



NORDISK DEFENCE CLUB

- STEAMING AHEAD SINCE 1889



NORDISK DEFENCE CLUB – OUR HISTORY SINCE 1889



Nordisk has served the industry for over 130 years. During this period many things have changed, but some things have stayed remarkably the same. The following is a short summary of events so far.

1889-1899

Nordisk was established by Nordic shipowners in 1889, in the same year as Charlie Chaplin was born, the Eiffel Tower opened and Fridtjof Nansen returned to Kristiania (as Oslo was called back then) on the DFDS steamer “M.G. Mel-

chior” from his first expedition to Greenland. Nordisk moved from Copenhagen to Oslo in 1891.

The invitation to Nordisk’s founding meeting in Copenhagen said the purpose of the association would be “to work in the interest of shipping”. A key reason for

its establishment was to organize shipowners in a common effort to avoid unreasonable charterparty clauses imposed by charterers in the poor market. Rapid developments in technology had caused tall ships to become obsolete. In addition, apart from a short boom

in 1889, the market was in recession from the 1880s until 1898.

It was not only the market movements that resembled those seen today. The same applied to a surprising degree to many legal issues. Membership circulars from this first period reveal how Nordisk assisted with demurrage and bills of lading issues, as well as defaulting charterers. Nordisk's local representative in Pensacola wrote back in the late 1890s saying a charterer called CM Wilson & Son was unfortunately "*absolutely insolvent and irresponsible ... They have nothing to satisfy a judgment [and] are virtually penniless...*".

From the start Nordisk handled many cases of general importance to its members, including cases regarding heavy congestion of tall ships in Santos, Brazil. The port was severely undersized to handle a steep rise in imports, and by 1891 the waiting time to discharge reached four months. At one point 50 Nordic tall ships were waiting, and crews often suffered from yellow fever and other illnesses. Nordisk and their Brazilian lawyers worked hard to help resolve the situation and obtained compensation for many shipowners from local receivers.

Another substantial "safe port" case handled by Nordisk involved the bark "Ratata", which grounded off the UK in 1895 while carrying lumber from Canada. The case was heard by the House of Lords, which held for the shipowner. Communication with Nordisk's lawyers in London went by letter and telegram in those days.

A noteworthy event during this period was the first Hurtigruten voyage. It started on 2 July 1893, when Captain Richard With

steered the postal steamer "Vester-aalen" out of Trondheim on what in those days was a treacherous passage to Hammerfest. In 1897, Thomas Frederik (Fred.) Olsen, who already owned a fleet of tall ships, ordered his first steamship from Nylands Værksted in Oslo to start a liner business. He chose to enter his vessels with Nordisk, which was the start of a membership that has by now lasted more than 120 years.

1900-1909

On 17 December 1903, Orville Wright piloted the first powered airplane 20 feet above a beach in North Carolina. The flight lasted

During this decade Nordisk continued its work against unreasonable charterparty clauses and in favour of standardized charterparty forms. One of the documents Nordisk worked on was the Baltcon charterparty, which became the first document of BIMCO in 1908. Nordisk has ever since been involved in the drafting of a large number of BIMCO documents, including Balttime, NYPE, Norwegian Saleform, Barecon, Shipman and Supplytime, to name but a few.

In the important years leading up to Norway's independence from Sweden in October 1905, a law was enacted requiring Nordisk to



Tall ships in port 1889 (NMM)

12 seconds and covered 120 feet. The first Ford Model T left the Piquette Plant in Detroit, Michigan on 27 September 1908.

Shipping markets had finally improved and reached a peak in 1900, but by 1901 there was a new recession that lasted until 1909. Tall ships were nearly obsolete and by the end of the decade steamships constituted 75 % of the world fleet.

be consulted before the appointment of any new Norwegian consul.

Nordisk began issuing a collection of maritime court and arbitration decisions from the Nordic countries in 1900. Known as *Nordiske domme i sjøfartsanliggender* (ND), it is still edited and published regularly by Nordisk. It is a primary source of jurisprudence within the fields of mari-

time, offshore and transport law in the Nordic countries. Nordisk has also been issuing its membership circular, featuring articles about current legal issues, since 1890.

1910-1919

Roald Amundsen became the first person to set foot on the South Pole on 14 December 1911, one day behind the detailed schedule he had drawn up in June 1910. R.M.S. “Titanic” hit an iceberg and sank on 14 April 1912, leading to the adoption of the SOLAS Convention in 1914 – the year



“Valentine” of Kragerø under tow at Ostende 1900 (NMM)

before Frank Sinatra was born. Shipping markets boomed from 1910 until the onset of WWI. At the end of the war, the Norwegian fleet consisted of 84 % steamships, 11 % tall ships and 5 % motor vessels. The average gross tonnage of ships at the time was 1,750 tons for dry cargo ships and 4,500 tons for oil tankers.

During WWI, Nordisk was involved in freeing vessels detained by the warring parties and won several such cases in Germany and the UK. A large number of war cancellation cases were also handled during the war years. A significant part of the fleet was lost in the war and recurring questions were whether contracts could be terminated because it was impossible to insure the vessels; whether the war itself was grounds for termination; and what was the effect of a warring party’s blacklisting of a party, or refusing vessels bunkers or supplies. Worries that the war would cause a market depression proved unfounded, and freight markets generally remained strong during the war years. However, costs also increased, including in particular the cost of war risk insurance.

After the war, Nordisk’s director Johannes Jantzen was appointed to represent Norway in seeking war damages from Germany for lost ships. This yielded a total of NOK 30 million – a huge sum at the time. Nordisk devoted much effort during the years after WWI handling disputes that sprang out of the war, including in particular claims for reimbursement of war risk insurance premium from allied charterers.

Nordisk’s current office building in Kristinelundveien 22 was

completed in 1916 as a residence for the shipowner G. M. Bryde. He was a colourful man and at one stage built a pleasure boat in the house. A wall had to be removed to launch it. The building was bought by Nordisk from another shipowner, Ludvig G. Braathen, in 1973.

1920s

The world fleet increased dramatically after the end of WWI, and the markets crashed in 1921. The shipping crisis led to ports around the world being filled with laid-up ships, and at one point half of the world fleet was laid up. Oslo was host to huge rafts of surplus vessels and many shipowners went bankrupt. Positive signs at the end of the decade were wiped out by the Great Depression from October 1929. Kristiania had regained its old pre-1624 name Oslo in 1925. In 1927 Leif Høegh founded his shipowning company with the aim of focusing on the growing market for oil transportation.

In 1921 Nordisk was engaged in trying to establish mutual treaties to avoid double taxation, mainly with the UK and the USA. Nordisk’s US correspondent lawyer, Charles S. Haight (who later founded the law firm Haight Gardner), contributed greatly to a bill that was passed in the US Senate in the fall of 1921. The bill granted US tax exemption to foreign shipowners provided their country of origin did the same for US shipowners. Haight Gardner later merged into Holland + Knight, with whom we continue to work closely to this day, more than 100 years later.

An example of a case handled by Nordisk during this period was the 1922 case of M/V “Turid”,

which concerned delivery terms for lumber at English ports. The amount in dispute was GBP 47, but the issue at stake was of substantial interest for many shipowners. The case went all the way to the House of Lords, which found for the shipowner.

1930s

The Great Depression had disastrous effects on the shipping markets. Ship prices fell by 50 % in 1930 alone, and world trade had by 1932 fallen to the level it had been at in 1913. Ship values were low and farmers, traders, seafarers and doctors invested in the new Nordic shipowning companies that were established. Sig. Bergesen d.y. bought its first vessel in 1936 and named it “Bergesund”. By 1939, motor vessels constituted 60 % of the Norwegian fleet.

Nordisk handled an ever-wider variety of cases. One major case in the 1930s concerned economic difficulties at the Danish yard Burmeister & Wain, where many Norwegian shipowners had ships on order. The yard demanded payment in gold, and the demand was upheld by the Danish Supreme Court in 1933. However, attempts to enforce the judgment before the Norwegian courts were defeated in 1934, and the yard dropped its demands. Soon thereafter, two ships were ordered at the yard by Norwegian shipowners.

Another noteworthy case that Nordisk became engaged in concerned excessive port fees at Rosario, Argentina, which had been paid by hundreds of Nordic ships. The case was brought before the Argentinean Supreme Court, where the shipowners lost. However, this led to the passing

of a new law reducing the fees in 1933. The cold winter of 1930-31 also brought a large number of cases relating to ice damage to vessels at Leningrad. Successful legal proceedings against Russian charterers were brought by Nordisk in Norway, England, Germany and the Netherlands.

During its first 50 years until 1939, Nordisk had handled 55,000 cases. In 1938, a total of 1,219 ships was entered. Nordisk’s board of directors had from its establishment included a number of the leading shipowners of their day, and in 1939 included e.g. Lauritz Kloster, Ole Bergesen, A.F. Klaveness, Axel A. Johnson, Jarl Malmros, and Tor E. Broström. Nordisk had five lawyers at the time.

1940s

Nordisk received over 800 war cancellation cases after WWII broke out. The days were spent answering questions by telephone and telegraph, and the nights were

spent writing letters with advice to members. Soon other war-related cases formed the majority of Nordisk’s workload, including cases regarding contraband cargo, blocking, and cases regarding missing or sunk ships. The “knock for knock” principle that is now so common in the offshore industry was developed to deal with collision damage (knocks) suffered by convoy ships during WWII from 1942.

One of Nordisk’s lawyers, Peter Simonsen, evacuated to London to work at Nortraship and took part in the work of securing 1,000 Norwegian ships for allied service. He later went on to found the law firm Simonsen Musæus (now part of Simonsen Vogt Wiig) in 1948 together with Lars Musæus, another Nordisk lawyer at the time.

Nordisk successfully represented owners in renegotiating a large number of time charters with Standard Oil, to protect shipowners from currency fluctuations and the cost of war risk premiums. Nordisk also acted for the



The Norwegian bark “Baunen” during WWI (NMM)

Norwegian Shipowners' War Risk Association (DNK), as it had done during WWI, handling hundreds of cases.

Nordisk's director Johannes Jantzen had started at Nordisk in 1889 at the age of 24. He was a director from 1898 until 1935, and continued as a consultant until

countries. The first student to receive a scholarship was cand.jur. Sjur Brækhus in 1945. Brækhus obtained his PhD in 1947 and went on to become a leading professor of Nordic commercial and maritime law. In 1963, he became the first head of the Scandinavian Institute of Maritime Law. One

world fleet. By 1959, the largest Norwegian ship was Hilmar Reksten's 48,000 dwt tanker "Hadrian", while the largest ship in the world was Daniel Ludwig's "Universe Apollo" of 104,000 dwt.

The "Norwegian Sale Form" was launched in 1956, and was so named because Norwegian



Steam ships loading bananas in Santos in the late 1920s (NMM)

1946 – a total of 57 years. His philosophy was that each case should be handled so that the member felt that its particular case was of special interest to Nordisk. This legacy lives on at Nordisk to this day.

A scholarship fund in Jantzen's honour known as "Jantzens Fond" was established in 1939 with donations from the Swedish shipowner Johnson. This fund has since supported Norwegian, Swedish and Finnish students and lawyers who wish to acquire improved qualifications in maritime law through academic research or practical legal experience outside the Nordic

of his colleagues at the Institute from 1965 (and law professor from 1970) was Thor Falkanger, who had previously been a Nordisk lawyer. The Fund was renamed "Kristian Gerhard Jebsen og Jantzens Fond" in 2012, after receiving a generous donation from Stiftelsen Kristian Gerhard Jebsen.

1950s

Cooperation between Norwegian shipowners and Swedish yards increased during the 1950s. The Norwegian fleet trebled in size between 1945 and 1959, by which time it accounted for 8% of the

owners in those days would order newbuildings (and later sell them) rather than buy vessels second-hand.

Cases relating to WWII were still being handled in the 1950s, including disputes over settlements for lost vessels with Norway's state-owned shipping enterprise Nortra-ship. Nordisk represented the shipowners, who generally achieved their desired settlements. Nordisk was also involved in a number of cases regarding Liberty ships and T2 tankers bought by Norwegian owners after the war. A total of 50 cases regarding the condition of

the vessels was handled, and a settlement was reached in 1958.

The closure of the Suez Canal from 1956 to 1957 led to a depressed shipping market from 1957, due to a stagnation in world trade and surplus tonnage. A large part of the fleet was laid up. As always, great increases or decreases in rates influenced Nordisk's case load, and the late 1950s saw a large number of disputes regarding early redelivery as well as default by charterers. One noteworthy case involved charters for six "Liberty" ships to the US liner service North Atlantic and Gulf Steamship Co. (Norgulf), which went bankrupt in 1958.

1960s

The second closure of the Suez Canal from 1967 to 1975 triggered a huge growth in the tanker fleet, as well as the size of tankers. While the largest tanker in 1966 was 209,000 dwt, early 1973 saw the delivery by IHI in Japan of the 483,000-dwt "Globtik Tokyo", with ships over 500,000 dwt soon to follow.

Many of the matters in which Nordisk assisted were similar to those handled when the Suez Canal was previously closed in 1956, and fell mainly into two categories. Firstly, were vessels obliged to enter an area where war was looming? Secondly, once war broke

out, could shipowners terminate or claim extra freight if they now had to go around the Cape. Most of the cases were under English law, where the answer to the latter question was that the voyage had to be performed and with no extra freight payable.

Nordisk became increasingly involved in issues related to the new liner trades from the early 1960s, including liner conference cases regarding Skibs A/S Viking Line's trades to the USA and trades to Brazil for Nopal Line. Another substantial case in this period was the "General Guisan" demurrage case, which went to the House of Lords in 1966.



Reksten's 84,000-dwt tanker "Julian" under construction at the Akers Mek. Yard in Oslo in 1966. (Photographer unknown / Norsk Teknisk Museum)

Nordisk was also involved in documentary work, including assisting in drafting the 1962 standard Norwegian shipbuilding contract. Between Nordisk's 50th anniversary in 1939 and its 75th anniversary in 1964, the Norwegian fleet had grown from 4.7 to 15 million gross tons and numbered 1,470 ships. The Norwegian merchant fleet was the fourth largest in the world, the Swedish the 12th largest and the Finnish the 20th largest. Nordisk was by this time the largest defence club in the world.

1970s

Spiraling costs during the shipbuilding boom of the early 1970s led to problems at some yards. In 1970, Nordisk became involved in negotiations regarding 12 newbuildings on behalf of several Nordic and British shipowners with the Uljanik yard bringing Nordisk lawyers to Yugoslavia on 42 occasions over a period of five years. Similar negotiations regarding 30 ships on order at Gøtaverken were handled from 1971 on behalf of Nordic and international shipowners.

After the boom of the early 1970s, the tanker markets entered difficult times following the oil crisis in October 1973. Tanker values were in freefall. A VLCC that had cost USD 52 million in 1973 was worth USD 23 million in 1974 and USD 5 million by mid-1977. In 1975, 41% of the Norwegian tanker fleet was laid up.

The caseload at Nordisk was influenced by the crisis, and a large number of charterer-default and market-cancellation cases were handled. One of the more notable cases involved representing the Nordic charterers of 45 Aframax

tankers against the insolvent Sanko group. This ended in a settlement in July 1973. New cases arose when Sanko experienced new liquidity issues in the 1980s and 2011. Many time charterers also tried to terminate charters for lack of cargo, and many cases regarding "hardship" and escalation clauses were dealt with.

Nordisk's director at the time, Ole Lund, was appointed to the board of the Norwegian Guarantee Institute for Ships and Drilling Rigs (now Eksfin), which was tasked with helping to secure the Norwegian tanker and rig fleet until the markets improved, hopefully in the not-too-distant future. He was also on the board of Zenit Shipping and Svenska Varv, which were similarly engaged in assisting Swedish ships and yards, respectively.

Other notable cases handled by Nordisk included the Norwegian arbitration cases regarding the "Fernbay" (1973) and "Wingull" (1978), which have since been influential in Norwegian maritime law. The decision in the latter case was in line with views long advocated by Nordisk, namely that a shipbuilder's obligation to rectify defects has not been fulfilled until the defect has been corrected, and that the shipbuilder has unlimited liability for failure to correct a defect.

Another key case was that of the "Concordia Fjord", which had suffered war damage in Beirut in 1978. The owner's war insurers successfully brought an unsafe-port claim against the Norwegian charterers, even though the charterers had paid the war-risk premium. This led to the development of various waiver-of-recourse clauses,

to protect charterers against claims from owners' insurers.

1980s

The tanker crisis lasted for most of the 1980s. By the time the market finally picked up from 1988, the crisis had brought down many leading Nordic shipowners, including Hilmar Reksten, Bjørn Bjørnstad, Sigurd Sverdrup, Hagb. Waage and Salen. The Norwegian and Danish maritime sectors had in the meantime increasingly invested in offshore ships and rigs, which became a growing part of Nordisk's business.

Oil rigs were first entered with Nordisk as early as 1973, and by 1978 a total of 35 oil rigs were entered. Nordisk became involved in an increasing number of cases regarding rigs, including cases involving "knock for knock" clauses and other provisions that were particular to the offshore sector. Nordisk was also involved in the case brought against the French builder after the accommodation rig "Alexander L. Kielland" lost a leg and capsized with tragic loss of life in 1980.

The Falklands War in 1982 led to an unexpected problem for some of the Nordisk members. A number of entered vessels were registered in the UK. The British authorities were interested in requisitioning several fast ro/ro and liner vessels, as well as offshore support vessels. Charterparties were quickly entered into, which allowed most of the vessels in question to avoid formal requisitioning. One entered vessel was lost in the war. The situation showed that registering vessels abroad can have unexpected consequences.

The Iran-Iraq War from 1982

to 1988 had a more pronounced impact on shipping, and Nordisk was involved in numerous cases relating to the “tanker war” which started in 1984. Nordisk also acted for the owners of the “Germa Lionel”, which was unlawfully arrested by the Gaddafi regime in Libya in 1984, as well as the arbitration case following the unwarranted six-month detention of the “Chemical Rubi” in Nigeria from late in 1984.

A significant case starting in 1985 involved design issues with a series of nine product OBO or “PROBO” vessels being built at Hyundai and HJ Shipbuilding & Construction (then called KSEC) for Norwegian shipowners. The hatches could not be made tight enough to carry petroleum products. In a key London arbitration award following an eight-week hearing, the panel held for owners and granted them a claim in damages by setting aside exemption clauses as well as implying terms

into the shipbuilding contracts. The result was in many ways a reflection of the principles approved by the Norwegian panel in the “Wingull” case of 1978. The Norwegian Sale Form was revised in 1983 and 1986, and was made more balanced than it had been before. Coincidentally this happened just a few years before Norwegian owners regularly began buying second-hand tonnage from the late 1980s.

At the end of the decade, Nordisk employed a record 10 lawyers. On English law cases Nordisk worked closely with the UK law firm Sinclair, Roche & Temperley, which later merged with Stephenson Harwood in 2002. Nordisk had been one of the firm’s main clients ever since the firm’s establishment in London in 1930, and before that had worked closely with its founder J. E. H. Sinclair. On the US law side Nordisk continued to work closely with Haight, Gardner, Poor & Havens

(now part of Holland + Knight), with which Nordisk has also had a continuing relationship since the early 20th century.

1990s

The late 1980s tanker-market boom turned to a recession from 1992, while bulker markets generally stayed healthy until the recession caused by the Asian crisis in 1997, which also had a negative effect on tanker rates. Rates generally stayed low until the end of the century.

Norwegian companies were amongst those that had purchased ships out of lay up in the late 1980s and early 90s, often reselling them at huge profits during the boom. Some were less fortunate, and a number of disputes about sub-standard tonnage arose between investors and finance houses and managers.

Nordisk’s work in the 1990s was also significantly influenced by the new regulations and oil



“Gerd Knutsen” loading at the Gullfaks field, with “Gullfaks A” in the background. (Photo: Øyvind Hagen/Statoil)

pollution rules that followed the 1989 “Exxon Valdez” disaster. In particular, a lot of time was spent assisting members with the US “OPA 90” rules, which required financial liability certification (COFRs) that went beyond what the P&I clubs offered at the time. In 1992 MARPOL was also amended to make it mandatory for tankers ordered after 6 July 1993 to be fitted with double hulls, or an alternative design approved by the IMO (regulation 19 in Annex I of MARPOL).

Another new set of regulations

that influenced work at Nordisk was the adoption of the ISM Code in 1993, especially as it became mandatory in 1998. Lord Justice Sheen had in his investigation into the loss of the “Herald of Free Enterprise” in 1987 famously described the management failures as “the disease of sloppiness”. The ISM Code sought to prevent such shortcomings and has had a great impact.

The largest ship ever built, the “Happy Giant” of 564,763 dwt, was entered with Nordisk in 1989. Built in Japan in 1976 and laid up

after being cancelled by the customer, it had been bought in 1979 by the legendary shipowner C. Y. Tung. He had it lengthened and renamed the “Seawise Giant”, which was an apparent play on his initials “C.Y.”. The ship had been bombed by Iraq in May 1988 and Nordisk was involved in negotiating the refurbishment contract. The vessel was later renamed the “Jahre Viking” and “Knock Nevis” and remained under Norwegian ownership until it was recycled in 2010.

Nordisk, with director Nicho-



Photo: Courtesy of Klaveness Ship Management - MV Balzani

las Hambro at the helm, grew at a healthy pace during the 1990s. By the end of the decade, Nordisk had employed a number of English and US lawyers at the Oslo office, as an increasing number of English and US-law issues were being handled in-house.

2000s

The positive development of Nordisk continued after the turn of the millennium under the leadership of Georg Scheel, who took over as director in 2000. A significant development was the establishment of the first foreign office when the Singapore office opened in 2007. By the 130th anniversary in 2019, the office employed three English lawyers and one Norwegian lawyer.

The shipping boom of 2003 to 2008 brought tanker and bulker rates to heights not seen since the famous tanker boom of the 1970s. During these boom years Nordisk was involved in a large number of newbuilding contracts. The boom caused excessive ordering of ships that prolonged the market recession that hit in October 2008. As in the past, this recession also meant that Nordisk became engaged in a large number of charterer-default and market-related cancellation cases.

The over-ordering during the boom had caused a large number of new shipyards to be established, many of them “greenfield” yards in China. Many ran out of orders and shut down after the last boom ships were delivered. The large Korean yards were less affected as they had increasingly turned to the construction of advanced FPSOs, drillships and LNG / FSRU vessels. Many shipowners had problems obtaining financ-

ing, as regular bank loans were less readily available in the years after 2008.

Nordisk has for many years handled an increasing number of offshore cases, including several very large rig and offshore arbitration and court cases. Offshore ships increased in size and an increasing number of large subsea construction vessels were ordered at Norwegian yards and by Nordic shipowners. Such ships operate in a manner which triggers new legal issues that Nordisk is regularly involved in handling. These include, for example, visa and permit issues for crew members when operating for prolonged periods in a single jurisdiction, issues caused by charterers having large project crews onboard during operations, and complex off-hire issues when a crane or ROV becomes inoperable. Nordisk has also regularly been involved in drafting complex shipbuilding contracts where charterers will have advanced equipment installed while the vessel is being built, as well as conversion contracts.

2010s and the future

At the time of our 130th anniversary in 2019, Nordisk covered about 2,600 ships and rigs, which was a record. By comparison, the number of entered ships and rigs in 1988 had been 1,261.

Nordisk has in recent years also been growing outside of Scandinavia – including in Germany, Korea and Singapore. Nordisk is also increasingly involved in work beyond the traditional FD&D services. This often involves assistance in negotiating and drafting shipbuilding contracts, charter parties, ship sale and purchase, and sale/

leaseback transactions. Nordisk has assisted owners involved in the increasing trend towards the green recycling of ships. Until 2018 this mainly happened at yards in China. After China’s exit from the market in late 2018, increasing focus is on Turkey and Hong Kong Convention certified yards in India, both also Northern Europe.

Nordisk has in the period also been involved in the development of BIMCO’s Demolishcon standard recycling contract, as well as Norwegian Saleform 2012 and Barecon 2017. In 2020 to 2022 we were also involved in the complicated process of drafting industry standard EEXI and CII clauses with BIMCO.

As the depression in the tanker, bulker and container ship markets that had followed the crash of 2008 continued, several large shipowners and charterers defaulted or became insolvent. Nordisk represented several owners in relation to the defaults of Korea Line, STX Pan Ocean, TMT and Grand China Logistics, amongst others. A familiar name for Nordisk was Sanko Line, which was taken over by its creditors during a financial restructuring in 2012-13. The company had previously undergone financial restructurings (and caused numerous Nordisk cases) both in 1973 and during the 1980s. Shipping is indeed a cyclical business.

The collapse of OW Bunker in November 2014 brought in around 300 cases in the matter of days. Nordisk set aside a team of several lawyers that worked tirelessly to protect the interests of the members, in close co-operation with Nordisk’s corresponding lawyers in ports all around the world.

In the years following 2015 Nordisk was also involved in a growing number of cases caused by bankruptcies and other problems caused by the depressed offshore markets.

The scourge of piracy off Somalia that had started in 2005 with the hijacking of the “Feisty Gas” reached its height by 2010, when almost 50 ships were hijacked, and at one time over 700 crew members were held hostage. Armed guards were increasingly employed on ships after the International Chamber of Shipping announced

its acceptance of the practice in February 2011. This, along with a large naval presence by numerous countries, was effective, and by the time of writing the threat is finally over. Robberies, kidnappings and hijackings off Nigeria and West Africa have increased in the last few years, with the bandits stealing cargoes or demanding ransoms. Nordisk has handled a wide variety of issues related to piracy, including charterparty clauses, deviation issues and disputes over extra costs. One such case regarding the Conwar-time 1993 clause was that of the

“Triton Lark”, which sailed around the Cape in late 2008 because owners found it too dangerous to go through the Gulf of Aden. The arbitration panel and later the High Court in London held for owners in 2011-12, and decided that Nordisk’s member was entitled to receive charter hire for the longer voyage around the Cape.

From 2013 Nordisk was engaged in a complex of cases involving port fees at several ports under the new Norwegian Ports Act of 2009. Many ports had seen the new act as a basis for materially



increasing port fees, and especially to vessels that were on a liner service or other fixed route. Nordisk assisted members Hurtigruten in challenging the increases, and a key court case was won on behalf of Nordisk's member Hurtigruten in the Norwegian Supreme Court in 2015. As with previous examples of such cases, this case dealt with issues that impacted many of Nordisk's members.

Nordisk has also been handling an increasing number of sanctions related cases, including cases concerning the often-changing sanctions against Iran, as well as Cuba, Venezuela, Syria, Libya and others. One case where Nordisk was involved is that of the "Taiko", which transported weapons-grade chemicals out of Syria for NATO in the RECSYR mission in 2014. The amount of sanctions work has grown steadily, and increasingly so after Russia's attack on Ukraine in February 2022. Nordisk has

strengthened its sanctions and compliance capabilities to ensure we are always ready to meet the needs of the members.

Mats E. Sæther was appointed as CEO in 2021, and a modernisation of Nordisk's management was implemented through the appointment of a Management Group of four. The organisation is flat with a high degree of autonomy for the lawyers, to ensure they are empowered to handle the members' needs in an efficient way without red tape slowing things down. The association currently employs about 40 people of which 24 are lawyers qualified in Norway, the UK, Canada and the USA. 20 lawyers are based in Oslo and four at our Singapore office.

As Nordisk looks towards its 135 year anniversary in 2024 the organisation is well positioned for the route ahead, with a record high number of entered vessels, strong finances, and a dedicated team

ready to assist members around the world anytime, anywhere.

Nordisk is a non-profit association, and our aim is the same as always: To provide the members with as much support as possible for the lowest possible premium. We are at the members' service 24/7, all year round.

Thank you for taking the time to read about our history. As the article shows, things have both changed and stayed the same, and Nordisk has adapted and evolved.

We thank our members and friends for their support over the years, and look forward to continuing to work with you in the future.

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