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WORKING DOCUMENT

From:	General Secretariat of the Council
To:	Delegations
Subject:	57th session of the Port State Control Committee of the Paris MoU (PSCC 57) (Madrid, Spain, 6-10 May 2024) – Non-paper from the Commission drafted to facilitate EU coordination

Delegations will find attached a non-paper from the Commission drafted to facilitate EU coordination for the above-mentioned PSCC session, **revised in the light of the discussions at the Shipping Working Party meetings on 15 and 22 April 2024 and subsequent informal silence procedure.**[†]

[†] — General scrutiny reservation: SE, COM.

NON PAPER
ON THE POSITION OF THE UNION FOR THE MAY 2024
MEETING OF THE PORT STATE CONTROL COMMITTEE OF THE PARIS
MEMORANDUM OF UNDERSTANDING
ON PORT STATE CONTROL

(PSCC 57, 6 – 10 May 2024, in Madrid, Spain)

This non-paper is submitted in accordance with Council Decision (EU) 2020/722² in view to establishing the position of the Union for an annual meeting of the Port State Control Committee (PSCC) of the Paris Memorandum of Understanding on port State control.

This document lists all the documents received and published on the Paris MoU website.

The comments by the Commission are printed in *italics*. The proposed position of the Union is printed in ***bold italics***.^{3 4}

² OJ L L171, 2.6.2020, p. 4.

³ Member States urge the Commission to use agreed and long-established wording for EU coordination documents for Paris MoU.

⁴ Reservation: the Commission (on all deletions/amendments to the coordination document).

General

Relevant positions agreed in earlier EU Paris MoU coordination papers remain valid – as far as still applicable – for this EU PSCC57 coordination.

Directive 2009/16/EC sets out the Union's legal regime on port State control, reformulating and reinforcing the previous Union legislation which had been in place in this field since 1995. The Union's port State control is based on the Paris Memorandum of Understanding on Port State Control (the 'Paris MOU'), which was signed in Paris on 26 January 1982.

As regards the Union Member States, Directive 2009/16/EC effectively brings the procedures, tools and activities of the Paris MOU within the scope of Union law. By virtue of that Directive, certain decisions taken by the Port State Control Committee ('PSCC') established by Section 7 of the Paris MOU become binding on the Union Member States.

Agenda item 1 – Time table

PSCC57/1.0

Agenda item 2 – Adoption of the agenda

PSCC57/2.0AREV (Secretariat): provides the provisional agenda for PSCC57.

PSCC57/2.0B (Chairman): set the schedule of the agenda items.

~~*The position of the Union: Agree with the agenda.*~~

Agenda item 3 – Reports from MoU Bodies

PSCC57/3.1 (MAB): provides an outline of the activity of the Paris MoU Advisory Board (MAB) since PSCC56 and invites the Committee to note and comment as appropriate.

PSCC57/3.2A (Secretariat): reports on the 37th meeting of the Technical Evaluation Group (TEG 37) and invites the Committee to note the information provided and to comment as appropriate.

PSCC57/3.2B (Chairman of TEG): presents the report of the TEG Chairman on the outcome of the TEG 37 and invites the Committee to comment and take any action deemed necessary.

PSCC57/3.3 (Secretariat): presents the draft 2023 Annual Report on the implementation of the Paris MoU and invites the Committee to: (i) consider and, subsequently, adopt the 2023 statistics, including the new White Grey Black (WGB) list and the recognised organisation performance list, which will be used for targeting purposes in the Paris MoU Region starting 1 July 2024; (ii) request the Secretariat to finalise the report, to process the report in an attractive lay-out and undertake production and dissemination of the 2023 Annual Report as soon as possible.

- EU relevance

Commission Regulation (EU) No 801/2010 of 13 September 2010 implementing Article 10(3) of Directive 2009/16/EC as regards the flag State criteria lays down the calculation method for the flag State performance, the so called WGB list, and the RO performance list. The Regulation refers to the figures adopted in accordance with the Paris MoU.

~~The position of the Union is as follows:~~ Member States, members of the Paris MOU, and the Commission shall:

- ~~1. take note of the content of documents PSCC57/3.1, PSCC57/3.2A and PSCC57/3.2B.~~**
- 2. endorse the actions proposed in document PSCC57/3.3 paragraph 11., that is, to consider and, subsequently, adopt the text and 2023 statistics, including the new WGB list and the RO Performance list, which will be used for targeting purposes starting 1 July 2024.⁵**

Agenda item 4 – More effective use of resources

4.1 Concentrated inspections campaigns (CICs)

PSCC57/4.1.1A (TEG/TF42): provides a report on CIC on fire safety carried out by the Paris MoU and Tokyo MoU between 1 September 2023 and 31 November 2023; invites the Committee to approve the report and decide on the most appropriate way to communicate the results.

⁵ ES has a **reservation** on the statistics for 2023, since they, as in previous years, give equal status to dependent territories, which are ports of registry and not flag States, and flag States.

PSCC57/4.1.1B (MAB): reports on the results from the Focused Inspection Campaign on Pilot Transfer Arrangements carried out from 10 July to 9 August 2023 and invites the Committee to consider the information provided and comment as appropriate.

PSCC57/4.1.1C (MAB): reports on the results from the Focused Inspection Campaign on Electronic Chart Display and Information System (ECDIS) carried out from 1st to 28th January 2024 and invites de Committee to consider the information provided and comment as appropriate.

PSCC57/4.1.1D (MAB): Not yet available.

PSCC57/4.1.2A (MAB): provides a summary on previous agreements for future CICs adopted during PSCC56, invites the Committee to consider and comment as appropriate.

PSCC57/4.1.2B (Tokyo MoU Secretariat): provides an updated list of Tokyo MoU topics for future joint CICs and invites the Committee to consider the submission and comment as appropriate.

PSCC57/4.1.2C (MAB): expands on the discussions during the PSCC56 and MAB on the enhancement of the effectiveness of the CICs and invites the Committee to consider and comment on the document as appropriate; comments on the results from the trial period; agrees that the trial has demonstrated sufficient potential and to continue this process; agrees to the desirability to maintain a system of joint-campaigns with the Tokyo MoU; agrees to the tentative time-frame mentioned in the document, agrees to re-establish TF41 with the Terms of Reference as proposed in the document; agrees to continue the trials and to continue to give a mandate to MAB for its further implementation, requests the Information System Manager to develop proposals, based on the outcome of TF41, aligning TF41 and TF06 developments, to change the current coding system and/or recording in THETIS and to report to TEG38 and PSCC58 respectively.

PSCC57/4.1.3 (TEG/TF35): provides an update on work on the 2024 CIC on Crew wages and Seafarer Employment Agreements under the Maritime Labour Convention (MLC, 2006) and invites the Committee to adopt the questionnaire and guidelines to be used for the CIC, agrees for EMSA and TF35 should develop a e-learning tool for the CIC and agrees on the organisation of training seminar dedicated to the CIC in June 2024.

PSCC57/4.1.4 (TEG/TF33): provides an update on the work completed by TF33 since PSCC56 on a CIC on Ballast Water Management (BWM) in 2025. Consider the draft questionnaire and comment as appropriate; and agree that TF33 to work intersessionally to finalize the questionnaire and develop the guidelines.

PSCC57/4.1.5 (TEG/TF57): provides an update on the work completed by TF57 since PSCC56 for a CIC on Cargo Securing in 2026. Consider the draft questionnaire and comment as appropriate; and agree that TF57 to work intersessionally to finalize the questionnaire and develop the guidelines.

Background

- Enhancing Effectiveness of CICs (PSCC57/4.1.2C)

Since PSCC55 the Paris MoU has been working to improve Concentrated Inspection Campaigns. Based on the outcome of the analysis, MAB recommended to PSCC56 that it would be desirable to gain experience with a different approach to CICs, e.g. by conducting several focused inspection campaigns (FICs) with a limited impact on the regular inspection process. PSCC56 endorsed the proposal and provided a mandate to MAB for its implementation.

The document PSCC57/4.1.2C reports on the results of trials. Between PSCC56 and PSCC57, three FICs have been carried out:

- .1 Pilot Transfer Arrangements, held from 10 July – 9 August 2023;*
- .2 ECDIS, held from 1 - 28 January 2024; and*
- .3 Galley, including equipment and staff, held from 5 February – 3 March 2024.*

Given the positive experiences with the FICs to date, MAB advises the Committee to – at least – build on a similar format of short, targeted inspection campaigns in the future. The way in which such campaigns are initiated, prepared, implemented and reported could then be further elaborated by a dedicated Task Force. MAB proposes to re-establish Task Force 41 for this purpose.

The position of the Union is as follows: Member States, members of the Paris MOU, and the Commission shall:⁶

- 1. endorse – in principle – the actions proposed in the document PSCC57/4.1.1A, in particular, approve the report on the CIC on Fire Safety 2023;**

⁶ Reservation on EU exclusive competence for CICs: NL.

- ~~2. take note of the content of documents PSCC57/4.1.1B, PSCC 57/4.1.1C, PSCC57/4.1.2A, PSCC57/4.1.2B, PSCC 57/4.1.3, PSCC57/4.1.4 and PSCC57/4.1.5.~~
3. endorse – in principle – the action proposed in the document PSCC57/4.1.2C on the effectiveness of the CICs in paragraph 18, ~~in particular, agree to continue the trial on FICs and to continue to give a mandate to MAB for its further implementation, maintain a system of joint campaigns with the Tokyo MoU and agree to re-establish TF41.~~

4.2 Inspection Regime

PSCC57/4.2.2B (TF31): invites the Committee to endorse the regional commitment⁷ and the fair share for 2025; ask the system manager to implement the new figures from 1 January 2025 and task TF31 to calculate the regional commitment/fair share for 2026.

PSCC57/4.2.2C (MAB/TF31): invites the Committee to adopt the average detention and deficiency ratio, ask the system manager to implement the new figures from 1 July 2024 and task TF31 to calculate the average detention and deficiency ratio for adoption at PSCC58.

PSCC57/4.2.3 (TEG/TF52): contains a summary of the work carried out by TF52 on the analysis of current and future consequences of the COVID-19 pandemic in relation to the various areas in the work of the Paris MoU and invites the Committee to; notes and comment in general, notes and comments on the analysis on the inspection regime; agrees that both terms of reference have been completed and agree to de-activate the Task Force, decide on which other task force would be most appropriate to continue to monitor the situation, and task accordingly.

PSCC57/4.2.4 (MAB): provides an action list to prepare alignment between the MoU and the revised EU-directive on port State control and invites the Committee to; considers the actions presented in the document, agrees to close out the term of reference given to the TF31 by PSCC56 in relation with the revision of the Directive 2009/16/EC and provides MAB with a mandate to work on the actions and possible future actions deemed necessary by MAB to align the MoU with the amended Directive.

⁷ Article 5, Directive 2009/16/EC.

EU relevance

The issue of the existence of adequate port State control is a matter falling under EU exclusive competence pursuant to Directive 2009/16/EC. Article 5(2)(b) of Directive 2009/16/EC provides that the fair share calculation should be based on the number of inspections carried out in the Paris MoU region. In the light of the relevance of the Paris MoU for port State control, that calculation is formally adopted each year at PSCC. Commission Regulation (EU) No 802/2010, as amended by Commission Regulation (EU) No 1205/2012, provides how to establish an average detention and deficiency ratio. The Regulation refers to the figures adopted in accordance with the Paris MoU.

The position of the Union is as follows: Member States, members of the Paris MOU, and the Commission shall:

1. **agree to the actions proposed in document PSCC57/4.2.2B, in particular to endorse the regional commitment and the fair share calculation according to Annex 11 of the Paris MoU;**
2. **agree to the actions proposed in document PSCC57/4.2.2C in particular to adopt the average detention and deficiency ratios;**
3. **~~note~~ agree to the actions proposed in document PSCC57/4.2.3 in particular the analysis on the inspection regime and agree to de-activate Task Force 52.**
4. **~~agree to the actions proposed in relation to~~ document PSCC57/4.2.4, ~~in particular to close out the term of reference given to the TF31 by the PSCC56 in relation with the revision of the directive 2009/16/EC and to provide MAB with a mandate to work on the actions and consider possible future actions deemed to align the MoU with the new PSC Directive.~~⁸**

⁸——— Scrutiny reservation: NL.

4.3 Harmonization of inspection/detention regimes

PSCC57/4.3.1 (Secretariat): provides and update of the PSCC instructions and invites the Committee to consider and approve the listed updated PSCC Instructions and revoke the relevant previous versions mentioned in Annex 1 of the document; approve the actions on Circulars mentioned in Annex 1; request the Secretariat to post on the public website those instructions that the Committee has decided may be made public; consider and decide on task forces and their ToRs, including those to be re-activated, consider and approve the amendments proposed to PSCC Instruction 50/2017/07P (List of Recognized Organizations) with effect from 1 July 2024, note that PSCirculars 74 and 77 will need to be incorporated in a PSCC Instruction (ref. paragraph 8.20, agree to the proposal to incorporate the approach to IMO resolutions in the baseline instruction (paragraph 10) and provide MAB with a mandate to finalise draft PSCC57/2024/01P – Specific ToRs for TFs – based on the decisions of PSCC57 and on the update of TF-participants provided by member Authorities.

PSCC57/4.3.2 (Secretariat): no proposals on definitions or abbreviations have been made.

PSCC57/4.3.3 (TEG/TF16): provides an update on the PSCC instruction on STCW and invites the Committee to approve the amendments made, agree that the instruction may be public, agree that the deficiency code Fitness for duty-intoxication (09237) is kept active.

PSCC57/4.3.4 (TEG/TF51): provides a summary of the progress of work carried out by TF51 on digitalisation and invites the Committee to note and comment in general, note and comment as appropriate on the rolling agenda on digitisation, discuss and decide as appropriate on removing the task “More flexible technical supporting information system” from TF51’s rolling agenda, discuss and decide as appropriate on the proposal to add “Maritime Single Window” to TF51’s rolling agenda, discuss and decide as appropriate that TF16 would revise the PSCC Instruction on STCW to include the use of electronic certificates for seafarers; and discuss and decide as appropriate on a new Term of Reference for TF51: to draft a new PSCircular covering digital logbooks and records.

PSCC57/4.3.5 (TEG/TF54): Verbal update

PSCC57/4.3.6 (TF55): provides a progress report of TF55 on regulatory complexity since PSCC56 and invites the Committee to comment as appropriate, consider the review carried out on the PSCC Instructions, consider the proposal to task active TFs to further review the instructions, re-activate the TFs as applicable per annex 1 to further review the instructions and task TF55 to scrutinize already reviewed instructions for any further essential changes and continue the review for the remaining instructions, invite members to join TF55, considering the extent of the ongoing work, agree to add the proposed ToR to all TFs involved and consider to review the numbering system.

PSCC57/4.3.7 (TF56): provides a report of the work undertaken by TF56 on the industrial personnel (IP) Code and invites the Committee to comment on the draft instruction, agree that the draft instruction at annex is adopted; and agree that the instruction may be made public.

PSCC57/4.3.8 (TEG): not yet available

PSCC57/4.3.9 (TEG/UK): not yet available

PSCC57/4.3.10 (TEG): considers the possibility to the Hong Kong International Convention for the Safe and Environmentally as relevant instrument of Paris MoU and invites the Committee to comment as appropriate, to consider if criteria for the inclusion of a convention as Relevant Instrument need to be developed, consider if the Hong Kong Convention could be added as Relevant Instrument per 1 July 2025 and if so, consider the need for a task force for the development of a PSCC instruction and associated deficiency codes, request the Information System Manager to update the database in line with the decisions made by PSC, and request the Secretariat to prepare an amendment to the Paris Memorandum of Understanding to include the Hong Kong Convention as a Relevant Instrument, for adoption at PSCC58.

Background

– Guidance on STCW (PSCC57/4.3.3)

TF16 was instructed by PSCC56 to scrutinize the instruction on STCW within the principles and guidance of the baseline instruction developed by TF55 on regulatory complexity. The TF was also instructed to liaise with the Coding Steering Board on issues regarding the implementation of new codes and to ensure that the guidance is drafted in such a way that the contents can be made public, taking into account the Style Guide.

During the discussion at TEG37 it was noted that the instruction was not aligned with the style guide and the work of TF55 on regulatory complexity. Further work was carried out on the instruction, following TEG, to align it with the draft prepared by TF55. The task force agreed that the aligned document should be presented to PSCC57 for adoption.

– Digitalisation (PSCC57/4.3.4)

PSCC54 established TF51 to create and maintain a programme/rolling agenda on digitisation as well as the role of port State control officers and to identify tasks to be undertaken and allocate the work for further development based on the impact analyses either to TF51 or another specific task force. The document PSCC57/4.3.4 provides an update of the work of the TF51 since PSCC56.

– Regulatory complexity (PSCC57/4.3.6)

Following discussions at PSCC52 regarding the current regulatory complexity of the Paris MoU, at PSCC54 MAB presented a first initiative to facilitate access to the information contained in the various Paris MoU documents. PSCC54 then agreed to establish a Task Force on the matter.

At PSCC56 nine redrafted PSCC Instructions were presented. During PSCC56 it was envisaged that tentatively the redraft on the current technical Instructions, aligning them with the instruction on basic principles could be completed and presented at next Committee and then after PSCC57, the various Task Forces could be involved, with the aim to finalise the work at PSCC58.

At TEG37 members commented that the work of the TF is extensive and assistance from other TFs might be needed to further review and update the content of the instructions, where necessary. It was also suggested that TF55 should focus on the base instruction and the relevant TFs on the specific PSCC instructions and, if needed, non-active TFs could be reactivated.

– Other conventions that may be acceptable as relevant instrument (PSCC57/4.3.10)

The Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, adopted in 2009 by the IMO, is a global treaty that sets out the minimum standards for ship recycling. The Hong Kong Convention was adopted in May 2009 and will come into force on 26 June 2025, the Paris MoU therefore proposes to include this Convention in the list of the relevant instruments enforceable by Paris MoU members.

It should be recalled that, in the context of the revision of the Directive 2009/16/EC on port State control, the inclusion of the Hong Kong Convention in the list of the relevant instrument of the PSC directive was proposed. The co-legislators have approved this inclusion.

EU relevance

The issue of the existence of adequate port State control is a matter falling under EU exclusive competence based on Article 1 of Directive 2009/16/EC.

Article 15 of Directive 2009/16/EC stipulates that Member States shall ensure that their inspectors follow the inspection procedures and guidelines specified in Annex VI of the Directive.

In order to facilitate the entry into force of the Hong Kong Convention the EU has adopted a specific regulation regarding the ship recycling. The objective of the Regulation (EU) No 1257/2013¹ on ship recycling (SRR) is to prevent, reduce, minimise and, to the extent practicable, eliminate accidents, injuries and other adverse effects on human health and the environment caused by ship recycling.

The position of the Union is as follows: Member States, members of the Paris MOU, and the Commission shall:

- 1. Endorse – in principle – the actions proposed in document PSCC57/4.3.1, paragraph 12;**
- 2. endorse – in principle – the actions proposed in document PSCC57/4.3.3 in particular the adoption of the draft instruction on STCW and agree to make it public;**
- ~~3. take note of the content of the documents PSCC57/4.3.4 on the TF51 progress report on digitalisation, PSCC57/4.3.6 on the TF55 progress report on regulatory complexity and PSCC57/4.3.7 on the TF56 progress report on IP Code~~**
- 4. agree – in principle – with the actions proposed in document PSCC57/4.3.10, in particular to include the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships in the list of relevant instruments of Paris MoU from 1 July 2025.**

4.4 Issues related to recognized organizations

No paper

4.5 Amendments to the MoU

No paper

4.6 Management of future requirements and developments

PSCC57/4.6.1(MAB): provides list of the future requirements of the relevant instruments that could affect the work of the Paris MoU and invites the Committee to consider the updated Future Requirements table and note/comment as appropriate the information provided by the reports of the IMO MSC 107 and MEPC 80 meetings.

~~The position of the Union is as follows:~~

- ~~1. take note of the content of document PSCC57/4.6.1.~~*

Agenda item 5 – Review of performance of Paris MoU members

PSCC57/5.1 (TEG/TF21): an evaluation of MOU statistics. This concerns enhanced monitoring proposals and a change of a table in the Annual Report related to CIC results and invites the Committee to agree to maintain the term of reference to follow-up on action 6.1.10 of the Ministerial Conference, agree on the developed topics of enhanced monitoring as proposed, taking into account possible lay-out improvements, with the exception related to the inspections with 12 or more deficiencies and no detention and agree to publish the table on the CIC results in the Annual Report as proposed.

PSCC57/5.2 (MAB): presents an update on cases submitted to the Detention Review Panel (DRP) and invites the Committee to note the information provided and comment as appropriate and given the limited number of cases in the trial period (only one case in 2023) for the new DRP trial procedure, request to extend the trial for another year.

PSCC57/5.3-INF (Secretariat): informs the Committee of any planned visits to non-EU member States by a Paris MoU Peer Review team and invites the Committee to note the document and encourage non-EU member States volunteering to participate in a Peer Review.

PSCC57/5.4-INF (EC): This paper summarises the main findings from the third cycle of visit to States carried out between 2017 and 2022 by EMSA as part of its programme of inspection of the implementation of the EU Directive on port State control as amended, on behalf of the European Commission.

Background

– Change in setup of Detention Review Panel

In 50% of the Detention Review Panel (DRP) cases there had been no unanimous recommendation, which indicates a lack of a harmonised understanding among Members. For that reason, MAB proposes a trial with a different approach to the detention review process.

In the proposed change of procedure, the DRP will consist of four members from the Authorities plus the Secretariat. The Secretariat will collect all relevant information for cases and the task of the Panel will be to consider the procedural and technical aspects of the inspection. The Panel members will submit their opinion to the Secretariat. If all panel members have the same recommendation, the case will be closed, and the outcome shared with the port State and flag State/RO. When no unanimous recommendation is achieved, a virtual meeting will be organized by the Secretariat to discuss the difference in opinions to see if unanimity can be achieved. If no unanimity is achieved, the outcome will be by majority.

PSCC56 endorsed a trial for a different detention review process (ref PSCC56/5.2A). Given the limited number of cases in 2023 (only one), it is premature to draw conclusions from the trial. PSCC57 is requested to prolong the trial for another year.

The position of the Union is as follows:

***1. — take note of the content of documents, PSCC57/5.1, PSCC57/5.2, PSCC55/5.3-INF;
PSCC57/5.4-INF***

Agenda item 6 – Effective information of the Paris MoU

PSCC57/6.1.1 (TF6): provides a progress report of the work of TF6 since PSCC56 under its specific terms of reference as amended and endorsed by PSCC56 invites the Committee to note the information provided and note as appropriate.

PSCC57/6.1.2 (EMSA/THETIS): provides information on the system status and an overview of THETIS related activities undertaken since PSCC56 and invites the Committee to note the information and comment as appropriate.

PSCC57/6.3 (Secretariat): reflects discussions held during the workshop on the quality of recorded inspection results and information and invites the Committee to decide on a way forward in how to follow-up on the outcome of the workshop.

The position of the Union is as follows:

1. ~~take note of the content of documents PSCC57/6.1.1, PSCC57/6.1.2 and PSCC57/6.3~~

Agenda item 7 – Training of port State control officers

7.1 Training regime

PSCC57/7.1.1A (TEG/TF34): provides presents the revised Training Policy as discussed and agreed TF34 on the development on training policy and invites the Committee to note the information provided and comment as appropriate, approve the proposed revised Training Policy for entry into force on 1 January 2025.

PSCC57/7.1.2-INF (EMSA): provides an overview of the development of the e-Learning programme since PSCC56, summarising the main developments and tasks undertaken since PSCC56 and work completed in 2023; and invites the Committee to note and comment as appropriate.

PSCC57/7.2 Report on training activities (Secretariat/EMSA): provides a description of the training activities conducted in 2023/2024 by the Paris MoU and EMSA and invites the Committee to note the information provided and on the training programme for 2024 and comment as appropriate.

PSCC57/7.3.1-INF (EC/EMSA): provides an overview of the development of RuleCheck since PSCC56 including an update of the last IMO and Paris MoU documents incorporated and invites the Committee to note the information provided and comment as appropriate.

PSCC57/7.3.2 (Secretariat): Document not available

~~*The position of the Union is as follows: Member States, members of the Paris MOU, and the Commission shall:*~~⁹

- ~~*1. agree in principle with the actions proposed in document PSCC57/7.1.1, in particular, approve in principle the proposed revised Training Policy for entry into force on 1 January 2025 and to consider the "Member State On Site Training" and the possible inclusion thereof into the new training policy, taking into account the practical and budgetary implications.*~~
- ~~*2. take note of the content of documents PSCC57/7.1.2-INF, PSCC57/7.2-INF and PSCC57/7.3.1-INF.*~~

Agenda item 8 – External relations

8.1 Policy on new membership

PSCC57/8.1.1 (Secretariat): This document brings to your attention a letter from the Ministry for Communities, Territories and Infrastructure Development of Ukraine, expressing the request to become a member of the Paris MoU and invites the Committee to assess whether Ukraine should be invited to complete the self-evaluation questionnaire to begin the process to become a Co-operating Member.

EU relevance

Membership of the Paris MoU for appropriately qualified EU candidate States should be supported. If individual Member States, rather than the EU, had competence to decide whether or not to accept the accession of a new third State to the Paris MoU, there would be a risk of undermining the uniform and consistent application of Directive 2009/16/EC (see, by analogy, Opinion 1/13, EU:C:2014:2303, paragraphs 88-89), hence this items fall under EU exclusive external competence.

~~*The position of the Union is as follows: Member States, members of the Paris MOU, and the Commission shall:*~~

- ~~*1. agree – in principle – that Ukraine can be invited to complete the self-evaluation questionnaire to begin the process to become a co-operating member of the MOU.*~~

⁹Scrutiny reservation MT, EL, CY.

8.2 Inter-regional co-operation and policy

PSCC57/8.2.1-INF (International Labour Office): not yet available

PSCC57/8.2.2-INF (IMO Secretariat): not yet available.

PSCC57/8.2.3-INF (Viña del Mar Agreement Secretariat): presents the 2023 Annual Statistical Report on the activities of the Viña del Mar Agreement on Port State Control of Vessels and invites the Committee to take note of information provided.

PSCC57/8.2.4-INF (Tokyo MoU Secretariat): inform the outcome of the Tokyo MoU PSCC34 meeting and invites the Committee to take note of information provided and comment as appropriate.

PSCC57/8.2.5-INF (Caribbean MoU Secretariat): introduces the Caribbean Memorandum of Understanding on Port State Control (CMOU) Statistical Report and activities for 2023 and comment as appropriate.

PSCC57/8.2.6-INF (Mediterranean MoU Secretariat): presents a summary of the Mediterranean MoU on PSC recent activities and a summary of statistical report of the first results of inspection data for year 2023, and first results of 2023 CIC on fire safety and invites the Committee to take note of information provided and comment as appropriate.

PSCC57/8.2.7-INF (Indian Ocean MoU Secretariat): not yet available..

PSCC57/8.2.8-INF (Abuja MoU Secretariat): not yet available.

PSCC57/8.2.9-INF (Black Sea MoU Secretariat): informs on recent developments in the BS MoU region and invites the Committee to note the information provided and comment as appropriate.

PSCC57/8.2.10-INF (Riyadh MoU Secretariat): not yet available.

PSCC57/8.2.11-INF (U.S. Coast Guard): not yet available.

The position of the Union is as follows:

- 1. take note of the content of documents ~~PSCC57/8.2.3-INF, PSCC57/8.2.4-INF, PSCC57/8.2.5-INF, PSCC57/8.2.6-INF and PSCC57/8.2.9-INF.~~***

8.3 Co-operation/exchange of information with other organizations

PSCC57/8.3.1 (MAB/Secretariat): not yet available.

PSCC57/8.3.2A (Secretariat): provides a report on the Eighth IMO PSC Workshop held from 14 to 17 November 2023 and invites the Committee to note the information provided and to comment as appropriate.

PSCC57/8.3.2B (Secretariat): summarizes the recommendations of the 8th IMP PSC workshop and invites the Committee to note the recommendations in the annex and to consider the actions proposed in the paragraphs 14.1, 21, 25.1, 25.2, 31.1, 31.2 and 70.

PSCC57/8.3.3-INF (Secretariat): contains developments in the Equasis Editorial Board and invites the Committee to note the report of the Board and to comment as appropriate.

~~The position of the Union is as follows:~~

- 1. take note of the content of the documents PSCC57/8.3.2A, PSCC57/8.3.2B and PSCC57/8.3.2-INF***

8.4 Report actions 3rd Joint Ministerial Conference (JMC) on Port State Control –

PSCC57/8.4 (MAB/Canada): presents the proposed new framework for maintaining and updating the follow-up actions emanating from the Third Joint Ministerial Conference (2017).

~~The position of the Union is as follows:~~

- 1. take note of the content of document PSCC57/8.4***

8.5 Transparency of Information

PSCC57/8.5.1 (MAB/Secretariat): informs the Committee on the status of the "Enhanced Effectiveness" process and invites the Committee to note and comment as appropriate.

~~The position of the Union is as follows:~~

- 1. take note of the content of document PSCC57/8.5.1***

Agenda item 9 – Paris MoU internal policy, financial and administrative matters

9.1 Measuring of Key Performance Indicators (KPIs) related to Strategic Plan 2018-2023

PSCC57/9.1 (MAB): provides the Paris MoU Strategic Plan 2023 – 2028 including the Communication Strategy and Plan, the Action Plan 2024 – 2025 and the measurement of KPI and invites the Committee to note the information provided and comment as appropriate; adopt the Action Plan 2024 – 2025, agree on measurement of the KPIs for “2023”, request MAB to submit an updated Action Plan 2025 – 2026, including KPIs to PSCC58, where appropriate.

9.2 Report of the Secretariat Paris MoU

PSCC57/9.2 (MAB): provides information of the Secretariat Paris MoU regarding the Paris MoU website, Data sharing experiences, the Quality Management System, Review of dates and places of the Paris MoU meetings, List of Paris MoU addresses & Financial contacts, the Participation of members, cooperative members and observers in meetings and feedback on the work of the Paris MoU Secretariat and invites the Committee to note the information provided and comment as appropriate, urge members, observers and other MoUs to actively contribute to the work of the Paris MoU by their representation and participation in the meetings of the respective bodies of the Paris MoU as well as by participating in training programmes offered by the Paris MoU; inform the Paris MoU member Authorities, who have an interest in hosting a future TEG meeting, Specialized Training or Seminar, to contact the Secretariat; and individually inform the Secretariat of changes in personnel regarding financial or administrative contacts

9.3 Financial account 2023

PSCC57/9.3 (Secretariat): not yet available

9.4 Paris MoU Budget 2024-2027

PSCC57/9.4 (Secretariat): not yet available

9.5 Status of Relevant Instruments

PSCC57/9.5 (Secretariat): reports on the status, as of 1 February 2024, of the Relevant Instruments of the Paris MoU on PSC and invites the Committee to take note of the information provided in this document and its Annex, and to comment as appropriate; and urge member States that have not yet done so, to consider, as a matter of priority and in order to enhance the effectiveness of the Paris MoU as a whole, becoming parties to all the instruments that are relevant to the Paris MoU.

~~The position of the Union is as follows:~~

- ~~1. take note of the content of documents PSCC57/9.1, PSCC57/9.2 and PSCC57/9.5.~~*

Agenda item 10 – Election of the Chair PSCC, vice-Chair PSCC and member(s) of MoU Advisory Board

10.1 Election of the Chair and vice-Chair of the PSCC

No paper.

10.2 Election of member(s) of MoU Advisory Board (MAB)

No paper.

Agenda item 11 – Any other business

11.2 Maritime Anti-Corruption Network

PSCC57/11.1 (MAB): provides information about the follow-up actions taken by the Secretariat and by MAB. on reported incidents of corruption received from the NGO “Maritime Anti-Corruption Network” and invites the Committee to note and comment as appropriate consider the proposal by MAB (paragraph 7).

PSCC57/11.2 (UK): informs about the alleged bilateral Agreements between States to avoid ships being detained and invites the Committee to note the Report; alert their Administrations to the risks such agreements have to the integrity of Port State Control

The position of the Union is as follows:

- 1. take note of the content of documents PSCC57/11.1 and PSCC57/11.2*

Agenda item 12 – Adoption of a press release (MAB)

No paper.

