

Sea pollution: Prestige accident, improving safety at sea

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On 13 November 2002, the Prestige, a Bahamas-flagged single-hulled tanker loaded with 77 000 tonnes of heavy-duty fuel oil sank off the Galician coast. Oil continued to spill from the tanker for a considerable time after it sank with disastrous environmental consequences reaching as high up as the French coastline. The Spanish government estimates that the cost of clearing up the pollution and containing the crisis could amount to some EUR 150-200 million. In December 2002 the Commission forwarded a Communication to the European Parliament and the Council in which it urged a speedier implementation of the agreed Community measures on improving safety at sea. As the Commission pertinently noted then, the Prestige would have been out of action at the time of the disaster had existing Community measures been fully implemented. Accepting the recommendations put forward by the Commission, EU Heads of State and Governments asked the Commission to present a profile of progress thus far. This the Commission has done. Progress to date is as follows: - Civil protection. Co-operation mechanisms, organised by the Commission in Brussels, were instrumental in helping other Member States assist Spain following the sinking of the Prestige. This included the offer of 14 specialised vessels from eight European countries, more than 20km of floating barriers and several surveillance planes. - Scientific expertise. The Joint Research Centre provided technical and scientific expertise to analyse the effects of the disaster based on the first satellite images gathered by the European Space Agency. In addition, the Commission notified Spain of the names of experts available. - Early implementation of the measures adopted by the European Parliament, such as the early establishment of the "European Maritime Safety Agency". Also included is the blacklisting of substandard vessels. A list has been compiled by the Commission in December 2002 and is an indicative list of vessels, which would have been prohibited if the provisions of the Erika I package, were in force. Further, the Commission, together with the Member States, has been investigating possible places of refuge for ships in distress. - Uneven transposition by Member States of the Erika I and Erika II packages. The Commission points to the various legislative acts, which need to be implemented by the Member States. Importantly, the Regulation on the withdrawal of single-hulled oil tankers is applicable as of 01/01/03. Yet, information received thus far indicates that only three countries - Denmark, Germany and Spain - have notified the Commission of the national measures transposing this legislation. - State aid in the maritime transport sector. Without wishing to infringe upon strict Community state aid rules, the Commission nevertheless points out that further consideration could be given to offering state aid in cases where on-board safety is concerned. Attention could also be given to offering aid in the case of scrapping unsafe vessels. - Voluntary agreement with oil companies. The Commission is in negotiation with the oil industry to set up a voluntary Code of Good Practice. Such an agreement would make it possible to speed up the application of measures banning the carriage of heavy fuel oil on board single-hulled oil tankers without waiting for the legislative process to run its course. - New Commission proposals. This includes the prohibition of single-hulled oil tankers carrying heavy oil products, regardless of flag, into EU ports, terminals and anchorages, as well as bringing forward the deadlines for the removal of single-hulled oil tankers. - Training and skills of seafarers. The Commission will be proposing a Directive for a Community-wide recognition system for certificates of competency to ensure that non-Community seafarers working on board Community ships are trained and certified to appropriate standards. - Criminal sanctions. The Commission is shortly to propose a Directive on the introduction of sanctions, including criminal sanctions. The proposal covers illegal discharges of waste and major oil pollution. - European initiatives in the international arena. The Commission is additionally seeking to further European interests through the International Maritime Organisation (IMO). These include measures such as improved levels of compensation for victims of pollution and improved civil liability under IMO regulations. In this document the Commission also considers ways in which to harness Community funding for repair action and the restoration of economic potential. Financial measures under consideration include the European Regional Development Fund, the Cohesion Funds, the EU Solidarity

Funds and research into new technologies. Lastly, the Commission notes that it plans to contribute EUR 300 000 towards assessing and monitoring the environmental impact of the Prestige oil spill.