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Extraordinary meeting of the Council

- ENVIRONMENT AND TRANSPORTS -

Brussels, 24 March 1994

President: Mrs Elizabeth PAPAZOI

State Secretary for Environment,
Town Planning and Public Works
of the Hellenic Republic

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium :

Mr Jacques SANTKIN Minister for Public Health, Environment and Social Integration

Denmark :

Mr Niels Henrik SLIBEN Deputy Permanent Representative

Germany :

Mr Klaus TOEPFER Minister for the Environment

Greece :

Mrs Elizabeth PAPAZOI State Secretary for the Environment, Town Planning and Public Works

Mr Georges KATSIFARAS Minister for the Merchant Marine

Spain :

Mrs Cristina NARBONA State Secretary for the Environment

Mr Manuel PANADERO General Secretary of the Ministry for Transports

France :

Mr Bernard BOSSON Minister for Transport

Mr Michel BARNIER Minister for the Environment

Ireland :

Mr Michael SMITH Minister for the Environment

Italy :

Mr Rocco Antonio CANGELOSI Deputy Permanent Representative

Luxembourg :

Mr Jean-Marc HOSCHEIT Deputy Permanent Representative

Netherlands :

Mrs J.R.H. MAIJ-WEGGEN Minister for Transport

Portugal :

Mrs Teresa GOUVEIA State Secretary for Environment

Mr Joao BEBIANO State Secretary for Maritime Affairs

United Kingdom :

Lord MACKAY Minister for Aviation and Shipping

Mr Robert ATKINS Minister for Environment

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Commission :

Mr Abel MATUTES Member

Mr Ioannis PALEOKRASSAS Member

MARITIME SAFETY AND PREVENTION OF MARINE POLLUTION - COUNCIL
CONCLUSIONS

Having taken note of the Commission's presentation of a progress report on the common policy on safe seas, the Council adopted the following conclusions:

THE COUNCIL:

1. REAFFIRMING the conclusions of the extraordinary Transport/Environment Council on 25 January 1993 on marine safety and pollution prevention, the Council Resolution of 8 June 1993 on a common policy on safe Seas and the conclusions of the Environment Council of 28/29 June 1993 on a common policy on safe seas;
2. RECALLING the Commission's Communication of 24 February 1993 on a common Policy on safe seas, and its action programme;
3. RECOGNIZING the global role of the International Maritime Organization (IMO) with regard to maritime safety and prevention of marine pollution ; WELCOMING the outcome of the 18th IMO Assembly and the present IMO work programme;
4. WELCOMING the convening, in Copenhagen in September 1994, of the next Ministerial Conference of the Memorandum of Understanding on Port State Control;
5. RECORDING its great concern about the recent serious casualties off the European coasts with the loss of lives and the occurrence of incidents of marine pollution;
6. RECALLING that maritime transport is an important source of marine pollution; that it should therefore continue to be addressed by the Community and the Member States as part of their programmes for the prevention of marine pollution from all sources, including land-based sources;

7. NOTING the progress in the designation of Maritime Environmentally Sensitive Areas (MESA's), on the basis of the criteria established by the Commission services on 14 July 1993;
 - A. URGES MEMBER STATES AND, WHERE APPROPRIATE, THE COMMUNITY TO SUPPORT, WITHIN IMO:
 1. an amendment to the International Convention for the Safety of Life at Sea (SOLAS) making it obligatory for a ship to report all necessary information when in transit in given areas;
 2. a further amendment to the International Convention for the Safety of Life at Sea (SOLAS) to provide for the establishment of mandatory routes on environmental or navigational grounds;
 3. proposals to make internationally mandatory the International Maritime Dangerous Goods Code (IMDG) as well as appropriate parts of the Code of Safe Practices for Cargo Stowage and Securing, as part of making resolution A.714 of IMO internationally mandatory, and to strengthen requirements relating to stowage and securing of cargoes,
 4. proposals on requirements for solid and packaged dangerous or polluting goods and proposals on the revision of stowage requirements for containers containing dangerous goods bearing in mind their potential danger if they are under deck,
 5. the revision of the stability provisions for containers established by IMO as regards containers regulated by the International Convention on Safe Containers (CSC) and the methods of cargo securing on ships,
 6. the revision of the STCW Convention, in particular in order to include specific training requirements for officers responsible for cargo handling on board ships carrying dangerous goods with regard to the IMDG Code,
 7. the conclusion, in 1996, of a liability Convention for the carriage of hazardous noxious substances (HNS-Convention) with high limits,

8. a substantial increase in the limits of the International Convention on limitation of liability for maritime claims 1976 (LLMC),
9. proposals to make it mandatory for ships to have a sole identification number, having due regard to any proposal resulting from the Council's request to the Commission to submit a proposal in this field,
10. the study of the need for improving the quality of the fuel of ships in the interest of maritime safety and pollution prevention;
11. new traffic separation schemes near coastal areas or amendments to existing ones, at the request of a Member State and on the basis of a case by case assessment

B. URGES MEMBER STATES:

1. TO TAKE MEASURES where necessary to improve search and rescue capability, pilotage services and emergency towing and salvage facilities near their ports and their coasts, as well as to take measures to improve the capabilities for locating lost cargoes and for their retrieval;
2. TO RATIFY as soon as possible:
 - . the 1988 Protocol to the SOLAS 1974 Convention,
 - . the 1988 Protocol to the Load-Lines 1966 Convention,
3. TO TAKE APPROPRIATE MEASURES SO AS TO RATIFY by the end of 1994:
 - . the 1969 International Convention on civil liability for oil pollution damage (CLC) and its 1992 Protocol,
 - . the 1971 International Convention on the establishment of an International Fund for Compensation for Oil Pollution Damage (FUND) and its 1992 Protocol,
 - . the 1990 International Convention on Oil Pollution Preparedness, Response and Co-operation (OPPRC),
 - . the 1989 International Convention on Salvage;

4. TO STRENGTHEN, having due regard to the Commission proposal, the Port State control of ships and publish the results within the framework of the Paris Memorandum;
5. TO TRANSMIT to the Commission, as soon as possible and not later than 1 June 1994, if they have not already done so, information on Maritime Environmentally Sensitive Areas (MESA).
6. TO COOPERATE, to exchange information and to stimulate ongoing research into the feasibility of identification of containers lost overboard aimed at enabling their recovery and to take action if the feasibility study yields positive results;
7. TO DETAIN, without prejudice to the relevant international standards, substandard ships in port until major deficiencies have been rectified.

C. URGES THE COMMISSION:

1. to submit as soon as possible the proposals that have not yet been transmitted in accordance with the programme established by the Council Resolution of 8 June 1993,
2. to submit as soon as possible its study on the financial liability of owners of hazardous cargoes using substandard ships,
3. to provide by 1 December 1994, on the basis of information provided by the Member States, a report on the ratification of all existing IMO conventions,
4. to encourage work directed towards the introduction of a Community register (Euros) as a register of high-safety standards and competitive conditions for ships,
5. to evaluate :
 - how the safety of the transport of dangerous goods by ships can be further developed taking into account the principles laid down in Article 130 R

- subparagraph (2) 1 of the Treaty establishing the European Community, as well as the best available means,
- how national information systems on the transport of dangerous goods can be harmonized within the Community.
6. to report to the Council on the Maritime Environmentally Sensitive Areas (MESAs) in the context of the work programme set out in Part D below.
- D. INVITES THE MEMBER STATES AND THE COMMISSION, in particular with the purpose of pursuing the efforts to protect Maritime Environmentally Sensitive areas (MESAs):
1. TO TAKE STEPS, when not already done, to assess the risks to their coasts from maritime traffic;
 2. TO REVIEW existing measures already in place, to see how far these satisfactorily address the problems raised by the combination of environment sensitivity and maritime traffic risks;
 3. TO DEVELOP on the basis of consistent criteria proposals to be submitted to IMO in accordance with usual procedures for measures, including area-specific standards, to achieve satisfactory coverage for the Community as a whole;
 4. TO DEVELOP proposals for national or, where appropriate, Community action to implement, where necessary, IMO-approved measures, particularly with reference to IMO Resolution A. 766(18) relating to Navigation in the Strait of Bonifacio;
- E. THE COUNCIL:
1. WELCOMES progress reached so far in developing the action programme, as well as the fact that the Member States and the Commission have during the past months been very active in supporting the work of MOU and IMO, at its various expert meetings and the Assembly;

2. WELCOMES the submission of the Commission's proposal of 16 March 1994 for a Council directive concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions;

 3. INSTRUCES the Permanent Representatives Committee to carry forward its work on the existing Commission proposals in the light of the opinions of the European Parliament and the Economic and Social Committee with a view to reaching, if possible, a common position at its next "Transport" meeting on 13/14 June 1994.
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