



Tanker owners in protest over Brussels liability plan

Intertanko furious over proposals drawn up without industry consultation, writes Justin Stares in Brussels

Wednesday November 16 2005

[Print Article](#)

TANKER owners' association Intertanko attempted to head off Brussels' proposals for a new liability regime yesterday with a strongly worded letter to European Union transport commissioner Jacques Barrot.

The association, which represents a fleet of almost 2,500 tankers trading worldwide, said it was "disturbed" by reports of a "radical" new proposal on which the industry had received no consultation.

Any new directive would almost certainly run "contrary to existing international treaties" by which EU member states are bound, the association warned.

The intervention follows a speech made by Francois Lamoureux, director general in the European Commission's transport ministry, to the Institut de la Mer in Paris last month.

Mr Lamoureux, a well-known opponent of limited liability in the maritime industry, said the commission would, in its forthcoming package of legislation, seek to redefine liability for shipowners and abolish the ceiling for owners involved in pollution incidents.

"This is indeed surprising and disturbing news to us," wrote Kristian Fuglesang, Intertanko's assistant director for shipping policy, "not only by itself, but more so as we cannot recall that such ideas have been put forward during the two consultation rounds which have taken place with the industry and member states."

He continued: "We are disturbed that such radical new plans can reportedly be under consideration not having been aired during the consultation rounds." Such a directive would also break with political agreements, he wrote. In Brussels, another shipowners' group backed the Intertanko message by claiming a new EU liability regime could undermine the international convention on limiting liability for maritime claims.

Alfons Guinier, secretary general of the European Community Ship Owners' Association, said they too feared new proposals on liability. "If a proposal such as this becomes law, EU member states would have to denounce ratification of the LLMC convention," he said.

The European Commission was yesterday putting the final touches to a package of maritime safety legislation which it is expected to publish next Wednesday. It has already been confirmed that the package will include proposals for liability and insurance, plus flag and port state control.

Commission transport spokesman Stefaan de Rynck said: "It is important to improve the rules on insurance and civil liability. The way in which this is done will be debated in the commission."

It is thought that the commission is seeking to push ahead with its own liability regime because current international conventions have received poor support in Europe.

Intertanko urged the commission not to be tempted by regional EU laws, as it has done in the past.

"Intertanko would strongly urge the Commission to reconsider putting forward this part of the third maritime safety package," Mr Fuglesang wrote.

"Instead of going down the route of regional rules which will severely undermine the international liability and compensation regimes, we suggest that the commission even more strongly than hitherto should encourage member states to ratify existing conventions ... which aim to give prompt and adequate compensation to pollution victims."

[close](#)

This article is copyright Informa UK Limited and is reproduced with permission. Reproduction, retrieval, copying or transmission of this article is not permitted without the publisher's prior consent. Informa UK Ltd does not guarantee the accuracy of the information contained in this article nor does it accept responsibility for errors or omissions or their consequences.