

CLD would not improve safety at sea

Thursday 29 May 2008

From Jonathan Hare

SIR, While enjoying the CSI:EU — Who killed the Civil Liability Directive theme of your feature on May 9 — the reality is rather less dramatic and I would like to take the opportunity to clarify the International Group's approach to the directive and to the European Union in general.

The Group has spent considerable time in engaging with European institutions so that insurance issues that concern shipowners are as well known to them as to other international forums, such as the International Maritime Organization.

We naturally take a long-term view and are well aware that in order to be heard we have to be as clear, open and precise as possible. Most of our efforts have been directed towards MEPs, their assistants and the commission. In spite of our representations, and of the recommendations of the European Parliament's Committee on Legal Affairs, the parliament voted in favour of the directive.

Less time has been spent with transport attaches since they are, unlike MEPs, more familiar with maritime issues and many were sceptical about CLD before any representations were made by the group.

There is no secret about any of the meetings that group representatives held and the position papers that we have prepared in connection with these meetings are freely available on the International Group website.

Your report rightly states that the proposals would have been hugely complicated. It has been a formidable task to try to explain the implications in understandable terms.

However, our main argument throughout has been quite simple, namely that although part of a Maritime Safety Package, CLD would not improve safety at sea. CLD is modelled closely on the Civil Liability Convention. The CLC has been in force for 33 years yet tanker accidents still sometimes happen. Equally, CLD would not prevent accidents taking place.

While we may disagree with the claim by the rapporteur Gilles Savary, that the defeat of CLD makes accidents at sea more likely, the group supports measures that can contribute to improved maritime safety and therefore we will continue to engage in an open and constructive dialogue with those involved in the legislative process in Europe.

In common with the shipping industry as a whole, P&I Clubs all stand to benefit from improved safety at sea.

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