

EUROPEAN PARLIAMENT

24 February 2000

B5-0181/2000 }
B5-0182/2000 }
B5-0183/2000 }
B5-0184/2000 }
B5-0185/2000 }
B5-0186/2000 }

}RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 42(5) of the Rules of Procedure

by the following Members:

Langenhagen, on behalf of the PPE-DE Group
Miguélez Ramos and Poignant, on behalf of the PSE Group
Attwooll and Busk, on behalf of the ELDR Group
McKenna, Piétrasanta and Hudghton, on behalf of the Verts/ALE Group
Wurtz, Jové Peres, Papayannakis, Sjöstedt and Vachetta, on behalf of the GUE/NGL Group
Souchet, on behalf of the UEN Group

replacing the motions by the following groups:

- ELDR (B5-0181/2000)
- PPE-DE (B5-0182/2000)
- Verts/ALE (B5-0183/2000)
- UEN (B5-0184/2000)
- PSE (B5-0185/2000)
- GUE/NGL (B5-0186/2000)

on the economic and environmental consequences of the wreck of the *Erika*

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PE 288.673/
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Or. fr/en

The European Parliament,

- having regard to its resolution of 20 January 2000 on the oil slick disaster caused by the wreck of the *Erika*¹,
 - having regard to its earlier resolutions, in particular those of 21 January 1993 on the *Braer* tanker disaster², 27 October 1994 on the oil slick in northern Portugal following the accident which occurred to the tanker *Cercal*³, 27 October 1994 on safety at sea⁴ and 27 March 1996 on the *Sea Empress* tanker disaster⁵,
 - having regard to the international Convention of 18 December 1971 on the establishment of an International Oil Pollution Compensation Fund (IOPFC) and the additional Protocol thereto of 27 November 1992, and to the International Convention for the Prevention of Pollution from Ships (MARPOL) of 20 November 1973,
 - having regard to the proposal for a European Parliament and Council decision setting up a Community framework for cooperation in the field of accidental marine pollution (COM(1998)769), and to Parliament's opinion of 16 September 1999 on that proposal⁶,
 - having regard to European Parliament and Council Decision 2179/98 of 24 September 1998 on the review of the European Community programme of policy and action in relation to the environment and sustainable development 'Towards sustainability', and in particular Article 2(4)(d) thereof concerning the White Paper on environmental liability to be submitted by the Commission,
- A. whereas the Maltese-registered *Erika* sank off the Breton coast on 12 December 1999, causing an oil slick of 15 000 tonnes, polluting 450 kilometres of the coast and causing considerable damage to wildlife and to the fisheries and aquaculture sectors; whereas the wreck, containing 16 000 tonnes of oil lying at a depth of 120 m, presents a serious risk of further pollution,
- B. whereas vessels have taken advantage of the disastrous pollution in the wake of the accident involving the *Erika* to empty massive quantities of material from their tanks in the area, even though such operations are prohibited under Directive 76/464/EEC,
- C. whereas this is only the latest in a multitude of serious maritime pollution incidents which have taken place over the last twenty five years in various parts of the European Union; whereas these environmental disasters cause serious damage to the marine ecosystem, biodiversity, birds and fishery resources in areas of major environmental importance,

¹ Texts adopted, 20 January 2000, item 2.

² OJ C 42, 15.2.1993, p. 155.

³ OJ C 323, 21.11.1994, p. 170.

⁴ OJ C 323, 21.11.1994, p. 176.

⁵ OJ C 117, 22.4.1996, p. 18.

⁶ 'Texts adopted' on that date, Item 8.

- D. whereas the oil spill has proved much more serious than initial estimates predicted and the damage to the environment in the regions affected is extremely serious, even though it is not yet possible to assess its full scale,
 - E. whereas, in the absence of results of risk analyses which should have been supplied by the relevant national and Community authorities, controversy is raging about the nature of the hydrocarbons washed up on beaches,
 - F. whereas the activities of the fisheries, marine aquaculture and tourism sectors are a key part of the economic and social development of the affected areas, and whereas the cost of the oil spill for people working in maritime industries, who are faced with the need to rebuild or replace installations and equipment which have been destroyed or damaged, will be very high,
 - G. whereas inshore fishing, already feeling the adverse effects of the difficulties in this sector, faces a bleak future because of this accident, and whereas other small-scale businesses that depend on the sea could lose several years worth of harvests, in addition to the harm done by the loss of consumer confidence,
 - H. whereas the exposure of shellfish and certain fish to hydrocarbons poses food safety risks and the French Agency for Food Safety (AFSSA) has issued an opinion recommending that fishing from the shore be banned along sections of the coastline affected by the spill from the *Erika*,
 - I. whereas the International Oil Pollution Compensation Fund (IOPCF) is designed to provide funds for rapid mitigation measures to minimise the coastal damage and to provide compensation for those affected by the pollution; whereas, however, the IOPCF is underfunded, which hinders damage limitation and means that the fund is unable to provide adequate compensation,
 - J. whereas the European Union must reinforce its policy seeking to prevent this kind of disaster,
1. Again expresses its solidarity with and support for all the victims of this oil slick disaster and applauds the work of the volunteers and professionals still cleaning up the beaches, and points out the scale of the economic and environmental consequences, which have had a particularly severe impact on the activities of fishermen, shellfish farmers, oyster-growers and people working in the maritime and tourism sectors;
 2. Considers that according to the Polluter Pays Principle the operators of the *Erika* must accept liability by compensating the victims (by means of their insurance policies and direct payments), financing the clean-up of the areas affected by the disaster, and paying for the ecological damage; considers that liability must cover the fisheries and aquaculture sectors and the enterprises directly linked to these sectors;

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3. Maintains that every effort must be made to pump the oil out of the ship's tanks as quickly as possible;
4. Calls on the Commission to take steps to help repair the damage caused in the fishing industry in the wake of the oil tanker disaster;
5. Calls for the above-mentioned decision setting up a Community framework for cooperation in the field of accidental marine pollution to be adopted as quickly as possible;
6. Calls for European funds to be mobilised as a matter of urgency, not least by Member States pursuing exchanges or working in partnership, with a view to supporting damaged regional businesses, and in particular people working in the maritime industries;
7. Deplores the fact that, unlike in the United States, the experience of previous disasters such as the *Amoco Cadiz* and *Tanio* has not been drawn on in order to improve appropriate standards and checks, and calls for all the necessary lessons to be drawn from the *Erika* disaster in the field of maritime safety;
8. Denounces the effects of the lax attitude in the maritime transport sector, which has failed adequately to tighten standards and checks applying to merchant ships and to the 'flag of convenience' system, including fishing vessels;
9. Calls on the Commission to present, as a matter of urgency, specific initiatives designed to improve the safety of maritime transport by stepping up inspections on the basis of existing rules and by proposing new measures aimed at removing the serious loopholes in the current rules;
10. Welcomes the initiative taken by the local authorities, which had an expert report drawn up on the state of their coasts before the oil slick arrived so as to make it easier to compensate those affected, whether individuals, local authorities or professionals, thus showing it had learnt the lessons from the legal obstacles encountered by victims of previous disasters;
11. Calls for a significant increase in the IOPCF ceiling;
12. Instructs its President to forward this resolution to the Commission, the Council, the governments of the Member States and the applicant countries.