

EN

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Answer given by Ms Albuquerque
on behalf of the European Commission
(22.10.2026)

At present, the Commission is not pursuing initiatives, programmes or databases dedicated to tackling insurance fraud in recreational boating and is not aware of any EU-funded project specifically addressing this particular issue. Investigating and sanctioning insurance fraud falls within the competence of the Member States, while the insurance industry can complement these efforts by developing fraud detection systems based on data sharing and analytical tools¹ to identify potentially fraudulent claims and, where appropriate, refer them to the competent law enforcement authorities. Directive 2009/18/EC² establishes the European Marine Casualty Information Platform (EMCIP)³ a centralised database and data distribution system operated by the European Maritime Safety Agency designed to store, manage and analyse comprehensive data regarding marine casualties and incidents across the EU. EMCIP complies with the EU data protection legislation.

However, Directive 2009/18/EC explicitly excludes pleasure yachts and pleasure craft not engaged in trade from its scope unless the vessel is crewed and carries more than 12 passengers for commercial purposes or if the recreational craft is involved in a maritime casualty or incident with a commercial ship that is covered by the Directive.

Directive 2009/138/EC ('Solvency II')⁴ is a prudential and supervisory framework, and as such cannot serve as a basis for the establishment of an EU-wide maritime insurance fraud prevention system. While the Directive provides for the exchange of confidential information between national supervisory authorities, these provisions cannot form the basis for an insurer-to-insurer claims or fraud-information exchange system.

¹ To the extent allowed under the General Data Protection Regulation (OJ L 119, 4.5.2016, pp. 1–88) and competition rules.

² Directive 2009/18/EC of the European Parliament and of the Council of 23 April 2009 establishing the fundamental principles governing the investigation of accidents in the maritime transport sector and amending Council Directive 1999/35/EC and Directive 2002/59/EC of the European Parliament and of the Council, OJ L 131, 28.5.2009, pp. 114–1270.

³ <https://emsa.europa.eu/emcip.html>.

⁴ Directive 2009/138/EC on the taking-up and pursuit of the business of insurance and reinsurance, OJ L 335, 17.12.2009, pp. 1–155.