Carriage of hazardous substances by sea: liability and compensation for damage, HNS Convention

2001/0272(CNS) - 18/11/2002 - Final act

PURPOSE : to authorise Member States, in the interests of the Community, to ratify or accede to the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea, 1996 (the HNS Convention). COMMUNITY MEASURE : Council Decision 2002/971/EC. CONTENT : The HNS Convention is aimed at ensuring adequate, prompt and effective compensation of persons who suffer damage caused by spills of hazardous and noxious substances, when carried by sea. The Convention fills a significant gap in the international regulation of marine pollution liability. The substantive rules of the system established by the HNS Convention fall under the national competence of Member States and only the provisions of jurisdiction and recognition and enforcement of judgements are matters covered by exclusive Community competence. Given the subject matters and the aim of the HNS Convention, acceptance of its provisions which come under Community competence cannot be disassociated from the provisions which come under the competence of Member States. The Council therefore authorises the Member States to ratify or accede to the HNS Convention in the interests of the Community, under the conditions set out in this Decision. Denmark is not subject to the application of this Decision.