

## THE CONGRESS OF LOCAL AND REGIONAL AUTHORITIES

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### Recommendation 169 (2005)<sup>1</sup> on major oil spills: the role of local authorities

The Congress, bearing in mind the proposal of the Chamber of Local Authorities,

1. Bearing in mind that pollution of the world's oceans, due to oil spills, has become a matter of increasing international concern over the past few decades;

2. Noting that much of Europe is surrounded by semi-enclosed seas, namely the Mediterranean, the Black Sea, the Caspian Sea and the Baltic Sea, which have limited exchanges of water with the open ocean, making them highly sensitive to pollution;

3. Conscious that European coasts open to the Atlantic are also affected by pollution, mainly from land-based sources, offshore production of oil and gas, shipping operations and accidental oil spills;

4. Recalling with dismay the disastrous oil-tanker accidents that the European coastline has suffered in recent years, which have had serious repercussions for industry, leisure activities and marine and coastal biological life and huge economic long-term consequences;

5. Emphasising at the same time that the widespread practice of deliberate excessive discharges of oil and other hazardous substances causes even more damage to the European littoral than oil-tanker accidents;

6. Recalling also that many of the chemicals shipped are far more dangerous to the marine environment and living organisms than crude or bunker oil;

7. Considering that, given the constant increase in the volume of maritime transport of dangerous and polluting substances, local and regional authorities in coastal areas are faced with permanent risks;

8. Noting that there is undoubtedly an increased awareness of environmental risks and that an improvement in legislation in these areas is needed;

9. Convinced that there is still inadequate implementation of existing legislation, insufficient compensation of victims and insufficiently comprehensive contingency planning,

10. Invites the governments of Council of Europe member states to:

*a.* take all the necessary steps to ensure that the risk of maritime and coastal oil pollution is reduced to a minimum;

*b.* reinforce the "polluter-pays" principle in respect of oil transportation, and support the firm application of national and international International Maritime Organisation (IMO) and European Union (EU) legislation, for example insistence upon double-hulled vessels; heavy fines for offences such as deliberate, heavy discharge of oil and other pollutants; reduction of the use of flags of convenience and simplification of the currently complicated ownership and use of oil tankers, in order to reduce vulnerability and risks in maritime transport;

*c.* enforce anti-pollution regulations of: the flag state (which ensures that ships flying the state's flag comply with its law), the nearest coastal state and the port states visited by the ships involved in illegal pollution incidents;

*d.* extend regular surveillance using satellite-borne radar sensors and aircraft patrolling which, as well as detecting illegal dumpers can also be used in monitoring systems designed to tackle accidental oil pollution and help to assess the quantity of oil discharged in a certain region and combine this monitoring with AIS (Automatic Identification System) in order to better identify the actual polluter;

*e.* strengthen early response capacity, including training exercises and action plans for: clearing procedures, public information, oil drift assessments, aerial surveillance and identification of ports of refuge for stricken tankers;

*f.* set up teams to combat pollution, to reinforce regional and national contingency plans in the event of major pollution events;

*g.* identify an adequate number of shelter areas (ports or bays) and encourage the states to which they belong to authorise access to them, so that ships in distress may quickly take shelter there to contain the risks of pollution;

*h.* provide existing harbours with infrastructures for receiving vessels in distress and establish a network of available tugboats for prompt assistance for ships in distress with an acute pollution risk;

*i.* encourage local authorities to develop contingency plans in the case of oil spills, developing financial schemes (for example through levies on imported oil) to enable them to purchase the necessary technical equipment, with subsequent reimbursement by national authorities;

*j.* ensure that contingency planning for oil spills includes the purchase and availability of modern oil fighting equipment, in order to effectively tackle the problem at sea, before the oil strikes the coast, in the full knowledge that such investments, although considerable, cost less than clean-up operations;

*k.* develop national and international oil compensation schemes, on top of insurers' payouts, which do not come from public taxes, but for example from fees on imported oil;

*l.* promote the creation of broad co-operation networks for responding to oil spills, including assistance from the

armed forces and coast guards, technological research centres, commercial fleets, airline and ferry operators;

*m.* support, by suitable incentives, the development of co-operation between the public and private sector in fighting oil spills;

*n.* develop a comprehensive European maritime strategy designed to identify and promote a European concerted response to maritime disasters;

11. Invites the Committee of Ministers of the Council of Europe to support environmental activities at Council of Europe level with a view to:

*a.* boosting co-operation with international, national, regional and local authorities on sea-pollution issues;

*b.* gathering and analysing innovative practices for fighting oil spills;

*c.* analyse more closely safety measures related to the transportation of oil by sea.

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1. Debated and approved by the Chamber of Local Authorities on 31 May 2005 and adopted by the Standing Committee of the Congress on 2 June 2005 (see Document CPL (12) 3, draft recommendation presented by A.G. Ström-Erichsen (Norway, L, SOC), rapporteur).

