

Places of Refuge

Sharing the EU experience

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- **International - IMO Guidelines on Places of Refuge A.949(23)**
- **EU - Directive 2009/17 amending Directive 2002/59 establishing a Community vessel traffic monitoring and information system**
Article 20 and Art. 20(a)-20(d)

Adopted in December 2003

Recommend the coastal states to develop procedures that would enable an efficient and objective risk assessment in order to allow the ship into a place of refuge and contain elements that should be taken into consideration while making such assessments.

Steps to take:

- Appraisal of the situation
- Identification of hazards and risks
- Identification of the required actions
- Contacting the coastal state
- Establishment of the responsibilities and communications of all parties involved
- Response actions
- Reporting procedures

Guidelines for coastal states – event specific assessment:

- Analysis of a number of factors relating to the incident and the situation of the ship**
- Decision-making process**

“...granting access to a place of refuge could involve a political decision which can only be taken on a case-by-case basis with due consideration given to the balance between the advantage for the affected ship and the environment resulting from bringing the ship into a place of refuge and the risk to the environment resulting from that ship being near the coast.”

Art. 20: Competent authority “Member States shall designate one or more competent authorities which have the required expertise and the power, at the time of the operation, to take independent decisions on their own initiative concerning the accommodation of ships in need of assistance. “

Art. 20a: Plans “Member States shall draw up plans for the accommodation of ships in order to respond to threats presented by ships in need of assistance” [+list of required elements]

Art. 20b: Decision on the accommodation of ships.
The authority (...) shall decide on the acceptance of a ship in a place of refuge following a prior assessment of the situation carried out on the basis of the plans.

Initiatives at EU level: EU Operational Guidelines on Places of Refuge



- **November 2013: 1st Table Top Exercise – the need for guidelines;**
- **2014: Drafting Group for Operational Guidelines on Places of Refuge (EMSA as Secretariat)**
- **September 2015: 2nd Table Top Exercise to test the draft Guidelines;**
- **November 2015: Final draft presented to the Cooperation Group on Places of Refuge;**
- **January 2016: Presentation of the EU guidelines at the European Parliament and signature of a Joint Declaration by the industry;**
- **September 2017: 3rd Table Top Exercise.**

- **The Guidelines provide practical guidance for the competent authorities (CA) and the main parties involved in managing a request for a place of refuge from a ship in need of assistance, including where an incident occurs on the high seas or outside of the jurisdiction of any one Member State.**
- **Although non-mandatory in nature, they are intended to support the more uniform application of the underlying legal provisions of the Directive 2002/59/EC (as amended)**

ALL operational stages of an incident covered:

- **Initial incident reporting, monitoring & information gathering**
- **Coordination**
- **Requesting a Place of Refuge**
- **Risk Assessment & Inspection:** contains a number of factors that need to be taken into account during the evaluation leading to a final decision on accommodating (or not) a vessel in distress in a place of refuge
- **Decision Making & Outcomes**

Learning by doing - organisation of Table Top Exercises on Places of Refuge

- **First Table Top Exercise – The Netherlands (Rotterdam), November 2013**
- **Second Table Top Exercise – Malta, September 2015**
- **Third Table Top Exercise – Norway (Skagerrak), September 2017**
- **Fourth TTX in preparation – Las Palmas (Spain), 2-3 October 2019.**

3 TTX and their objectives

2013



25 - 26 NOVEMBER



ACCIDENT CONTAINER
VS TANKER / OIL POLLUTION



TEST EU DIRECTIVES &
IDENTIFY GAPS



DRAFT OPERATIONAL
GUIDELINES

2015



1 SEPTEMBER



ACCIDENT CONTAINER
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TEST DRAFT OPERATIONAL
GUIDELINES



APPROVED OPERATIONAL
GUIDELINES

2017



27 - 28 SEPTEMBER



ACCIDENT CONTAINER
VS TANKER / CHEMICAL
POLLUTION



TEST APPROVED
OPERATIONAL GUIDELINES
TEST CHEMICAL POLLUTION
RESPONSE TOOLS

Places of Refuge: work still ongoing



**More information available on EMSA website:
www.emsa.europa.eu**



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