

## **STATEMENT BY THE GSLP/LIBERAL OPPOSITION**

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The Opposition considers that the Government should legislate an exclusion zone in the territorial waters of Gibraltar as they committed themselves to do when they accepted the recommendations made in the report into the “New Flame” accident. This follows the news that the work to neutralise the danger posed by the wreck of the “New Flame” has now been completed.

The conclusion of this work has served to draw attention to a number of safety recommendations made as a result of the accident which needed to be addressed as a matter of urgency. The onus is now on the Government to act upon and implement all the recommendations made to it by the Gibraltar Maritime Administration (GMA) following the accident.

It will be recalled that earlier this year the report issued by the GMA made a number of recommendations to the owners/operators of the “New Flame”, those of the “Tom Gertrud”, the Port Authorities of Gibraltar and Algeciras jointly, and the Port Authority of Gibraltar alone. Three recommendations were made to the Ports of Gibraltar and Algeciras jointly and three to Gibraltar only. There has been no indication that any of the latter have been implemented by Gibraltar.

The recommendation that Gibraltar improve the existing GPS vessel monitoring system through an upgraded Vessel Traffic Management and Information System (VTS) is one that had been made previously in reports into other accidents and had so far been ignored. It was made in the report into the collision of the passenger vessel “Van Gogh” and the tanker “Spetses” in September 2004 when the lack of an effective, independent VTS facility for the Port was highlighted as a safety issue. Similar points were made following the “Samothraki” incident which occurred in March 2007 and also in the report into the grounding of the ro-ro cargo vessel “Azzahra” in December 2005.

The Government told Parliament in October 2009, in answer to questions from Shadow Minister for the Port Dr Joseph Garcia, that the tender for the VTS system had closed in July and been awarded in August of this year to a company called Transas which is based in the UK. It was expected to be implemented by the end of this year.

The “New Flame” accident occurred in August 2007 and the tender award was made two years later in August 2009. This is not acceptable and the Government should have acted with greater urgency in this matter, given that this recommendation is something that was not new and had been made before time and time again.

The second recommendation made in the report into the “New Flame” accident was to encourage Masters of vessels to engage the services of pilots when outbound from the Western Anchorage. The Government said in Parliament that this meant acquiring additional vessels and doubling the resources of the pilots. They explained that this would take time to implement but were in consultation to see how this could best be done. Nothing more has been heard about this.

The third recommendation was the establishment of a restricted zone in Europa Point up to one n.mile from the shore. The Government said in Parliament that they intended to formalise this exclusion zone as soon as the wrecks of the “New Flame” and the “Fedra” had been removed and they were “able to implement that by statute to ensure that all vessels, with the exception possibly of small pleasure boats et cetera, will have an exclusion zone which they are not able to sail through.”

Commenting on the matter, Shadow Minister responsible for shipping and the Port Dr Joseph Garcia said:

“The length of time that the Government have taken to move on the recommendations made to them by their own Maritime Administration is remarkable. There are clearly important safety issues at stake. Moreover, it has become all the more important to ensure that the Port is adequately resourced and able to exercise direct access and control over all the territorial waters of Gibraltar at a time when our jurisdiction over those waters is being challenged by Spain.”

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