

IUMI Annual Conference 2005



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Maritime Transport Policy and Maritime Safety

http://europa.eu.int/comm/transport/maritime/index_en.htm

The European Policy on Maritime Safety and its impact on the marine insurance

- Background and origins
- New Maritime Safety Legislative Package
- A Community regime on sanctions for ship source pollution
- EU position vis-à-vis marine insurance

Background and origins

- IMO
- The emergence of Europe as a distinctive element in maritime policy
- 1993 Commission Communication on Safe Seas
- Quality shipping campaign
- Measures following the ERIKA and PRESTIGE accidents

New Maritime Safety Legislative Package I

- Flag State responsibilities
- Port State Control
- Traffic monitoring
- Marine casualty investigations
- Classification societies

New Maritime Safety Legislative Package II

- Protection of passengers rights
- Third party liability and compulsory marine insurance

A Community regime on sanctions for ship source pollution I

The EC Directive on ship-source pollution and on the
introduction of sanctions for infringements

and the complementary

EU Framework Decision to strengthen the criminal
law framework for the enforcement of the law
against ship-source pollution

A Community regime on sanctions for ship source pollution II

- **the Directive**

any person - including the master, the owner, the operator, the charter of a ship or the classification society ...

... who has been found to have caused or contributed to illegal pollution intentionally, recklessly or by means of serious negligence ...

... will be subject to effective, proportionate and dissuasive sanctions, which may include criminal or administrative sanctions

- **the Framework Decision**

the most serious cases are regarded as criminal offences, subject to criminal penalties

A Community regime on sanctions for ship source pollution III

What about insurability of fines ?

EU position vis-à-vis marine insurance

- International Compensation regime for oil pollution
- HNS and Bunkers Convention
- Implementation of the Athens Convention
- EC initiative on third party liability and compulsory insurance

THANK YOU