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B6-0183/2008 }
B6-0195/2008 }
B6-0196/2008 }
B6-0197/2008 }
B6-0198/2008 } RC1

JOINT MOTION FOR A RESOLUTION

pursuant to Rule 103(4) of the Rules of Procedure, by

- Gerardo Galeote, Luis de Grandes Pascual and Georg Jarzembowski, on behalf of the PPE-DE Group
- Francisca Pleguezuelos Aguilar, Brian Simpson, Inés Ayala Sender and Luis Yáñez-Barnuevo García, on behalf of the PSE Group
- Jeanine Hennis-Plasschaert and Dirk Sterckx, on behalf of the ALDE Group
- Adam Bielan, Roberts Zīle, Ryszard Czarnecki and Mieczysław Edmund Janowski, on behalf of the UEN Group
- David Hammerstein, Raúl Romeva i Rueda, Michael Cramer and Eva Lichtenberger, on behalf of the Verts/ALE Group
- Willy Meyer Pleite, on behalf of the GUE/NGL Group

replacing the motions by the following groups:

- ALDE (B6-0180/2008)
- PSE (B6-0183/2008)
- Verts/ALE (B6-0195/2008)
- PPE-DE (B6-0196/2008)
- GUE/NGL (B6-0197/2008)
- UEN (B6-0198/2008)

on the New Flame shipwreck and its consequences on Algeciras Bay

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European Parliament resolution on the New Flame shipwreck and its consequences on Algeciras Bay

The European Parliament,

- having regard to articles 71, 80 and 251 of the EC Treaty,
 - having regard to its previous readings on the maritime packages and its resolutions on maritime safety,
 - having regard to its resolution of 12 July 2007 on 'a future maritime policy for the European Union: a European vision for the oceans and seas',
 - having regard to Rule 103(4) of its Rules of Procedure,
- A. whereas the priority of European legislation is a safe and pollution-free environment for the oceans and seas, with special regard to the Mediterranean,
- B. whereas on 12 August 2007 a collision close to Gibraltar between a double-hulled oil tanker and the bulk carrier New Flame resulted in the sinking of the latter,
- C. whereas this kind of accident does not have the same environmental impact as that of tankers, but still raises social concern,
- D. whereas regarding the New Flame, the Spanish and the UK authorities as well as the Government of Gibraltar have given the European Maritime Safety Agency information about the accident,
- E. whereas Spain has had the anti-pollution vessel Don India positioned in the bay since 13 August,
- F. whereas bunkering in coastal waters in itself is not in breach of EC environmental law and could only become polluting if this activity is handled in an unprofessional manner disregarding the protection of the environment or in bad sea conditions,
- G. whereas bunkering activities in Gibraltar are handled through a Code of Practice enforced by a Superintendent and a licensing process,
- H. whereas the eventual splitting-up of the vessel could pollute not only the seabed and the sea but also damage nearby fishing grounds and tourism on the coasts,
- I. whereas at present the New Flame, lying on the seabed and containing 42000 tonnes of load and at least 27000 tonnes of scrap metal, could affect water quality, adding to the concentration in the area of heavy metals of an uncertain nature unknown to the public, and it is therefore difficult to determine the total environmental impact,
- J. whereas no casualties have occurred and no major pollution has been detected following the

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collision between the two ships, but environmental threats could still remain,

- K. whereas in the vicinity of the Straits there are areas protected by the Natura 2000 network such as the site of Community importance ES 6120012, known as the Frente Litoral del Estrecho de Gibraltar, which is daily seriously affected by the bunkering undertaken therein,
- L. whereas Parliament long ago adopted its amendments at first reading on the third maritime package, containing seven legislative proposals,
1. Calls on the Commission to forward to Parliament all the information on the case of the New Flame provided by the competent national and regional authorities, especially that referring to the request for additional means, such as anti-pollution vessels to be provided by the Community aid mechanism in the field of civil protection assistance interventions, including accidental marine pollution, established by Council Decision 2001/792/EC, Euratom which aims to put at the disposal of the Member States when requested by the country affected by the wreck anti-contamination ships dependent on the European Agency for Marine Security;
 2. Believes that the Government of Gibraltar, the UK and the Spanish authorities have shown their willingness to collaborate in the most effective way in order to manage the accident and its consequences for the maritime and coastal environment;
 3. Underlines the swiftness and efficiency of reaction of the European Maritime Safety Agency following the request for assistance from the Spanish authority immediately after the accident; stresses that Parliament has constantly advocated increased operational and financial means for the Agency, and that more vessels will be available for assistance in the various maritime regions of the EU; calls on the Commission and the EMSA to give their utmost support to environmental protection in this threatened area, in line with the environmental objectives laid down in the EU legislation and the international instruments;
 4. Calls on the Commission in its role of 'guardian of the treaties' to verify if the competent authorities complied with their obligations under Articles 2, 3, 6, 10, 80(2), 174(1), 174(2) and 175(4) of the EC Treaty in a correct way so as to avoid the catastrophe, and to adopt, if appropriate, the necessary legal measures that would stem from such an action;
 5. Encourages all efforts and measures that could be taken by the UK and Spanish authorities, the Government of Gibraltar, the port authorities of Algeciras and Gibraltar and all relevant actors in order to manage in the most responsible way all the activities carried out in the bay;
 6. Stresses, following pollution whose origin still needs to be clarified, that all relevant authorities managing the Bay and its coast and the salvage operations of the New Flame must remain extremely vigilant concerning potential opportunist and illegal emptying of fuel tanks and ballast waters;
 7. Underlines that the Third Maritime Package, still under first reading in Council, on which Parliament adopted its position more than a year ago and is willing to move forward and conclude the seven legislative procedures, provides the EU with all necessary tools for the prevention of a maritime incident and the management of the consequences of such an incident, especially the proposal on the monitoring of maritime traffic and that on the

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investigation of accidents; insists on the need to ensure efficient cooperation between neighbouring ports;

8. Asks the Commission to call on the competent authorities to provide information on the content of the cargo as well what the plans and time schedules are for removal of the vessel from the Bay and for monitoring the risk of pollution which could stem from the cargo, and to forward this information to Parliament;
9. Urges the Commission to call on those Member States which have not yet done so to ratify the 2001 International Convention on Civil Liability for Bunker Oil Pollution Damage (Bunker Oil 2001 Convention) and to ensure enforcement of the EU legislation on this subject;
10. Reiterates its call on the Commission to submit a proposal to Parliament and the Council as soon as possible in order to ensure that bunker oil for engine fuel in new ships is stored in safer, double-hull tanks;
11. Reiterates its request for an EU directive on improving the quality of maritime fuels; welcomes the recent agreement at the IMO on such a proposal being introduced by 1 January 2010;
12. Encourages the Commission to propose improvements to the legislation on the protection of environmentally sensitive crossborder marine areas, including stronger (satellite) surveillance and monitoring of ships;
13. Suggests to the Commission that it intervene with the competent national and regional authorities to reach an agreement on a public performance protocol in the area of the Straits of Gibraltar and particularly in the Bay of Algeciras, similar to the existing bilateral and regional agreements concluded between coastal states, which would provide mutual assistance in the event of a maritime pollution incident;
14. Instructs its President to forward this resolution to the Council, the Commission, the EMSA, the Parliaments of the Member States and the regional authorities concerned.