

French owners seek curbs over Erika 3 package

By Andrew Spurrier in Paris - Wednesday 27 June 2007



FRENCH owners have urged the European Commission not to seek to go beyond the terms of existing international conventions in implementing the third European maritime safety package.

The owners' organisation Armateurs de France (AdF) has said that it is broadly in favour of the package in so far as it seeks to make obligatory the ratification of existing International Maritime Organisation conventions.

But it says that it is opposed to any attempt by the commission to introduce additional stricter measures of its own.

In the maritime sector, it says, the European Union is the appropriate body to introduce measures harmonising regulations and avoiding distortion of competition on its territory but the IMO is the appropriate body to issue rules applicable to ships worldwide.

"We say, 'Let us ratify the conventions and, if we must evolve, let us do it through the IMO'," said AdF chairman Eudes Riblier at a presentation of the organisation's position on the proposed new maritime safety package.

On this basis, AdF supports the proposal to integrate the 2002 protocol to the Athens Conventions into community law but is pleading for a four-year transitional period prior to its application to domestic passenger traffic and, notably, to lines involved in island ferry traffic.

It argues that the transitional period is necessary to avoid sharp increases in fares to take account of the additional cost of compensation cover involved.

With regard to potential victims of terrorist attacks, it advocates the creation of a European fund to provide compensation in preference to a proposal from the IMO legal committee to create separate insurance cover for the purpose.

The French owners' organisation supports the commission's proposal to integrate the Limitation of Liability for Maritime Claims (LLMC) convention into community law and calls for an effort to be made to secure ratification of the Hazardous and Noxious Substances (HNS) and Bunker Oil conventions at the same time.

But it says that it is "very reserved" about the commission's request for a mandate to renegotiate the convention at the IMO

It warns, notably, that a proposal to institute establish guarantees to cover owners' liability risks encouraging "negligent" owners to pursue their bad practices rather than supporting the efforts of "virtuous" owners.

And it opposes a proposal to remove limit on owners' liability on the grounds that it will be a source of legal insecurity and insurance problems for owners.

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