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制裁措施

一些国家和多国组织，尤其是联合国，欧盟和美国，不断采取制裁措施，影响其他国家的政治行为。就大多数制裁措施性质而言，会对航运和国际贸易产生影响，继而影响到协会及其会员。一些制裁会直接影响到会员的保险保障。

制裁活动的主要地区

基于协会收到的会员咨询，大量受制裁贸易和实施范围，协会列出以下受制裁活动的主要地区，换言之，协会及其会员面临的具有较高制裁风险的地区：

[伊朗](#)

[俄罗斯和乌克兰](#)

[叙利亚](#)

[朝鲜](#)

[古巴](#)

苏丹

索马里

协会已经发布了大量有关这些国家的信息（见链接），建议会员在确定往来上述国家的航次之前，寻求协会意见。

其他受制裁国家

下列国家也受到制裁影响，但是所受制裁的范围一般较为有限，并且制裁很大程度上受相关国家政局变动的影响，会员船舶前往这些国家前，请联系协会，获取进一步信息。

阿富汗、白俄罗斯、缅甸、刚果民主共和国、埃及、厄立特里亚、南联盟&塞尔维亚、伊拉克、科特迪瓦、黎巴嫩、利比里亚、利比亚、几内亚共和国、突尼斯、也门、津巴布韦。

协会承保范围

协会关于制裁的相关条款为Rule 19(2) of Class 1，内容如下：

“Unless the Committee otherwise determine there is no cover in respect of an insured vessel being employed by the Member in a carriage, trade or on a voyage which thereby in any way howsoever exposes the Club to the risk of being or becoming subject to any sanction, prohibition or adverse action in any form whatsoever by any state or international organisation or other competent authority.”

除此之外，因制裁协会不能向国际保赔集团分摊(IG Pool)和/或向再保险人追偿，协会也不会赔付会员。相关条款为Rule 8(4) of Class 1，内容如下：

“The Association shall in no circumstances have a liability to a Member in respect of that part of any liabilities, costs and expenses which is not recovered by the Association from parties to the Pooling Agreement, and/or under the Group Excess Loss Reinsurance Contract or any other reinsurer because of a shortfall in recovery from such parties or reinsurers thereunder by reason of a sanction, prohibition or adverse action against them by a state or international organisation or other competent authority or the risk thereof if payment were to be made by such parties or reinsurers. For the purposes of this Rule 8 "shortfall" includes but is not limited to any failure or delay in recovery by the Association by reason of such parties or reinsurers making payment into a designated account iUseful linksn compliance with the requirements of any state or international organisation or other competent authority.”

任何情况下，对上述保险保障协会具有自由裁量权，对于提供保险保障的考量，将考虑协会面临的制裁风险。

有用链接

<https://sdnsearch.ofac.treas.gov/> 美国政府关于受到制裁的某些（包括但不限于）实体的搜索引擎。

<https://www.gov.uk/government/publications/financial-sanctions-iran-nuclear-proliferation>

英国政府网站关于欧盟和英国对伊制裁链接。

<https://www.gov.uk/government/publications/financial-sanctions-consolidated-list-of-targets>

英国制裁名单，包括欧盟制裁个人和实体名单。

强烈建议会员在确定往来受制裁国家的业务时，做到恪尽职守，以确保相关货物或者交易当事方均未受到制裁。协会愿意尽力协助会员，也希望会员考虑寻求独立的法律意见。

信息来源：West of England P&I Club