

# PM: Maritime laws must be changed to protect waterways

Jan. T. 24 JAN 1993

# Plugging the loopholes

By K.P. Waran

KUALA LUMPUR, Sat. — Malaysia will make a strong effort to plug loopholes in international maritime law which allow ships to pollute waterways and escape paying compensation, Datuk Seri Dr Mahathir Mohamad said today.

The Prime Minister said a common trick among international ship owners was to register their vessels in third countries such as Liberia and Panama which would disclaim responsibility in the event the vessels were involved in an accident.

He said another ruse was to register every ship under different companies; so when a claim for damages was filed, the companies would claim

they were unable to pay because they have no other assets.

He said the issue would be raised at the meeting of the littoral states of the Straits of Malacca scheduled to be held in Indonesia before May.

"It is time to review these practices as they are aimed at escaping the paying of damages and compensation for pollution and cleaning-up activities after a collision. (See Also Page 16).

"Ships should be registered in the owners' host countries; only then will we know who owns the vessels. We plan to highlight this proposal at the meeting of the littoral states," he said after attending a Chinese New Year lunch in Science, Technology and Environment Minister Datuk Law

Hieng Ding's house.

Dr Mahathir said during the meeting Malaysia, Indonesia and Singapore would also discuss ways to get the international community to pay for the maintenance of the Straits of Malacca.

He said he had discussed the issue of the strait during the recent visit of Japanese Prime Minister Kiichi Miyazawa.

He said ships used the strait without paying any charges, but in the event of an accident Malaysia and the other littoral states have to shoulder the burden of the high cost of cleaning up the strait.

"The Straits of Malacca is narrow and, therefore, easy for accidents to occur. We want the countries whose ships ply the route to share

the cost of maintenance and provide equipment to ensure there are no accidents."

He said Malaysia was a small country and thus could not force other countries to pay and, therefore, it planned to bring up the issue at the meeting of the littoral states and other international conferences.

He added Malaysia has proposed that toll be collected from ships plying the route because it was a fair method since only the users of the strait would have to pay for its maintenance.

He said this proposal has been opposed by many countries which claimed that the strait was an international waterway.

Dr Mahathir also said the

strait was classified as an international waterway a long time ago when there were few ships and the vessels were small.

"Nowadays, some vessels are as heavy as half a million tonnes and they carry oil. In the event of a collision, the consequences are very serious.

"Therefore, we cannot consider it an international waterway because whenever something happens, it is the littoral states which are burdened with the cost.

"A method of payment for the maintenance of the strait needs to be drawn up. It could either be in the form of toll or through collection from the countries whose vessels use the waterway or any other methods," he said.

On the continued attacks on Iraq by the United States and its allies, he said it was unclear whether these attacks were initiated by the United Nations or the United States.

Dr Mahathir said it was sad that the United Nations and the Western powers did not find it necessary to take action against the Serbs who were wantonly killing the Bosnians and committing other atrocities including raping the women.

He said despite Amnesty International and other agencies confirming the atrocities in Bosnia-Herzegovina, nothing has been done to stop the Serbian actions which have resulted in Malaysia losing faith in the UN and the Western powers.