



Regulation of Maritime Accidents

Source: [TH](#)

Recent **maritime accidents** off **Kerala's coast** (**fire** and **sinking** of merchant vessels) highlight urgent concerns about the **liability framework** in **global trade**.

- **Global shipping is regulated** primarily by the [International Maritime Organization \(IMO\)](#) through conventions on **pollution, safety, and liability**, which member countries, including India, adopt into domestic laws.
- **India's Status in Key Conventions:** India has **not ratified** key conventions like the **2004 Ballast Water Convention** and the **2010 Hazardous and Noxious Substances (HNS) Convention**, limiting its ability to claim compensation for environmental damage.
- **Flags of Convenience (FOC):** Ships are often owned by **companies** in countries like **Greece** and **China**, but registered in nations such as **Liberia** and the **Marshall Islands** for easier operations and less scrutiny called **Flags of Convenience (FOC)**, despite being governed by **IMO norms**.
- **Liability for Loss and Environmental Damage:** **Liability for both loss of cargo and environmental damage** rests with the **ship owner**, usually covered by insurance through **Protection and Indemnity (P&I) Clubs**, a group of insurers sharing the risk.
 - While liability for **cargo loss** is **capped** by international conventions, compensation for **environmental damage** (e.g., oil pollution) is **uncapped (no limit)** and follows the [polluter pays principle](#) under the [International Convention for the Prevention of Pollution from Ships \(MARPOL\)](#).
- **Ship salvage responsibility** lies with the **ship owner**, under the **Nairobi Convention on the Removal of Wrecks, 2007**, to which **India is a signatory**.

Read More: [Developments in India's Maritime Sector](#)

PDF Reference URL: <https://www.drishtiias.com/printpdf/regulation-of-maritime-accidents>