

Conference “How to better protect Atlantic Coastal Regions from Maritime Pollution Learning lessons”

From ARCOPOL platform: from response to maritime pollution to compensation

15 June 2015



Based on Umea statement (September 2014)

Updated now : see CPMR maritime agenda
(version June 2015)

Maritime safety and ecological damage, an
important priority for CRPM



Ecological damage not directly covered:

- **At international level : not recognised**
- **At EU level : EU ELD does not apply to issues covered by international conventions**

Available IOPC compensations limited and priority for national authorities is for civil victims to get compensation first.

As a consequence, very little chances to get compensation for ecological damage

Setting up clearer compensation mechanisms (as it is the case in the USA for instance) would :

- **Stimulate prevention**
- **Provide better legal certainty to the shipping sector**
- **Avoid divergent interpretation of international conventions (See Erika case-law in France)**
- **Enable for better compensation**
- **Be consistent with the MSFD process**



European Commission currently analysing the implementation the ELD Directive :

- Studies published so far for the EC recommend for ELD to cover ecological damage :

http://ec.europa.eu/environment/legal/liability/pdf/BIO%20ELD%20Effectiveness_report.pdf

- EC report to be published at fall 2015

IOPC : specific work on environmental damage to be developed in 2016



Understanding and assessment of ecological damage is crucial (and possible today)

Arcopol:

- **Brings relevant expertise**
- **Contributes to the MSFD implementation**

More EU support and coordination is needed to:

- **Share expertise accross Europe**
 - **Develop research on ecological damage/new pollution risks (e.g. HNS)**
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European Parliament – Feirerra report « Untapping the potential of research and innovation in the blue economy to create jobs and growth »

Believes that a maritime safety "Erika IV" package should be launched to prevent further major maritime disasters; considers that this package should recognise the ecological damage to marine waters in the European legislation

THANK YOU

