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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within the International Maritime Organization at the 34th session of its Assembly on the adoption of amendments to the Code on Alerts and Indicators and to the Survey Guidelines under the Harmonized System of Survey and Certification (HSSC)

COUNCIL DECISION (EU) 2025/...

of ...

**on the position to be taken on behalf of the European Union
within the International Maritime Organization at the 34th session
of its Assembly on the adoption of amendments to the Code on Alerts
and Indicators and to the Survey Guidelines under the Harmonized System
of Survey and Certification (HSSC)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 100(2), in conjunction with Article 218(9) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Action by the Union in the sector of maritime transport should aim to improve maritime safety and to protect the marine environment and human health.
- (2) The Assembly of the International Maritime Organization (IMO), at its 34th session taking place from 24 November to 3 December 2025 (A 34), is expected to adopt amendments to the Code on Alerts and Indicators (the ‘Code’) and to the Survey Guidelines under the Harmonized System of Survey and Certification (the ‘HSSC Survey Guidelines’).
- (3) It is appropriate to establish the position to be taken on the Union’s behalf at A 34, as some of the proposed amendments to the Code and to the HSSC Survey Guidelines (hereinafter the ‘Code, 2025’ and the ‘HSSC Survey Guidelines, 2025’) are capable of decisively influencing the content of Union law, namely Directive 2009/45/EC of the European Parliament and of the Council¹ and Regulation (EC) No 391/2009 of the European Parliament and of the Council².
- (4) The Union should support the adoption of the Code, 2025 because it will ensure compliance with the requirements of the IMO instruments that have been adopted or amended since the Code was adopted and, thus, eliminate contradictions, ambiguities and unnecessary redundancies.

¹ Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1, ELI: <http://data.europa.eu/eli/dir/2009/45/oj>).

² Regulation (EC) No 391/2009 of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations (OJ L 131, 28.5.2009, p. 11, ELI: <http://data.europa.eu/eli/reg/2009/391/oj>).

- (5) The Union should support the adoption of the HSSC Survey Guidelines, 2025 because they will take into account the amendments to IMO instruments which have entered into force or have become effective since 2023.
- (6) The Union is neither a member of the IMO nor a contracting party to the relevant conventions and codes. The Council should therefore authorise the Member States to express the position of the Union at A 34.
- (7) The scope of this Decision should be limited to the content of the proposed amendments, to the extent that they are capable of affecting Union common rules and fall under the exclusive competence of the Union. This Decision should not affect the division of competences between the Union and the Member States,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the International Maritime Organization (IMO) at the 34th session of its Assembly shall be to agree to the adoption of:

- (a) the Code on Alerts and Indicators, 2025, as set out in Annex 14 to IMO document MSC 110/21/Add.2, and the consequent revocation of IMO Assembly Resolution A.1021(26); and
- (b) the Survey Guidelines under the Harmonized System of Survey and Certification (HSSC), 2025, as set out in Annex 3 to IMO document III 11/16/Add.1, and the consequent revocation of IMO Assembly Resolution A.1186(33).

Article 2

The position to be taken on the Union's behalf as set out in Article 1 covers the proposed amendments to the extent that those amendments fall under the exclusive competence of the Union and to the extent that they may affect Union common rules. The position shall be expressed by the Member States which are all members of the IMO, acting jointly in the interest of the Union.

Minor changes to the position as set out in Article 1 may be agreed upon without a further decision of the Council.

Article 3

Member States are hereby authorised to give their consent to be bound, in the interest of the Union, by the proposed amendments, to the extent that those amendments fall under the exclusive competence of the Union.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at ..., ...

For the Council

The President
