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## CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Shipping
Subject:	Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/21/EC on compliance with flag State requirements - Comments by Greece

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

**Comments by Greece on Proposal for a Directive of the European Parliament and of the Council amending Directive 2009/21/EC on compliance with flag State requirements.**

(ST 16967/4/23/Rev.4/01.02.2024 and WK 1742/2024 INIT/ 02.02.2024)

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As regards the Presidency's proposals on:

a) **Lines 11a, 25a, 49, 58, 93 (Social Issues):**

**line 11a:** We support GA text.

If we still have to include a reference to maritime labour standards, we would like to propose the following text:

***"With regard to the maritime labour standards this Directive is without prejudice to Directive 2013/54/EU of the European Parliament and of the council of 20 November 2013 concerning certain flag State responsibilities for compliance with and enforcement of the Maritime Labour Convention, 2006"***

**Line 25a:** Support PSY to keep GA text.

Due to the confidentiality of the information to be provided and the fact that the development of the proposed database exceeds the relevant requirement set by the international and EU legislation, the EP's amendment cannot be supported.

**Line 49:** We could support the Presidency's compromise proposal if the term "social" is deleted.

**Line 58:** We could support the Presidency's compromise proposal if the term "social" is deleted.

**Line 93:** We could support PSY to GA text.

The proposed amendment by the EP exceeds the scope – objectives of MLC, 2006, and in addition, it is not appropriate to open discussion at this stage before introducing and discussing the issue within ILO, possibly during a future review of the Convention.

**Lines 19, 69 (Social related to education/training):**

We cannot support the Presidency's compromise proposal.

**Line 78a:** Support PSY proposal to keep GA.

b) **Lines 79, 84 + 90e (eCertificates, see also Annex to PSY non-paper)**

**Line 79:** We support GA text (still under scrutiny).

**Line 84:** We support GA text (still under scrutiny).

**Annex:** Still under scrutiny.

c) **Line 97 (IMO Audit/publication):** We support GA text. The publication of IMO audit reports is a prerogative of IMO (EU) MSs and should remain as it is.

d) **Line 21:** The reference to “genuine link” is not supported. Linking the proposal with the ‘genuine link’ notion is contrary to the objective UNCLOS which has left it to flag states to define what constitutes a genuine link as a matter of state sovereignty.