European Maritime Safety Agency: response to pollution caused by ships and to marine pollution caused by oil and gas installations, multiannual funding 2014-2020

2013/0092(COD) - 03/04/2013 - Legislative proposal

PURPOSE : to provide financial security, in a multiannual perspective, for the tasks assigned to the European Maritime Safety Agency (EMSA) in the field of responding to pollution caused by ships and offshore oil and gas installations.

PROPOSED ACT : Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT : the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND : the large-scale maritime accident of the oil tanker ERIKA in December 1999 involving an extensive oil spill led to the creation of the Agency in 2002. In the light of the oil spill caused by the accident of the oil tanker PRESTIGE in November 2002, the Agency was entrusted with specific tasks and obligations in the field of response to pollution caused by ships. Bearing in mind the long-term nature of the Agency’s responsibility for pollution response, the efficient and thorough completion of the tasks involved requires appropriate financial security on the basis of a multiannual commitment. Therefore, in 2006 the EU legislator established multiannual funding for the Agency's action in the field of response to pollution caused by ships for the period from 2007 to 2013.

The Agency adopted an Action Plan in October 2004 for oil pollution preparedness and response. In June 2007, a second Action Plan for Hazardous and Noxious Substances Pollution Preparedness and Response was adopted (the HNS Action Plan).

In March 2010, the Administrative Board endorsed a 5-year strategy which contains two themes relevant for response to pollution caused by ships. These two themes concern : (i) the development of EMSA's role with regard to illegal discharges by ships (enforcement issues, further enhancement of CleanSeaNet by integration of ship position information) ; (ii) marine pollution preparedness and response.

Lastly, Regulation (EU) No 100/2013 of the European Parliament and of the Council amending Regulation (EC) No 1406/2002, assigned to the Agency tasks with regard to response to marine pollution caused by oil and gas installations and extended the Agency's services to the countries covered by the enlargement policy and by the European Neighbourhood Policy.

This legislative proposal seeks to **renew the multiannual funding for the period from 2014 to 2020** in the framework of the new financial perspectives.

IMPACT ASSESSMENT : no impact assessment was carried out. An ex ante evaluation was undertaken confirming the usefulness and the efficiency of the multiannual financial framework and determines the amount to be earmarked.

LEGAL BASIS : Article 100(2) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT : the proposed Regulation lays down the **detailed arrangements for the financial contribution of the Union to the budget of the European Maritime Safety Agency** (EMSA) for the implementation of the tasks assigned to it in the field of responding to pollution caused by ships and offshore oil and gas installations.

With the entry into force of the amendments to the Founding Regulation in January 2013, EMSA received the following new tasks in the area of pollution response:

(1) EMSA's current response actions in case of **pollution caused by ships will also cover marine pollution caused by oil and gas installations**,

(2) EMSA's **existing CleanSeaNet** will also monitor the extent and environmental impact of marine oil pollution caused by oil and gas installations,

(3) The current **geographical coverage** (Member States and accession countries) is extended to **European Neighbourhood partner countries and to countries taking part in the Paris**

Memorandum of Understanding on Port State Control. With this, the EMSA vessels can be used throughout the entire area of the Union's regional sea basins.

The Commission proposes that the **earmarked amount should only extend to the first two new tasks**, with initial funding to start building up the new tasks while not compromising the existing tasks. The third new task should be financed from existing EU programmes for countries covered by the enlargement policy and by the European Neighbourhood Policy (the programme SAFEMED for the Mediterranean Sea and programmes under the TRACECA initiative for the Black Sea).

BUDGETARY IMPLICATION : the financial envelope for the period from 1 January 2014 to 31 December 2020 shall be EUR 160.500.000 in commitments.