



Bulletin 33 - 1/98 - Unreasonable detentions - Hodeidah (Yemen)

Further to **Bulletin No 13 - Grain Shortlanding Claims - Hodeidah (Yemen)** we have to report more bad experiences at this port.

We have recently had some unfortunate instances where members vessels have been timechartered and subsequently voyage chartered and have been detained (not arrested) unreasonably.

Shortage memos have been produced by the government owned silos (see **Bulletin 13**) and cash payments demanded. Offers of Club guarantees have been refused. The ships are prevented from sailing by charterer's agents who are asked by receivers to withhold port clearance. In other cases unconditional bank guarantees have been demanded which are worded in such a way that they can be cashed without a judgement of the courts.

As the ships have not been officially arrested little can be done; the receivers presumably hoping that commercial pressure on the shipowner to sail will force them to settle on more favourable terms.

In our experience little or no support is received from time or voyage charterers who tend to turn a blind eye, hoping that the matter will be resolved by the owner or his P&I Club. Our experience is that the shipowner usually ends up funding these claims, justified or not!

Recommendations in **Bulletin 13** should be adhered to as closely as possible. Members must realise though that there is a strong likelihood of shortage claims and delay in this port and that they may end up paying for them unless they have come to some prior arrangement with their charterers at the time of fixing.

Members should not offer cash settlements but should, if no other option is available, offer a suitably worded bank guarantee. These have been accepted in the past after long discussion and threat of court action.

Source of information Bruce Hung through Mark Carter (Syndicate HK)