

## **Norway leads the way on places of refuge**

NORWEGIAN authorities are better prepared than most to reach a quick and rational decision on whether a vessel in distress should be sent further out to sea or allowed to enter a place of refuge, according to Trond Eilertsen, partner at Oslo-based law firm Wikborg Rein.

Not only has Norway implemented most of the measures currently being discussed at IMO's Subcommittee on Safety of Navigation, it has carried out a thorough survey of the Norwegian coastline to identify suitable places of refuge for ships in distress.

To ensure quick decisions can be made when an incident occurs, Norway has also placed responsibility for handling vessels in distress in the hands of one agency - the Norwegian Coastal Directorate's Department for Emergency Response (DER).

"Under the Norwegian Pollution Act of 1981, the DER has the authority to grant a stricken vessel's request for a place of refuge, to order it to shore or send it further out to sea, if it is lying within the Norwegian territorial sea," says Mr Eilertsen. "Under no circumstances is the owner's approval required."

The efficiency of the Norwegian system was put to the test when the panamax bulker, John R, grounded and broke in two off the north coast of Norway.

With the forepart of the vessel drifting out to sea and in danger of sinking, the Norwegian authorities granted a request by the vessel's owner for refuge in a sheltered fjord which enabled the resulting minor oil spill to be efficiently handled by the Norwegian authorities in close co-operation with the owners. "Having been involved in many cases of vessels in distress, in my experience it is of utmost importance that local authorities have considered the possible scenarios that may develop so that a quick and correct decision can be made on whether a particular casualty should be ordered out to sea or granted shelter," says Mr Eilertsen.

The Norwegian authorities are now in the process of formalising their current contingency plans on how to handle a casualty in accordance with the EU's Erica II directive.