
EUROPEAN PARLIAMENT

Working Documents

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DOCUMENT 556/78

Report

drawn up on behalf of the Committee on Regional Policy, Regional
Planning and Transport

on the proposal from the Commission of the European Communities to
the Council (Doc. 488/78) for a decision rendering mandatory the
procedures for ship inspection forming the subject of resolutions of the
Inter-Governmental Maritime Consultative Organization

Rapporteur: Lord BRUCE of DONINGTON

12.2

By letter of 30 November 1978, the President of the Council of the European Communities requested the European Parliament pursuant to Article 84(2) of the EEC Treaty to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a decision rendering mandatory the procedures for the ship inspection forming the subject of resolutions of the Inter-Governmental Maritime Consultative Organization.

The President of the European Parliament referred this proposal to the Committee on Regional Policy, Regional Planning and Transport as the committee responsible, and to the Committee on the Environment, Public Health and Consumer Protection for its opinion.

At its meeting of 28 November 1978, the Committee on Regional Policy, Regional Planning and Transport appointed Lord Bruce of Donington rapporteur.

The committee considered the report at its meeting of 19 December 1978, and adopted it unanimously.

Present: Lord Bruce of Donington, chairman and rapporteur; Mr Brosnan, Mr Delmotte, Mr Fuchs, Mr Johnston, Mr Jung, Mrs Kellett-Bowman, Mr Osborn, Mr Seefeld, Mr Starke.

The opinion of the Committee on the Environment, Public Health and Consumer Protection is attached.

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A

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

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for

a decision rendering mandatory the procedures for ship inspection forming the subject of resolutions of the Inter-Governmental Maritime Consultative Organization

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council¹;
- having been consulted by the Council pursuant to Article 84(2) of the EEC Treaty (Doc. 488/78);
- having regard to the report of the Committee on Regional Policy, Regional Planning and Transport and the opinion of the Committee on the Environment, Public Health and Consumer Protection (Doc. 556/78);
- referring to its previous resolutions concerning proposals by the Commission with regard to safety on shipping in the Community waters;
- fully aware of the urgent need to take all possible measures which may contribute towards the elimination of avoidable accidents to shipping, and prevent marine and coastal pollution;

approves the present proposal.

¹
OJ No. C 284, 28.11.1978, p. 3

EXPLANATORY STATEMENT

1. The Commission proposal for a Council decision which would make mandatory in the Member States the procedures for ship inspection which form the subject of resolutions of the Inter-Governmental Maritime Consultative Organization (IMCO) is particularly welcome to the Committee on Regional Policy, Regional Planning and Transport since it became apparent to the Committee following the Public Hearing which they organised in Paris between 20 and 22 June 1978 on the best means of preventing accidents to shipping, that one of the major features which would contribute towards shipping safety, and the avoidance of marine pollution lies in the effective enforcement of the various international Conventions which have been agreed. Unfortunately, many of these Conventions have not been ratified or are not yet in force, and even where they are technically in force, they are not yet effectively enforced.

2. The present proposal seeks to make it mandatory for the Member States to 'ensure the effective application' of the relevant Resolutions of IMCO concerning the implementation of ship inspection procedures arising from the International Convention for the Safety of Life at Sea 1960 (SOLAS 1960), and the Convention for the Prevention of Pollution of the Sea by Oil 1954 (OILPOL 1954), together with subsequent amendments to these Conventions.

3. From a technical point of view, both Conventions are in force, though they are not yet effectively enforced. The Committee on Regional Policy, Regional Planning and Transport very much welcome the initiative which the Commission has shown in proposing common enforcement of these two Conventions by the Member States of the Community, since this closely follows the ideas which they are at present considering.

4. The Committee also very much welcome paragraph 1 of Article 3 of the proposed decision, which provides that the Council shall adopt, by a qualified majority, appropriate decisions for the effective application by the Member States of IMCO Resolutions or recommendations concerning the implementation of inter-maritime agreements which have

not yet been adopted.

5. In the opinion of your Rapporteur, this is an important Article in that it paves the way not only for taking swift action in the future, at least as far as the Member States are concerned, but also for the appropriate international Conventions to be applied in a mandatory fashion by the Member States - that is to say, by decision - rather than in the permissive way which the Council has adopted in a number of recent cases - that is to say, by recommendation.

6. Further consideration will be given to the present proposal in the Committee's forthcoming report on accidents to shipping, but in the meantime the Committee have no hesitation in commending it to the European Parliament.

OPINION OF THE COMMITTEE ON THE ENVIRONMENT, PUBLIC HEALTH AND CONSUMER
PROTECTION

Letter from the chairman of the committee to Lord Bruce of Donington,
Chairman of the Committee on Regional Policy, Regional Planning and Transport

Strasbourg, 16 January 1979

Dear Mr Chairman,

The Committee on the Environment, Public Health and Consumer Protection considered this proposal at its meeting of 15 January 1979. In its opinion for the Committee on Regional Policy dated 30 November 1978¹, the Committee on the Environment stresses the need to give greater attention to the question of chronic marine pollution by oil tankers, and in particular to subject the practice of cleaning oil tanks in coastal waters to more rigorous control.

This proposal provides for the harmonization of ship inspections in all Community ports, with the aim of guaranteeing compliance with the internationally determined standards on safety and the control of discharges of oil.

While welcoming the Commission initiative in principle, the committee regrets that the Commission only intends to regulate the frequency and procedures of inspection in a subsequent proposal. The committee doubts whether the present proposed decision can become operational unless the frequency and procedures of inspection are laid down.

The committee responsible should take up this question and urge the Commission to reconsider the present proposal from this point of view.

Yours sincerely,

(sgd.) Mrs J.B. Krouwel-Vlam

Present: Mrs Krouwel-Vlam, chairman; Mr Alber, Mr Brégégère, Lord Kennet,
Mr Lamberts, Mr W. Müller, Mr Noe', Mr Verhaegen and Mr Veronesi

¹ PE 55.949/fin.