



Recommendation 946 (1982)¹

Liability for damage due to marine pollution from offshore platforms

Parliamentary Assembly

The Assembly,

1. Recalling its Order No. 361 (1977), on the UN Conference on the Law of the Sea ;
2. Noting that the increase in offshore drilling has created serious dangers of marine pollution, a fact borne out by the accidents which have occurred in recent years ;
3. Considering that no satisfactory solutions have as yet been found to the legal problems caused by this pollution ;
4. Considering that some states have failed to make any special legal arrangements to cover pollution damage caused by the offshore oil industry, which thus lies in the normal framework of the law on civil liability ;
5. Welcoming the fact that, on an international level, provision has been made for compensation machinery in the London Convention of 17 December 1976 on civil liability for oil pollution damage resulting from exploration for and exploitation of sea-bed mineral resources ;
6. Noting that, when spillage results from unlawful action, the polluter's criminal liability leads to the imposition of criminal sanctions, which are particularly effective and deterrent in cases where they are accompanied by administrative sanctions, such as withdrawal of the right to prospect or drill for oil ;
7. Considering, however, that it seems more difficult to invoke the administrative liability of public authorities in the matter of offshore pollution,
8. Recommends that the Committee of Ministers :
 - a. study civil, criminal and administrative liability for damage due to marine pollution from offshore platforms, and devise a harmonised system of liability for this damage ;
 - b. insist on the importance of ratification by the member states of the international conventions on marine pollution prepared by other international organisations, and particularly the London Convention of 17 December 1976 on civil liability for oil pollution damage resulting from exploration for and exploitation of the sea-bed mineral resources.

1. See [Doc. 4804](#), report of the Legal Affairs Committee. Text adopted by the Standing Committee, acting on behalf of the Assembly on 2 July 1982.

