

# **Background and outline of the scope of the workshop**

## **CLAIMS MANAGEMENT WORKSHOP**

27-28 MAY 2014, LISBON

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Legal Officer

Pollution Response Services

# Consultative Technical Group for Marine Pollution Preparedness and Response (CTG MPPR)

- **Aim**

EU platform to contribute to & improve the preparedness for & response to accidental & deliberate marine pollution

- **Members**

28 EU Member States  
EFTA Coastal States  
EU Candidate Countries  
Regional Agreements

- **CTG Rolling Work Programme**

Workshops, Training courses  
Technical reports, manuals or guidelines  
Exercises, Exchange of experts, Correspondence groups

# Claims Management Working Group: background

## 2007

- Workshop 'Claims Management following pollution incident at-sea'
- Establishment of the working group composed of 5 States (UK, The Netherlands, Spain, Belgium and Germany) with the following objectives:
  - To share claims management experiences among EU Member States
  - To standardise and recommend procedures and tariff schemes
  - To reinforce EU States' position when settling claims

## 2009 - 2010

- project transferred under the EMSA CTG MPPR umbrella
- France and Norway join the working group
- Guidelines published on the EMSA website following endorsement of by the CTG MPPR

# Claims Management Working Group: main achievements

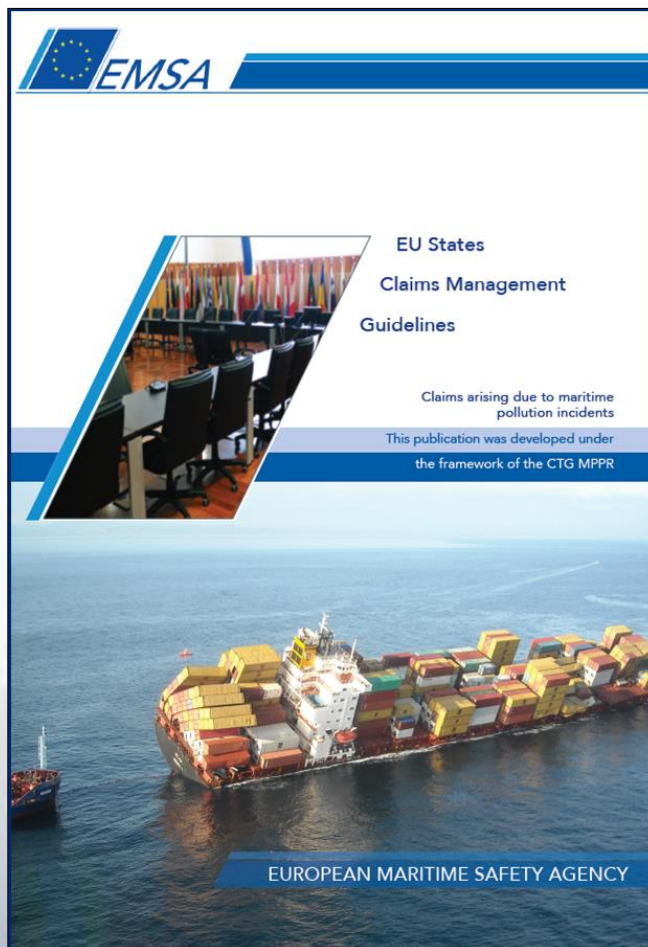
## References:

- EU States Claims Management Guidelines


## Co-operation:

- Workshops
- Dedicated e-mail address: **CLAIMSMANAGEMENT@EMSA.EUROPA.EU**


# EU States Claims Management Guidelines







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**Publications**

- Publications
  - Information leaflets and brochures
  - Corporate publications
  - Technical reports, studies and plans
  - Guidelines, manuals and inventories
  - Latest publications

**Guidelines, manuals and inventories**

A set of guidelines, manuals and inventories are produced by EMSA on its various activities for our stakeholders

Item title	Cover image	Files	Published
<a href="#">Inventory of EU Member States Policies and Operational Response Capacities for HNS Marine Pollution 2013</a>		<a href="#">2013 HNS Inventory</a>	07.05.2013
<a href="#">Inventory of EU Member States Oil Pollution Response Vessels</a>		<a href="#">Inventory of EU Member States Oil Pollution Response Vessels (2012)</a> <a href="#">Inventory of EU Member States Oil Pollution Response Vessels (2009)</a> <a href="#">Inventory of EU Member States Oil Pollution Response Vessels (2006)</a>	19.07.2012
<a href="#">EU States Claims Management Guidelines. Claims arising due to maritime pollution incidents</a>		<a href="#">EU States Claims Management Guidelines.pdf</a>	06.06.2012
<a href="#">Network of Stand-by Oil Spill Response Vessels and Equipment (Handbook 2012)</a>		<a href="#">Handbook EMSA Vessels Network &amp; Equipment (2012)</a>	17.04.2012



# Overview

- Consultation with stakeholders (ITOPF, IOPC FUND, IG P&I)
- First time this type of document is drafted at the EU level
- No duplication with existing claims manual: different purposes and scope
- Main goal: to improve the Member States cost recovery rates
- “Living document” to be reviewed at regular intervals: upcoming amendments (VAT, Mark-ups, staff costs)
- Positive feed-back on use of the Guidelines by CTG MPPR
- Guidelines referred to in court case in Norway

## Purposes

- Share experiences
- Move towards EU uniformity of claims management
- Identify best recovery practices
- Achieve higher cost recovery rates



**No harmonisation or impact on National legislation**



# Scope

Compilation and management by the MS of a claim for costs incurred due to a maritime incident polluting or threatening to pollute the marine environment



## Workshop purposes

- To identify best practices
  - Questionnaire
- To pool experiences
  - Presentations and contributions
- To exercise claims management
  - Group exercise
- To define further actions and recommendations aiming at improving cost recovery rates for national authorities



European Maritime Safety Agency

**Claims Management Workshop**

**27 - 28 May 2014**

**Room - 01/11**

**European Maritime Safety Agency**

**Praça Europa, 4**

**Lisbon**

Day 1: 27 May		
Time	Activity	Speaker/Facilitator
9.00 - 9.30	<i>Registration and coffee</i>	
9.30 - 9.40	Welcome address	EMSA
9.40 - 9.55	Presentation 1: • Background and scope of the workshop	Ms Stéphanie Guégan EMSA
9.55 - 11.10	'Tour de table'  Participants are invited to : • Introduce their organisation, their role in the organisation and their experience in the field of claims management; • Give an overview/up-date of their national claims mechanisms: which items are included in their claims or not; • Present their individual and global expectations from the workshop; • Raise specific questions and challenges in the field of cost recovery	All
11.10 - 11.15	Introduction to the quiz	Ms Stéphanie Guégan EMSA
11.15 - 11.30	<i>Coffee break</i>	
11.30 - 12.20	Plenary session: quiz covering cost recovery and claims management aspects	All

# Syndicate groups

Group N°	Members	Room	Facilitators
1	<ol style="list-style-type: none"> <li>1. Frank Delbeke (Belgium 1)</li> <li>2. Alexandra Lima (Portugal 1)</li> <li>3. Richard Gabriele (Malta)</li> <li>4. Nurullah Hakan Pekzen (Turkey)</li> <li>5. Nina Andersson (Sweden 1)</li> <li>6. Rima Zaka (Latvia)</li> <li>7. Seamus Ryan (Ireland)</li> </ol>	-01/12 (basement)	Gail, Siegbert
2	<ol style="list-style-type: none"> <li>1. Gwendoline Gonsaeles (Belgium 2)</li> <li>2. Robin Meijerink (The Netherlands)</li> <li>3. Marko Bazlyankov (Bulgaria)</li> <li>4. Lena Nordqvist (Finland)</li> <li>5. Svanfridur Karlsdottir (Iceland)</li> <li>6. Doina Schwarz (Germany)</li> </ol>	-01/11 (basement)	José, Wenche
3	<ol style="list-style-type: none"> <li>1. Ana Bela Gomez (Spain 2)</li> <li>2. Dumitru Bucuresteanu (Romania)</li> <li>3. Branimir Belancic-Farkas (Croatia)</li> <li>4. Lill Veronika Benjaminsen (Norway)</li> <li>5. Tiago Benavente (Portugal 2)</li> <li>6. Charlotta Sandberg (Sweden 2)</li> </ol>	-01/13	Stéphanie, Naïs

## Group dinner

- **Restaurant: CERVEJARIA TRINIDADE**  
**Rua Nova da Trindade 20 C**
- **Meeting point: EMSA: 19h30**



# Thank you

<http://www.emsa.europa.eu/publications/guidelines-manuals-and-inventories>



EU States  
Claims Management  
Guidelines

Claims arising due to maritime  
pollution incidents

This publication was developed under  
the framework of the CTG MPPR



EUROPEAN MARITIME SAFETY AGENCY