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# Working Documents

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10 October 1983

DOCUMENT 1-773/83

## Report

drawn up on behalf of the Committee on Transport

on the creation of a European Foundation for  
Safety at Sea

Rapporteur: Mr K. KALOYANNIS

PE 81.377/fin.



At its sitting of 19 April 1982, the European Parliament referred the motion for a resolution tabled by Mr LAGAKOS and others (Doc. 1-78/82), pursuant to Rule 47 of the Rules of Procedure, to the Committee on Transport as the committee responsible and to the Committee on Budgets and the Committee on the Environment, Public Health and Consumer Protection for their opinions.

At its meeting of 28 May 1982, the Committee on Transport decided to draw up a report and appointed Mr KALOYANNIS rapporteur.

At its meetings of 25 November 1982, 26 January 1983, 21 June 1983, 11 July 1983 and 21 September 1983, the committee considered the draft report and at its last-mentioned meeting adopted the report as a whole unanimously.

The following took part in the vote: Mr SEEFELD, chairman; Mr KALOYANNIS, vice-chairman and rapporteur; Mr CAROSSINO, vice-chairman; Dame Shelagh ROBERTS, vice-chairman; ALBERS, Mr BALDIS, Mr BUTTAFUOCO, Mr KLINKENBORG, Mr MARTIN, Mr NIKOLAOU, (deputizing for Mr LAGAKOS), Mr SCAMARONI and Mr VERONESI (deputizing for Mr CARDIA).

The opinion of the Committee on the Environment, Public Health and Consumer Protection is annexed to this report. The Committee on Budgets informed the committee by letter of 6 July 1983 that it would not deliver an opinion.

The report was tabled on 28 September 1983.

## CONTENTS

	<u>Page</u>
A. MOTION FOR A RESOLUTION .....	5
B. EXPLANATORY STATEMENT .....	8
I. INTRODUCTION .....	8
II. AIMS OF THE FOUNDATION .....	8
III. NEED FOR A EUROPEAN FOUNDATION FOR SAFETY AT SEA .....	9
 Opinion of the Committee on the Environment, Public Health and Consumer Protection .....	 13

### Annex

- I. Motion for a resolution by Mr LAGAKOS and others (Doc. 1-78/82)

The Committee on Transport hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

on the creation of a European Foundation for Safety at Sea

The European Parliament,

- having regard to the motion for a resolution tabled by Mr LAGAKOS and others on the creation of a Foundation for Safety at Sea (Doc. 1-78/82),
- having regard to the report by the Committee on Transport and the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 1-773/83),
- having regard to the following considerations:
  - A. whereas the Community's merchant shipping fleet is larger than any national merchant fleet and therefore measures taken at Community level could play a substantial role in resolving the world's sea transport problems,
  - B. whereas with the forthcoming accession of Spain and Portugal the Community's merchant fleet will assume a more important and a more determinative role in general and in the Mediterranean in particular,
  - C. whereas the safety regulations governing international shipping are not sufficiently respected, as a result of which a great number of accidents occur, involving much loss of human life, and damage occasionally of catastrophic proportions is caused,
  - D. whereas the great dangers involved in international sea transport are due to the age and the extremely low standard of structural safety of many vessels, inadequate training of members of crew in matters of safety and life-saving and the fact that a large number of countries do not respect existing international shipping conventions,

- E. whereas the European Community could, through governmental and other organizations, make a more effective contribution towards improving safety in international shipping if the international conventions and regulations were strictly applied within its own sphere of influence thereby inducing the other countries with developed shipping sectors to observe the same international safety regulations and conventions,
  - F. whereas, however, the Commission is not at present in a position to draw up appropriate proposals for improving safety at sea based on the results of scientific research,
  - G. whereas there is no body at Community level to collate the results of research carried out by the various institutions already concerned with safety at sea and, on the basis of this, to draw up practical and feasible proposals for Community policy in this field,
  - H. whereas the Foundation should also be able to conduct research itself or commission other institutions to conduct research where such proved necessary,
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- I. whereas the major function of the Foundation should be to promote safety-consciousness among ships' crews through advanced training courses and to devise appropriate safety strategies based on the latest research findings,
  - J. having regard to the traditionally prominent role of shipping in Greece and the great symbolic significance for Greece to be derived from the setting up of a Community institution devoted to shipping now that the country is a member of the Community,
  - K. whereas there is no Community institution in Greece,
1. Calls on the European Community to set up a European Foundation for Safety at Sea in Greece,
  2. Takes the view that this Foundation should have the following responsibilities and aims:

- a) to catalogue the results and stage of development of research on safety at sea conducted by other institutions,
  - b) to examine these results and, to whatever extent is required, conduct supplementary research or, where necessary, assign other institutions or organizations to conduct research,
  - c) to devise appropriate safety strategies for international shipping,
  - d) to draw up practical and feasible proposals for Community policy in this field,
  - e) to conduct advanced training courses for ships' crews in particular with a view to heightening safety-consciousness and providing life-saving practice,
3. Takes the view that the Foundation should be set up as a Community institution under the EEC Treaty,
  4. Proposes that the basic financial endowments of the Foundation should derive from the Community budget, while the Foundation should also be able to receive financial contributions from any public or private sources and any other institutions wishing to support the Foundation in the pursuit of its aims,
  5. Calls on the Commission to draw up within one year a proposal for a Community legal act under which the Foundation may be set up,
  6. Invites the Commission to enter into contact with the Greek Government forthwith with a view to ascertaining whether Greece is willing to accommodate the Foundation and, if so, to propose a site for it,
  7. Instructs its President to forward this resolution to the Council, the Commission and the Greek Government.

EXPLANATORY STATEMENTI. INTRODUCTION

1. There is a large number of Council recommendations and directives<sup>1</sup> fixing the legal framework and the Community's position with regard to safety at sea and pollution of the sea and coastal areas<sup>2</sup>, particularly in respect of the implementation of existing international conventions. For its part, the European Parliament delivered its opinion on the subject of marine pollution on 16 January 1981<sup>3</sup>. Unfortunately, no Community body - apart from the Commission of the EEC - is entrusted with the task of coordinating the implementation of all these recommendations and directives, and all the scientific research conducted in the field of safety at sea and the combating of sea and coastal pollution. In view of this shortcoming, it is essential that a European Foundation for Safety at Sea be established.

II. AIMS OF THE FOUNDATION

2. The aim of the foundation is not to implement already existing international conventions, but to promote scientific research in the field of safety and environmental protection. The implementation of international conventions is the responsibility of the governments, which, by subscribing to the well-known MEMORANDUM OF UNDERSTANDING of 26 January 1982, undertook to coordinate and implement rigorously a number of international conventions.
3. The Barcelona Convention and the Malta Centre are concerned only with the prevention of pollution, particularly with the restraint aspect, and do not cover research. Moreover, the aim of the Foundation is not to substitute or duplicate work in fields already covered by the Malta Centre, but to fill existing gaps and coordinate research being carried out at this and Community level.

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<sup>1</sup> OJ No. L 194/17, OJ No. L 33/31, OJ No. L 125/78, OJ No. L 259/29, OJ No. L 33/33

<sup>2</sup> OJ No. L 194, 25.7.1975

<sup>3</sup> OJ No. C 28, 9.2.1981



The IMO does not include research in its programme. It examines specific proposals for measures and adopts them in the form of international conventions, recommendations and resolutions. The proposed Foundation will be able to assist the IMO in its work by formulating proposals for measures which need to be taken.

4. The United Nations Environmental Programme (UNEP) does not cover safety at sea. In the field of sea pollution, there is a great deal that could be done at Community level. The Commission's reply to Mr JURGENS' question (No. 854/82) deals with measures for preventing and combating incidents of marine pollution and does not touch on research.
5. Finally, although the proposal places emphasis on the protection of the Mediterranean, it is stressed that the Foundation's activity will cover the whole of the Community.

### III. NEED FOR A EUROPEAN FOUNDATION FOR SAFETY AT SEA

6. Promotion of marine safety standards and protection of the marine environment have been and remain a fundamental aim of inter-governmental, governmental and private endeavours. Much has been accomplished in this sector so far but there is still a lot to be done.
7. The need for better marine safety standards and protection of the marine environment is internationally recognized. In the Community, in particular, this need is all the more urgent at present, primarily in view of the fact that:
  - (a) the Community merchant fleet is now the largest in the world and therefore the Community has a duty to make a contribution to the world-wide endeavour to improve safety standards;
  - (b) Community trade, which constitutes the largest component of total world trade, is basically carried on through the Community's ports;

- (c) the Community's geographical position means that the shipping routes that pass close to its shores, both in the Atlantic and the Mediterranean, carry a large amount of traffic;
  - (d) the need to protect particularly vulnerable waters, such as those of the North Sea and the Mediterranean, has been recognized by international conventions (MARPOL, Barcelona, Bonn).
8. Whereas, in view of the international character of shipping, measures affecting it, particularly in the technical sector, should be adopted and implemented with the agreement and approval of all states concerned within the framework of the appropriate international organizations, the Community's contribution to the world-wide effort to improve safety standards and protect the marine environment could be made in two respects:
- (a) by speeding up the implementation of international conventions that have already been adopted or are about to be adopted and in coordinating Member States with a view to implementing these agreements consistently within the Community;
  - (b) by supporting and reinforcing the work of international organizations concerned with shipping matters of a technical nature and, in particular, the work of the IMO, through research projects that need to be implemented in order to promote safety standards and the protection of the marine environment.

As regards the first point, the Community has already taken certain initiatives, which, however, need to be continued and strengthened.

9. As regards the second point, i.e. research, although in addition to the efforts being made by individual Member States and private bodies some attempt is being made by the Community to promote research, particularly by means of COST, there is no Community body responsible for stimulating and organizing the coordination of research projects in this vital sector concerned with marine safety and the protection of the marine environment.

10. The Community would benefit from the creation of such a Community body, which would make a contribution to the work of the IMO and assist, through its cooperation, research projects carried out by Member States and private bodies.
11. In view of the above, there is warm support for the proposal to create a European Foundation for Safety at Sea responsible for organizing, encouraging and coordinating the research which needs to be carried out at Community level into promoting safety standards at sea and the protection of the marine environment and coastal areas.
12. As far as the legal basis for the creation of a Community Foundation is concerned, we do not foresee any difficulties since the same model and procedures used by the Community for creating other foundations can be followed.
13. With regard to the Foundation's organization it will have to be able to deal eventually with the whole spectrum of research projects connected with safety and the environment. The areas it should cover ought to include, for instance, fire safety, propulsion, means for locating and rescuing ships and persons in danger at sea, design and fitting out of ships, mechanical and chemical means for combating pollution of the sea, suitability and effectiveness of dispersal agents, etc.
14. It goes without saying that to carry out its task the Foundation must have an infrastructure that meets its working requirements in full and be staffed by suitable scientific and administrative personnel.
15. As regards the Foundation's resources, given that its work will serve Community aims, it should receive an annual endowment from the Community budget. However, it is expected that, in view of the nature of the Foundation's work, it will attract aid from other public and private bodies.
16. Greece is proposed as the seat of the Foundation because:

- (a) it is consistent with the Community policy of strengthening the regions with a view to reducing regional inequalities and in this way affords the isolated and less-favoured regions of the Community a certain degree of support;
  
- (b) in view of the foundation's aims, it is strongly hoped that, amongst other bodies, Greek shipowners will show an interest in providing material support for the Foundation since, as is well known, the Greek fleet represents 26% of the Community fleet.

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND

CONSUMER PROTECTION

Draftsman: Mr D. EISMA

On 23 June 1982, the Committee on the Environment, Public Health and Consumer Protection appointed Mr Eisma draftsman of the opinion.

The committee considered the draft opinion at its meeting of 19 October and 3 December 1982 and adopted it unanimously.

The following took part in the vote: Mr Collins, chairman; Mr Johnson, vice-chairman; Mr Eisma, draftsman of the opinion; Mr Alber, Mr Berkhouwer, Mr Bombard, Mr Ceravolo (deputizing for Mr Spinelli), Mr Del Duca, Mrs Dury (deputizing for Mrs Seibel-Emmerling), Mr Forth, Mr Ghergo, Miss Hooper, Mrs Lentz-Cornette, Mrs Maij-Weggen (deputizing for Mr McCartin), Mr Martens (deputizing for Mrs Schleicher), Mr Muntingh, Mr Nordmann, Mrs Pantazi Tzifa, Mrs Pruvot (deputizing for Mrs Scrivener), Mr Sherlock, Mrs Spaak and Mrs Squarcialupi.

1. The third recital of the motion for a resolution, regarding 'the serious nature of the problems of safety at sea, particularly in respect of accidents and the pollution of the sea and coast which they frequently cause', has the full support of the Committee on the Environment, Public Health and Consumer Protection.

To ease this problem the motion for a resolution calls for 'the creation of a European Foundation for safety at sea to organize, encourage and coordinate both the research into safety at sea which needs to be carried out at Community level and, in more general terms, the means to combat pollution of the sea and coast'.

2. The Committee on the Environment, Public Health and Consumer Protection is of course primarily concerned with combating pollution of the sea and coast but in this opinion will not altogether disregard safety of shipping in general.

The most important causes of marine pollution are:

- (a) pollution from the coast
- (b) illegal discharges from ships and aircraft
- (c) shipping accidents.

Conversely the coast can also be polluted by (b) and (c).

3. Instruments exist to promote safety and combat pollution, namely a number of conventions concluded between states and a number of governmental and industrial organizations that deal with these matters. The Council, Commission and Parliament have also made their presence felt. There follows a review of the most important instruments and a number of others are listed in the Annex. Where they are not effective, the reasons will be stated and this will highlight a number of questions with regard to the desirability of a new institution. These questions are set out in the text.

#### 4. Conventions

- (a) International Convention for Safety of Life at Sea, London, 1 November 1974, with Protocol, 1978 (SOLAS). This convention was ratified by a sufficient number of countries and entered into force on 25 May 1980, the Protocol

entering into force on 1 May 1981. Of the EEC countries only Ireland (and Luxembourg) have not ratified it even though on 26 June 1978<sup>1</sup> the Council recommended all Member States to ratify it by 30 June 1979.

This convention contains comprehensive provisions, inter alia for construction, fittings, fire safety, navigational instrumentation and supervision of implementation.

However, the provisions have regularly been infringed as not all States enforce them vigorously. On the other hand, Liberia, for example, is taking an increasing number of steps, inter alia by appointing British inspectors, to enforce the provisions. Question: Would a new institution be able to assist in this field and if so, how?

- (b) International Convention for the Prevention of Pollution by Ships, London, 2 November 1973 with Protocols 1978 (MARPOL). This convention and its protocols were ratified on 2 October 1982 by 15 countries, which together account for more than 50% of world tonnage so that the convention will enter into force on 2 October 1983. Although in its decision referred to in (a) the Council recommended all Member States to ratify this convention before 1980, Belgium, the Netherlands and Ireland (and Luxembourg) have not yet done so.

This convention contains comprehensive provisions on the prevention of accidental pollution of the sea by ships and on the control and notification of illegal discharges. Here too States have sometimes proved lax in informing each other of notified infringements and, in the event, cases are seldom taken to court. In addition, it is often difficult to prove guilt. Sweden is one of the countries investigating how to improve this situation.

Question: What contribution could a new institution make, without duplicating existing activities?

- (c) As the second recital and paragraph 3 of the motion for a resolution refers in particular to the Mediterranean, we include here the Barcelona Convention

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<sup>1</sup> 78/584/EEC, OJ L 194 of 19.7.1978, page 17

of 1976 and its first two protocols. These were ratified by a sufficient number of participating countries and entered into force on 12 February 1978. On 16 March 1978 the Community also became a contracting party to the Convention and the first Protocol and on 19 May 1981 to the second Protocol. For further details see the report by Mr Bombard (Doc. 1-665/82) and the Commission documents COM(82) 593 final and COM(81) 780 final.

The Convention obliges coastal states to take every appropriate measure to prevent, reduce and combat pollution and to protect and improve the maritime environment.

The first Protocol concerns pollution caused by discharges from ships and aircraft. The second Protocol governs cooperation in the combating of pollution by hydrocarbons and other harmful substances in the event of an emergency. As an indication of the number of meetings devoted to this, see Annex III. UNEP is responsible for the coordination (see paragraph 5b).

By virtue of the second protocol the Regional Oil Combating Center (ROCC) based on Malta was set up in 1976. Under the protocol all signatory countries are obliged to forward all information on pollution immediately to ROCC, which can then coordinate national measures. The aim of ROCC is to assist coastal States to take measures in good time to prevent pollution damage by disseminating information, preparing disaster plans, maintaining good communications and organizing technical cooperation and training programmes. These terms of reference are limited and the powers of the institution are small. This arises from the lack of political will among the coastal States to transfer even a few of their national powers to a common body.

It would be desirable to expand the ROCC's terms of reference to include the centralized combating of pollution, coordination of regional research activities (also covering prevention), the promotion of safety in the Mediterranean and policy development with regard to implementation of the Barcelona Convention.



The impact of the activities of such an institution stands and falls by the cooperation of the coastal states. Such cooperation is far more likely with an institution which enjoys the support of (practically) all coastal states than with a Community institution supported by only three, later possibly four, of the 17 coastal states.

In addition, Malta occupies a more central position in the Mediterranean than Yithion, which is proposed in the motion for a resolution.

Question: what could a new European institution do more effectively for the region - and with greater cooperation from the coastal states - than ROCC?

(d) Other relevant conventions are listed in Annex I.B.

#### 5. Intergovernmental organizations

- (a) International Maritime Organization (IMO, up to 1 May 1982 IMCO), London. The aim of this organization is to promote cooperation in the field of shipping safety and the prevention and control of marine pollution from ships and aircraft. This organization was also responsible for the drawing up and acceptance of the 1974 International Convention for the Safety of Life at Sea (SOLAS). MARPOL was the work of the Marine Environmental Protection Committee (MEPC) of the IMO. Since 1972 it has regularly distributed issues of the Manual on Oil Pollution.
- (b) United Nations Environment Programme (UNEP), Niarobi, with the Regional Seas Programme Activities Centre (RSPAC), Geneva which is relevant to us. This body's chief aim is to stimulate the development and implementation of protection measures against oil pollution. Together with other UN organizations it supports the activities of the Joint Group of Experts on the Scientific Aspects of Marine Pollution (GESAMP).<sup>1</sup> UNEP together with the IMO and many others (see Annex III) also contributed to the drawing of the Barcelona Convention. ROCC is another joint UNEP and IMO undertaking.

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<sup>1</sup>Velimir Pravdic, GESAMP, The first dozen years, UNEP, 1981.

Question: what could a new institution usefully do that could not be carried out by the IMO, MEPC, UNEP or RSPAC insofar as matters of global importance are concerned or by a (modified) ROCC insofar as the Mediterranean is concerned?

## 6. Other organizations

- (a) As well as the intergovernmental organizations listed above there are a large number of organizations of the industry. The most important of these are included in Annex I.A. In addition there are:
- (b) The Royal Commission on Environmental Pollution, which has submitted its eighth report 'Oil Pollution of the Sea', London, 1981 (330 pages) to the U.K. Parliament;
- (c) The American Petroleum Institute, Environmental Protection Agency and US Coast Guard, which organize an oil spill conference each year. The 1981 proceedings (Atlanta, Georgia) run to 700 pages;
- (d) The Oil Spill Intelligence Report appears weekly with about four pages of news (also covering oil pollution on the land, strongly orientated towards America).

## 7. The Community

Some might wonder whether the Community as such should concern itself directly with this problem as it is a global issue and is thus rightly being dealt with by the UN bodies as outlined in paragraphs 4 and 5. However, the Community can definitely play a part with regard to the following activities:

- (a) support and stimulation of the activities of UN bodies and the industry;
- (b) placing the Member States under an obligation to comply strictly with the Conventions which have entered into force and to monitor such compliance;
- (c) urging Member States, through the European Parliament and other bodies, to ratify conventions;
- (d) active participation in projects of a regional nature.

Ad (a), (b) and (c). In answer to Written Question No. 854/82 on pollution of the North Sea, the Commission gave such a comprehensive survey of its activities (not only those relating to the North Sea) that we have attached this as Annex II to the opinion. The following in particular should be noted:

Ad (a): (1) the study commissioned by the ITOPI in 1980 on Measures to Combat Oil Pollution (see Annex I.A4);  
(2) the study it commissioned on the possibilities for the construction of installations to process discharged hydrocarbons in oil ports, in particular in the Mediterranean;

Ad (b): (1) proposal for a Council Directive of 2 July 1980 on the enforcement in respect of shipping using Community ports of international standards for shipping safety and pollution prevention;  
(2) the Commission's participation in the committee supervising the implementation of the Memorandum of Understanding on port state control of ships, which was signed on 26 January 1982 by 14 European states and which entered into force on 1 July 1982;  
(3) the Council Directive of 21 December 1978 concerning minimum requirements for certain tankers entering or leaving Community ports (79/116/EEC), amended by Directive 79/1034/EEC of 6 December 1979;

Ad (c): (1) the Council recommendations of 26 June 1978 and 21 December 1978 to Member States to ratify as quickly as possible the Conventions listed above in paragraph 4 and in Annex I.B.

Ad (d): The regions which are most important for the Community are the North Sea and the Mediterranean.

(1) The North Sea. Council Directive (79/115/EEC) of 21 December 1978 on piloting of vessels by deep-sea pilots in the North Sea and the English Channel. A draft report by Mrs Maij-Weggen on pollution of the North Sea (PE 80.325) is also being considered. The question is whether a new institution in the Mediterranean could make an appreciable contribution to problems concerning the North Sea.

(2) In MARPOL, the Mediterranean, together with the Black Sea and the Persian Gulf, is counted as one of the sensitive areas (see paragraph 4c on the Barcelona Convention). The Committee on the Environment, Public Health and Consumer Protection considers that ROCC, which has been in existence since 1976, should be supported by the Community, inter alia by exerting pressure on signatories to the Barcelona Convention to expand its terms of reference as described above.

Annex I lists some additional important decisions by Community bodies.

## 8. Summary and Conclusions

- (a) The instruments for maximum safety at sea and minimum pollution exist in the form of international Conventions.
- (b) The organizations of the UN and industry are prepared and in a position to undertake, commission and coordinate the relevant research.
- (c) The Council and the Commission must continue to urge the Member States which have not yet done so to ratify the Conventions, a measure which should also be supported by the European Parliament, to instruct Member States to comply with the conventions **strictly and to stimulate research** by Member States and the organizations referred to in paragraph 8b.
- (d) With regard to regional policy concerning the Mediterranean, the Community must persuade the other signatories of the Barcelona Convention to expand ROCC's terms of reference so that they also cover the centralized combating of pollution, coordination of regional research (also covering prevention), promotion of safety in the Mediterranean and policy development with regard to the implementation of the Barcelona Convention.
- (e) The Committee on the Environment, Public Health and Consumer Protection considers that in general terms the setting up of new Community institutions should be treated with great caution. Parliament itself rejected the creation of new Community research centres (Linkohr Resolution, Doc. 1-654/82, paragraph 47, adopted on 18 November 1982).
- (f) Before considering setting up a new institution, careful thought should be given to whether existing measures and organizations function properly and if not, why not, what can be done and whether any shortcomings will then remain. It must then be shown that the new institution is necessary, either to remove obstacles to the proper functioning of existing institutions or to fill the gaps, without an undesirable duplication of effort.
- (g) The Committee on the Environment, Public Health and Consumer Protection has attempted in this opinion to make an analysis as described in paragraph 8f, but can still not prove that a new institution is necessary.

A. Organizations of the industry

1. International Chamber of Shipping (ICS) London (organisation of national shipowners associations, actively involved in promoting tanker safety and pollution prevention)
2. Oil Companies International Marine Forum (OCIMF) London (association of oil companies transporting petroleum by sea, essentially concerned with the safe conduct thereof and the protection of the marine environment from pollution)
3. International Association of Independant Tanker Owners (Intertanko), Oslo, the pendant of 2) for the independant shipowners.
4. International Tanker Owners Pollution Federation Forum (ITOPF), London, (to provide advice on oil spills and contingency planning, to conduct post-spill surveys, is leading centre of expertise for emergency advice at the scene of oil spills). Drafted a report for the Commission "Measures to Combat Oil Pollution", Luxembourg, 1980, 300 pages).
5. Oil Industry International Exploration and Production Forum (association of oil companies having an interest in off-shore exploration and production with a strong commitment to the protection of the environment and the promotion of safety).
6. HELPEMA, a Greek organization for the protection of the marine environment.

B. International conventions not listed in the text

1. Convention on minimum standards for merchant shipping, Convention No. 147, adopted by the International Labour Conference at its 67th sitting, with annexes, Geneva, 29 October 1976.
2. International Convention on training, certification and watchkeeping for seafarers, 1978.

C. Decisions by Community bodies not listed in the text

1. Council decision of 13 September 1977 setting up a consultation procedure on relations between Member States and third countries in shipping matters and on action relating to such matters in international organizations (77/587/EEC).
2. Resolution (Doc. 1-467/80) adopted by Parliament on 16 January 1981 following a motion for a resolution (Doc. 1-310/79) tabled by Mr Muntingh on combating the effect of disasters where oil is released into the sea and reaches the shore.
3. The third action programme on the environment.

## WRITTEN QUESTION No 849/82

by Mr Robert Jackson

to the Foreign Ministers of the 10 Member States of the European Economic Community meeting in political cooperation

(8 July 1982)

*Subject:* Hunger strike in USSR

1. Is the conference of Foreign Ministers aware of the hunger strike being carried out in the USSR by Mrs Tatyana Lozanskaya, Yuri Balovlenkov, Tatyana Azure, and Josif Kiblitisky, who have been denied exit visas from the Soviet Union?

2. Will the President-in-Office add these names to the alas, already too long, list of cases to be taken up with the Soviet authorities in the context of the Helsinki review?

## Answer

(8 September 1982)

The Foreign Ministers of the Ten closely follow the development of the hunger strike in the Soviet Union mentioned by the Honourable Member, as well as other family reunification cases.

Tatyana Lozanskaya and Tatyana Azure have been promised exit-visas by the Soviet authorities and have subsequently stopped their hunger strike. For the time being an exit-visa has been refused to Yuri Balovlenkov for alleged security reasons. Mr Kiblitisky left the USSR August 3, 1982, to be reunited with his family in the Federal Republic of Germany.

Within the framework of political cooperation the Foreign Ministers of the Ten make continuous assessments of the situation with a view to securing the implementation of all the commitments of the Helsinki Final Act. In the course of the whole CSCE process the Ten have given special attention to these crucial questions. They will continue doing so at the Madrid CSCE follow-up meeting, which resumes 9 November 1982.

## WRITTEN QUESTION No 854/82

by Mr Jürgens

to the Commission of the European Communities

(8 July 1982)

*Subject:* Pollution of the North Sea by oil, including waste oil

1. Within the framework of the future Community environmental policy, what approach is envisaged by the

Commission, and what measures does it intend to take, to help combat oil pollution of the North Sea, in particular the Waddenzee, an area of unique biological value in Europe? Does the Commission consider the measures envisaged to date to be adequate?

2. Does the Commission agree that the disposal of waste oil in the sea, because there are no facilities for this purpose in many Community ports, is no longer acceptable, and will it immediately take measures to allow and prescribe disposal in the ports?

Answer given by Mr Narjes  
on behalf of the Commission

(2 September 1982)

1. The Commission is concerned (a) about oil discharged into the North Sea from land-based sources and from drilling and production platforms and (b) about discharges from ships.

Where the first category of discharges is concerned, the Commission takes part in the work undertaken under the Convention for the Prevention of Marine Pollution from Land-based Sources, to which the EEC is a Contracting Party <sup>(1)</sup>. The Commission will endeavour to ensure that this work is pursued with vigour, in particular in relation to refinery discharges. Where appropriate, the Commission will prepare proposals for submission to the Council under Directive 76/464/EEC of 4 May 1979 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community <sup>(2)</sup>.

The Commission is also responsible for the implementation of Council Directive 75/439/EEC of 16 June 1975 on the disposal of waste oils <sup>(3)</sup>.

With a view to preventing and controlling pollution caused by discharges from ships, the Commission is taking the action envisaged in its communication to the Council of 26 June 1980 on a plan to combat oil pollution of the sea, on which the European Parliament expressed its opinion on 16 January 1981 <sup>(4)</sup>.

In this connection, the Commission is taking appropriate steps to implement the information system established by the Council on 3 December 1981 <sup>(5)</sup>. It is putting the finishing touches to proposals concerning the drawing-up of contingency plans for emergencies, and is making arrangements for support for pilot schemes to combat pollution.

<sup>(1)</sup> OJ No L 194, 25. 7. 1975, p. 5.<sup>(2)</sup> OJ No L 129, 18. 5. 1976, p. 23.<sup>(3)</sup> OJ No L 194, 25. 7. 1975, p. 23.<sup>(4)</sup> OJ No C 28, 9. 2. 1981, p. 55.<sup>(5)</sup> OJ No L 355, 10. 12. 1981, p. 52.

The Commission also intends to make a contribution towards preventing pollution of the North Sea caused by oils discharges. To this end, it has submitted a proposal for a Directive concerning the enforcement, in respect of shipping using Community ports, of international standards for shipping safety and pollution prevention <sup>(1)</sup>. This proposal, on which Parliament gave a favourable opinion on 16 January 1981 <sup>(2)</sup> has not yet been approved by the Council, but quite a few of its provisions have been included in the Memorandum of Understanding on Port State Control of Ships which was signed on 26 January 1982 by the maritime authorities of 14 European States, and took effect on 1 July 1982. A Commission representative sits on the Committee responsible for ensuring the correct application of the Memorandum.

The Commission is also responsible for the application of Council Directive 79/115/EEC of 21 December 1978 concerning pilotage of vessels by deep-sea pilots in the North Sea and English Channel <sup>(3)</sup> and Council Directive 79/116/EEC, also of 21 December 1978 concerning minimum requirements for certain tankers entering or leaving Community ports <sup>(4)</sup>.

The Community also has another means of controlling pollution caused by oil discharges: the Directives adopted by the Council with a view to improving water quality. Two of these relate to the marine environment: Directive 76/160/EEC of 8 December 1975, concerning the quality of bathing water <sup>(5)</sup> and Directive 79/923/EEC of 30 October 1979 on the quality required of shellfish waters <sup>(6)</sup>. Under Article 13 of Directive 76/160/EEC, the Member States submit regularly to the Commission reports on bathing water and the most significant characteristics thereof. After prior consent has been obtained from the Member States the Commission publishes the information obtained.

2. The Commission is of the opinion that oil should be discharged at sea only in strict conformity with the MARPOL Convention, as amended by the 1978 Protocol, once this Convention enters into force, probably in 1983. The Commission is aware that this requires the installation in ports of facilities for receiving and treating waste oil, particularly in the Mediterranean area. In this connection, the Commission is having a study carried out into the technical and economic

feasibility of establishing or modernizing such facilities in the main Mediterranean ports and oil terminals. This study will be completed before the end of 1982.

WRITTEN QUESTION No 872/82

by Mr Tyrrell

to the Commission of the European Communities

(12 July 1982)

*Subject:* Right of establishment of doctors

1. Will the Commission state the number of doctors who have exercised or are exercising the right of establishment under Directives 75/362/EEC <sup>(1)</sup> and 75/363/EEC <sup>(2)</sup> according to the Member State of origin and the host Member State?

2. What transitional arrangements have been proposed regarding the implementation of Directives 75/362/EEC and 75/363/EEC in respect of the accession to the Community of Spain and Portugal?

3. What enquiries have the Commission made, and with what result, regarding the professional qualifications in each acceding Member State in fulfilment of Articles 1, 2 and 3 of Directive 75/363/EEC?

4. Has the Commission any knowledge of enquiries by a Member State concerning the authenticity of diplomas as provided for in Article 22 of Directive 75/362/EEC?

5. Does the Commission propose that transitional arrangements will be appropriate for Spain and Portugal at the time of their accession in order to ensure that the standards laid down in 75/362/EEC and 75/363/EEC can be fulfilled?

<sup>(1)</sup> OJ No L 167, 30. 6. 1975, p. 1.

<sup>(2)</sup> OJ No L 167, 30. 6. 1975, p. 14.

Answer given by Mr Narjes  
on behalf of the Commission

(2 September 1982)

1. In the Bulletin of the European Communities Nos 9-1978, 12-1979, 3-1981 and 12-1981 the Commission published statistics on the migrations of doctors under Directives 75/362/EEC and 75/363/EEC for the years 1977, 1978, 1979 and 1980. The data for 1981 should be available by the end of 1982 and will also be published in the Bulletin. These data show the total number of migrant doctors settling in a Member State and also a breakdown by nationality and by country of issue of their diplomas.

<sup>(1)</sup> OJ No C 192, 30. 7. 1980, p. 8.

<sup>(2)</sup> OJ No C 28, 9. 2. 1981, p. 52.

<sup>(3)</sup> OJ No L 33, 8. 2. 1979, p. 32.

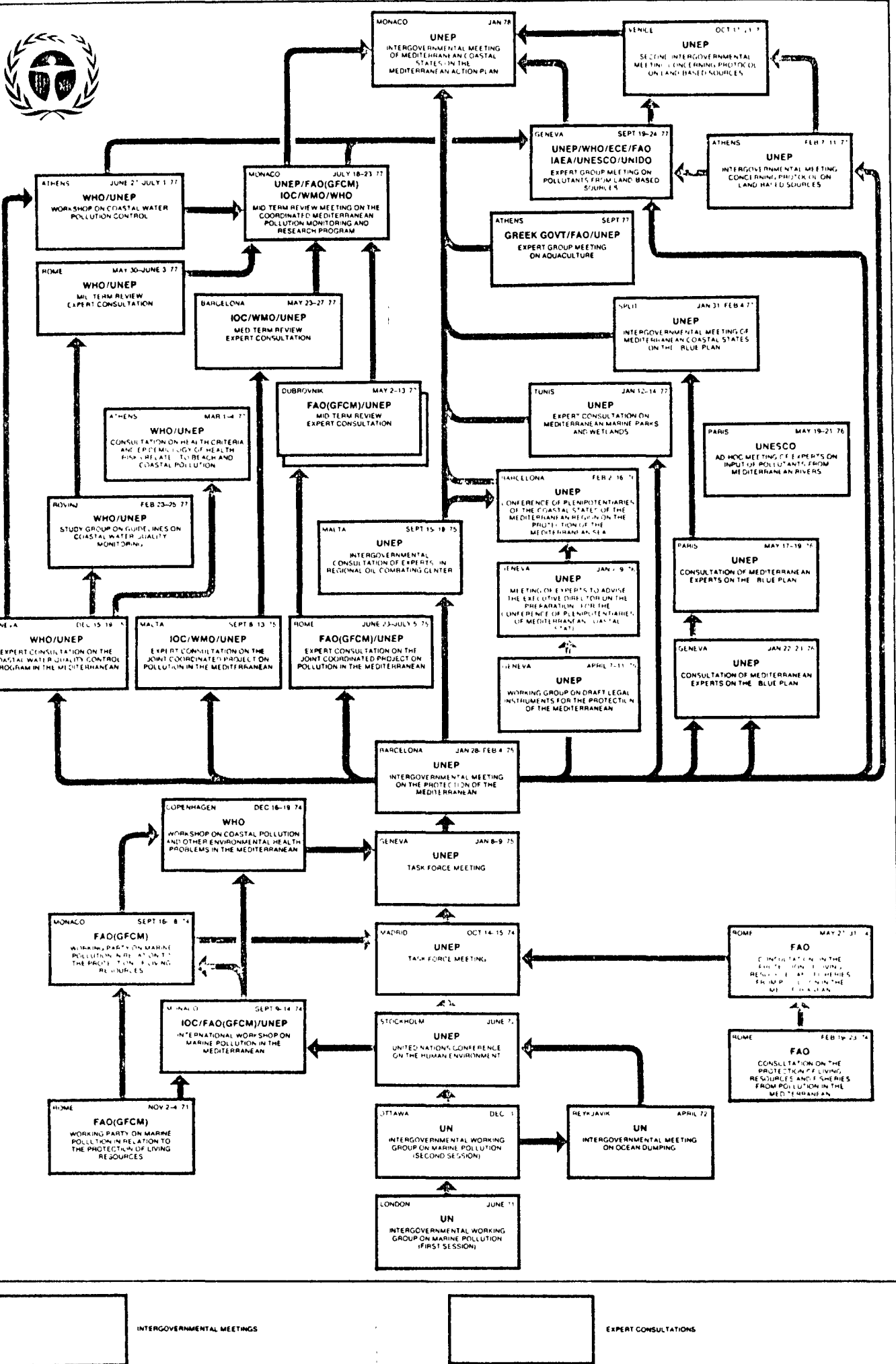
<sup>(4)</sup> OJ No L 33, 8. 2. 1979, p. 33.

<sup>(5)</sup> OJ No L 31, 5. 2. 1976, p. 1.

<sup>(6)</sup> OJ No L 281, 10. 11. 1979, p. 47.



Figure 1. Chart showing meetings held in connection with the Mediterranean Action Plan.



MOTION FOR A RESOLUTION (DOCUMENT 1-78/82)

tabled by Mr LAGAKOS, Mr ALBERS, Mr CAROSSINO, Mr GABERT, Mr GATTO, Mr JANSSEN VAN RAAY, Mr KALOYANNIS, Mr KEY, Mr KLINKENBORG, Mr K. NIKOLAOU and Mr SEEFELD

pursuant to Rule 47 of the Rules of Procedure

on the creation of a European Foundation for safety at sea

The European Parliament,

- having regard to the world-wide importance of the Community's merchant fleet,
  - whereas, in the context of the enlargement of the Community to include Spain and Portugal, Community shipping will be further strengthened and play a role of primary importance particularly in the Mediterranean,
  - having regard to the serious nature of the problems of safety at sea, particularly in respect of accidents and the pollution of the sea and coast which they frequently cause,
  - whereas concerted action by the Member States is the only means capable of evoking the global response necessitated by this problem,
  - having regard to the proposal of the Commission of the European Communities on shore-based maritime navigation aid systems,
  - having regard to Greece's historical vocation in the field of maritime navigation and whereas the predominant role that the Community now enjoys in marine affairs is directly linked to Greek accession,
1. Calls for the creation of a European Foundation for safety at sea to organize, encourage and coordinate both the research into safety at sea which needs to be carried out at Community level and, in more general terms, the means to combat pollution of the sea and coast;
  2. Proposes that the Foundation be endowed with the sum of 3 m ECU per year, which should be entered in the draft budget of the Community for 1983, together with contributions from any public or private sources that it might be possible to associate with the various research projects;

3. Proposes that the Foundation be set up in YITHION (Southern Peloponnese) which, having regard to its geographical position constitutes a favoured observation point at the heart of the Mediterranean.

