

## **ICS urges veto on parts of Erika 3 package**

By Justin Stares in Brussels - Tuesday 24 April 2007

THE International Chamber of Shipping yesterday urged European Union governments to continue opposing the two most controversial proposals in the 'Erika 3' package of legislation.

ICS's plea that member states keep up their "informed resistance" follows a charm offensive in Brussels aimed at getting the EU media on board. The civil liabilities directive, which attempts to undermine the principle of limited liability, and the flag state control directive, which would transfer sovereignty from national governments to Brussels, are currently blocked in the council of ministers.

"It must be hoped that EU member states, and their transport ministries, continue their informed resistance to the commission's proposals," the ICS said in a statement. Consecutive EU presidencies have refused to push the proposals forward, it was pointed out, though "whether this resistance will be sustained under future EU presidencies remains to be seen."

The civil liabilities directive "represents the continuation of a long-term campaign by the European Commission to remove the right of shipowners to limit their liability," ICS said.

The commission was "confusing the concept of liability with deterrence," it claimed, adding: "In taking this line, it would appear that the commission has misunderstood, or is wilfully ignoring, the philosophy underpinning the IMO liability regimes – specifically, that it is desirable for liabilities such as environmental damage to be subject to a system of compensation that is clear and simple, and which results in prompt payments without drawn-out legal arguments."

The seven-strong package of maritime safety proposals is due to be approved by the European Parliament this week, although a long process of negotiation with the council of ministers will be required if they are all to become law.

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