

Salvage Convention

Official reference	International Convention on salvage	
Official website	www.imo.org	
Relevant dates	Document	28/04/1989
	Entry into force	14/07/1996
	Ratification by Belgium	13/05/2003
	Ratification by Flanders	7/05/2004
Policy level	International	
Type of instrument	Convention	
Geographical reach	World seas	
(Legal) coverage in the BNS	Internal waters, territorial sea, exclusive economic zone	
International contact point	International Maritime Organization (IMO)	
Competent authority in Belgium	Flemish authorities; Policy domain Transport and Public works (MOW); department MOW; section Maritime Access -> Salvage of obstacles impeding the maritime access	
Federal ratification	Wet van 13 mei 2003 houdende instemming met het Internationaal Verdrag inzake de hulpverlening, opgemaakt te Londen op 28 april 1989	
Flemish ratification	Decreet van 7 mei 2004 houdende instemming met het Internationaal Verdrag van 1989 inzake hulpverlening, opgemaakt in Londen op 28 april 1989	

// abstract:

This convention substitutes the 'Convention for the Unification of Certain Rules of Law respecting Assistance and Salvage at Sea', which had introduced the 'no cure, no pay'-principle, according to which a salvage company could only be paid for its services if the operation had been successful.

Even though the core philosophy proved favourable in most cases, it did not take into account environmental pollution. A salvage company that prevented environmental pollution (for instance, through towing an unharmed oil tanker out of a vulnerable area), but did not manage to save the ships or the cargo, was not paid. As a result, salvage companies were not willing to start an operation with little chance of success.

This convention tries to rectify this problem by providing an increased compensation ('special compensation'), taking into account the efforts of the salvage company regarding the prevention and restriction of environmental harm. The compensation includes the costs made by the salvage company, plus a maximum of 30% of these costs, if the efforts helped to minimise or prevent environmental harm. The court that determines the degree of compensation may increase the compensation up to a 100% of the costs if it considers this fair. If the salvage company is charged with negligence, and therefore did not manage to prevent or minimise the environmental harm, the special compensation can be refused or reduced. The payment of this compensation needs to be done by the interested Parties (ship, other properties) in relation to their respective salvage costs.