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MOTION FOR A RESOLUTION

to wind up the debate on the statement by the Commission

pursuant to Rule 103(2) of the Rules of Procedure

by Francisca Pleguezuelos Aguilar, Brian Simpson, Inés Ayala Sender and
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on behalf of the PSE Group

on the *New Flame* shipwreck and its consequences in Algeciras Bay

European Parliament resolution on the *New Flame* shipwreck and its consequences in Algeciras Bay

The European Parliament,

- having regard to Articles 71, 80 and 251 of the EC Treaty,
 - having regard to its previous resolutions on the Maritime Packages and on maritime safety,
 - having regard to its resolution of 12 July 2007 on a future maritime policy for the European Union: a European vision for the oceans and seas,¹
 - having regard to the complaint on the *New Flame* case from the Junta de Andalucía Government to the EC Commission on the basis of Article 226 of the EC Treaty ,
 - having regard to Rule 103(2) of its Rules of Procedure,
- A. having regard to the collision between a double-hulled oil tanker and the bulk carrier *New Flame* that occurred off the coast of Gibraltar on 12 August 2007,
- B. whereas immediately prior to the collision the *New Flame* may have left the port of Gibraltar without authorisation or control by the port authorities,
- C. having regard to the various anti-pollution measures and rescue and salvage operations that have taken place on site,
- D. whereas the priority of European legislation is a safe and pollution-free environment in the oceans and seas, with special regard to the Mediterranean Sea,
- E. whereas, although accidents of this kind do not have the same environmental impact as those involving tankers, they still raise social concerns, as in the case of the cargo ship *MSC Napoli*, which was beached in Lyme Bay on 19 January 2007 after suffering serious structural damage to her hull during a severe storm,
- F. whereas the Spanish authorities and the Government of Gibraltar have given the European Maritime Safety Agency all available information about the *New Flame* accident and its consequences,
- G. whereas the Spanish authorities immediately requested all available resources from the European Maritime Safety Agency in order to control any pollution coming from the *New Flame*; whereas in response to this request the CleanSeaNet services provided satellite images of Algeciras Bay and, at the same time, the EMSA contracted the oil pollution vessel *Mistral Bay*, which was mobilised for oil pollution response operations at short

¹ Texts adopted of that date: P6_TA(2007)0343.

notice; whereas two others oil pollution vessels are now available in the area,

- H. whereas Spain has had the anti-pollution vessel *Don India* positioned in the bay since 13 August 2007,
- I. whereas bunkering in coastal waters is not in itself a breach of EC environmental law and only pollution from bunkering activities represents a breach of EC legislation,
1. Is relieved that no casualties occurred and that no major pollution was detected;
 2. Believes that the Government of Gibraltar and the Spanish authorities have shown their willingness to collaborate within the framework of the Trilateral Forum of Dialogue on Gibraltar in the most effective way possible with a view to managing the accident and its consequences for the maritime and coastal environment;
 3. Underlines the swiftness and efficiency with which the European Maritime Safety Agency reacted to the request for assistance from the Spanish authorities; stresses that the European Parliament has consistently advocated increasing the Agency's operational and financial resources, and notes that more vessels will be available to provide assistance in the various maritime regions of the EU;
 4. Recalls that no major pollution occurred following the collision between the two ships and that all necessary measures were taken to avoid spillage during the oil recovery and salvage operations; notes that there is no risk of material pollution, since the vessel has been defuelled and only small residues of fuel remain in the engines themselves;
 5. Regrets that small and inevitable leaks occurred and that a small degree of pollution reached the shoreline of Algeciras owing to the bad weather conditions and the necessary operations to remove the wreck; congratulates the Spanish Government on activating its Emergency Response Plan and deploying the necessary resources to the scene of the incident, ensuring that the beaches were cleaned and all pollution removed within a very short period;
 6. Points out that all the relevant authorities managing the bay, its coast and the operations to salvage the *New Flame* must remain extremely vigilant as regards potential opportunist and illegal emptying of fuel tanks;
 7. Underlines that the Third Maritime Package, which is still at first reading stage in the Council, whereas Parliament adopted its position a year ago and is willing to move forward and conclude the seven legislative procedures, provides the EU with all the necessary tools for preventing maritime incidents and managing the consequences of any such incident, especially in the form of the proposals on maritime traffic monitoring and accident investigation; insists on the need to guarantee efficient cooperation between neighbouring ports;
 8. Reiterates its call to the Commission to submit a proposal to Parliament and the Council as soon as possible with a view to ensuring that bunker oil for engine fuel in new ships is stored in safer, double-hull tanks;

9. Reiterates its request for an EU directive on improving the quality of maritime fuels; welcomes the recent agreement at the IMO on such a proposal, to be introduced by 1 January 2010;
10. Instructs its President to forward this resolution to the Council, the Commission, the EMSA, the Member State Parliaments and the relevant regional authorities.