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In accordance with Council Regulation (EEC, Euratom) No 354/83 of 1 February 1983 concerning the opening to the public of the historical archives of the European Economic Community and the European Atomic Energy Community (OJ L 43, 15.2.1983, p. 1), as amended by Regulation (EC, Euratom) No 1700/2003 of 22 September 2003 (OJ L 243, 27.9.2003, p. 1), this file is open to the public. Where necessary, classified documents in this file have been declassified in conformity with Article 5 of the aforementioned regulation.

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COMMISSION OF THE EUROPEAN COMMUNITIES

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Brussels, 6 June 1985.

Communication from the Commission to the Council and the European Parliament
concerning Council Decision 81/971/EEC
establishing a Community information system
on "hydrocarbons"

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I. Introduction

Article 5 of Council Decision 81/971/EEC establishing a Community information system for the control and reduction of pollution caused by hydrocarbons discharged at sea¹ provides as follows:

"Every two years the Commission shall draw up and forward to the Council and the European Parliament a report on the operation of the information system and the use made of it by Member States".

This is the first such report.

II. Implementation of the system

Three major questions had to be tackled and many difficulties resolved in order to implement the system, namely:

- (a) information gathering;
- (b) alignment;
- (c) processing.

¹ OJ L 355 of 10 December 1981.

A. Information gathering

In accordance with the provisions of the decision in question, information has been gathered:

- (i) by the Member States, for the inventory of resources for combating pollution referred to in Annex I to the decision;
- (ii) from various sources, mainly on the Commission's initiative, as regards hydrocarbon properties and other aspects referred to in Annex II to the decision.

B. Alignment of information

It was inevitably difficult to align the information gathered by means of questionnaires and by collating data from various sources. It was therefore decided:

- (i) to give the Member States technical assistance for the first updating of the inventory;
- (ii) to appoint a consultant to coordinate and pull together the other information.

C. Processing the information

The inventory has been computerized on an experimental basis. The experiment was suspended in 1985 pending possible decisions to extend the information system to include other harmful substances².

² Communication from the Commission to the Council concerning a plan for dealing with pollution of the sea by oil and other harmful substances (COM(85)123 final).

As a considerable amount of work needs to be done as regards the presentation of information it was thought preferable to resume the experiment at a more appropriate time when all the background data is available.

III. Presentation of the system

A preliminary version of the system was made available to the Member States in the form of a computer printout and three brochures between the end of 1982 and the beginning of 1984.

The first operational version of the system which will soon be forwarded to the competent authorities in the Member States is now in the form of a compendium of loose-leaf sheets and short notes.

IV. Development of the system

An information system is, in the nature of things, ongoing in character.

This is particularly true of this system.

A number of studies are under way; the results will be incorporated in the system towards the end of 1985 or the beginning of 1986 (test facilities, use of oily waste, etc.).

In addition, the Commission has prepared, and will continue to do so, at the request of the competent authorities in the Member States, additional documents to be incorporated into the system, e.g. concerning the customs clearance of equipment to deal with pollution, etc.

It should, however, be emphasised that the main development is undoubtedly the extension of the system to include other harmful substances, as proposed by the Commission.

V. Use made of the system

Only two major incidents have occurred since the system was implemented. The information system was used on both occasions and, especially in the case of the PATMOS, proved to be extremely effective.

In the case of the PATMOS, the system was used on a Sunday morning to try and find two experts able to advise the Commission in an administrative cooperation task.

Following the system utilization procedure to the letter, it was possible to get in touch with two experts of international renown in six minutes and seven minutes respectively and obtain the cooperation of one of them immediately and the possibility of later cooperation by the other. The six and seven minutes in question represent the time it took to ask for the Commission switchboard and make the calls in question. More efficient arrangements could in fact considerably reduce even these times.

Once the task force was on the spot, the experts were asked to find additional information about equipment which could be made available to the Member State concerned by another Member State: the offer in question resulted from a request made through the diplomatic channel. In view of the indirect nature of these procedures, the information finally received by the authorities in charge of the operation was not precise enough to be usable. By using the inventory and the catalogue of resources available under the system it was possible in a few minutes to clarify the situation and provide the authorities with a succinct and precise description of the equipment.

In the other case, the catalogue was used by the authorities in question to make a choice of dispersants.

It should also be emphasized that the actual development of the system, in the context of ever-closer cooperation with Member States' experts, has created a forum for the mutually-beneficial pooling of knowledge within the advisory committee on the control and reduction of pollution caused by oil and other harmful substances discharged at sea³.

VI. Present shortcomings of the system

Article 1 (2) (b) of the beforementioned decision 81/971/EEC foresees that Member States supply information concerning contingency plans. Only two Member States have submitted the information requested on this subject, so the Commission has been obliged to submit a proposal for a directive making it compulsory to draw up such plans, and deleted the abovementioned provisions in its proposal to extend the scope of the information system.

Experience has shown that it is absolutely essential to set up a network of operational authorities and institutions capable of giving specialist advice.

VII. Conclusions

It can be concluded from all this that the progressive extension of the system to include other harmful substances and the broad dissemination of all the components to the regional and local authorities, and the international organizations concerned (Barcelona Convention, ROCC, Bonn Agreement, etc.) should represent practical subsequent objectives of the joint scheme.

³ Decision 85/208/EEC of 25 March 1985 (OJ L 89 of 29 March 1985).

In addition, in order to remedy the shortcomings mentioned in Section VI, there needs to be an adequate degree of parallelism between the timetables for the adoption of the proposal to extend the system and the proposal concerning contingency plans.