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OUTCOME OF PROCEEDINGS

From: General Secretariat of the Council

To: Delegations

No. prev. doc.: 8470/1/23 REV 1
8841/2/23 REV 2
8948/1/23 REV 1
8981/1/23 REV 1

No. Cion doc.: 8422/23
8829/23
8944/23
8996/23

Subject: Draft submission by Member States and the Commission to the International Maritime Organization's 15th Intersessional Working Group on Reduction of GHG Emissions from Ships on the application of the Lifecycle assessment guidelines

Draft submission by Member States and the Commission to the International Maritime Organization's 15th Intersessional Working Group on Reduction of GHG Emissions from Ships on the levels of ambition in the Revised IMO Strategy on reduction of GHG emissions from ships

Draft submission by Member States and the Commission to the International Maritime Organization's 15th Intersessional Working Group on Reduction of GHG Emissions from Ships elaborating on the proposal of combining the GHG Fuel Standard and a levy

Draft submission by Member States and the Commission to the International Maritime Organization's 15th Intersessional Working Group on Reduction of GHG Emissions from Ships elaborating on the Greenhouse Gas Fuel Standard (GFS) and associated draft MARPOL amendments

1. On 19 April, 27 April and 2 May 2023, respectively, the Commission transmitted to the Council four Staff Working Documents containing draft submissions to the 15th meeting of the Intersessional Working Group on Reduction of GHG Emission from Ships (ISWG-GHG 15) of the International Maritime Organization (IMO).
2. The draft submissions were examined by the Shipping Working Party at its meetings on 18 and 25 April and 4 and 11 May 2023. The Shipping Working Party agreed to the final versions of the submissions by the deadline for transmission to IMO (12 May 2023).
3. In its Staff Working Documents, the Commission holds the view that the substance of the draft Union submissions falls under EU exclusive competence as it is largely covered by EU legislation. In this respect, some delegations did not agree with the Commission's claim for EU exclusive competence. It is the understanding at the level of the Shipping Working Party that the submissions fall under exclusive Union competence only if and to the extent that their subject matter is covered by EU legislation. To the extent that the matters covered by the submissions would not largely be covered by EU legislation, the understanding is that the submissions would be made by the Member States under shared competence and that the submissions should not be construed as exercising shared Union competence.
4. The Presidency was mandated to transmit the documents to IMO on behalf of the co-sponsors, which might include third countries, by 12 May 2023.