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**BPAC 2017 - 18 May 2017 - Bergen, Norway  
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## **Opening of the Conference**

The President warmly welcomed all participants in the BPAC 2017 conference and expressed the gratitude of the BPAC to Norway for hosting the conference. She also noted that most agenda items were related to traditional and well known issues.

The Director of the Norwegian Pilotage Service (NPS) briefly outlined the practicalities of the conference. He also made a presentation of the Norwegian Coastal Administration (NCA) based, i.a., on a video available on the link <https://www.youtube.com/watch?v=-cDsBRR6Elw>. The presentation emphasized the NCA's, including the NPS', dedication to safety, efficient movement and environment protection in Norwegian coastal areas.

Next, the BPAC members introduced themselves and explained their interests in the BPAC 2017 conference. They also approved the summary of the BPAC 2016 conference without comments.

## **Report from the Secretariat**

The Secretary General reported that no updates on deep sea pilotage statistics had been forwarded to the Secretariat after the conference last year. He also noted that no BPAC members had asked for passwords with a view to accessing and updating the website [balticpilotage.org](http://balticpilotage.org) with background information deemed relevant for the website users. Germany had forwarded corrections related to the Admiralty List of Radio Signals, and the Secretariat had passed the data on to the Radio Signals Manager at the United Kingdom Hydrographic Office.

Finally, the Secretary General had been informed that North Sea pilots might in some cases advise captains on navigation in Route T through the Great Belt. He further explained that according to the Danish Pilotage Act only persons holding a valid pilot certificate issued by the Danish Maritime Authority (DMA) are qualified to provide pilotage in Danish waters, including the Great Belt. Vessels in Route T guided by pilots, e.g. North Sea pilots, without a valid DMA pilot certificate, therefore, contravene the IMO recommendation on navigation through the entrances to the Baltic Sea to use the pilotage services established locally by the coastal States for passing ships. Germany noted that in the past UK authorities had wished to raise the issue with other authorities.

## **HELCOM**

The Chairman reminded the participants that BPAC has observer status in the Baltic Marine Environment Protection Commission, i.e. the Helsinki Commission (HELCOM), and that she therefore attends meetings in this organization on a regular basis. There was little to report from the past year except that the HELCOM Maritime Working Group had been awarded with the Baltic Sea Fund Prize 2017 of 20,000 € for its work to reduce emissions from maritime traffic in the Baltic Sea.



### **Status on the BPAC model course for deep sea pilots**

The Chairman briefly referred to the discussion last year of the model course on the link <http://www.balticpiloting.org/files/model%20course%20baltic%20deep-sea%20pilot.pdf> and agreed to a Swedish proposal for a table round designed to measure progress in the implementation of the course. It turned out that Sweden and Denmark had already implemented the model course. Other BPAC members were still considering their options for various reasons.

In the Swedish case a first course fully compliant with the BPAC model and including simulation training in Gothenburg was completed in 2016 with satisfactory results. A second course will take place in the autumn, and the Swedish Transport Agency has been invited to follow developments. In the Danish case pilot trainees must now study the subject of deep sea pilotage as outlined in the BPAC model course and pass a test controlled by the authorities. This training relates to the area west of Bornholm where the demand for deep sea pilotage is higher than east of the island. Danish pilots wishing to provide deep sea pilotage east of Bornholm must demonstrate their knowledge of the BPAC model course rules and regulations to the authorities, too.

Presently, Norway has no deep sea service. The BPAC model course, therefore, is not a top priority. Instead, Norway is conducting a general review of all national pilotage procedures and considers contacting other maritime administrations to draw on and learn from their experience on the subject. At the moment Germany has a surplus of deep sea pilots. In the German case, therefore, there is no current need to focus on the training of deep sea pilots in accordance with the BPAC model course, because there are enough licensed Deep Sea Pilots to meet the demand for the next years. In Finland deep sea pilotage is provided by private operators. They follow a homemade course with some resemblance to the BPAC model course, and they are subject to certification by the Finnish authorities to a certain extent, too. Future implementation of the model course depends, i.a., on adjustments of the current Government Decree on Pilotage.

Polish deep sea pilotage providers operate on a private basis in accordance with national regulations in force. In this context Polish authorities have noted a trend for private pilots to lose their Red Cards due to a low demand for their services. Therefore, the authorities focus on the need to raise the Polish pilotage activity level rather than the need to implement the model course. Russia also faces a number of challenges with a higher priority than the implementation of the model course. For one, shipowners frequently order private ice advisers without Red Cards to serve their vessels in Russian waters.

### **Status on the country questionnaire**

The Chairman referred to the discussion last year of the need to collect deep sea pilotage data in a simple and manageable way so as to allow for statistical analysis and description of trends. She also noted that participants tend to provide statistics in their presentations on BPAC conferences. However, these statistics do not necessarily concern deep sea pilotage. Moreover, methodologies vary, which makes comparisons difficult.



Sweden, Germany, Norway, Finland, Poland and Denmark followed up with statements in favour of the principle of providing deep sea pilotage data, and no participants spoke out in disagreement. Sweden considered it advisable to downsize the amount of data required. Germany argued that data collection should take place on a regular basis so as to ensure a high level of preparedness if and when the need for the statistics arises. Finland considered it important to keep track of the validity of the data. Latvia would consult with local authorities to determine their preferences for future deep sea pilotage statistics.

Based on further discussions of the future reporting format the Chairman distinguished two ways forward. The first favours the business-as-usual option, i.e. the continued use of the report form reproduced in Annex I. The second requires the Secretariat to prepare a new data collection format based on fresh inputs from the authorities represented in the BPAC. These methods were not mutually exclusive and could both serve the BPAC well with the Annex I approach as a starting point. The Secretary General promised to follow up with an IT solution allowing authorities to forward data on deep sea pilotage over the internet. From the outset the data required would be similar to the data shown in Annex I, but the system could be adapted as and when authorities communicate and agree on the need for adjustments.

Finally, the Chairman noted that no authorities had forwarded data on deep sea pilotage to the Secretariat recently. Therefore, continued collection of this kind of statistics now very much depends on the level of activity of the BPAC members in this area. She considered the model outlined above as a last attempt to maintain the system; if no data had been delivered before the BPAC 2018 conference, she saw no other option but to propose a discontinuation of the system.

### **Ice pilotage and ice advisors**

The Chairman briefly referred to last year's discussions on the subject of BPAC ice support that had demonstrated a need for a common approach to pilotage of vessels in ice-covered sea areas. She considered the subject difficult given the fact that BPAC members differ widely in their perceptions of the issue as well as in their regulation. She therefore encouraged the participants to shed more light on their thoughts about the issue and to clarify their attitudes towards an update of the Red Card design allowing for data about individual pilots' BPAC ice support experience in the cards.

Finland highlighted the constant change in ice pilotage conditions in waters along their coast and pointed out that vessels should not venture into Finnish waters, in particular the Bay of Bothnia, in the winter season without proper BPAC ice support. Unfortunately, captains trained in ice free waters sometimes underestimate the dangers inherent in navigation in ice covered seas. In certain cases they even navigate in ice with vessels unsuited for the purpose. Their priority of business over the safety of crews, vessels, cargos and the environment make them take unnecessary risks with at potential for disaster. In this context the traditional call for safety first remains as important as ever, and the introduction of Red Cards specifying each pilot's BPAC ice support experience would represent a step forward.

Sweden proposed to change the wording of the BPAC Memorandum of Understanding (MoU) to reflect the conditions that may apply in the Baltic Sea during ice and other related weather conditions. Sweden also volunteered to prepare a fresh draft of the MoU and to forward it to the BPAC



members for their consideration. Finland and Denmark supported the proposal, and no authorities represented at the meeting opposed the idea.

In response to a Swedish question Denmark explained that Danish deep sea pilots are required to have ice support competence in the Baltic Sea east of Bornholm, only, if they operate in ice covered sea areas there. The EMPA representative shared his experience that DanPilot deep sea pilots often face difficulties obtaining permission to enter Russia. They therefore hand over pilotage operations into the Gulf of Finland to other BPAC pilots with ice support experience.

The Chairman noted that deep sea pilotage is recommended, but not compulsory, and that no regulation prevents non-Baltic deep sea pilots from operating in the Baltic Sea. In these circumstances the BPAC members, authorities and providers alike, should stick to their gentlemen's agreement to do a good job, i.e. to supply the market with highly skilled deep sea pilots with proper ice support training, encourage shipowners to use their high quality services and seek to help one another in case a member needs deep sea ice pilotage support. In conclusion, then, the draft BPAC MoU will be tabled at the meeting in 2018 for a common decision on the way ahead.

### **Implementation of the „Port of departure rule**

The Chairman briefly listed some key points from earlier discussions of the PoD „rule”: A German legal report from 2012 indicated, i.a., that the freedom to provide cross border services is essential to the functioning of the EU internal market. Denmark had stated that the „rule” is incompatible with Danish law. Against this background the BPAC had invited member states to forward their views on the „rule” and tell if they wanted to maintain it and why. In addition, they should indicate how to do so without violating legislation already in force. Poland had informed the BPAC that Polish authorities had prepared a paper stating that the „rule” does not conflict with EU law. Nevertheless, the BPAC had decided in 2013 to remove the „rule” from its home page and the MoU. The Chairman concluded that the „rule” does not apply and that it is not a matter for maritime authorities in the BPAC to reintroduce it. Instead, a gentlemen's agreement might help solving the problem.

Poland saw a high risk that without the PoD „rule” the Danish deep sea pilotage service provider DanPilot would take over most deep sea pilotage operations for vessels departing from Polish harbours. This view was based, i.a., on Polish proof in writing of a recent deep sea pilotage operation of this kind. As a result Poland is in a difficult position and risks losing the capacity to provide deep sea pilotage from their harbours. Poland is, of course, prepared to cooperate with all BPAC members to avoid this unfair state of affairs and considers the idea of a gentlemen's agreement an option worth investigating further.

The Danish Maritime Pilots Association (DMPA) representative felt confident that DanPilot did not provide pilotage out of Polish harbours; operations of this kind would yield nothing but economic deficit for DanPilot. The EMPA representative wondered whether the other Danish pilotage provider DPS could be involved. In any case, EMPA and DMPA are prepared to help solving the problem.

Prompted by Sweden Denmark confirmed that Danish authorities are in a position to check whether Danish operators follow rules related to deep sea pilotage and that they do so on a regular basis. It is far more difficult to check foreign operators employing deep sea pilots without Red Cards issued by



Danish authorities. The reason is that international agreements on the regulation of vessels transiting the straits prevent Denmark from enforcing Danish legislation on pilotage in the straits even though most of the strait territory falls under Danish jurisdiction.

The President agreed on the legal aspects, but she also emphasized that authorities could and should encourage operators to behave decently through discussions about good business standards. It could be done, i.a., by briefing operators about today's decisions on the subject. In addition, she noted that Poland has jurisdiction in their waters.

### **Maritime safety in a future with autonomous vessels**

Senior adviser Trond Langemyr from the NCA Maritime Safety Department briefed the BPAC members on the subject of maritime safety in a future with autonomous vessels, cf. the presentation on <http://www.balticpilotage.org/files/bpac%202017/bpac%202017%20-%20presentation%20-%20norway%201%20-%202019.05.2017.pdf>. He pointed out that the shipping industry seems to be on the verge of a technological revolution with numerous repercussions, including new opportunities to improve the level of safety at sea, introduce greener and cleaner vessels and streamline transportation logistics.

Manpower demand will probably shift gradually from traditional seafarers on board the vessels to new types of high tech personnel capable of monitoring and navigating vessels from shore based remote control stations with state of the art digital solutions. In this context the importance of vessel traffic services, aids to navigation and automatic identification systems is expected to grow. Consequently, the risk of man-machine failure is likely to grow, unless the industry takes stock of the situation and adapts to a new reality. To do so, interested parties in Norway have established the Norwegian Forum for Autonomous Ships to discuss and exchange experience on new challenges, e.g. the need for pilots, procedures to cope with refugees and strategies to cope with public skepticism about unmanned ships.

He went on to introduce the new vessel Yara Birkeland, a fully electric and autonomous container ship with zero emissions. The vessel will initially operate with a crew on board, then move on to remote control operations and, finally, perform fully autonomous operations at a later point in time. Yara Birkeland is expected to substitute some 40,000 diesel truck journeys a year with clean sea transport. At this stage shipowners see an economic potential in this new ship design for short sea transport, and society might benefit, too, in the sense that more ships of this type could reduce the need for investments in land based transportation infrastructure.

### **Plans and developments at the national level in the member states since the 2016 conference**

#### *Denmark*

The Danish presentation on <http://www.balticpilotage.org/files/bpac%202017/bpac%202017%20-%20presentation%20-%20denmark%20-%202019.05.2017.pdf> focused on the status of competition on the market for transit pilotage, the ongoing review of the Pilotage Act and pilotage developments in Greenland.

On the first subject it was emphasized that the transit market will open up to full competition from 2020 as provided for in the Pilotage Act. From then on Danish as well as foreign pilotage service





providers could make bids for transit operations on equal terms. Under the current system only the Danish operator DPS had wished to compete with DanPilot for a share of the transit market as DPS had already done for some time on the market for harbour pilotage. DPS had won the right to supply transit pilotage operations in numbers growing each year, and if it provided fewer operations than indicated in its quota for one year, the deficit would be added to its quota for the next year.

Evidence available shows that the current system has not led to higher numbers of accidents. It might have led to lower prices, but Danish maritime authorities can not substantiate this assumption with hard data, as they have no knowledge of the prices negotiated and offered by a private company. EMPA commented that DanPilot has raised its prices on harbour pilotage to compensate for lower earnings from the transit market. This trend works to the disadvantage of small harbours and demonstrates once more that the Danish model does not work as intended.

The Pilotage Act in force is currently subject to a review, and a new draft law is expected to be ready for presentation this autumn. Maritime authorities are concerned, i.a., that free competition on the market for transit pilotage increases the need for tighter control of pilotage operators. Risk analysis plays an important role in this context, and Denmark would be grateful for any contributions that BPAC members could make on the subject.

In general, the system established from 1 July 2016 to provide pilotage for cruise vessels with more than 250 passengers in Greenlandic waters seems to work to the satisfaction of the customers, i.e. the captains in charge of cruise vessel operations there. Nevertheless, the system faces a number of challenges, including the lack of pilotage stations, high costs associated with this new service and a limited pool of pilots certified for the job. EMPA noted that pilotage of this kind is now provided by the company Greenland Pilot Service established in 2017 in the capital of Greenland Nuuk with DanPilot as the leading partner.

#### *Finland*

The Finnish presentation addressed the topics of statistical and legal developments in the Finnish pilotage sector, cf. the link <http://www.balticpilotage.org/files/bpac%202017/bpac%202017%20-%20presentation%20-%20finland%20-%202019.05.2017.pdf>. As far as statistics are concerned, the authorities had noted a slight decline from 2015 to 2016 in the number of pilotage operations, piloted miles, valid pilot licences, pilotage exemption certificates and other exemptions. This downward trend contrasted with an upward trend in maritime transportation in Finnish waters in 2016.

The legal situation has changed, as a number of amendments to the Finnish Pilotage Act have entered into force on 1 January 2017. Some amendments represent a certain deregulation. That goes, e.g., for initiatives removing a ship's draft as a trigger for mandatory pilotage, the introduction of PECs for certain smaller tankers and the abolition of mandatory pilotage for icebreakers and for tugboats with tows below a certain threshold.

#### *Germany*

The German briefing on <http://www.balticpilotage.org/files/bpac%202017/bpac%202017%20-%20presentation%20-%20germany%20-%202019.05.2017.pdf> concentrated on the need to rethink the future pilot training programme at a point in time when the number of good quality candidates for the pilotage profession is declining for various reasons. For instance, the level of OOW training positions offered by shipowners is insufficient to satisfy the demand. Therefore, the pilot recruit-



ment base tends to shrink. Economic hardship endured by the maritime sector in recent years plays an important role, too.

Discussions so far have led to several proposals for modification of the current training programme to stimulate the interest of the young generation in the maritime pilot profession. For instance, today's requirement for an OOW to serve on board a ship for two or three years could be replaced by a six-month period of training by pilots with simulators, manned models and on board real ships. The current requirement for a master to have two years of experience could be replaced by a six-month period of training by pilots, too. Early assessments of the psychological abilities of potential pilot candidates plus economic incentives for trainees to rise through six pilot ranks up to the status as class A pilots with licence to pilot ships of any size are also expected to boost interest in the profession. Discussions have not finished yet, and any changes in the current procedures are subject to approval by the Federal Ministry of Transport and Digital Infrastructure.

A brief discussion of the issue confirmed that most BPAC member states had similar problems with the production of navigators in sufficient numbers, and Denmark considered it likely that navigators from the East, e.g. China and India, would fill the gap.

Finally, Germany reported that a new type of SWASH (small waterplane area single hull) pilot boat had recently entered into service and lived up to expectations as a safe, stable and fast boat well suited for operations in rough seas.

#### *Latvia*

The Latvian presentation documented a number of important characteristics related to the Liepaja Special Economic Zone, cf. the link <http://www.balticpilotage.org/files/bpac%202017%20-%20presentation%20-%20latvia%20-%202019.05.2017.pdf>. That goes in particular for a new procedure increasing the capacity to serve ships with a draft of up to 13 meters through cargo handling in the open sea. Picking up on the discussion last year on the workload and stress of pilots, the presentation also explained that Liepaja pilots work in 24 hour shifts followed by 72 hour off duty periods.

#### *Norway*

In 2014 the government had decided to reorganize the national pilot service from 1 January 2015, cf. the link <http://www.balticpilotage.org/files/bpac%202017/bpac%202017%20-%20presentation%20-%20norway%20-%202006.06.2017.pdf>. The reorganization involves, i.a., shorter lines of command through centralization, clearer separation between the managerial and operational levels and outsourcing of the pilot boat service. In the latter case one private firm has won a contract covering all pilot boats. The firm has offered all employees to continue in their jobs resulting in a low staff turnover. Experience shows that the new pilot boat operator performs on the same high quality level as its predecessor.

Statistics show that the number of pilotage operations decreased by 7.2 % in 2016 and that the level of activity has been growing again in the beginning of 2017. Increased oil business will probably underpin this trend towards growth for some time to come. Statistics also indicate that the number of pilots approaching the retirement age will grow considerably over the coming decade. The authorities therefore consider initiating a recruitment programme from 2018.





### *Sweden*

With reference to the presentation on <http://www.balticpilotage.org/files/bpac%202017/bpac%202017%20-%20presentation%20-%20sweden%20-%202019.05.2017.pdf> Sweden noted that the number of pilotage operations increased marginally by 0.8 pct. from 2015 to 2016. Statistics for the beginning of 2017, in particular for the number of southbound pilotage operations in the Sound, implied a trend towards further growth in the activity level. In contrast, the number of deep sea pilotage operations and PECs decreased from 2015 to 2016 by roughly 9 and 4 pct., respectively.

Currently, Swedish authorities concentrate on three projects of particular interest for pilots. The first involves an update of the IT system handling, i.a., PECs. The second relates to the development of new routeing measures, including a traffic separation scheme, for ship traffic in the waters between Sweden and Denmark, to make navigation in the area safer and more predictable. The third project aims at improving the measurement of risks and associated consequences related to navigation in fairways so as to allow for adjustment of today's regulation of fairways on a more informed basis.

### **Information from EMPA and IMPA**

EMPA expressed satisfaction that the new EU Port Services Regulation 2017/352 leaves it to the Member States to decide individually whether competition should apply to the provision of pilotage in their ports. This approach takes into account the EMPA philosophy that maritime pilotage should not be subject to market forces due to, i.a., the public service obligations undertaken by pilots. EMPA now assumes that the EU will consider following up with regulation of the issuance of PECs. If so, EMPA will work hard to influence this EU process, too.

Turning to internal matters, EMPA noted that Russia had decided to withdraw from the organization. At this stage British pilots were not expected to follow suit as a result Brexit.

### **Any other business**

Nothing to report.

### **Date and location of the next meeting**

Russia offered to host the BPAC 2018 conference in St. Petersburg at a date to be agreed at a later point in time. At the Chairman's request the Russian representative promised to liaise with the BPAC presidency and secretariat to make sure that the timing of the conference takes into account the schedule for other international meetings in the spring of 2018. The Chairman also stressed the need for official invitations from competent Russian authorities so as to allow the BPAC members to apply for visas in time.

### **Closing of the Conference**

The Chairman warmly thanked Norway for hosting the BPAC 2017 conference. She also thanked the participants for their valuable contributions to make the conference an interesting event.





**BPAC 2017 Participation**  
Bergen, Norway, 18 May 2017 09:00

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