



Council of the European Union  
General Secretariat

Brussels, 19 July 2023

WK 10021/2023 INIT

LIMITE

TRANS

MAR

CODEC

PECHE

OMI

IA

*This is a paper intended for a specific community of recipients. Handling and further distribution are under the sole responsibility of community members.*

## MEETING DOCUMENT

|               |                                                                                                                                                                                                                                                |
|---------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| From:         | General Secretariat of the Council                                                                                                                                                                                                             |
| To:           | Working Party on Shipping                                                                                                                                                                                                                      |
| N° Cion doc.: | 10115/23 + ADD 1-3                                                                                                                                                                                                                             |
| Subject:      | Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/18/EC establishing the fundamental principles governing the investigation of accidents in the maritime transport sector<br>- Comments by Sweden |

Delegations will find attached comments by Sweden on the above proposal.

**Comments by SWEDEN on the second Presidency compromise proposal (WK 9784/2023), ahead of the SWP 19 July 2023**

Sweden will share our comments at the meeting. Our comments may include drafting proposals. For easy access of the Presidency, please find them below.

**Article 7**

1a. During the conduct of the marine safety investigation, substantially interested **Member** States ~~should~~ **shall** assist to the extent practical, the marine safety investigating Member State(s) with access to relevant information for the marine safety investigation. The investigator or investigators carrying out a marine safety investigation ~~should~~ **may** also be granted access to **information held by** Government surveyors, coastguard officers, ship traffic service operators, pilots and other marine personnel of the substantially interested State, **in accordance with its national law.**

*Justification: "In accordance with their national law" should refer to the substantially interested State providing the access, and therefore needs to be placed in the latter part of the sentence. (Please note: As regards the addition "information held by", the Presidency did not provide a justification and we look forward to hearing more at the meeting before taking a position in this regard.)*