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Session document

18 December 2002

B5-0665/2002 }
B5-0666/2002 }
B5-0667/2002 }
B5-0668/2002 }
B5-0669/2002 }
B5-0670/2002 }
B5-0671/2002 }

RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 37(4) of the Rules of Procedure by

- Gerardo Galeote Quecedo, Daniel Varela Suanzes-Carpegna, José Ignacio Salafranca Sánchez-Neyra, Konstantinos Hatzidakis, Carlos Ripoll y Martínez de Bedoya, José Javier Pomés Ruiz, Felipe Camisón Asensio and Manuel Pérez Álvarez, on behalf of the PPE-DE Group
- Rosa Miguélez Ramos, Carlos Lage, Brian Simpson and Enrique Barón Crespo, on behalf of the PSE Group
- Carlos Costa Neves, Astrid Thors, Marit Paulsen, Dirk Sterckx, Chris Davies and Isidoro Sánchez García, on behalf of the ELDR Group
- Camilo Nogueira Román, Jan Dhaene and Patricia McKenna, on behalf of the Verts/ALE Group
- Salvador Jové Peres, Laura González Álvarez, Pedro Marset Campos, Ilda Figueiredo, Sylviane H. Ainardi, Helmuth Markov, Mihail Papayannakis and Jonas Sjöstedt, on behalf of the GUE/NGL Group
- José Ribeiro e Castro, Luís Queiró and Cristiana Muscardini, on behalf of the UEN Group
- Rijk van Dam, on behalf of the EDD Group

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replacing the motions by the following groups:

- GUE/NGL (B5-0665/2002),
- PSE (B5-0666/2002),
- UEN (B5-0667/2002),
- Verts/ALE (B5-0668/2002),
- PPE-DE (B5-0669/2002),
- EDD (B5-0670/2002),
- ELDR (B5-0671/2002),

on the 'Prestige' oil tanker disaster

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European Parliament resolution on the 'Prestige' oil tanker disaster

The European Parliament,

- having regard to its resolution of 21 November 2002 on the 'Prestige' oil tanker disaster off the coast of Galicia, and to its earlier resolutions on safety at sea,
 - having regard to the Commission communication of 3 December 2002 on improving safety at sea in response to the Prestige accident (COM(2002) 681) and to the various initiatives seeking to improve safety at sea,
 - having regard to the conclusions of the Transport Council of 6 December 2002 and of the Environment Council of 9 December 2002,
 - having regard to the conclusions of the Copenhagen European Council of 12 and 13 December 2002,
 - 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 oil slick produced by the wreck of the 'Prestige' on 19 November 2002 has led to serious pollution on the coasts of Galicia and may also, depending on the direction of currents, affect parts of the Portuguese and French coasts,
- B. having regard to the consequences and environmental, economic and social damage caused by this disaster to the people of Galicia, as well as to the economic harm done to marine workers, particularly shellfish and oyster farmers,
- C. whereas, subsequent to encountering initial difficulties, the 'Prestige' was escorted to rough high seas, where it remained for 5 days, before finally sinking,
- D. having regard to the efforts made by the people affected by the oil slick, and by institutions and civil society, and to the solidarity shown by many Member States of the EU in cleaning up the polluted areas,
- E. whereas on 6 December 2002 the Transport Council decided to adopt further measures to step up safety at sea and to implement them as soon as possible along the lines proposed by the Commission and the European Parliament when they adopted the Erika I and II packages,
- F. having regard to the conclusions of the Environment Council of 9 December 2002 on measures to prevent pollution and on the need to involve non-EU countries – particularly the candidate countries and Russia – in agreements making it possible to ban single-hull oil tankers from their harbours and anchorages, and to its own petition seeking to create a

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European Union of sensitive sea fishing areas with a view to giving them special protection,

- G. having regard to the current investigations on the wreck of the 'Prestige' and in particular to that by the classification society concerned, which has already carried out a vertical audit to check whether there was any negligence in the annual inspection on the structure of the hull of the 'Prestige' of 25 May 2002,
- H. whereas it is necessary to put in place appropriate instruments to ensure that European standards are effectively applied so that this type of disaster does not recur,
- I. whereas the 'Prestige' is lying at the bottom of the ocean and still gradually leaking oil, threatening the marine environment and EU coastal areas,
1. Expresses its firm solidarity with the victims of this disaster and its admiration for the generous response of the thousands of members of the public and professionals who volunteered to clean the coastline affected and of the many EU Member States which made vessels and technical equipment available to help recover oil from the open sea and inspect the wreck of the 'Prestige';
 2. Congratulates the Commission on the speed with which it submitted new initiatives to step up safety at sea at European and international level; looks to the Commission to submit to it new proposals for directives on safety at sea to enable it to be consulted on this matter under the codecision procedure;
 3. Notes that the European Council has taken over the conclusions of the Transport Council of 6 December 2002 and the Environment Council of 9 December 2002 regarding the adoption as soon as possible of further measures to step up safety at sea and prevent pollution, but considers that the measures proposed are not sufficient to avoid a repetition of similar catastrophes;
 4. Demands that Member States ensure rapid and proper implementation of both Erika packages of maritime safety legislation;
 5. 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, as defined by the Paris Memorandum of Understanding, and the proper implementation of compulsory shipping routes and pilotage and the restriction of shipping in designated Particularly Sensitive Sea Areas 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;

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6. Considers that the freedom of the sea cannot be allowed to override the goal of protecting the marine environment, the interests of people, their way of life and environmental concerns;
7. Considers that the European Union should review the liability regime of those responsible within the maritime sector, in case of accident, in particular as regards their financial liability, in order to have full compensation;
8. Demands that the Council adopt a satisfactory Common Position along the lines of Parliament's position at first reading of the proposal for the establishment of a Fund for the Compensation of Oil Pollution damage in European waters;
9. 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;
10. Calls on the Commission, as a matter of urgency, to consider using all the necessary financial instruments to tackle the economic, social and environmental consequences of the wreck of the 'Prestige' and assist the economic sectors affected;
11. Calls for the immediate adoption of measures to alleviate the damage occasioned to those affected, through the use of the Solidarity Fund;
12. Calls for European action in favour of the professional training and the improvement of the social and working conditions of seafarers;
13. 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;
14. 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, with a particular targeting of ships above a certain age, of high-risk types of ships, and those ships flying flags of convenience as defined by the Paris Memorandum of Understanding;
15. Stresses that the proper maintenance of ships is as important to ensuring high standards of maritime safety as 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; takes the view that an analysis of the existing capacity of double-hull tankers should be made in order to ensure that the Community is not faced with a shortage of oil transport capacity;

16. 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;
17. Notes the Commission's participation in the audit which has been undertaken by the classification society concerned;
18. Calls on the European sea safety agency to adopt without delay a work programme to enable it to become operational as soon as possible;
19. Calls for the setting-up of:
 - a European Coastguard Service which can work in close cooperation with maritime traffic controllers;
 - a European civil protection force capable of responding to natural and industrial disasters, to create a legal framework for European responses to disasters and to appoint a Commissioner responsible;
20. Instructs its President to forward this resolution to the Commission, the Council, the governments of the Member States and candidate states, the authorities of Galicia and of the affected regions and to all the relevant marine authorities.