



**Newsletter**  
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**Cartner & Co.**  
International Maritime  
Consultancy

## THE FORTNIGHTLY DELIGHTFULLY BRIEF, PITHY AND WHOLLY IDIOSYNCRATIC NEWSLETTER.



### ***Delightfully Brief***

We observe that *maritima* is the hot topic in the press this season. The RENA in antipodal New Zealand started with the odour of criminalisation. To the great credit of New Zealand lawyers, the court and the government no media-propelled pre-emptive judgment was made. Similarly, the Italian court in the COSTA CONCORDIA matter batted down some charges but the master remains at serious risk. Costa seems to have a contagion of not getting it right. There was a fire on COSTA ALLEGRA in the Indian Ocean this week. All this is occurring as we lead up to the

centennial of TITANIC in April. Masters remain incarcerated without charge in Panama and Venezuela for alleged crimes. There is nothing new under the maritime sun.

### ***Pithy***

The *Indian Express* reported from Thiruvananthapuram that two fishermen were killed off the Kochi coast on February 15 when an Italian ship opened fire, mistaking the fishermen for pirates. In short, what I have been predicting has come about. Are we creating a cowboy class of trigger-happy Texas-style shoot-em-first gunslingers and buckaroos? Consider: the estimates are that approximately 120 of these vigilante troupes are now employed at approximately USD120 million per year. That is far more than the pirates take in. Consider further: of the 25 thousand transits a year in the involved areas, the likelihood of piracy is much less than 1% on an given day. Are we willing to pay USD \$330 thousand a day as an industry to protect

## In This Issue

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help you?

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1+202 429 2500

[jacc@cflaw.net](mailto:jacc@cflaw.net)

against a threat of that remoteness? The matter is now getting fully out of control. The Indian government had decided that the best way to protect themselves was to vet the guard companies. How naive can a government be? So much for the rule of law on the high seas. This is even more perverse when we see that the Indian government is moving against the shooters even though the proximate alleged killers are Italian marines enjoying the sovereign immunity of the Italian state. So here we are: India, a sovereign, ignoring the demands of Italy, another sovereign in a case with a sour taste but perfectly within the limits of a sovereign protecting its shipping. It is suggestive of the *VIRGO II* matter where the US government bullied the Canadian government for years to keep in custody the master and officers of the vessel *VIRGO II*. The flag state, the Russian Federation, eventually prevailed at showing the studiously ignorant in Washington that flag state law rules. The men in question were turned over to the tender mercies of the Russian prosecutors.

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### ***Wholly Idiosyncratic***

The Transportation Worker Identification Credential is now dying with a whimper and not a bang. However it is dying. At a recent advisory committee meeting to the government on maritime security the TSA could answer no question with either clarity or certainty. The pointed questions were answered in that best government tradition of answering another question. The card-reader which was supposed to be the end-all and be-all of this stupid program was kicked down the road to 2014. The Coast Guard is now exempting some classes of mariners from having the credential and has downgraded it to "an important component." In Washington that means it is now competing with other "important components" and it can be killed. The TSA cannot answer such basic questions as "Why cannot you use a security clearance to waive the vetting process?" Common sense, ovine blundering, and saving money are not a TSA long suit. However, straws are in the wind that Lockheed Martin's bullying ability has run its course. They bought the contract. They executed it. They screwed it up. They are too late paying for it now with no renewal, apparently.

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### ***Urgings***

Got [FOBNetworking.com](http://FOBNetworking.com)? You need to get it. Better than LinkedIn.

[Maritime TV](http://MaritimeTV.com) is the place to be on the internet. It is observable free and fast and is authoritative with some of the best minds in the industry talking on it. Check it out.

Upcoming: My good friend Capt. George Sandberg is resurrecting the NI Northeast Coast USA section. It is putting on what will be an interesting simulation review on the evening of Mar 29 and all day Mar 30. It is inexpensive and if you like simulation you should attend. I have attached [applications](#) and [descriptions](#). See you there!

Smooth sailing, fair winds and a following sea.

John A. C. Cartner  
Managing Member, the Cartner Companies  
and Cartner & Co., LLC, maritime consultants

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Cartner & Co., LLC consults in maritime and related law, naval architecture and marine engineering and maritime economics and trade.

*From the company archives: The logistics of a large liner company poses one of the great applied mathematical problems. How does one coordinate the movements of tens of thousands of containers daily, scores of vessels, tens of port entries and departures daily and keep within legal operating limits, be the most efficient in cargo handling, make loading and crane movements most efficient and deal with hundreds of ports and thousands of bookings on all continents and all at real time. Cartner & Co. was responsible for setting up such a program of both accounting, tracking, calculating and predicting which worked. The owner attributed a 15% his profit increase to the efforts of the company.*

*No legal, engineering, taxation or consultative advice is provided herein and none should be construed. The views expressed herein are solely the author's.*

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The Cartner Companies // [jacc@cflaw.net](mailto:jacc@cflaw.net)  
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