

Lost Containers from Shipping

Joint statement from the North Sea
Commission and KIMO International

June 2020



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The issue of pollution from containerships and the lack of robust compensation regimes with regard to this sector of the shipping industry was raised at the 4th North Sea Ministerial Conference in Esbjerg in 1995. It was raised again at the 5th Ministerial Conference in Bergen 2002 where Ministers agreed to “make coordinated efforts within IMO to review, strengthen and introduce, if appropriate, further compensation and liability regimes.”

Despite these assurances and campaigning by a diverse number of actors, the current position remains that there is no such regime in place and cargo from spilled containers that has polluted the coastlines continues to create an environmental, operational and financial burden on coastal authorities unless the ship owner’s insurance has been willing to meet the cost.



There has been a rapid increase in the worldwide containership fleet. In terms of value, global container trade now accounts for 60% of all seaborne trade and the global container ship fleet has the capacity to carry more than 20 million standard containers.

Concern about container loss incidents in European waters is widespread. A number of global carriers have suffered incidents over the years, many of which go unreported. For the period 2008-2016, an average of 1,582 containers were lost each year, 64% of which were from catastrophic events (defined as incidents in which more than 50 containers are lost). Recent incidents include the Mediterranean Shipping Company’s

ultra-large containership MSC Zoe which lost around 342 containers overboard in German waters after being caught in heavy seas between Vlieland, Netherlands and the German Bight in the south eastern North Sea on 1st January 2019.



A significant amount of debris from broken containers including toys, household items and white goods washed up on Dutch and German islands in the Wadden Sea, an area awarded UNESCO World Heritage and Natura 2000 status and recognised by the International Maritime Organisation as a Particularly Sensitive Sea Area (PSSA) requiring special protection. Volunteers, fishers and the military were involved in extensive clean-up operations that have cost at least €260,000 to island municipalities and €777,296 to private companies.



Lost cargo will continue to be washed up on beaches and shores for many months and the extent of the pollution will increase as the debris is carried further by the strong currents. Even now, 18 months later, the Dutch Wadden Sea island of Schiermonnikoog continues to be affected by plastic pellets which spilled into the sea from the MSC Zoe incident. The impact on the local economy will be considerable if beaches are closed to tourism and recreation.



Bad ship design, flimsy containers, faulty twist locks, bad stowage, shoddy maintenance, poor seamanship, top heavy container stacks, mis-declared cargo, bad weather, commercial pressures, lack of compliance and communication failure all contribute to an increasing number of similar incidents.

The ever-increasing incidents of lost containers that are arriving on coastlines and beaches have become a serious problem for coastal authorities, especially the increasing number of incidents involving toxic materials that add a further burden to local emergency services. As the main providers of clean-up responses Local Authorities have also had to bear the costs of clean-up.

Recognising the need:

- to reduce the number of containers lost overboard each year and to mitigate their environmental impact, including on coastal communities and
- to establish environmental liability and ensure that the polluter pays for the costs of clean up.

KIMO and the North Sea Commission urge:

- Governments of all North Sea countries to act in unison at the International Maritime Organisation (IMO) to establish the following measures:
 - Ensure and enforce ship planning vessel compliance;
 - Ensure proper transparency on container losses;
 - Facilitate container traceability and visibility to boost their recovery;
 - Review and strengthen the construction criteria for containers with regard to current stacking heights;
 - Review and strengthen specifications and maintenance regimes for twist locks;
 - Clarify the legal status of lost containers and related liabilities
 - Introduce financial penalties and compensation regimes for the retrieval of lost containers and their contents
- All European Governments, the European Commission and the European Parliament to work towards a Convention on Liability and Compensation for Damage in Connection with the Carriage of Non-Toxic Substances including strict liability on ship owners for pollution from their vessels, compulsory insurance for all vessels and a reserve fund to cover any shortfalls in compensation.
- The IMO to develop a clear plan of action stating how it will implement the measures proposed in this joint statement. Furthermore, we invite the IMO to give a presentation to the North Sea Commission about its intentions on this issue at the earliest opportunity.