

Port reception facilities for ship-generated waste and cargo residues

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Although all EU member states are signatories to international agreements on prevention of pollution from ships (MARPOL Convention and the Helsinki Convention) substantial quantities of waste including oil are still being dumped at sea. A study carried out in the UK found that at least 15% of the waste washed up on the English coastline arise from shipping. The problem lies not in the absence of rules but the failure to enforce and implement existing international rules. Rapporteur LAGENDIJK therefore welcomes the Commission's proposal for a directive on port reception facilities for ship-generated waste and cargo residues from ships. The objective and purpose are, by improving the availability and use of reception facilities for ship-generated waste and cargo residues, to reduce the illicit discharge of waste and other pollutants at sea to a minimum and thus to protect the maritime environment. The rapporteur notes that in March 1998 the Baltic littoral states have adopted an amendment to Annex IV of the Helsinki Convention, setting up a 'no-special fee' system for port charges. This means that all vessels calling at ports have to pay fees to cover waste disposal regardless of whether they use the port facilities or not. This system is intended to create incentives to use existing port facilities and not discharge at sea. This directive relates not to what happens at sea but to what happens in ports. The rules governing ports are still not watertight. The above mentioned MARPOL Convention does not legally oblige vessels to dispose of oily waste before leaving port. Nor are there uniform rules on waste disposal costs in European ports, which can lead to distortions of competition. The directive contains the following key points: 1. Ports must set up waste reception and handling plans and make available adequate reception facilities for ship-generated waste and cargo residues; 2. Every ship is required to deliver all ship-generated waste and cargo residues in the ports; 3. All ships pay a set fee for waste disposal, irrespective of their actual use of the facilities, either incorporated in port dues or as a separate waste fee; 4. The member states have to ensure proper monitoring of compliance with the directive by spot checks and the exchange of information between ports. The international information and monitoring system between ports will be extended. Ships which do not deliver waste in one port will be reported to their next port of call as candidates for more detailed inspection. Although the Commission's approach is departing in this case from the "polluter-pays" principle normally advocated by the rapporteur it is in full concordance with the objective of the directive which is to give no incentive for discharges at sea. The Commission proposal is based on a great number of commendable initiatives by ports and shipowners, which will increase the chances of being actually put into practice. There are however a number of points where the directive could still be improved, with a view to aligning it on the latest version of the Helsinki Convention on the protection of the marine environment in the Baltic. A number of amendments has been tabled on the fee system (the rapporteur proposes to implement the Baltic fee system), on port reception facilities (laying down minimum facilities, enforcement and monitoring (an electronic monitoring system might be based on the system used by Antwerp, Bremen, Felixstowe, Hamburg, Le Havre, Rotterdam and London called PROTECT, used to monitor vessels carrying dangerous goods), on the distinction between ship-generated waste and cargo residues, on the definition of ship-generated waste, on exemptions for certain types of ships and on environmentally friendly ships. A Commission representative told the Committee on Transport that most of these amendments could be taken on board.