention and Code include the following:

- Improved measures to prevent fraudulent practices associated with certificates of competency and strengthen the evaluation process (monitoring of Parties’ compliance with the Convention).
- Revised requirements on hours of work and rest and new requirements for the prevention of drug and alcohol abuse, as well as updated standards relating to medical fitness standards for seafarers.
- New certification requirements for able seafarers.
- New requirements relating to training in modern technology such as electronic charts and information systems (ECDIS).
- New requirements for marine envi-

ronment awareness training and training in leadership and teamwork.

- New training and certification requirements for electro-technical officers.
- Updating of competence requirements for personnel serving on board all types of tankers, including new requirements for personnel serving on liquefied gas tankers.
- New requirements for security training, as well as provisions to ensure that seafarers are properly trained to cope if their ship comes under attack by pirates.
- Introduction of modern training methodology including distance learning and web-based learning.
- New training guidance for personnel serving on board ships operating in polar waters.
- New training guidance for personnel operating Dynamic Positioning Systems.

Transitional provisions:

Regulation I/15 Transitional provisions of the amended STCW Convention states that:

1. Until 1 January 2017, a Party may continue to issue, recognize and endorse certificates in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012 in respect of those seafarers who commenced approved seagoing service, an approved education and training programme or an approved training course before 1 July 2013.

2. Until 1 January 2017, a Party may continue to renew and revalidate certificates and endorsements in accordance with the provisions of the Convention which applied immediately prior to 1 January 2012. 

Welcome IMO Secretary-General Koji Sekimizu



Mr. Koji Sekimizu was elected Secretary-General of the Organization by the 106th session of the IMO Council in June 2011 for an initial four-year period beginning 1 January 2012. The election was endorsed by the IMO’s Assembly at its 27th session in November 2011.

Mr. Koji Sekimizu was born and raised in Yokohama, one of the biggest trade centres in Japan. He holds Bachelor’s and Master’s degrees from Osaka University where he studied ship structure and vibration.

In April 1977, he entered the Ministry of Transport of Japan (MOT) as a Ship Inspector. In July 1980, he became involved with IMO when he acted as the chief officer in charge of IMO regulations in the Safety Planning Section of the Ship Bureau and drafted various proposals to IMO’s technical sub-committees.

In the past 30 years, he served as Director of the Marine Environment Division (MED) and Director of the Maritime Safety Division (MSD). He has been extensively involved with MOT and IMO on MARPOL 73/78, maritime safety, SOLAS amendments, MARPOL, Marine Environment Protection Committee (MEPC), sustainable development, and much more.

See the IMO website for a full biography on Mr. Koji Sekimizu. 



The Company of Master Mariners of Canada is a professional association for those qualified to command. It was established to encourage and maintain high and honourable standards within the nautical profession, further the efficiency of the Sea Service, and uphold the status, dignity and prestige of Master Mariners.



*by Captain
Angus McDonald, FNI
CMMC Maritimes
Division*

RENA meets Astrolabe with fatal results

Within sight of the New Zealand Port of Tauranga, on January 9, 2012, after a weekend of bad weather when wave heights reached almost 20 feet, the Liberian flag container ship *RENA* broke in two at about one-third of her length of 235 meters from the bow and slid down the Astrolabe Reef until totally submerged, leaving the forward section, loaded with containers, firmly grounded on the reef.

It was October 5, 2011, when the *RENA*, on passage from the Port of Napier and making for Tauranga on a clear night in good weather, grounded on the reef at full speed at about 0220. The reef, which is virtually a submerged mountain, is located four miles north of Motiti Island and 12 miles from the Tauranga port entrance. It is a well-known hazard and clearly marked on charts of the area.

It seemed that the vessel's course had

been altered to head straight for the pilot boarding area near the fairway buoy and which was visible by its racon. There are tidal issues in Tauranga and there may have been pressure to get to the port soonest. The ship grounded at 27 minutes after high water in the port.

The current owners of the *RENA* are Costamere Inc., a well-known Greek owner and she was operated by a subsidiary company and managed by another company and was on charter to the Mediterranean Shipping Company, one of the largest international container companies. The ship had been built in Kiel, Germany in 1990 and had a maximum container capacity of 3,351

TEU and a summer deadweight of 47,230 tons.

The ship had been detained in Fremantle by Australian Maritime Agency's Port State Control for a number of safety violations but the

*The first container is removed from the *RENA* on November 16, 2011.*

Flag State intervened and had the ship released on the undertaking that the deficiencies would be remedied. In the



*Fly-over shots of stranded cargo vessel *RENA* grounded on the Astrolabe Reef near Tauranga Harbour, October 8, 2011. Note the waves breaking around the pinnacles of the reef.*

New Zealand port of Bluff where she loaded on this fateful voyage, Port State Control cited a few violations but they were not sufficiently serious to detain the ship.

The reef where she met her fate was named for the ancient navigation and survey instrument, the astrolabe, a kind of inclinometer which was used by astronomers and surveyors. Sea-going navigators used a modified astrolabe which helped them determine latitude. The irony of this name is that in the ship's cargo was a large consignment of wine (Sauvignon Blanc) from a winery in Blenheim, Astrolabe Ltd.

The 4000 cases of good Marlborough



PHOTO: MARITIME NEW ZEALAND

area wine was destined for the Irish market.

It is to be hoped that this cargo was insured. It is expected that cargo owners will have to contribute to General Average and the cost of trying to save the ship would be high.

The New Zealand Maritime Administration required the owner of *RENA* to call in a salvor and they appointed Svitzer to do the job. It was expected that fuel oil would leak from the ship and the Marine Pollution Response Service was mobilized. The ship's bunnkers totalled about 2,000 tons when she grounded. By October 9, Svitzer began removing heavy fuel and diesel from the ships tanks and transferring it to a small local tanker. This was a slow operation and some oil did reach shore and pollute lovely beaches and many birds and other wildlife were oiled and died.

A large barge, *SEA TOW 60* was chartered to accept containers lifted off the ship's deck by crane. Another crane barge, with a helicopter pad, the *SMIT BORNEO*, was towed from Singapore to Tauranga and cleared many containers off the decks. These were taken to a container processing depot in Tauranga. Many containers fell overboard, due to seas breaking over the ship which had a heavy list to starboard. Salvors fitted

sensors on containers to track them, the ones that drifted away and others that sank. It was a very risky job going up on the container stacks under those conditions and the salvor's men was no less than courageous to get up there (like spidermen) and hook on the boxes, while the ship would heave under the influence of the Pacific sea swell.

The *RENA* had a crew of 25, all Filipinos. No crew member was injured in the incident and all were landed safely ashore. The crew were questioned by authorities and allowed to be repatriated. However, Maritime New Zealand arrested the Master and the Officer-of-the-Watch (OOV) who was the 2nd Mate. They were charged under the Maritime Transport Act with "operating a vessel in a manner causing unnecessary danger or risk." The maximum penalty for this is a fine of U.S. \$7,800 or a 12-month jail sentence. The officers were remanded on bail and detained in Auckland. Later the Master and the 2nd Mate were served an additional charge of "discharging harmful substances from a ship." The maximum fine for this U.S. \$300,000.00 and a possible two years in jail.



PHOTO: MARITIME NEW ZEALAND

Above: Aerial shot taken January 8, 2012. *RENA* separated into two pieces after being battered by 6m waves the previous night.

On January 7, 2012, nearly three months since the grounding, the ship broke in two. The storm that came a few days later stopped all salvage work and on January 10, the after part of the ship slipped beneath the waves.

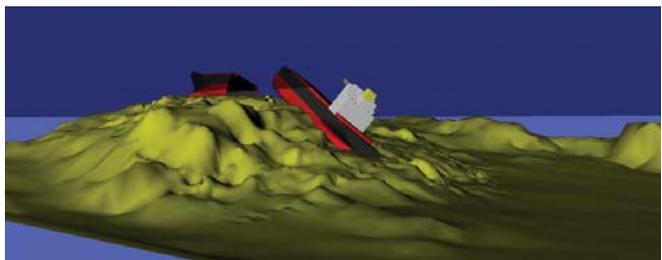
Until the full inquiry is held and made public there will be much speculation, especially among master mariners, as to how this even could have occurred, especially in this day and age where ships are equipped with so many navigational aids. If the aids are found to have been in good order one then turns to the personnel in charge of operating the ship.

Members' thoughts on the is are appreciated by *Sidelights*. 🍁

Dates and times given in this article are local to New Zealand.



PHOTO: LOC / MARITIME NEW ZEALAND



GRAPHIC: LOC / MARITIME NEW ZEALAND

Left: Aerial shot taken on January 10, 2012 of the bridge of *RENA* moments before submerging. Above: 3D image of the *RENA* showing the vessel's current position (10 January) on the Astrolabe Reef and how it is submerged.



by Captain
Dimitar Dimitrov
Chairman
Bulgarian Shipmasters'
Association

Criminalization of seafarers: winners and losers

The last few years have been marked with the increasing number of seafarers being incarcerated

they had taken when performing their normal duties and obligations at sea or without such a charges but only because there was suspicion of a breach of local rules in the ports of call or the coastal state.

Bulgarian seafarers have been involved in two completely different cases. The common thread between the cases is the unfair treatment of the seafarers.

Captain Svetlozar Lyubomirov Sobadzhiev, Master of *M/V MAAS TRADER* (owned by Maas Trader, CV and operated by Reider Shipping BV with a Netherlands manning agent Marlow Navigation, Netherlands) was arrested in Panama at the end of March 2011.

The ship arrived on 28 March in Cristobal from Barranquilla, Colombia. The ship was inspected upon arrival and 169 kgs of drugs were found in the bow thruster compartment. The master and the crew were arrested. The crew were released a few days later after giving witness statements that the master was the only person controlling the matter. The ship was released as well.

At this writing the master is still in prison without charge or legal representation. He has apparently been abandoned by the owners and the manning agent perhaps because they had suspect-

ed the master had been involved in drug trafficking. It is unknown how these companies developed such as suspicion.

Finding a way to assist in a far place in the world is quite difficult for the family of the maltreated seafarer. The seafarer himself is unable to do anything from jail. The family of Captain Sobadzhiev is living in Bulgaria. They are unfamiliar with Panamanian law and local procedures. They have no information about local lawyers and as to who is reliable and who is not.

The Ministry of Foreign Affairs of Bulgaria has not been proactive in assisting their Bulgarian citizen Captain Sobadzhiev in his attempts to show his innocence of acting as the uncharged allegations seem to say. It is something like a magic circle – the seafarer is in jail; there is nobody to attempt taking him out of jail, a cost-intensive operation; and the local authorities are quite uninterested in processing the case expeditiously.

In order to get a reasonable meal, Captain Sobadzhiev must pay unofficially – bribe – money. It is an informal business in Panamanian jails. How long the shipmaster will stay in the prison depends upon many factors – support from his family, colleagues from Bulgaria and overseas and above all the Panamanian authorities eagerness to

resolve the problem – along with a good dose of luck.

In a second case, six Bulgarian seafarers and the Ukrainian shipmaster of the *M/V INA 19* (LOA 56 m, beam 9 m, deadweight 1005 mt, built 1981 and self propelled barge), sailing under the flag of The Union of the Comoros, was arrested in Greece in June 2011 after the

**Why are seafarers in these cases
— not the ship owner or charterer —
being held responsible?**

Greek Coastguard found 3000 boxes of apparently contraband cigarettes upon inspection in Greek territorial waters.

The seafarers confirmed that they loaded the cigarettes as cargo from Cyprus to Albania with accurate documents. The ship owner disappeared when the Greek court ordered payment of bail for the seafarers. The bail was paid by a Bulgarian television station. Five of the seafarers returned home on the fifth month after arrest.

The chief officer and the master remain in prison.

During the above mentioned five months the seafarers had not been supported by the ship owner and most of the time they lived in sheds with little to eat. Some of them confessed that the chief

officer in prison was “lucky” because he had normal bed and enough meals in the prison. The master and chief officer are being held liable for the smuggling of cigarettes which had been found in a cargo hold of the small vessel which was carrying a full cargo of cigarettes.

The returned seafarers are without their seafarer’s documents, and without salaries from the previous five months. They may appear monthly at the Greek embassy in Sofia until the process is completed. That could take years. It means that they will not be able to work on board ships in most cases and that their families will remain with little income.

Why are seafarers in these cases — not the ship owner or charterer — being held responsible?

Who wins from these kinds of arrests?

...

Likely no one benefits.

In the first case there is no evidence that the master is involved. He would have been unable to load and hide on

board 169 kgs of drugs acting alone. In the second case the “smuggled” cigarettes were found in the cargo hold as cargo.

Who wins from these kinds of arrests? The local people are not safer. The coastal state legislative system is made no better. Justice for local people and safeguards from drugs or illegal goods on the local market are not furthered. Likely no one benefits. It may be that these are loopholes in the seamless fabric of the maritime transport system which should be filled. Otherwise we will continue to lose people serving and recruit fewer people than before.

The Bulgarian Shipmasters’ Association (BSMA) is cooperating with the Council of American Master Mariners. CAMM has assisted the master in finding and helped his family retain Cartner & Fiske, LLC of Washington, D.C. working with co-counsel Carreira & Pitti in Panama to organize a legal defense of Captain Sobadzhiev. BSMA has established an account to support the family of the master and to help pay for the lawyers.

We will closely follow the developments of both cases and will advise the maritime community about the outcomes and the lessons learned. Any financial aid or support is welcomed and Bulgarian Shipmasters’ Association will coordinate the donations of money and support to the seafarers in jail. ☆

Captain Dimitar Dimitrov has served as the President of the Bulgarian Shipmaster’s Association since 2004. The Bulgarian Shipmaster’s Association is a member of IFMSA. Their website is: www.bsma-bg.org.

You can help

Make a donation to Captain Sobadzhiev’s defense

The Bulgarian Shipmasters’ Association (BSMA) has established an account to collect finances to support the legal defense of Captain Sobadzhiev in Bulgaria:

Societe Generale Expressbank,
Transportna Branch, Varna, Bulgaria

BIC: TTBB BG 22

IBAN: BG51 TTBB 9400 5525 7756 73 USD

Holder: Bulgarian Ship Masters Association

Withdrawal condition is a BSMA administrative board formal decision and agreement of Captain Sobadzhiev’s family.

Send letters of support

Father Sinclair Oubre, Chaplain for The Council of American Master mariners, encourages CAMM members to write to Captain Sobadzhiev in prison in Panama. The BSMA will forward any letters to the captain.

Letters of support may also be written to family members, friends and the BSMA.

Letters may be also written to Panamanian and Greek authorities for fair treatment of seafarers and urge them to resolve these issues.

Address letters to:

Bulgarian Shipmasters’ Association
17 Panagyurishte Str.
Varna, Bulgaria 9000

Email: chairman@bsma-bg.org

Please clearly mark the recipient of letter; the BSMA will forward accordingly.

Bulgarian Shipmasters' Association



In 1990 the idea of the foundation of Civil Navigation Association of Captains arose. On April 17, 1990 the Constituent Assembly was held which the Statute of the Association (SA) was adopted at. A decision was taken that the Association played the temporary role of a Division for the Sailors' Syndicate until it was organizationally formed and registered as a sole legal entity. Under command of Captain Vesselin Tsanev SA participates in the formation of some amendments in the Collective Employment Contract (CEC) in common with Steam-Shipping Navigation Maritime Bulgare (SSNMB) and the vindication of the captains' interests before Steam-Shipping Bulgare.

On December 8, 1992 the Constituent Assembly was again held at which a decision was taken that the Association accepted the title "Bulgarian Shipmasters' Association" with Captain Yancho Nikolov as its president, and which was registered in District Court of City of Varna as a non-profit legal entity at the end of the month.

Through the years the Association has actively participated in a number of activities together with the society of Varna with regard to solving subject-matters in the fields of the Higher Shipping Education and future of Naval Academy (NA) according to the amendments and supplements of Merchant

Shipping Code (MSC) and Ordinance No. 6 of shipmasters' terms of reference stipulated by Act on Shipping Agency (ASA), as well as many other issues related to the development of maritime industry.

In 1994 the Association became a member of International Federation of Shipmasters' Associations (IFSMA) with its headquarters in London as the Association established contacts with the managing bodies of a number of associations.

During the last couple of years under the command of the Commissioners of SA – Captain Jzivko Magditchev, Captain Andrian Evtimov and Captain Dimitar Dimitrov, the Association played an active role in considering subject-matters over the privatization of SSNMB according to the strategy of the development of shipping as it appealed together with Marine Engineers' Club with its general standpoint and suggestions before the governing authorities of the country – Presidency, Parliament, MC and the then MTC.

A main issue that has confronted BSMA though the years was defending the authority and interests of the captains – members of the Association in both the national maritime circles and international ones by the medium of IFSMA and the individual shipmasters' associations in some foreign countries.

Since 1997 in concordance with the tripartite Agreement between BSMA, Marine Engineers' Club and SSNMB with the active participation of the Association the database on the captains and senior engineers from SBMF for the period of 1892 to 2002 was found, collected, analyzed and sorted. In honour of Bulgarian Merchant Shipping's 110th anniversary in 2002 *Almanac of Shipmasters and Senior Engineers from SSNMB* was issued. Later on in October 2004 its supplement was issued in reference to its future general reprint for Bulgarian Merchant Shipping's 115th anniversary in 2007. ☆

The Bulgarian Shipmaster's Association is a member of IFMSA. Their website is:



Captain Sava Manolov First Bulgarian Shipmaster

Born on March 13, 1867 in Gabrovo. In 1896 he graduated at Peter Veliki Seafaring School in Navara Russia. On 20th of May of the same year he was appointed as a Second Deputy Captain of the ship *BULGARIA*. On November 4, 1927 he was appointed as a Captain (Commandant) of *SOFIA*. From then on he professed the occupation "Commandant" of the ships *BORIS*, *BULGARIA*, *KIRIL*, *VARNA*. He died after heart attack on March 13, 1927 on a voyage on board of steamer *VARNA*.

With his work and selfless love towards the sea Captain Sava Manolov, Commandant left a bright sign in Navigation Maritime Bulgare.

History of maritime law



by
Captain A.K. Bansal
Company of Master
Mariners of India

Seaborne transport was one of the earliest channels of commerce. Rules to resolve disputes involving maritime trade developed along with it.

Here are some ancient laws which governed sea, shipping and maritime matters. (See timeline in sidebar.)

'Sea Laws' was a title given by writers on maritime law in the 16th century to certain medieval collections of usages of the sea recognized as customary law, either by judgments of maritime courts or through usage of merchants and shipmasters. To the former class belong sea laws of Oleron, embodying usages of mariners of the Atlantic. Sea laws of Visby reflected customs of mariners of the North Sea and Baltic. Factories belonging to Visby merchants at Novgorod linked trade of the Baltic to that of the Black Sea.

How and in what manner these "Medieval Judgments of the Sea" came to be collected is not known. Eleanor of Aquitaine ordered records to be made of judgments of the Maritime Court of Oleron to serve as law amongst mariners of the Western Sea. The earliest collection of *Laws of Oleron* is described in *Black Book of the Admiralty*. In England, justiciaries of the King were instructed to declare and uphold laws and statutes, made to maintain peace and justice amongst people of every nation passing through 'Sea of England'. An English translation made by a registrar of the court was introduced into *Black Book of the Admiralty*. This manuscript came into the College of Advocates in 1685 but was lost. Rediscovered much later, it was placed in archives of the Admiralty Court. Sea laws of Oleron were translated into Castilian by order of King

Alphonso VI. Its 15th century handwritten Gascon text is preserved in archives of Livorno.

The parent stock of Visby sea laws dated 1240 was apparently a code preserved in chancery of Lubeck in the Old Saxon tongue. A manuscript of 1533 has been found in Guildhall of Lubeck. It contains a low German version of this collection, "*the water law or sea law, which is the oldest and highest law of Visby.*" The word "belevinge" (judgment) appears in front of each article. Introductory clause to its thirty-seventh article says "*This is the ordinance which community of skippers and merchants have resolved upon, amongst themselves as ship law, which the men of Zeeland, Holland, Flanders hold, with the law of Visby, which is the oldest ship law.*" After the seventy-second article is written, "*Here ends the Gotland sea law, which community of merchants and mariners have ordained and made at Visby, that each may regulate himself by it.*" Thus it appears that the Visby sea laws, like the Oleron sea laws, have gathered bulk with increasing years. Earliest historical records of Rhodian Law include *Law and Customs of the Hanseatic League*. Exhaustive criticism of Rhodian sea law dated 1909 is valuable material not only on the Rhodian sea law, but on various other sea laws in force in the Mediterranean.

Admiralty courts originated in England during Saxon times. Admiralty law was introduced into England by Eleanor of Aquitaine while she was acting as regent for her son, King Richard the Lionhearted. She had earlier published admiralty law in Oleron Island in 1160. Article VI of *Rolls of Oleron* contains

Continued on page 36 >>>

Ancient Sea Laws which governed sea, shipping and maritime matters:

- Code of Ur Nammu
2100 BC
- Code of Lipit Ishtar
1934 BC
- Laws of Hammurabi
1758 BC
- Laws of Rome
753 BC to 565 AD
- Laws of Mauryan Dynasty
321 BC
- Phoenician Laws
300 BC
- Nomos Rhodion Nautikos
600 – 800 AD
- Ordinaments et
Consuetudo maris
1063 AD
- Rules of Oleron
1160 AD
- Amalfian Laws, Italy
~1200 AD
- Laws of Hanseatic league
1300-1700 AD
- Islamic Laws and
Byzantine Maritime Law

Law >>>Continued from page 35

the doctrine of maintenance and cure and requires a ship owner to provide free medical care to an injured seaman serving the ship. Obligation of "maintenance" also involves providing a seaman basic living expenses while convalescing. Authority of kings to administer justice in respect of piracy, or other offences on the high seas was well established in time of Edward III in the mid-14th century. Islamic law also influenced international Maritime Law including derivations from civil law, but is not rooted in it.

Term Admiralty law is peculiar to the U.K. and some countries of former British Empire where separate courts may exist to administer laws governing maritime activities. Admiralty courts in U.K. are civil law courts largely based on Law of Justinian. They handle all admiralty cases in England and try to steer away from British common law. This includes relations between entities which operate ships across oceans for transportation, commerce and trade. Though each legal jurisdiction is governed by its own legislation on maritime matters, some features exist in all countries pertaining to law governing sea and ships. Significant volume of International Maritime Law has been developed recently through many conventions and multilateral treaties. It covers maritime and commercial activities but differs from country to country. Today, Admiralty law is a body of both domestic law governing maritime activities, and private international law governing relationships between private entities which operate ships on the oceans. It deals with transportation of passengers and goods by sea, shipping, maritime commerce, navigation and seafarers and covers commercial activities, even if land-based but maritime in character.

Admiralty law is characterized by inclusion of international law but is distinct from 'Law of the Sea', which is a body of public international law dealing with navigational rights, mineral rights, jurisdiction over coastal waters and laws governing international relations. Each

jurisdiction usually has its own enacted legislation governing maritime matters.

Islamic law departed from Roman and Byzantine maritime laws to make major contributions to admiralty law such as Muslim sailors being paid a fixed wage "in advance" with an understanding that they would owe money in the event of desertion or malfeasance, in keeping with Islamic conventions in which contracts should specify "a known fee for a known duration." In contrast, Roman and Byzantine sailors were "stakeholders in a maritime venture, in as much as captain and crew, with few exceptions, were paid proportional divisions of a sea venture's profit, with shares allotted by rank, only after a voyage's successful conclusion." Muslim jurists also distinguished between "coastal navigation, or cabotage", and voyages on the "high seas", and made shippers "liable for freight in most cases except for seizure of both the ship and her cargo". Islamic law "departed from Justinian's Digest and the Nomos Rhodion Nautikos in condemning slave jettison." Islamic Qirad was a precursor to the European commenda, limited partnership. "Islamic influence on the development of an international law of the sea" can thus be discerned alongside that of the Roman influence.

The High Court of Admiralty in the U.K. was an instrument of the Lord High Admiral to hear disputes and offences by a judge deputed by him. In due course it also started hearing civil disputes pertaining to sea, thus usurping jurisdiction of common law courts. In the 13th and 14th centuries, lawyers of common law courts objected to this encroachment. The Admiralty Jurisdiction Act, 1389, catered to this objection and by 1391, pleas and quarrels, whether on land or sea became triable by common law courts. During the time of William IV, wrecks at sea, collision, salvage, possession of ships, bottomry and seamen's wages came under Admiralty court. Most common law countries follow English statutes and case law. Other countries such as Panama have also established their own maritime courts

which regularly decide international cases. Malaysia has recently established its own Admiralty court.

After the U.S. Constitution was adopted in 1789, admiralty law was gradually introduced into U.S. law through admiralty cases. American lawyers such as Alexander Hamilton in New York and John Adams in Massachusetts who were prominent in the American Revolution were practicing admiralty and maritime lawyers. Dr. Lushington became Judge of the High Court of Admiralty in 1838. The Admiralty Courts Act was passed in 1840. Its jurisdiction included cognizance of mortgage of ships, questions of legal title, division of proceeds of sale on suits of possession, claims for salvage services, provision of necessaries to a ship as well as claims for towage.

From 1840 to 1861, laws were enacted for right of arrest of ships for claims of necessaries supplied and towage services rendered to foreign ships. Justice Oliver Wendell Holmes was an admiralty lawyer before ascending to the Supreme Court of USA. *In rem* jurisdiction was expanded in 1873-75 by the Supreme Court of Judicature Act, consolidated by a 1925 act, replaced by Administration of Justice Act in 1956 and again by a Supreme Court Act of 1981.

Article III, Section 2 of the U.S. Constitution grants original jurisdiction to U.S. federal courts over admiralty and maritime matters. But this jurisdiction is not exclusive. Maritime cases can also be heard in state or federal courts. Some cases can only be heard in federal courts such as limitation of ship owner's liability, arrests in rem etc., because they basically require the court to exercise jurisdiction over maritime property. Claims for cargo damage shipped in international trade are governed by U.S. COGSA, based on Hague Rules.

Admiralty courts assume jurisdiction if a ship is present in their territorial waters, irrespective of whether she is national or not and whether registered in that country or not and regardless of residence or domicile of her owners. Thus a ship is arrested to retain juris-



diction. State owned ships are usually immune from arrest. Banks which loan money to purchase ships, vendors who supply ships with necessities like fuel and stores, seamen who are due wages, and many others have a lien against the ship to guarantee payment. The ship must be arrested or seized to enforce such a lien. When property is lost at sea and rescued by another, the rescuer is entitled to claim a salvage award on that property. This law applies only to saving of property, not life.

An action *in rem* lies in Indian High Courts against a foreign owned ship, not having place of residence or business in India, for cause of action alleged to have arisen by reason of a tort or a breach of obligation arising from carriage of goods from a port in India to a foreign port.

Theoretically, admiralty jurisdiction exercised by Indian High Courts is still governed by the English Admiralty

Courts Act, 1861, Colonial Courts of Admiralty Act, 1890 and by Colonial Courts of Admiralty (India) Act, 1891. The 1890 British Act did not incorporate any English statute into Indian law but equated admiralty jurisdiction of Indian High Courts over places, persons, matters and things to that of English High Court. Thus jurisdiction of Indian High Courts was not frozen by the 1890 Act and could not be fettered to the 1861 Imperial Statute, which was substantially repealed later. Today all Indian high courts have admiralty jurisdiction.

The entire institution of maritime liens was devised only because a ship goes from country to country. If she earned a liability in a foreign country, it would be difficult if not impossible, to trace and hold the owners to account to satisfy local claims. When a ship is in local jurisdiction, it is expedient to hold HER responsible to satisfy claims

of locals. But if she is in her own country, owners can be held accountable to satisfy all claims of locals. This scenario changed from twentieth century with ships being registered under flags of convenience when owners are not nationals of that country. Thus, law pertaining to maritime liens needs to be widened especially since, a maritime lien cannot be effective for liabilities which are more than value of the ship. In today's scenario, a ship can earn liabilities many times her own value. Therefore owners ought to be answerable for ALL her liabilities regardless of her value. This has been alleviated somewhat, with CLC and Fund Conventions. ☆

Captain A.K. Bansal is a past Master of the Company of Master Mariners of India. He is a practising Bar-at-Law in India and the U.K.



MasterMarinerProtect
Defence & Legal Cost

Support and protection for Masters after an incident

Captain Jerry Benyo, IFSMA VP and CAMM member, last June introduced CAMM members to the MasterMarinerProtect Defence and Legal Benefit Program provided by IFSMA and is available to CAMM members.

The MasterMarinerProtect Defence and Legal Benefit Program to a certain extent will be a comfort and an important assistance to shipmasters who might end up in a situation where they are criminalized in accordance with national laws in connection with incidents, accidents and/or oil spills due to technical errors, mishaps, mistakes or negligence without any intention or will.

The benefit program will not cover situations where the incident, accident or oil spill is caused intentionally, neither will IFSMA give any support or assistance in such cases when it is obvious.

IFSMA has during an extensive period of time established coverage for their members. IFSMA has seen the increasing criminalization of shipmasters and other officers onboard and is very concerned. IFSMA has actively participated in different actions to assist the accused and also seen their need for

legal, social and financial support.

Some benefits are:

- Stand alone cover for the Master, not necessary to rely on P&I insurance;
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- Employment disputes (defense, counter claims, security for costs) up to EUR 20,000;
- Jail arrest wages (wage contribution of up to EUR 150,000) for a maximum of 12 months;
- Bail securities;
- No withdrawal of cover for a binding judgement;
- Reference jurisdiction;
- 24/7 MasterMarinerProtect emergency hotline for questions and legal advice.

CAMM members are eligible for the program. Rates, information and applications can be found online at www.masterbenefits.com. ☆



The Council of American Master Mariners, Inc.

Registration Form

2012 Professional Development Conference & Annual General Meeting

Name: _____ CAMM Membership No. _____

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Best Contact Phone: _____ Alternate Phone: _____

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Name for ID badge: _____ CAMM Chapter Affiliation: _____

Arrival Date: _____ Departure Date: _____

Events (Put a check mark in the boxes you plan to attend)								
	Wed. May 9			Thurs. May 10			Fri. May 11	
	Golf Outing Includes Green fees & lunch \$50 / person	Welcome Reception No Charge	Development Conf. \$65 / person	Guest Outing \$40 / person	Salmon Dinner \$40 / person	General Meeting \$65 / person	Gala Dinner \$60 / person (please circle choice)	Totals
Primary Attendee				at meetings			Steak Chicken not attending	
Guests							Steak Chicken not attending	
							Steak Chicken not attending	
Grand Total Due								

Please check all that apply:

I am interested in participating in a Captains' Choice Golf Outing on Wednesday May 9th (lunch included).

I require special needs and/or assistance (please explain): _____

Please return this form with check payable to "CAMM Seattle" **no later than April 15, 2012 to:**

Ms. Pat Hartle, CAMM SPNW Chapter,
4430 41st Ave SW
Seattle, WA, 98116-4219



The Council of American Master Mariners, Inc.

Annual General Meeting

Professional Development Conference

May 9-11, 2012 ☆ Seattle, WA USA

Wednesday May 9

Golf Outing

Mt. Si Golf Course
1000 staggered start

CAMM Welcome Reception
Red Lion Downtown

Thursday May 10

Professional Development Conference
Guest Tour
Dinner & Evening Social
Salmon Dinner and Cruise

Friday May 11

Annual General Business Meeting
Gala Dinner

Saturday May 12

Seattle Maritime Festival
Tug Boat Races on Elliot Bay

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Professional Development Conference

Confirmed Speakers:

J. Penelope Goforth, noted maritime author and researcher. Presentation on Northwest Passage.

Curtis Ebbesmeyer, Ph.D., oceanographer. Tracking the Pacific Ocean debris from Japanese tsunami.

Invited Speakers:

USCG - Icebreaker Program

NOAA - Northwest Passage Charting

Canadian Master Mariner - NW Passage from Canadian Perspective

Pacific Maritime Institute - Ice Navigation

U.S. Congressman Rick Larsen (D-WA), ranking member of the House Transportation Subcommittee on the Coast Guard, invited as Keynote Speaker.

Business Meeting

State of CAMM Address and officers' reports

CAMM Views and Positions

CAMM Strategic Plan

Gala Dinner

Formal evening

Keynote Speaker

Lalonde Spirit of the Seas Award Presentation

Introduction of 2012-2014 National Officers

Recognitions

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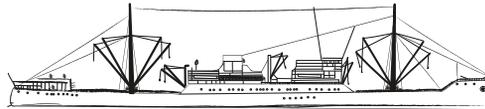
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