



International Group of P&I Clubs

## **INTERNATIONAL GROUP EXPRESSES SERIOUS CONCERN AT PRISON TERMS HANDED TO HEBEI SPIRIT OFFICERS.**

The thirteen P&I Associations (the Clubs) which are members of the International Group of P&I Associations provide liability cover for approximately 95% of the world's ocean-going tanker tonnage. The cover includes liability for pollution and crew claims. Clubs also provide a wide range of services to their members, and often play a leading role in the management of casualties. The Clubs between them have been involved in all major pollution incidents worldwide. The Hebei Spirit is entered with Assuranceforeningen Skuld which is a member of the International Group and the club has been and continues to be very actively engaged in relation to the spill response and compensation arrangements.

The Group wishes to express its concern and disappointment at the decision of the Daejeon Appeal Court on 10 December, particularly the guilty verdicts and jail sentences handed down to the Master and Chief Officer of the Hebei Spirit who have been detained in Korea since December 2007 and who were exonerated from all blame for the incident by a Korean court on 24<sup>th</sup> June this year.

The Group shares industry wide concern at the increasing trend towards unjustified criminal prosecution of seafarers following maritime incidents, particularly in cases which do not involve intentional or wilful misconduct. It strongly supports the International Guidelines on the Fair Treatment of Seafarers in the Event of a Maritime Accident which were adopted by the International Maritime Organisation (IMO) and International Labour Organisation in 2006. The premise behind these Guidelines is to provide transparent, fair and impartial treatment of seafarers after a casualty.

The Group also supports the IMO Code for the Investigation of Marine Casualties and Incidents which was adopted in May 2008 at MSC 84 sets down mandatory standards and guidance for maritime inquiries to follow in order to achieve basic standards of objectivity and fairness. Whilst the Code is not yet mandatory, the IMO approved the Code in May 2008 with the aim of allowing it to be implemented voluntarily and its provisions to be respected and followed as far as possible by member states until it becomes mandatory under the SOLAS amendments in 2010. In the interim, the Code provides authoritative guidance as to good practice in the conduct of maritime inquiries.

At a time when the world is facing a shortage of professional and qualified seafarers, such seemingly unwarranted criminalisation of the Master and Chief Officer of an anchored VLCC, struck by a Samsung crane barge, will send deeply disturbing signals to all those considering a career at sea and to their families.

The Guidelines on Fair Treatment of Seafarers and the Code for Investigation of Maritime Casualties both provide basic standards which should apply worldwide to ensure the proper functioning of international trade and shipping in which Korea plays such an active part. The International Group is deeply concerned that Korea's reputation within the international community will be adversely affected by this recent decision of the Daejeon Appeal Court. The Group hopes above all that action by the relevant authorities can be taken swiftly to return the seafarers to their home and in so doing maintain the good reputation of the Republic of Korea.