



EU directive 2013/30 on safety of offshore oil and gas operations

Why and how is the directive relevant for the Arctic?

- Specific references to Arctic
- Transboundary effects
 - Cooperation with third states
- EU operators outside the EU maritime space (e.g., Arctic)



Specific references to Arctic

Para. 52 Preamble

The Arctic waters are a **neighbouring marine environment** of particular importance for the Union, and play an important role in mitigating climate change.

(...)

Member States who are members of the Arctic Council are encouraged to actively promote the highest standards with regard to environmental safety...





Article 33

Coordinated approach towards the safety of offshore oil and gas operations at international level

- Role of the **Commission** in promoting collaboration with third states in close collaboration with MS
 - offshore oil and gas operations in the **same marine region**
 - promote preventive measures and regional emergency response plans through the exchange of information **with adjacent third states**



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- The Commission shall promote high safety standards for offshore oil and gas operations at international level in relevant **global and regional fora**, **including those relating to Arctic waters** (para. 3)




Transboundary effects

Art 31

Transboundary emergency preparedness and response of Member States with offshore oil and gas operations **under their jurisdiction**

- Where there is a risk of the foreseeable transboundary effects of major accidents affecting third countries, Member States shall, **on a reciprocal basis**, make information available to the third countries (para 3)
 - Duty to cooperation under international law
 - Art. 197 LOSC
 - MOX Plant and Land Reclamation Cases



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- Member States shall coordinate **between themselves** measures **relating to areas outside of the Union** in order to prevent potential negative effects of offshore oil and gas operations (para. 4)
 - In the event of a major accident, or of an imminent threat thereof, which has or is capable of having transboundary effects, the Member State under whose jurisdiction the situation occurs shall, without delay, notify the Commission and those Member States or **third countries** which may be affected by the situation and shall continuously provide information relevant for an effective emergency response (para. 6)




EU operators outside the EU maritime space

Paras 39, 41 Preamble

- all Member States (...) should require reports on major accidents occurring **outside the Union** which involve **companies registered in their territory**, and should share this information at Union level
- While Member States are not able to enforce rules outside the Union, [adequate means for the confidential reporting of safety concerns] should enable the reporting of concerns of **persons involved in offshore oil and gas operations outside the Union**.





Art. 20 Offshore oil and gas operations conducted outside the Union

- MS shall require companies registered in their territory and conducting, **themselves or through subsidiaries**, offshore oil and gas operations outside the Union, as licence holders or operators to **report** to them, on request, the circumstances of any major accident in which they have been involved
- ➔ Promote and enhance the safety culture of EU economic actors
- ➔ Support CSR instruments (Ocean Corporate Social Responsibility)

Concluding Remarks

- Presence of the EU in the Arctic
 - Adjacency of the maritime areas
 - Through EU based economic operators
- Directive 2013/30
 - = First step of the EU Arctic policy which develops also through the other EU policies that are relevant for the Arctic
 - Maritime affairs
 - Energy
 - Transport
 - Environment → Legal basis of the directive



- Thank you for your attention!
 - Questions?

