Safety management of roll-on/roll-off (Ro-ro) passenger ferries

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1. Category of referral: like the legislation detailed below, this package of proposals for regulations and directives covers equipment (cf. WIP 95/01/038), passenger ships, vessel traffic systems and navigational aids. 2. Expected date of referral: 1995 3. Committee responsible: TRAN 4. Previous Community legislation: the Commission regards as the 'first directive' for the uniform and effective implementation of IMO and IALA resolutions Council Regulation 2978/94 of 21 November 1994 on the implementation of IMO Resolution A.747 (18) on the application of tonnage measurement of ballast spaces in segregated ballast oil tankers (OJ L 319, 12.12.94, p. 1); but in the areas indicated in point 1, several acts have been adopted including, most recently, Directive 94/57/EC of 22 November 1994 on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations (see above OJ). On 20 April 1994 Parliament approved at first reading the proposal for a directive on the establishment of a European ship notification system in the maritime zones of the Member States of the European Community (OJ C 22, 26.1.94), commonly known as Eurorep, which is expected to be adopted in the third quarter of 1995. 5. Previous position of EP: efforts to improve safety at sea have always been supported by Parliament. A recent resolution (11 March 1994) on a common policy for safe seas (OJ C 91, 28.3.94, p. 301) approved the 1993 Commission communication whilst another resolution (27 October 1994) on safety at sea, following the 'Estonia' disaster, called for a study on the safety of Ro-Ro vessels and the consistent and uniform enforcement in the EU of the IMO conventions concerning safety at sea and urged Member States to impose heavy penalties on any person or authority responsible, where negligence and/or omission is proved to have contributed to an accident at sea. 6. Situation in the Member States: all maritime Member States are also members of the IMO (International Maritime Organization, a UN specialized agency) and have authorities affiliated to the IALA (International Association of Lighthouse Authorities). The IALA brings together the lighthouse authorities of 75 states, as well as the port and navigational aid authorities and scientific institutions of 16 states (6 from the Union) as associate members and industrial members of 15 states (8 from the Union). Its task is to promote navigational aid by means of recommendations, technical studies, professional training, cooperation with developing countries and publications. On 22 November 1994, following the 'Estonia' disaster, the Council of the Union approved a resolution on the safety of Ro-Ro passenger ferries which called on the Commission to submit proposals for Council decisions concerning: - the compulsory implementation of IMO Resolution A.741 (18) of the IMO: International code of safety management (before 1 July 1995); - a requirement for all scheduled Ro-Ro passenger ferry services to be equipped with a system allowing the number and identity of all persons on board to be known; - comprehensive and compulsory surveillance for Ro-Ro ferries; - arrangements, in accordance with international law and taking account of the need to avoid all arbitrary restrictions on freedom of trade, to monitor the safety of all Ro-Ro ferries including a right of investigation in the event of an accident at sea, pursuant to the relevant IMO resolutions. 7. Content of planned legislation: the aim is to enforce IMO resolutions and IALA recommendations effectively and to ensure their consistent and uniform implementation in the areas indicated in point 1. 8. Legal basis envisaged by the Commission: Article 84(2). 9. Documentation and sources: Parliament and Commission databases and documentation; telephone conversation with a Commission official. 10. Further research: PE (DGIV) Safety of transport by sea of dangerous and polluting goods, PE (DGIV) 1994 working document E3 (transport series) available in English, French, German and Italian.