

The purpose of the TP&I News is to provide the latest news for the shipowners, charterers, as well as any other maritime interests around the globe. Each issue of TP&I News will include a focused review section of several articles on a topic of current interest.¹

1. Pollution Liabilities In Brazil

A practical guide explaining the Brazilian regulatory framework with regard to ship-sourced spills and the ensuing responsibilities.

As elsewhere in the world, accidental spills from oil tankers in Brazil are rare, with most incidents occurring during the supply or transfer of bunkers within port limits. On the other hand, while instances of ship-sourced spills on the vast coastline and extensive inland waterways of this ecologically rich country have declined over the years,

there has been a surge in the value of punitive fines arbitrated by various authorities and the amount of compensation sought for environmental damage, frequently based on the presumption of damage, even in incidents involving minor spills in chronically polluted areas.

The long wait for the filing of civil claims – and even more so the many years they take to be heard by courts in three instances of jurisdiction – results in an exponential increase in the value of the claim after monetary restatement and interest, in addition to legal fees and expenses, representing a substantial financial exposure to shipowners, operators, charterers and their civil liability insurers.

Brazil has not signed CLC/92 and many other relevant conventions adopted by the International Maritime Organization (IMO) that deal with marine environmental matters, including the Bunker Convention, the FUND92, the HNS Convention and the Nairobi Convention on the Removal of Wrecks. Its domestic legislation is complex and rigorous, particularly with regard to pollution caused by ships. The Federal Constitution allows states and municipalities to concurrently legislate and enforce environmental regulations within their territorial jurisdiction.

After settling administrative penalties, often involving multiple fines from different authorities, clean-up costs, and other substantial expenses and third-party claims, the polluter is exposed to a lifelong liability to repair or compensate for the damage, as it can take years – and it usually does – before claims for environmental damage, in the form of civil public actions, are brought by federal and state prosecutors.

To help navigate this intricate and ever-changing regulatory landscape, this guide briefly overviews Brazil's environmental laws and regulations from our perspective and hands-on experience of nearly five decades as commercial correspondents for P&I clubs and other liability insurers in different ports.

While it should not be taken as a substitute for legal advice, we hope it will be useful as a practical reference tool, and we will do our best to keep an up-to-date copy of this publication available in this space for free download.



Source: Proinde Brazil
Pollution Liabilities in Brazil | Proinde

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2.Saudi Ports Post 6.79% Growth In June Container Volumes

The Saudi Ports Authority (Mawani) has recorded a 6.79% year-on-year uptick in container numbers across its trade hubs during the month of June, handling 685,645 TEUs in comparison to 642,024 TEUs in 2022.

Monthly statistics further show a 9.90% surge in exported containers from 192,507 TEUs to 211,568 TEUs last month, with imported boxes edging up a slight 0.12% to 205,046 TEUs over last year's tally of 204,798 TEUs.

Transshipments shared a similar trend, with a 9.93% spike to 269,031 TEUs against 244,719 TEUs a year earlier.

Food commodities passing through Mawani's ports hit a total of 1,858,175 tons, beating the previous year's throughput of 1,574,632 tons by 18.01%.

Livestock imports, on the other hand, have seen the best growth trend among all categories with a 101.1% leap from 990,190 to 1,991,248 cattle heads during June 2023. Likewise, automobile units coming into the Kingdom shot up by 5.87% to 68,511 vehicles when compared to last year's 64,713 vehicles.

Cargo volumes, however, plummeted by 6.23% to 25,320,536 tons from 27,003,127 tons in the year before. These figures comprise 675,449 tons of general cargo, 4,194,465 tons of dry bulk cargo, and 13,199,403 tons of liquid bulk cargo.

The Kingdom's ports also witnessed a 4.75% rise in vessel traffic, berthing 993 ships this year in contrast to 948 ships a year ago.

The national maritime regulator has adopted a series of industry-leading innovations to automate and optimize overall productivity and efficiency as part of efforts to build a 40-million-TEU-strong ports network within the Kingdom, which represents a crucial step in transforming the country into global logistics destination as envisioned by the National Transport and Logistics Strategy (NTLS).

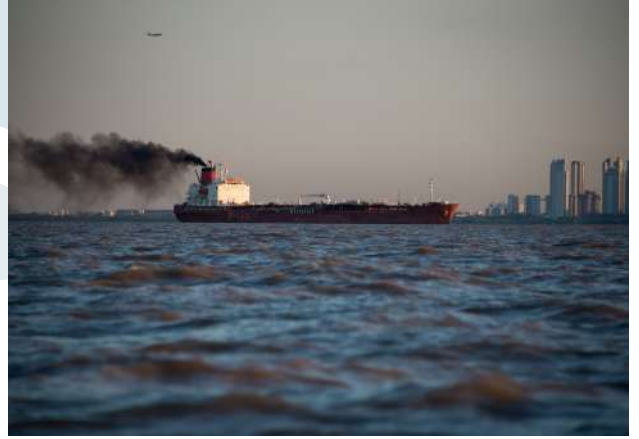


Source: Saudi Press Agency

3. Emissions from Maritime Transport Activities have been Included in the EU Emissions Trading System (ETS)

In a statement from the Ministry of Commerce; It has been reported that emissions from maritime transport activities are also included in the EU Emissions Trading System (ETS). In this context, ships of 5,000 GRT and above that carry cargo or passengers for commercial purposes;

- In cruises from the last port of call to a port in the jurisdiction of the member states,
- In cruises from a port in the jurisdiction of a member state to their next port of call,
- Greenhouse gas emissions from their cruises between ports within the jurisdiction of a member state are included in the EU ETS. As of January 1, 2025, this arrangement ;
- Offshore vessels of 5,000 GRT and above,
- Offshore vessels of less than 5,000 GRT but not less than 400 GRT,
- It will apply to general cargo ships below 5,000 GRT but not below 400 GRT.



Source: Esenyel Law Firm