

Paris, 1 & 2 December 1980.

Conference on Shipping Safety and Pollution Prevention.

Speech by Mr. Richard Burke,
Member of the Commission of the European Communities.

I should like to begin, Mr. President, by congratulating the French Government on the initiative which it has taken in organising this conference on this very important subject. It is of course the case, as the Commission is frequently reminded, that shipping is an international industry, and that standards for ships and for shipping operations should, so far as possible, be set internationally. And here I may perhaps pay a very sincere tribute on behalf of the Commission to the consistently successful work of IMCO over the years in this field of standard-setting, under the statesmanlike guidance of its distinguished Secretary-General Mr. Srivastava.

It is nevertheless the case that regional groupings can also play an important part in increasing shipping safety and reducing pollution from ships. One such grouping is that represented around this table today - the coastal States of Western Europe. Another such grouping is the EEC which, I might perhaps remind the conference, will in due course include all but two of the thirteen countries represented in this room.

It is the Commission's view that regional groupings can play a particularly important part in the field of the enforcement of the international standards for shipping set in IMCO and the ILO. And they can do this without stooping to unilateralism. The Commission is therefore particularly gratified by the importance attached, in the draft final declaration of this conference, to the subject of port state enforcement, on which the Commission has made a specific action proposal and to which I hope to return in a moment.

Very shortly after the "Amoco Cadiz" disaster, Mr. President, the Heads of State or Government of the Community, meeting together in the European Council, decided that the Community must play a part in the search for safer ships and cleaner seas. Since then the Council of Ministers of the Community has adopted a series of measures in this field. These include a Council Directive designed to ensure an adequate supply of properly-qualified and certificated deep-sea pilots for the English Channel and the North Sea, and to require the Member States of the Community to urge their own shipping only to use such pilots. The Community subsequently supported moves within IMCO designed to encourage all shipping to take only properly-qualified and certificated pilots in these dangerous sea areas.

A second Directive adopted by the Council of Ministers, Mr. President, sets conditions to be met by tankers of all kinds entering and leaving Community ports. Tankers are required to give notice of arrival, make use of radar facilities, report deficiencies, fill-in a "tanker checklist" and so on. Pilots taken on board tankers are also required to report certain defects, and each Member State is asked to report to another Member State any circumstances which seem to threaten the maritime or coastal zones of that Member State.

These measures make regional arrangements for sea areas which present particular navigational difficulties, and have densely populated coasts.

In the field of the fight against pollution from ships once it has occurred, Mr. President, the Community has also been active. The Council of Ministers has adopted two action programmes, in 1973 and 1977, and the Commission forwarded to the Council of Ministers in July this year a Communication concerning a plan to combat oil pollution of the sea. This includes a proposal for a Council Decision establishing a Community Information System for the prevention and combating of oil pollution of the sea.

The area in which the Community can play its most useful, most appropriate rôle is perhaps, Mr. President, that of making an operational reality of the international standards for ships and shipping operations as set by IMCO and the ILO. The Community can be useful here in two ways. It can first of all encourage the Member States towards timely ratifications of the Conventions, thus helping these into force, since the Community represents a very useful proportion of world tonnage - nearly 30% as from four weeks hence when we shall have the pleasure of welcoming Greece into the Community. Here, the Council of Ministers has already adopted no less than four Recommendations in which the Member States are urged to ratify or accede by specific dates to all the key IMCO Conventions and to ILO Convention No. 147. I shall not be revealing a secret if I say that the Member States have not always found it possible to meet all the recommended dates. I would feel, nevertheless, that the Recommendations, like this conference, Mr. President, have a definite positive effect on the ratification procedures of the countries concerned.

Secondly, Mr. President, the Commission is quite certain that the Community can and must contribute further to effective enforcement of the international standards by arranging for its Member States to enforce these firmly, consistently and fairly as port states in relation to shipping using these ports. This is clearly a chance not to be missed if we are seriously interested in reducing the accident rate and the pollution probability. The Conventions themselves envisage an enforcement rôle for port states.

Typically, they require port states to inspect ships when they have clear grounds for suspecting that something is wrong. The fact is, of course, that port states today have in practice considerable scope for not noticing the presence of clear grounds if they choose to do so or if they lack sufficient resources. The need is, therefore, as the draft final declaration of this conference recognizes, for port state enforcement in Europe to be intensified and also harmonised. People sometimes sniff a bit, Mr. President, at the word "harmonise"; it does however seem to be the case that the effort devoted to port state enforcement in Europe today varies very considerably from country to country; this is both ineffective and unfair.

As the conference knows, the Commission has made a proposal to the Council of Ministers for a Council Directive under which the Member States would be required, using agreed procedures, to identify sub-standard ships using their ports and require them to rectify the deficiencies. This is not the right occasion, Mr. President, on which to enlarge on the Commission's proposal or to get into any kind of discussion about institutional and juridical matters. I might just say, however, that I firmly believe that the countries represented around this table are capable, within the Community framework and within the framework of the Working Group with wider membership which I hope that this conference will appoint, of reaching within a fairly short time agreement on a series of sensible, cost-effective procedures for more effective and more harmonised port state enforcement throughout Europe; and that it will then be quite easy to find the right institutional framework for putting these procedures into operation. I feel myself that the Member States of the Community will undoubtedly wish at that moment to reflect the procedures in Community legislation, while the other countries represented around this table will be able to employ another parallel framework such as that of the Hague Memorandum.

Mr. President, I have always attached considerable personal importance to our subject of shipping safety and pollution prevention, and my concern was heightened by the disaster in Bantry Bay in my own country nearly two years ago. My own time as a Member of the Commission is now, however, drawing to a close. To my great regret I shall have moved on before these plans for more effective port state enforcement come to fruition. I have, however, had the pleasure of discussing them with several of the Ministers around this table in recent weeks and I am sure that, under the impulsion of this conference, we shall soon be able to set up new and improved arrangements which make a real difference to the standard of shipping using our crowded waters and really reduce the pollution of our seas.