



Owners urge Brussels to drop liability proposals

Concern over 'Erika 3' plan, writes Justin Stares

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SHIPOWNERS' representatives were meeting European Union Transport Commissioner Jacques Barrot last night in an attempt to dissuade him from pursuing plans for regional liability and insurance schemes.

A delegation led by Lennart Simonsson, president of the European Community Shipowners' Association, lobbied Mr Barrot in Brussels amid concern the commission would press ahead with proposals to raise insurance guarantee requirements for ships calling in EU waters without seeking a solution at a global level.

"ECSA hopes the international regime will be respected in the legal proposals as contained in the maritime safety package 3, notably on the Athens convention, financial guarantees for ships and on the regime for compensation of pollution damages," Mr Simonsson said before the meeting.

ECSA believes the commission will ask for larger guarantees than are now required under international conventions as part of the forthcoming legislation.

"The commission may go beyond the LLMC [Limitation of Liability for Maritime Claims] convention," said ECSA secretary-general Alfons Guinier. "There is the possibility of a larger guarantee. We have insisted that international legislation should be respected."

A new insurance initiative is expected to be one item in the package of laws known as Erika 3 and due for publication in November.

Shipowners have also expressed concern that the commission will seek to enforce the 2002 protocol to the Athens convention on passenger liability before insurance coverage is available. At industry hearings earlier this year, Ecsa asked the commission to delay a Bill giving the protocol the force of law in Europe. The industry is also pushing for terrorism to be defined as an "act of war", thereby creating an exclusion from liability.

Separately, there was concern that the commission was planning to push ahead with an EU oil spill compensation fund if attempts to reform the Civil Liability Convention fail later this month.

The commission is seeking an increase in shipowner liability and is thought to be willing to propose a regional European scheme if its efforts to alter the balance of liability between shipowners and oil receivers fall through.

"We are looking to get an agreement involving other major trading powers such as Japan," Mr Guinier said.

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