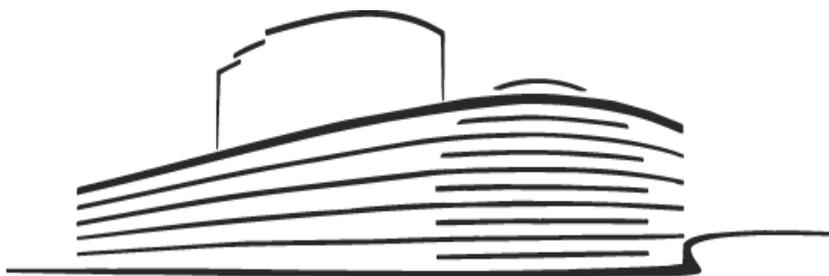


# EUROPEAN PARLIAMENT



2002 - 2003



## TEXTS ADOPTED

**at the sitting of**

**Thursday**

**21 November 2002**

## **P5\_TA-PROV(2002)0575**

### **'Prestige' oil tanker disaster**

#### **European Parliament resolution on the 'Prestige' oil tanker disaster off the coast of Galicia**

- having regard to Articles 70, 80 and 174 of the EC Treaty,
  - having regard to its previous resolutions on maritime safety,
  - having regard to the International Convention of 18 December 1971 on the Establishment of an International Fund for Compensation for Oil Pollution Damage (IOPCF), the additional protocol thereto of 27 November 1992 and the International Convention for the Prevention of Pollution from Ships (MARPOL) of 20 November 1973,
  - having regard to Council Directive 76/464/EEC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community<sup>1</sup>,
  - having regard to the proposal for a European Parliament and Council directive on environmental liability with regard to the prevention and remedying of environmental damage<sup>2</sup>,
  - having regard to the implementation of the Erika I and II packages,
- A. whereas the oil tanker 'Prestige' carrying 77 000 tonnes of fuel oil has broken up over the last few days, and whereas Galicia, Portugal and their coastal waters are facing a major ecological and socio-economic disaster,
- B. whereas a large volume of this fuel oil has already been spilt into the ocean polluting the coast of Galicia and most probably the north coast of Portugal,
- C. whereas the tanker has already sunk, and whereas the remaining heavy fuel oil is still inside the ship's tanks, at a depth of approximately 3 000 metres, representing a serious risk of further pollution to both Spain and Portugal,
- D. whereas Galicia is an Objective 1 region highly dependent on fishing activities, with the result that it is particularly vulnerable to the impact of ecological disasters causing damage to its marine ecosystem and, by extension, its fishery, aquaculture and shellfish resources,
- E. whereas, by virtue of their geographical situation, Galicia, Brittany and northern Portugal are the regions most vulnerable to maritime accidents involving oil tankers, whereas Galicia has recently been affected by other major accidents involving oil and chemicals

---

<sup>1</sup> OJ L 129, 18.5.1976, p. 23.

<sup>2</sup> OJ C 151 E, 25.6.2002, p. 132.

(caused by the 'Urquiola', the 'Aegean Sea' and the 'Casón'), and whereas other accidents have narrowly been avoided,

- F. whereas this environmental disaster is causing serious harm to the marine ecosystem, biodiversity, birdlife, and fish stocks in an area of major ecological interest, and whereas it will make considerable inroads into the economy and tourist activities in this coastal region,
- G. whereas the future of inshore fishing, which is already in decline as a result of economic problems, has been called into question by this accident, and whereas those with other marine-based occupations, such as mussel-, oyster- and shellfish-farmers, who have already seen sales of their products fall, may lose several years' harvest,
- H. whereas the damage to the coastlines and beaches caused by the oil spill will leave tourism-related occupations facing losses on a scale which cannot easily be assessed,
- I. noting that, according to the forecasts, it will be at least four years before the ecological balance in the area affected is re-established,
- J. whereas the 'Prestige' was last inspected in 1999,
- K. whereas this new oil tanker disaster has again underlined the need for effective action at international and EU level in order significantly to improve maritime safety,
  - 1. Expresses its solidarity with and its support for the victims of this disaster and applauds the prompt response by many Member States which made vessels and technical equipment available with a view to recovering the fuel oil spilt on the open sea;
  - 2. Calls on the European Union to take immediate measures to limit the impact of the pollution and recover the fuel oil and to restore and safeguard the coastlines affected;
  - 3. Calls on the Commission to conduct an inquiry to determine who was responsible for and the circumstances surrounding the disaster and the respective identities and roles of all of the individuals involved, focusing on: the type of vessel and the causes of the accident, the origin and destination of the shipment, the degrees of responsibility borne by the shipping company, the captain of the vessel, the state in which the vessel was registered and the owner of the cargo, the individuals involved in the shipment of the fuel oil, the crew's working conditions, the quality of the inspections carried out and the ports used, and to inform Parliament of the outcome as soon as possible, and to check the application of the standards governing the internal market, including the nature of the goods transported, and whether the fuel oil being transported was consistent with the relevant European standards;
  - 4. Calls for fair reparation to be made for the environmental, economic and social damage caused by this massive oil slick;
  - 5. Calls on the Council and the Member States to speed up the implementation of the measures adopted as part of the Erika I (introduction of double hulls, standards for vessels which visit Community ports, rules governing classification societies) and Erika II

(monitoring, control and information system; maritime safety agency) packages proposed by the Commission;

6. Calls for the Commission proposal establishing an additional European compensation fund of EUR 1 billion for oil pollution damage to be implemented immediately;
7. Calls for aid to be released as quickly as possible with a view to remedying the damage caused by this disaster and for the IOPCF to be mobilised;
8. Calls for fisheries workers and other local and regional businesses affected by the disaster to be fully and swiftly compensated for the economic losses they will suffer; calls, further, for assistance to be provided under other appropriate instruments (Solidarity Fund, Structural Funds) with a view to assisting the people and economic sectors affected by the oil pollution and restoring the environment of the regions concerned;
9. Considers that, as a matter of some urgency, the liability, compensation and insurance arrangements in the field of maritime oil pollution need to be thoroughly reviewed and overhauled, at IMO and EU level, in order to establish a much clearer division of responsibilities between the various actors in the oil transportation chain;
10. Points out that the polluter-pays principle, as enshrined in the Treaty on European Union, must be applied to the letter with a view to securing reparation for the short- and long-term environmental damage caused and swift compensation for the losses suffered by those whose livelihoods depend on marine and tourism-related occupations;
11. Calls on the Commission, in agreement with the Member States, to draw up a list of European sea-fishing areas which warrant special protection by virtue of the nature of their marine ecosystems, their fishery, shellfish and aquaculture resources and their high level of dependency on fisheries;
12. Calls for the existing corridors for the maritime transport of oil and hazardous substances in Community waters to be rerouted as far away as possible from coastlines and, in particular, areas declared vulnerable; asks the Commission to work with the IMO towards the establishment of such a mechanism at international level;
13. Calls for strict implementation of international standards relating to crew training and living and working conditions on board with a view to improving safety at sea;
14. Calls on the Commission to adopt specific measures in order to guarantee a proper ecological balance in the SCI areas of the Natura 2000 network affected by this catastrophe;
15. Calls on the Commission, in the run-up to the forthcoming enlargement of the EU, significantly to reinforce cooperation with the relevant authorities of the applicant countries in the field of maritime safety, as an additional important contribution to preventing future accidents of this kind;
16. Instructs its President to forward this resolution to the Commission, the Council, the governments of the Member States and of the applicant countries, the Galician authorities and all the competent maritime authorities.