Recommendation 1052 (1987)[1]

Pollution of the Rhine

Parliamentary Assembly

The Assembly,

1. Having regard to the recent accident which occurred in November 1986 at the Sandoz pharmaceutical plant in Basle and which was at the origin of a major ecological disaster for the whole Rhine river ;

2. Alarmed by the numerous recent cases of voluntary and involuntary dumpings of chemical products into the Rhine, some with a known high-toxicity content ;

3. Recalling its Recommendation 629 (1971) on the pollution of the Rhine valley water table, and in particular its Recommendation 882 (1979) on water pollution in the Rhine river basin ;

4. Referring also to Recommendation 1003 (1985) on marine pollution and fisheries ;

5. Having regard to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities, signed in Madrid on 21 May 1980, which entered into force on 22 December 1981 and has been ratified by all riparian states of the Rhine ;

6. Having regard to Resolution 107 (1979) on the Aachen Congress on ‘‘prevention of transfrontier pollution and co-operation between local and regional authorities", and Resolution 118 (1980) on transfrontier co-operation in Europe, both adopted by the Standing Conference of Local and Regional Authorities of Europe ;

7. Having regard to the draft convention on the protection of international watercourses against pollution and to its Opinion No. 67 (1974) on that draft convention ;

8. Having regard to the five resolutions on that subject adopted by the European Parliament on11 December 1986, and welcoming, in particular, the Resolution on Rhine pollution (O.J. No. C7 of12 January 1987) tabled on behalf of the Liberal Group, in which it is stated that co-operation in this field should be established between the EEC and the Council of Europe ;

9. Having regard to the EEC Directive on the major accident hazards of certain industrial activities, adopted by the Council of Ministers in 1982 in response to the Seveso accident ;

10. Taking into account that considerable quantities of toxic substances were washed into the Rhine during the extinguishing of the fire, killing enormous quantities of fish and causing severe ecological harm, as well as gravely jeopardising the water supply of the population along the river banks ;

11. Concerned by the fact that the European chemical industries operating along the Rhine are taking serious ecological risks which, in the case of accident, are likely to cause irreversible damage ;

12. Aware also that pollution along the Rhine emerges as a major problem not only for agriculture and horticulture downstream which depend on the river for irrigation, but for fisheries in adjacent parts of the North Sea, not least because of growing consumer reluctance to eat fish caught in the area ;

---

1. Assembly debate on 29 January 1987 (26th Sitting) (see Doc. 5686, report of the Committee on the Environment, Regional Planning and Local Authorities). Text adopted by the Assembly on 29 January 1987 (26th Sitting)

13. Alarmed by the fact that this recent disaster has caused an immense setback to all efforts so far undertaken to clean the Rhine of industrial and household pollution ;

14. Regretting the fact that the population of the neighbouring countries was not immediately informed fully of the potential danger ;

15. Recalling Resolution 171 (1986) of the Standing Conference of Local and Regional Authorities of Europe, on ‘‘Regions, environment and participation", and in particular the proposal for the preparation of a charter embodying the right to the environment,

16. Supports the Secretary General's and the Standing Conference of Local and Regional Authorities of Europe President's appeal to the Committee of Ministers for a speedy and final adoption of the draft convention on the protection of international watercourses against pollution ;

17. Requests the signatory states to the European Outline Convention on Transfrontier Co-operation between Territorial Communities or Authorities to instruct their competent authorities to fully implement its provisions, in particular with regard to an early warning and information system for all the populations concerned ;

18. Recommends that the Committee of Ministers :

a. examine the problems of international liability linked to the occurrence of transfrontier disasters of this kind, and take all legal action necessary to secure both the safeguard of the environment and the maintenance of a high-quality water supply ;

b. consider the drafting of a European convention on the protection of the environment, providing effective international control and stating strict rules to establish the right to a healthy environment, whilst stressing the ‘‘polluter pays" principle even at international level ;

c. urge the governments of member states to intensify research, at national and European level, regarding the short- and long-term effects of river pollution on fish life and, through consumption, on human health ;

d. invite the governments of member states to review most urgently their legislation, in particular with regard to the production, storage, transport and disposal of chemicals, and to report to the Council of Europe, so that common measures can be adopted at European level ;

e. explore the possibility of declaring certain particularly affected rivers and seas, among them the Rhine estuary and adjacent parts of the North Sea, as ‘‘special protected areas" requiring particularly stringent anti-pollution measures.