
The issue of places of refuge is of both practical and academic importance. High-profile maritime casualties, such as the *Erika* and *Prestige*, have brought this matter to the attention of the general public. On 12 December 1999, the *Erika* broke in two off the coast of Brittany after getting into difficulty in poor weather. It spilled almost 20,000 tonnes of heavy fuel oil, resulting in the pollution of some 400 km of French coastline. On 13 November 2002, the *Prestige* sank off the coast of Galicia in Spain, resulting in significant pollution to French and Spanish coastlines, and light contamination of the English coastline as far as the Dover Straits. Both vessels had been refused refuge by a number of port authorities. In both cases it has been suggested that granting refuge might have prevented both vessels being lost and the resulting pollution. These incidents have placed pressure on regulators to provide more appropriate solutions and prevent future disasters. The question of places of refuge for ships has become the object of considerable political debate, especially within the European Union and amongst stakeholders in the shipping industry. The intensity of this debate reflects the underlying tension between coastal States’ desire to protect their marine environments and the interests of maritime powers and the shipping industry to secure adequate support for ships in distress. Although the question of how best to avoid such casualties has long occupied the minds of experts and it has been a topic of focused concern at the Comité Maritime International (CMI) and International Maritime Organization (IMO), achieving a better regulatory framework has become far more imperative in light of the significant adverse effects that modern maritime casualties can have on the environment.

Refuge may take the form of access to sheltered waters or port facilities. It is an essential feature of many salvage operations and a consequence of rendering humanitarian assistance to ships in distress. The need to provide such assistance is not in doubt. However, any right of refuge or duty to provide assistance necessarily affects the liberty of coastal States to regulate shipping.
and may run counter to their interest in protecting the marine environment. This raises a number of important questions as to how best the law can accommodate the legal and policy considerations. Indeed, it is precisely this interface of law and practice between a number of diffuse disciplines, such as international law of the sea, environmental law and private maritime law, which makes this topic of profound interest to the academic. The scope of the debate in practice is reflected in the content of the present collection of essays, which includes essays on topics as diverse as international law and refuge, marine insurance, and general average (the sharing of extraordinary losses or expenses arising during a common maritime adventure).

The book is in three parts, prefaced by a general introduction. The introductory chapter, which outlines the key terminology, issues and actors, is instructive because it indicates clearly the potential complexity of regulating places of refuge: matters which are developed in subsequent chapters. Part I of the book then explores the management issues at stake. There are two key chapters. In the first, Chircop outlines the current management framework arising out of the IMO Guidelines on Places of Refuge. Linden then explores how the notion of ICZM affects places of refuge. Interestingly, the move away from sectoral regulation of marine spaces and activities more generally is reflected in the cross-disciplinary approach required to address places of refuge. Subsequent chapters then address the environmental perspectives, decision-making systems, port perspectives and communication and media management issues.

Part II examines the legal and policy perspectives and responses. As Chircop points out in his chapter on the customary law of refuge, the concept of refuge has a long history. However, despite this long pedigree, we are found wanting a precise delimitation of the right of refuge or duty to provide assistance. Of course one may point out that the environmental dimension has somewhat changed the balance between coastal and shipping interests and it will take time for the law to adjust to this modified position. It is notable that the most recent developments in this field have been the provision of non-binding guidelines and the development of procedural/management approaches rather than legislative solutions. This highlights the difficulty of prescribing a general rule on refuge, and is reflected in the tenor of the book as a whole, which seeks to enlighten us as to the issues rather than prescribe specific solutions. Another important theme developed in the collection is the idea of risk management. Ultimately, the decision to grant refuge is essentially a question of risk: what are the potential consequences of granting or refusing refuge? By way of illustration, Patrick Donner’s chapter on insurance highlights how the availability and extent of insurance cover is an important factor in determining whether