Parliamentary Assembly
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COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

Resolution 1317 (2003)[1]

Marine pollution

Parliamentary Assembly

1. Three years after the Erika accident and its dramatic consequences for the environment, the tanker Prestige sank off the coast of Galicia (Spain) with its cargo of 77 000 tonnes of heavy fuel oil, causing major pollution of the sea and coasts.

2. The Committee on the Environment, Agriculture and Local and Regional Affairs of the Council of Europe's Parliamentary Assembly, whose delegation visited Galicia on 17 and 18 January 2003 and made a direct appraisal of the situation in the region most stricken by the effects of the Prestige sinking, was dismayed to realise the extent of its ill-effects on the environment and socio-economic position.

3. The Parliamentary Assembly expresses its solidarity with the worst affected regions, in Spain and in France, and hopes that international co-operation relating to the environment will continue and be stepped up in future.

4. Subsequently, maritime accidents certainly no less tragic and intolerable, though with less far-reaching implications for the environment, have happened in the North Sea and the Mediterranean.

5. The Assembly considers it no longer acceptable merely to express regret over such disasters, and that rather it is indispensable for states and the international community to act without delay, in order that the risk of these accidents, and their consequences, may be reduced to a minimum. For this purpose, it emphasises that clear regulations exist and must be applied, and that new rules must be formulated if need be.

6. The Assembly recalls that it has already put forward definite proposals for action, particularly following the Erika accident, in its Resolution 1229 (2000) on accidents causing damage to the environment and in its Resolution 1295 (2002) on the state of the environment of the Baltic Sea.

7. The Assembly invites the governments of the Council of Europe member states to implement without delay the measures advocated by itself, the European Union and many competent international organisations, in order to improve the safety of maritime transport and drastically reduce all marine pollution.

8. It particularly emphasises the need, first and foremost:

8.1. to speed up the scrapping of potentially dangerous single-hulled vessels;

8.2. to widen, wherever possible, the shipping lanes whose narrowness encourages collisions of ships, while ensuring this does not impede access to fisheries for fishing boats, and make control of sea traffic more stringent;

8.3. to identify an adequate number of shelter areas (ports or bays) and encourage the states to which they belong to authorise access to them, so that ships in distress may quickly take shelter there, in order to contain the risks of pollution;

8.4. to provide existing harbours with infrastructures for receiving vessels in distress and with adequate means of intervention for these vessels, and compel the authorities concerned to accept them at any time;

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1. Assembly debate on 30 January 2003 (7th sitting) (see doc. 9684doc. 9684, report of the Committee on the Environment, Agriculture and Local and Regional Affairs, rapporteur: Mr Goulet). Text adopted by the Assembly on 30 January 2003 (7th Sitting).

8.5. to lay down a procedure for ships in distress and the authorities concerned to follow;

8.6. to identify plainly the respective and/or joint liability of all intervening parties, whether they be those owning, fitting out or chartering ships, the classification companies and insurers, the crews, the authorities concerned, etc.;

8.7. to make use of detection and monitoring methods which make it possible to identify the pollutants and the polluters, and to impose severe penalties on those responsible for cases of intentional hydrocarbon pollution resulting from degassing and ballast discharge operations;

8.8. to lay down a standardised procedure for monitoring the long-term impact on the environment of the highly persistent and toxic pollutants, and for minimising the resulting risks and damage;

8.9. to ensure that the European Maritime Safety Agency functions properly by granting it the requisite means to become fully operational;

8.10. to take care that the United Nations Convention on the Law of the Sea is amended to allow coastal states to better protect themselves against the risks associated with the transit of dangerous vessels, particularly by moving them further from the coasts;

8.11. to take care that all measures taken at European level are supported within the International Maritime Organisation (IMO) so that they are included in the international rules drawn up by that organisation.

9. The Assembly invites the governments and the national parliaments of the member states that have not yet signed and ratified the Convention on the Protection of the Environment through Criminal Law (ETS No. 172, 1998) to do so.

10. The Assembly undertakes to keep this subject under examination, together with the methods and actions which it might deploy to aid the implementation of a more certain and effective European maritime policy, and to give its full support to the European and international organisations working towards this goal.