

# INTRODUCTION TO THE IMO CIVIL LIABILITY AND COMPENSATION CONVENTIONS



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## IMO CIVIL LIABILITY AND COMPENSATION CONVENTIONS

### THE ROLE OF IMO

UNITED NATIONS SPECIALIZED AGENCY FOR THE SAFETY AND SECURITY OF SHIPPING AND THE PREVENTION OF MARINE POLLUTION BY SHIPS



- The only UN agency headquartered in London, with an annual budget of less than 30 million pounds and around 265 staff in the Secretariat.
- Some 50 nationalities represented on the staff
- 176 Member States, including all nations with an interest in maritime affairs

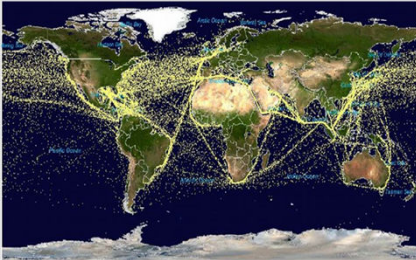
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## IMO CIVIL LIABILITY AND COMPENSATION CONVENTIONS

### THE ROLE OF IMO

#### SAFE, SECURE AND EFFICIENT SHIPPING ON CLEAN OCEANS

- More than 90 percent of global trade carried by ships
- Ownership and management chain embrace many countries
- Ships spend economic life between different jurisdictions, often far from the State of registry
- Need for international standards to regulate shipping



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MARITIME  
ORGANIZATION

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## IMO CIVIL LIABILITY AND COMPENSATION CONVENTIONS

### HISTORY AND ORIGINS

- 1967 Torrey Canyon at the coastline Great-Britain and France
- Urgent international action required: Diplomatic Conference under the auspices of the International Maritime Organization (IMO in Brussels in 1969, which adopted two legal instruments:
- 1969 Civil Liability Convention – CLC
- 1969 Intervention Convention
- Develop a liability regime for damage by Hazardous and Noxious Substances - HNS and Wreck Removal at a later stage



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## IMO CIVIL LIABILITY AND COMPENSATION CONVENTIONS

### HISTORY AND ORIGINS

- **International Convention on Civil Liability for Oil Pollution Damage, 1969 (CLC 1969):**
  - shipowner **strictly liable** for damage caused by **spills of heavy crude oils** transported as cargo
  - compulsory third-party liability insurance** to cover compensation limits
- **Convention Relating to Intervention on the High Seas in Cases of Oil Pollution Casualties, 1969, (Intervention Convention):**
  - legal powers of the coastal State to **intervene** in waters **beyond the territorial sea** in cases of oil pollution damage caused by ships.

## IMO CIVIL LIABILITY AND COMPENSATION CONVENTIONS

### INTERNATIONAL LEGAL FRAMEWORK

- **1969 CIVIL LIABILITY CONVENTION ON OIL POLLUTION BY SHIPS (CLC) WITH SUPPLEMENTARY 1971 FUND CONVENTION;**
- **1969 INTERVENTION CONVENTION; 1973 INTERVENTION PROTOCOL (SUBSTANCES OTHER THAN OIL: HNS);**
- **1974 ATHENS CONVENTION RELATING TO CARRIAGE OF PASSENGERS AND THEIR LUGGAGE BY SEA**
- **1976 CONVENTION ON LIMITATION OF LIABILITY FOR MARITIME CLAIMS (LLMC 1976); 1996 LLMC PROTOCOL**
- **1984 AND 1992 PROTOCOLS TO CLC AND FUND CONVENTION (INCREASED LIMITS OF LIABILITY);**
- **1989 INTERNATIONAL CONVENTION OF SALVAGE**

## IMO CIVIL LIABILITY AND COMPENSATION CONVENTIONS

### INTERNATIONAL LEGAL FRAMEWORK

- 1996 INTERNATIONAL CONVENTION ON LIABILITY AND COMPENSATION FOR DAMAGE IN CONNECTION WITH THE CARRIAGE OF HAZARDOUS AND NOXIOUS SUBSTANCES BY SEA (HNS CONVENTION);
- 2001 INTERNATIONAL CONVENTION ON CIVIL LIABILITY FOR BUNKER OIL POLLUTION DAMAGE;
- 2002 PROTOCOL TO THE ATHENS CONVENTION
- 2003 PROTOCOL TO THE INTERNATIONAL CONVENTION ON THE ESTABLISHMENT OF AN INTERNATIONAL FUND FOR COMPENSATION FOR OIL POLLUTION DAMAGE, 1992
- 2007 NAIROBI INTERNATIONAL CONVENTION ON THE REMOVAL OF WRECKS (LIABILITY AND INTERVENTION)

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## IMO CIVIL LIABILITY AND COMPENSATION CONVENTIONS

	BUNKERS CLC 2001	CLC 1969	CLC PROT 1976	CLC PROT 1992	FUND 1971	FUND PROT 1976	FUND PROT 1992	FUND LLMC PROT 2003	LLMC 1976	LLMC PROT 1996	NAIROBI WRC 2007	PAL 1974	PAL PROT 1976	PAL PROT 1990	PAL PROT 2002	SALVAGEHNS 1989	HNS 1996	HNS PROT 2010
Bangladesh																		
Brunei Darussalam	x	d	x	x	d		x											
Cambodia		x		x			x											
China		d	d	x	d	d					x							
Hongkong, China	x			x			x		x	x	x	x	x					x
India		d	x	x	d	x	x		x	x	x						x	
Indonesia	x	x		x	d						x							
Lao People's Democratic Republic (the)																		
Malaysia	x	d		x	x	x			x	x								
Mongolia	x	x		x													x	
Nepal																		
Pakistan				x							x							
Philippines (the)				x			x											
Singapore	x	d	x	x			x		d	x	x							x
Sri Lanka		d		x	d		x											

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