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MOTION FOR A RESOLUTION

further to the Council and Commission statements

pursuant to Rule 37(2) of the Rules of Procedure

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on behalf of the ELDR Group

on safety at sea and measures to alleviate the effects of the Prestige disaster

European Parliament resolution on safety at sea and measures to alleviate the effects of the Prestige disaster

The European Parliament,

- having regard to the ‘Prestige’ oil tanker disaster,
 - having regard to its previous resolutions on maritime safety,
 - having regard to the Commission Communication of 3 December 2002 on improving safety at sea in response to the ‘Prestige’ accident (COM(2002) 681 final),
 - having regard to the conclusions of the Council of Transport Ministers of 6 December 2002 on the subject of the ‘Prestige’ disaster,
 - having regard to the conclusions of the Council of Environment Ministers of 9 December 2002 on the same subject,
 - having regard to the conclusions of the Copenhagen European Council of 12 and 13 December 2002 on the same subject,
 - having regard to the Commission proposal for a European Parliament and Council Directive on environmental liability with regard to the prevention and remedying of environmental damage (COM(2002) 17),
- A. whereas the ‘Prestige’ oil tanker disaster, together with other even more recent maritime accidents, has again underlined the need for effective action at international and EU level in order significantly to improve maritime safety,
- B. whereas the freedom of the sea cannot be allowed to override the goal of protecting the marine environment,
- C. whereas, subsequent to encountering initial difficulties, the ‘Prestige’ was escorted to rough high seas, where it remained for 5 days, before finally sinking,
1. Expresses its continuing solidarity with the people who have been affected by the ‘Prestige’ disaster and stresses the need for continued efforts towards recovery of the polluted areas;
 2. Supports the Commission’s plan to propose an urgent modification of the rules of the FIFG in order that the eligibility criteria be enlarged to allow appropriate compensation for parts of the fishing and aquaculture industries affected;
 3. Recalls its earlier request for an independent investigation of the ‘Prestige’ disaster, and calls on the Commission to present the Council and Parliament with the results as soon as

they are ready; undertakes to conduct a hearing in its competent committee on the outcome of the investigation;

4. Welcomes the rapid response of the Council and the Commission to the disaster, but considers that the measures proposed are not sufficient to avoid a repetition of similar catastrophes;
5. Demands that Member States ensure rapid and proper implementation of both Erika packages of maritime safety legislation;
6. Considers that Member States must be obliged to accommodate ships in distress; in this connection, urges the Commission to strengthen existing legislation by presenting, as soon as possible, a proposal for the establishment of an obligatory system for the accommodation of ships in distress in ports of refuge or sheltered areas in all coastal Member States; calls for this proposal to be accompanied by a compulsory system of compensation for any resulting damage;
7. Stresses the importance of intensifying Port State Control; urges all Member States to meet the 25% target of Port State Control inspections as required by Directive 95/21/EC; urges the Commission to pursue Member States who continue to fall short of this target; considers that, in the light of the 'Prestige' disaster, it will be necessary substantially to increase the rate and quality of inspections;
8. Stresses that the proper maintenance of ships and the quality of personnel is even more important to ensuring high standards of maritime safety than the distinction between single and double hulls; acknowledges the proposal from both the Council and the Commission to speed up the phase-out of single hull oil tankers and the Council's commitment to banning single-hull tankers carrying heavy fuel oil from all EU ports; remains concerned regarding the practical implications of the ban for the supply of oil in the EU and the policing of vessels in transit through EU waters;
9. Recognises the fact that the EU has only limited power to control ships in transit through its waters; therefore calls on the Council to act quickly to grant the Commission the mandate to negotiate on behalf of all 15 Member States within the International Maritime Organisation, with particular regard to the establishment of more stringent rules on Port State Control in third countries, the development of a Flag State audit procedure aimed at combating flags of convenience, and the proper implementation of compulsory shipping routes and the restriction of shipping in designated PSSAs in order to protect sensitive coastlines; given the slow process of decision-making at IMO level, calls on the Commission simultaneously to initiate bilateral negotiations with key third countries with a view to improving the safety of ships in transit through EU waters;
10. Calls on the Commission to speed up the preparation of its proposal to revise the state aid guidelines for maritime transport with a view to encouraging the reflagging of the greatest possible number of ships to Community registers;
11. Calls for efforts to increase coordination of the coast guards of all coastal Member States;

12. Considers that the scope of the forthcoming Directive on environmental liability should be extended to apply to cases of pollution, for example maritime oil pollution, where existing international treaties and conventions dealing with environmental liability and compensation provide inadequate protection;
13. Notwithstanding the responsibility of the ship's master in cases where a ship is involved in an accident, deplores the treatment of the captain of the 'Prestige' by the Spanish authorities;
14. Instructs its President to forward this resolution to the Council, the Commission, the governments of the Member States and the candidate countries, the competent regional authorities and all the competent maritime authorities.