

Areas of Refuge for Ships in Need of Assistance: An Institutional Framework Enhancing Maritime Safety

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Abstract: Shipping has always involved high-risk operations and the accidental loss of a ship, has always been a serious matter for the industry. In addition to ship loss, the international community has always been sensitive to the fact that such accidents may lead to serious environmental damage. Recently, after the Prestige accident (2002), maritime safety and effective protection of the marine environment, in cases where a ship finds itself in serious difficulty or in need of assistance, without presenting a risk to the safety of life of persons onboard, were placed high on the agenda. In response to the above, the international community (IMO) as well as the European Union, have undertaken to develop and implement a series of measures and policies aimed at increasing efficiency when facing incidents as well as serious accidents at sea. The recent debate initiated by the Green paper on EU Maritime Policy is indicative of the need to develop an overall maritime policy that will ensure a sustainable future for the industry. The framework described as “places of refuge” has already supported several countries to develop plans to accommodate ships in distress, in waters under their jurisdiction. Such plans have incorporated the necessary procedures to provide a ship in distress with a network of areas, where adequate means and facilities for assistance, repair, and salvage and pollution response exist, as well as criteria for selecting and designating such areas. This paper discusses issues that inevitably arise when a balance needs to be established between both the prerogative of a ship in need of assistance to seek a place of refuge and the prerogative of a coastal State to protect its coastline, in the context of enhancing maritime safety, as well as preventing and controlling marine pollution from the maritime industry. **Keywords:** Port Safety, Marine Pollution, Environmental Protection, Marine Environment, Environmental Policy and Law, Environmental Business/Economics

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