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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. prev. doc.:	7252/21
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Subject:	Proposal for a COUNCIL DECISION on the position to be taken on behalf of the European Union in the International Maritime Organization during the 103rd session of the Maritime Safety Committee and the 76th session of the Marine Environment Protection Committee on the adoption of amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, the International Code on the enhanced programme of inspections during surveys of Bulk carriers and Oil tankers, the International Code for Fire Safety Systems and the International Convention on the Control of Harmful Anti-fouling Systems on Ships – Commission statement

Delegations will find attached a statement by the Commission to be included in the minutes of the Permanent Representatives Committee and of the Council.

ANNEX

Commission statement

The adoption by the IMO of the proposed amendments to the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, to the International Code on the enhanced programme of inspections during surveys of Bulk carriers and Oil tankers, to the International Code for Fire Safety Systems and to the International Convention on the Control of Harmful Anti-Fouling Systems on Ships affects existing Union legislation. As such, these amendments fall therefore entirely within the exclusive external competence of the Union. In any event, in accordance with established case-law, in particular case C-600/14, the EU external competence is not limited to exclusive competence. The Union position established in respect of those proposed amendments cannot be limited in scope and must be understood as covering them in their entirety.