Council of the European Union

Brussels, 1 April 2020
(OR. en)

7115/20
ADD 1

Interinstitutional File:
2020/0046(NLE)

MAR 44

PROPOSAL

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	1 April 2020
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	COM(2020) 117 final - ANNEX 1
Subject:	ANNEX to the Proposal for a Council Decision on the position to be adopted, on behalf of the European Union, in the Port State Control Committee of the Paris Memorandum of Understanding on Port State Control

Delegations will find attached document COM(2020) 117 final - ANNEX 1.

Encl.: COM(2020) 117 final - ANNEX 1

EUROPEAN
COMMISSION

Brussels, 31.3.2020
COM(2020) 117 final

ANNEX 1

ANNEX

to the

Proposal for a Council Decision

on the position to be adopted, on behalf of the European Union, in the Port State Control Committee of the Paris Memorandum of Understanding on Port State Control

ANNEX I

The position to be taken on behalf of the European Union in the Paris Memorandum of Understanding on Port State Control

GUIDING PRINCIPLES

In the framework of the Paris Memorandum of Understanding on Port State Control (Paris MOU), the Union shall:

(a) act in accordance with the objectives pursued by the Union, notably to improve maritime safety, pollution prevention, and on-board living and working conditions through a drastic reduction of substandard ships by strictly applying international Conventions and codes;

(b) promote the implementation of an harmonised approach by members of the Paris MOU to the effective enforcement of these international standards in respect of ships sailing in the waters under their jurisdiction and using their ports;

(c) work together within the Paris MOU to achieve a comprehensive inspection scheme and the sharing of the inspection burden in an equitable manner, in particular by the adoption of the annual inspection commitment drawn up in accordance with the agreed methodology set out in Annex 11 to the Paris MOU;

(d) work within the Paris MOU to promote the recruitment, retention and training by members of the Paris MOU of the requisite number of staff, including qualified inspectors, taking into account the volume and characteristics of shipping traffic at each port;

(e) ensure that measures adopted within the Paris MOU are consistent with international law, and in particular with international Conventions and codes relating to maritime safety, pollution prevention, and on-board living and working conditions;

(f) promote the development of common approaches with other bodies carrying out Port State Control;

(g) ensure the coherence with other Union policies, notably in external relations, security, and the environment.

ORIENTATIONS

In order to ensure the smooth year-to-year functioning of the Union's Port State control regime in accordance with Directive 2009/16/EC, the Union shall endeavour to support the adoption of the following actions by the Paris MOU:

1. The following elements of the ship risk profile used to target vessels for inspection:

   (a) the white, grey and black flag list in accordance with the formula developed by the Paris MOUand set out in the Annex to Commission Regulation (EU) No 801/2010[1];

   (b) the performance list for recognised organisations in accordance with the methodology adopted by Port State Control Committee ('PSCC') at the PSCC 37 in May 2004 (Agenda Item point 4.5.2);

[1] Commission Regulation (EU) No 801/2010 of 13 September 2010 implementing Article 10(3) of Directive 2009/16/EC of the European Parliament and of the Council as regards the flag State criteria (OJ L 241, 14.9.2010, p. 1).

(c) the average deficiency and detention ratio for the company performance formula on the basis of the Annex to Commission Regulation (EU) No 802/2010[2].

2. Ensure that any changes or updates to the procedures and guidelines of the Paris MOU are consistent with the objectives pursued by the Union, notably to improve maritime safety, pollution prevention, and on-board living and working conditions.

[2] Commission Regulation (EU) No 802/2010 of 13 September 2010 implementing Article 10(3) and Article 27 of Directive 2009/16/EC of the European Parliament and of the Council as regards company performance (OJ L 241, 14.9.2010, p. 4).