



EUROPEAN MARITIME DAY

EU MARITIME LAW AND POLICY

PROTECTION OF THE MARINE ENVIRONMENT, SAFETY AT SEA, PORTS AND
THE ADRIATIC /MEDITERRANEAN SEA

Portorož, Slovenia, 18 May 2012

The Croatian Legal Framework for the Prevention of Pollution from Ships

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IMO CONVENTIONS

MARPOL

AFS Convention

BWM Convention

OPRC Convention

CLC/FUND

BUNKER

HNS Convention

EU LEGISLATION



Erika I – port state control, classification societies, phasing out of single-hull tankers

Erika II – EMSA, traffic monitoring (including PoR)

Erika III – responsibility of flag states, accident inspections, classification societies, port state control, traffic monitoring



Prestige measure – criminal sanctions for ship-source pollution

The Croatian Law
*Maritime Act,
Environment Protection
Act ,
Single-Hull Tankers Act*

*International Regulations
Adoption of relevant
IMO Conventions*

*EU Regulations
Harmonisation*

Regional Cooperation

UNCLOS

MARPOL 73/78

- the most comprehensive initiative to regulate and minimise pollution from ships

Republic of Croatia has ratified MARPOL including all the Annexes and has substantially incorporated the Convention into its legislation.

EZ Regulation 1726/2003

Strengthening the Standards for the Transport of Oil in Single Hull Tankers

- *requires that only vessels equipped with a double hull are entitled to carry HGO within or from the EU,*

Republic of Croatia *The Phasing-out Single- Hull Tankers Act, 2004*

EZ Directive 2005/35 on ship-source pollution and introduction of criminal penalties

- *extended the possibility of criminal prosecution to all seafarers and onshore personnel for their conduct and actions in pollution incidents and oil discharges,*
- *discharge of polluting substances (oil or other noxious substances) will be criminal offence if committed with the intent, recklessly or as a result of negligent behaviour.*

Republic of Croatia Administrative and criminal sanctions may be delivered for violation of MARPOL discharge criteria

- **Order** that prohibits navigation in internal waters and the territorial sea of the Republic of Croatia to ships older than 25 years when carrying oil, dangerous substances and liquefied gas in bulk.
- Compulsory coastal pilotage for all ships carrying dangerous or noxious substances

Control of Harmful Antifouling Systems on Ships

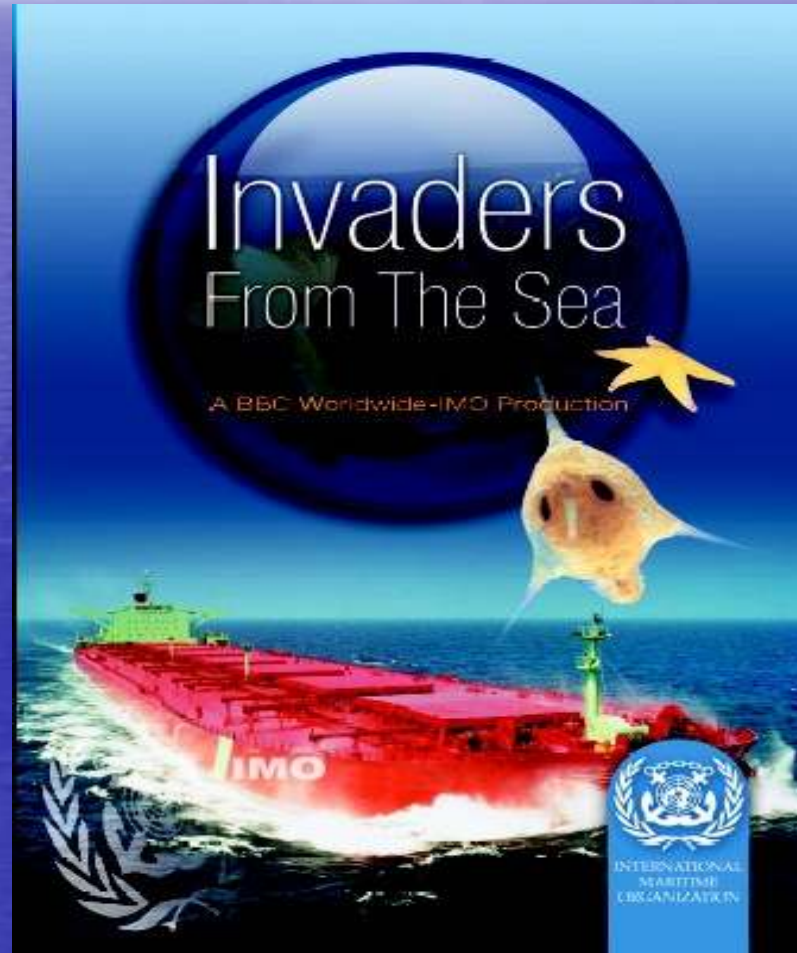
- **International Convention on the Control of Harmful Anti-Fouling Systems on Ships (AFS Convention)**
- **Regulation (EC) 782/2003** on prohibition of organotin compounds on ships (AFS Convention has been transposed into EU legislation)

Republic of Croatia has ratified AFS Convention

- croatian ships and other ships visiting croatian ports are obliged:
 - not to bear anti-fouling systems containing harmful compounds, or
 - to bear a coating that forms a barrier to such compounds

BALLAST WATER

- The International Convention for the Control and Management of Ships' Ballast Water and Sediments (**BWM Convention**), 2004
 - exchange of ballast water in the open ocean



Republic of Croatia

- has ratified BMW Convention (*not yet in force*)

“ballast water exchange standard for ships entering croatian coastal sea”

(Regulation on Ballast Water Management and Inspection – *Official Gazette No.55/07*)

Traffic Separation Schemes

TSS Northern Adriatic in force since 1 December 2004



ADRIREP

Mandatory Ship Reporting System in the Adriatic Sea

— adopted by the IMO Maritime Safety on the 5 December 2002

- entered into force 1st July 2003

Participating: Italy, Slovenia, Albania, Monte Negro and Croatia

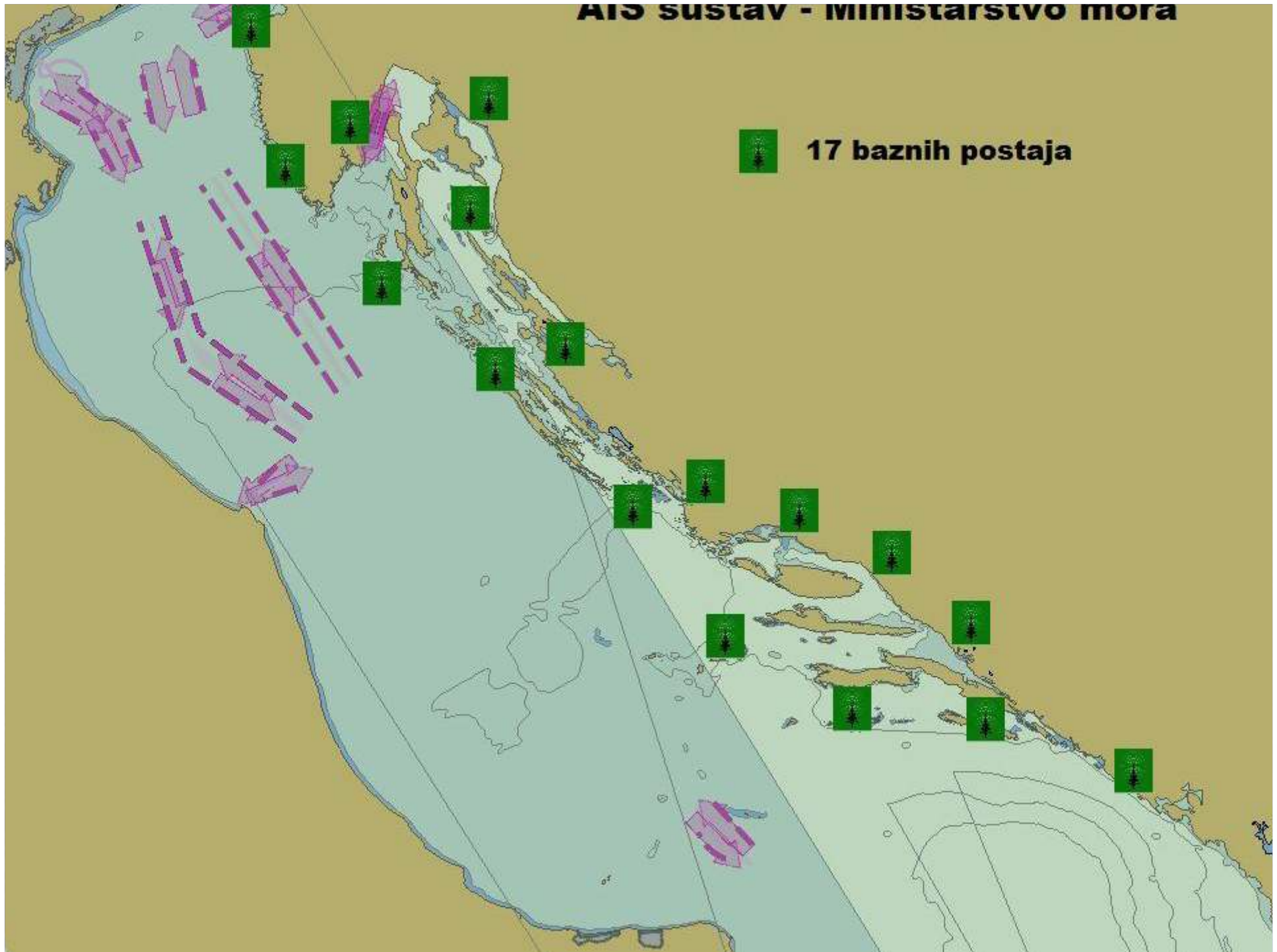
APPLIES:

- All oil tanker ships of 150 GT and above.

- All ships of 300 GT and above, carrying on board, as cargo, dangerous or polluting goods, in bulk or in package

AIS sustav - Ministarstvo mora

17 baznih postaja



Croatian Vessel Traffic System

- The establishment of VTS is based on the
 - VTMIS Directive and
 - Chapter V of the SOLAS Convention.

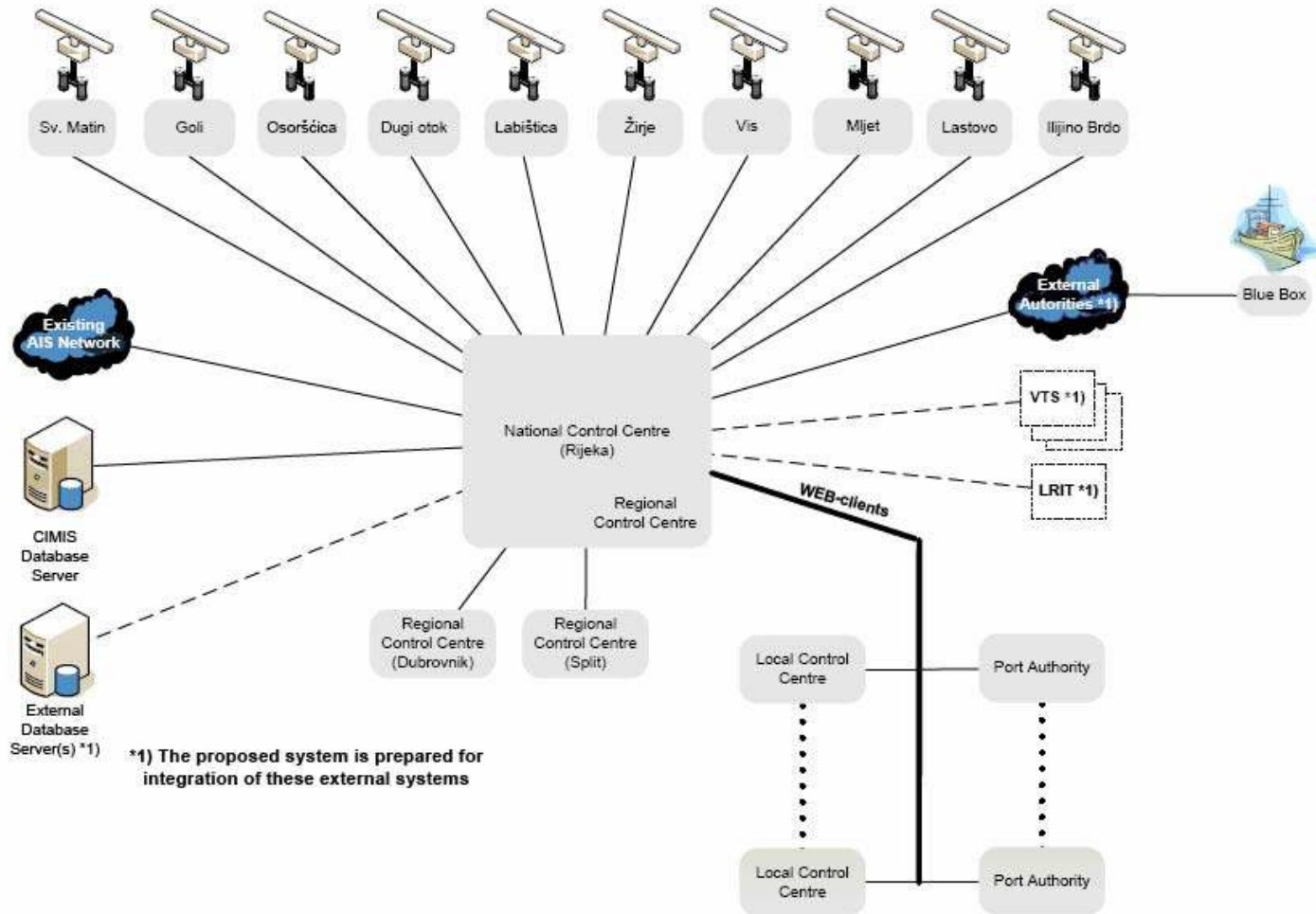
The system provides:

- information service,
- navigational assistance,
- traffic organization service.

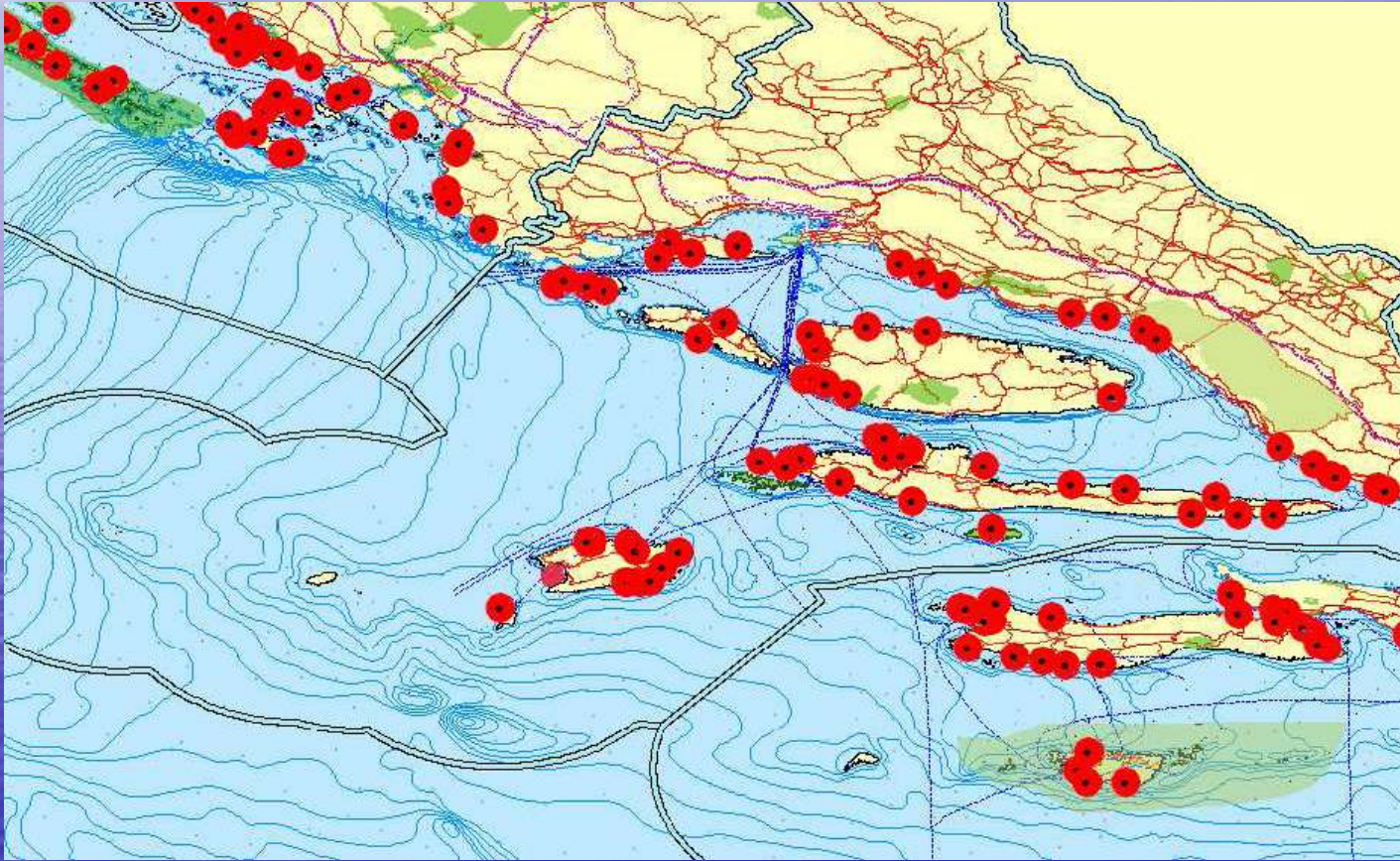
Main goals:

- improvement of maritime safety and prevention of pollution from ships

Technical Specification, CoastWatch VTMIS



Regulation on Place of Refuge (*Official Gazette, No. 3/08*)



LIABILITY FOR POLLUTION FROM SHIPS



Civil Liability for Pollution from Ships



CLC 1992
FUND 1992
FUND 2003

OIL

IN FORCE

Bunker 2001

**BUNKER
OIL**

IN FORCE

HNS
1996

**HAZARDOUS
AND NOXIOUS
SUBSTANCES**

NOT YET IN FORCE

- Strict liability (i.e. Liability regardless of fault)
- Owner entitled to limit his liability
- Prompt compensation of victims
- Compulsory liability insurance

Response to pollution incidents

Contingency Plan for Accidental Marine Pollution in the Republic of Croatia

(Official Gazette, No. 92/08)

Sub-regional Contingency Plan

*(signed in the framework of the Trilateral
Commission (Slovenia- Italy- Croatia)*

How to improve the level of navigational safety and marine protection?

- Enforcement of legislation,
- Continued development of control procedures for the prevention and physical removal of harmful substances from sea,
- Collaboration from all Adriatic states.



***Thank you for your
attention!***

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