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Subject:	COUNCIL DECISION on the position to be taken on behalf of the European Union within the International Maritime Organization's Marine Environment Protection Committee (MEPC) at its 85th session and at its resumed second extraordinary session, as well as the twenty-third meeting of its Intersessional Working Group on Reduction of GHG Emissions from Ships (ISWG-GHG) as regards the adoption of amendments to the International Convention for the Prevention of Pollution from Ships (MARPOL)

COUNCIL DECISION (EU) 2026/…

of …

on the position to be taken on behalf of the European Union within the International Maritime Organization's Marine Environment Protection Committee (MEPC) at its 85th session and at its resumed second extraordinary session, as well as the twenty-third meeting of its Intersessional Working Group on Reduction of GHG Emissions from Ships (ISWG-GHG) as regards the adoption of amendments to the International Convention for the Prevention of Pollution from Ships (MARPOL)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Articles 100(2) and 192(1), 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 85th session of the Marine Environment Protection Committee (MEPC 85) of the International Maritime Organization (IMO) is expected to take place from 30 November to 3 December 2026, preceded by the twenty-third meeting of the Intersessional Working Group on Reduction of GHG Emissions from Ships (ISWG-GHG 23).

(3) The second extraordinary session of the Marine Environment Protection Committee (MEPC/ES.2), which took place between 14 and 17 October 2025, was expected to adopt the IMO Net-Zero Framework in form of amendments to Annex VI to the International Convention for the Prevention of Pollution from Ships (MARPOL). However, the adoption of those amendments was postponed. MEPC 85 is expected to consider the resumption of MEPC/ES.2 on 4 December 2026 or decide to postpone it to a later time.

(4) In preparation for MEPC/ES.2, the Council adopted Decision (EU) 2025/2093[1]. That Decision states that the Union should support the introduction of the new chapter 5 of Annex VI to MARPOL concerning the IMO Net-Zero Framework, as set out in the Annex to IMO document MEPC/ES.2/2. This Decision amends Decision (EU) 2025/2093 by providing guidance for the position to be taken on the Union's behalf at MEPC 85, at MEPC/ES.2 and, at ISWG-GHG 23, in view of ongoing discussions during which the draft amendments might be further developed before their formal adoption.

(5) MEPC 84, which took place between 27 April and 1 May 2026, continued discussions and negotiations on the content of the draft amendments to Annex VI to MARPOL. The discussions focused on how to address remaining concerns and issues with the draft IMO Net-Zero Framework and on the preferred way forward on how to ensure making concrete progress in addressing those concerns, with a view to the adoption of IMO mid-term measures without any further delay.

[1] Council Decision (EU) 2025/2093 of 10 October 2025 on the position to be taken on behalf of the European Union within the International Maritime Organization's Marine Environment Protection Committee at its second extraordinary session as regards the adoption of amendments to the International Convention for the Prevention of Pollution from Ships (MARPOL) (OJ L, 2025/2093, 16.10.2025, ELI: http://data.europa.eu/eli/dec/2025/2093/oj).

(6) In preparation for MEPC 84, the Council adopted Decision (EU) 2026/1067[2], stating that the position to be taken on the Union's behalf at MEPC 84, based on a number of principles and orientations set out in its Annex, was to support the further consideration and adoption of measures that facilitate consensus-building and which are in line with the objectives set out in the 2023 IMO Strategy on the Reduction of GHG Emissions from Ships (2023 IMO GHG Strategy), taking into account the critical role of international shipping in the development of global trade and maritime transport services, supported by accessible available fuels to prevent disruptions.

(7) MEPC 84 agreed the terms of reference for ISWG-GHG 23 and instructed the working group, taking into account documents submitted to MEPC 84 and 85, previous sessions of ISWG-GHG, as well as documents submitted to ISWG-GHG 22 and 23, as applicable, to consider proposals, including those contained in the documents referred to above, on how to address concerns with the draft amendments to Annex VI to MARPOL on the Net-Zero Framework, in line with the 2023 IMO GHG Strategy, and report to MEPC 85.

(8) MEPC 85 is expected to consider proposals by IMO Parties on how to address concerns with the draft amendments to Annex VI to MARPOL on the Net-Zero Framework, in line with the 2023 IMO GHG Strategy, in order to reach convergence on a global measure. It will be followed by the resumed MEPC/ES.2, subject to confirmation by MEPC 85.

[2] Council Decision (EU) 2026/1067 of 27 April 2026 on the position to be taken on behalf of the European Union within the Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO) at its 84th session (OJ L, 2026/1067, 12.5.2026, ELI: http://data.europa.eu/eli/dec/2026/1067/oj).

(9) So far there are five sets of draft amendments to Annex VI to MARPOL under consideration by the IMO Parties at MEPC 85, namely, the amendments circulated by Australia, Canada, South Africa and the United Kingdom[3], by Brazil[4], by Liberia[5], by Tuvalu[6], and the original amendments to the IMO Net-Zero Framework[7]. The amendments circulated by Australia, Canada, South Africa and the United Kingdom present an updated version of the IMO Net-Zero Framework, updating the dates of application in order to take into account the one year delay of MEPC/ES.2, including editorial and clarificatory changes introduced by the IMO Secretariat in their MEPC/ES.2/2, as well as adding a limited number of other clarificatory amendments.

(10) At the same time, a number of other proposals are also under consideration by MEPC that include draft legal amendments or substantive proposals, even if not officially circulated by the IMO Secretary-General. It is also anticipated that additional proposals may be put forward containing draft legal text or not, for the consideration of MEPC.

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3 IMO Circular Letter No.5216 of 29 May 2026 and IMO document MEPC 85/3/8.
4 IMO Circular Letter No.5214 of 28 May 2026 and IMO document MEPC 85/3/6.
5 IMO Circular Letter No.5213 of 26 May 2026 and IMO document MEPC 85/3/5.
6 IMO Circular Letter No.5215 of 29 May 2026 and IMO document MEPC 85/3/7.
7 IMO Circular Letter No.5005 of 11 April 2025 and IMO document MEPC/ES.2/2.

(11) In anticipation of the discussions amongst IMO Parties, during which the draft MARPOL amendments might be further developed before their formal adoption, this Decision aims to set out guiding principles that the Union considers necessary to be fulfilled in order to support the final amendments to Annex VI to MARPOL. Those guiding principles should shape the position to be taken on behalf of the Union at MEPC 85 and MEPC/ES.2, as well as at ISWG-GHG 23, in order to facilitate the negotiations within IMO and, eventually, the adoption of regulatory text.

(12) It is appropriate to establish the position to be taken on the Union's behalf during MEPC 85 and MEPC/ES.2, as well as ISWG-GHG 23, in order to allow the Union to decisively participate in and influence the discussions that will shape the draft amendments to Annex VI to MARPOL, which will, if adopted, produce legal effects for Member States parties to MARPOL. Those amendments are capable of decisively influencing the content of Union law and fall under the exclusive competence of the Union.

(13) The Member States, on behalf of the Union, should act in line with the objectives of the Paris Agreement, of the 2023 IMO GHG Strategy and the Union's objectives to achieve climate neutrality by 2050.

(14) The position to be taken on the Union's behalf should be to support draft amendments to Annex VI to MARPOL that will include both a technical and an economic measure. The position to be taken on the Union's behalf should be to support the approval, adoption or other agreement on a text for mid-term greenhouse gases (GHG) reduction measures that allows flexibility for ships to comply with its GHG reduction targets, as long as effective enforcement of all flexibility options is ensured in a way that maintains a level playing field across the world fleet and results in the world fleet meeting, on average and on a well-to-wake basis, net-zero GHG emissions by or around, 2050.

(15) Since the postponement of MEPC/ES.2 in October 2025, negotiations have progressed and new proposals, including with legal amendments, have been put forward and are under consideration by MEPC. Ahead of ISWG-GHG 23 and MEPC 85 and the resumption of MEPC/ES.2, no legal text or proposal currently enjoys the widest level of support possible. Therefore, additional efforts are being made by the IMO Parties to combine proposals already put forward and converge further. If, notwithstanding the progress achieved so far, the negotiations during ISWG-GHG 23 and MEPC 85 reach an impasse and there is a motion to conduct a vote, the position to be taken on the Union's behalf should be to oppose the motion for a vote. In the event that the motion to conduct a vote succeeds and the IMO Parties are called to vote on the Net-Zero Framework, the position to be taken on the Union's behalf is set out in Decision (EU) 2025/2093. And, accordingly, the same position should apply to amendments set out in MEPC 85/3/8.

(16) The Union is neither a member of the IMO nor a contracting party to MARPOL. The Council should therefore authorise the Member States to express the position of the Union at ISWG-GHG 23, MEPC 85 and MEPC/ES.2.

(17) The scope of this Decision should be limited to the content of the discussions and any proposed amendments at ISWG-GHG 23, MEPC 85 and MEPC/ES.2, 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 Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO) at its 85th session (MEPC 85) and the resumed second extraordinary session of MEPC (MEPC/ES.2), as well as in the preceding twenty-third meeting of the Intersessional Working Group on Reduction of GHG Emissions from Ships (ISWG-GHG 23) is set out in Articles 2, 3 and 4, and in the guiding principles set out in the Annex.

Article 2

If MEPC 85 or MEPC/ES.2 considers approving, adopting or agreeing a combination of draft amendments to Annex VI to MARPOL on IMO greenhouse gas matters which attracts a greater level of support from the Parties to Annex VI to MARPOL than any of the draft amendments to Annex VI to MARPOL circulated by June 2026 put forward by Australia, Canada, South Africa and the United Kingdom (IMO document MEPC 83/3/8), by Brazil (IMO document MEPC 83/3/6), by Liberia (IMO document MEPC 83/3/5), by Tuvalu (IMO document MEPC 83/3/7), and the original amendments of October 2025 on the IMO Net-Zero Framework; and which fulfils the guiding principles set out in the Annex, the position to be taken on the Union's behalf shall be to support the approval, adoption or agreement of those amendments.

Article 3

1. If MEPC 85 or MEPC/ES.2 considers approving, adopting or agreeing on text, including legal amendments, which does not fulfil the guiding principles set out in the Annex, the position to be taken on the Union's behalf shall be not to support such a text and instead propose to postpone the discussion.

2. If MEPC 85 or MEPC/ES.2 considers approving, adopting or agreeing on text relating to the design of the technical element of the mid-term greenhouse gases (GHG) reduction measures, without incorporating text relating to the design of the economic element together with the technical element, the position to be taken on the Union's behalf shall be not to support such a text and instead propose to postpone the discussion.

Article 4

1. If MEPC 85 or MEPC/ES.2 considers conducting a vote on one of the draft amendments to Annex VI to MARPOL that have been circulated by June 2026 put forward by Australia, Canada, South Africa and the United Kingdom (IMO document MEPC 85/3/8), by Brazil (IMO document MEPC 85/3/6), by Liberia (IMO document MEPC 85/3/5), by Tuvalu (IMO document MEPC 85/3/7), or on the original amendments of October 2025 on the IMO Net-Zero Framework, the position to be taken on the Union's behalf shall be to oppose the motion to conduct a vote and instead propose to engage constructively in discussions.

2. Recognising that the circulated MARPOL amendments referred to in Council Decision (EU) 2025/2093 (IMO Net-Zero Framework) and the circulated MARPOL amendments set out in MEPC 85/3/8 and IMO Circular Letter No. 5216 of 29 May 2026 do not enjoy sufficiently broad support, the Union shall oppose the motion to conduct a vote on them, unless the positions of the Parties to Annex VI to MARPOL develop in a way that those amendments attract a greater level of support by the Parties to Annex VI to MARPOL.

If that motion goes through, the position to be taken on the Union's behalf:

(a) with regards to the IMO Net-Zero Framework shall be as set out in Decision (EU) 2025/2093;

(b) with regards to the MARPOL amendments set out in MEPC 85/3/8 shall be to support them.

Article 5

The position to be taken on the Union's behalf set out in Articles 2, 3 and 4 and in the guiding principles of the Annex shall be expressed by the Member States, which are all members of the IMO, as well as guide intersessional discussions of the Union leading to MEPC 85, acting jointly in the interest of the Union.

Minor changes to that position may be agreed upon without a further decision of the Council.

Article 6

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

Done at …, …

For the Council

The President