











# Procedure file

Basic information	
<p>COD - Ordinary legislative procedure (ex-codecision procedure) Regulation</p> <p>2023/0163(COD)</p>	Awaiting Council's 1st reading position
<p>European Maritime Safety Agency</p> <p>Repealing Regulation 2002/1406 <a href="#">2000/0327(COD)</a></p>	
<p>Subject</p> <p>3.20.03.01 Maritime safety</p> <p>8.40.08 Agencies and bodies of the EU</p>	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>TRAN</b> <a href="#">Transport and Tourism</a>		07/07/2023
		 <a href="#">MONTEIRO DE AGUIAR Cláudia</a>	
		Shadow rapporteur	
		 <a href="#">CERDAS Sara</a>	
		 <a href="#">NAGTEGAAL Caroline</a>	
		 <a href="#">PAULUS Jutta</a>	
		 <a href="#">ZÍLE Roberts</a>	
		 <a href="#">PIMENTA LOPES João</a>	
	Committee for opinion	Rapporteur for opinion	Appointed
	<b>BUDG</b> <a href="#">Budgets</a>		28/06/2023
		 <a href="#">HERBST Niclas</a>	
	<b>CONT</b> <a href="#">Budgetary Control</a>	The committee decided not to give an opinion.	
	<b>ENVI</b> <a href="#">Environment, Public Health and Food Safety</a>	The committee decided not to give an opinion.	
	<b>ITRE</b> <a href="#">Industry, Research and Energy</a>	The committee decided not to give an opinion.	
	<b>PECH</b> <a href="#">Fisheries</a>		05/09/2023
		 <a href="#">AGUILERA Clara</a>	

Key events			
01/06/2023	Legislative proposal published	<a href="#">COM(2023)0269</a>	Summary
10/07/2023	Committee referral announced in Parliament, 1st reading		
07/12/2023	Vote in committee, 1st reading		
07/12/2023	Committee decision to open interinstitutional negotiations with report adopted in committee		
08/12/2023	Committee report tabled for plenary, 1st reading	<a href="#">A9-0423/2023</a>	Summary
11/12/2023	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 71)		
13/12/2023	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 71)		
11/03/2024	Debate in Parliament		
12/03/2024	Results of vote in Parliament		
12/03/2024	Decision by Parliament, 1st reading	<a href="#">T9-0134/2024</a>	Summary

Technical information	
Procedure reference	2023/0163(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealing Regulation 2002/1406 <a href="#">2000/0327(COD)</a>
Legal basis	Treaty on the Functioning of the EU TFEU 100-p2
Other legal basis	Rules of Procedure EP 159
Mandatory consultation of other institutions	<a href="#">European Economic and Social Committee</a> <a href="#">European Committee of the Regions</a>
Stage reached in procedure	Awaiting Council's 1st reading position
Committee dossier	TRAN/9/12161

Documentation gateway					
Legislative proposal		<a href="#">COM(2023)0269</a>	01/06/2023	EC	Summary

Document attached to the procedure		SWD(2023)0147	01/06/2023	EC	
Committee draft report		<a href="#">PE753.514</a>	19/09/2023	EP	
Economic and Social Committee: opinion, report		<a href="#">CES2847/2023</a>	20/09/2023	ESC	
Amendments tabled in committee		<a href="#">PE754.711</a>	12/10/2023	EP	
Committee opinion	BUDG	<a href="#">PE753.727</a>	08/11/2023	EP	
Committee opinion	PECH	<a href="#">PE753.474</a>	29/11/2023	EP	
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A9-0423/2023</a>	08/12/2023	EP	Summary
Text adopted by Parliament, 1st reading/single reading		<a href="#">T9-0134/2024</a>	12/03/2024	EP	Summary

<a href="#">Additional information</a>		
Research document	<a href="#">Briefing</a>	12/01/2024

## European Maritime Safety Agency

**PURPOSE:** to update the European Maritime Safety Agency to better reflect the growing role the Agency plays in many maritime transport areas and make it more effective and responsive.

**PROPOSED ACT:** Regulation of the European Parliament and of the Council.

**ROLE OF THE EUROPEAN PARLIAMENT:** the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

**BACKGROUND:** [Regulation \(EC\) No 1406/2002](#) of the European Parliament and of the Council established the European Maritime Safety Agency. The Agency's founding Regulation has been amended five times, with the amendment in 2013 making a distinction between core and ancillary tasks which has become obsolete. Moreover, rules on the administrative and financial governance of EU Agencies have also been amended. This obsolete structure of the mandate combined with the need to incorporate and reflect EMSAs new tasks in the areas of maritime safety, sustainability, decarbonisation, security and cybersecurity, surveillance and assistance in crises management call for a new EMSA Regulation to replace its founding Regulation.

This initiative is part of a package to modernise EU rules on maritime safety and prevent water pollution from ships.

**CONTENT:** this proposal to revise the European Maritime Safety Agency maintains the tasks that are already reflected in the previous mandate of the Agency while reflecting the new tasks and updating the administrative and financial provisions, aligning them with the new framework.

Moreover, it is stipulated that the Agency should assist the Member States and the Commission in the effective application and implementation of Union law related to maritime transport across the Union. To that end, the Agency should cooperate with the Member States and the Commission and provide them with technical, operational and scientific assistance within the scope of the Agency's objectives and tasks.

### Objectives

The EMSAs objective is the promotion and establishment of a high, uniform and effective level of maritime safety aiming towards zero accidents, maritime security, the reduction of greenhouse gas emissions from ships and the sustainability of the maritime sector as well as the prevention of and response to pollution caused by ships and the response to marine pollution caused by oil and gas installation.

Further objectives of the Agency should be the promotion of digitalisation of the maritime sector by facilitating the electronic transmission of data supporting simplification and the provision of integrated maritime surveillance and awareness systems and services to the Commission and the Member States.

The proposed revision of EMSAs mandate aims to:

- better anchor and reflect the current tasks and objectives of EMSA in its founding Regulation so that EMSA is legally mandated to fulfil these and support the Member States and the Commission with the necessary technical, operational and scientific assistance in ensuring maritime safety and security together with the green and digital transition of the sector;

- render the EMSAs founding Regulation future proof by allowing enough flexibility to incorporate new tasks in addressing the evolving needs of the maritime sector and ensuring that EMSA will have adequate human and financial resources to fulfil its role.

Transitional provisions are also laid down to enable a proper transition from the previous mandate to the new one without interruption of service for EMSA.

### Budgetary implications

This proposal would have an impact on the budget and staff needs of the Agency as currently provided for in the Multiannual Financial

Framework (MFF) and which are insufficient for the tasks the Agency should carry out. It is estimated that an additional budget of EUR 50.997 million and 33 additional posts would be needed for the remainder of the period of the Multiannual Financial Framework (MFF) to ensure that the Agency has the necessary resources to enforce its revised mandate.

## European Maritime Safety Agency

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The Committee on Transport and Tourism adopted the report by Cláudia MONTEIRO DE AGUIAR (EPP, PT) on the proposal for a regulation of the European Parliament and of the Council on the European Maritime Safety Agency and repealing Regulation (EC) No 1406/2002.

The committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

### Tasks relating to maritime safety

Members proposed that the Agency should gather and analyse data on seafarers. It may also gather and analyse data on the implementation of the Maritime Labour Convention, 2006 with the aim of assisting in the improvement of the onboard working and living conditions of seafarers. The Commission should use that data, jointly with the data generated by the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers information system (STCW IS) for developing appropriate strategic responses to recruit and retain seafarers in activity.

### Tasks relating to sustainability

On the containers lost at the Sea, the Agency should provide guidance to the industry stakeholders and to the Flag State on the requirements agreed at IMO for mandatory reporting of lost containers. The possibility of collective and coordinated response mechanisms at EU and international level should also be examined.

### Tasks relating to decarbonisation

According to Members, the Agency should monitor progress on the operational and technical measures undertaken to increase the energy efficiency of ships and ports and the deployment of sustainable alternative fuels, energy and power systems for ships, including onshore power supply and wind-assisted propulsion and onboard carbon capture, to reduce greenhouse gas emissions from ships. The Agency should assess the need to implement additional training modules for maritime professionals handling new and often complex hybrid and zero emission systems.

Moreover, the Agency should in particular research, analyse and propose relevant guidance or recommendations in relation to the uptake and deployment of sustainable alternative fuels, energy and power systems for ships, including, onshore power supply, wind-assisted, solar and kinetic wave propulsion and on-board carbon capture, ensuring respect for technology neutrality, as well as in relation to energy efficiency measures, with practices such as slow steaming and speed optimisation.

### Tasks relating to digitalisation and simplification

The Agency should provide technical and operational assistance, as well as regular training and certification programmes to the Member States, upon their request and without prejudice to their rights and obligations as flag States, in the digitalisation of their registries and their procedures facilitating the uptake of electronic certificates and in the digitalisation of any other procedures, which may have a positive effect in reducing the administrative burden on flag, port or coastal State Authorities.

### European cooperation on coast guard functions

The amended text increases the functions of the Agency to include:

- enhancing the exchange of information and cooperation on coast guard functions including by analysing operational challenges and emerging risks in the maritime domain including by using digital simulation tools to study the effect of accidents;
- sharing the relevant research, developments and technologies, including artificial intelligence, in a collaborative and flexible way, to find solutions to the challenges faced in the different areas;
- increasing the cooperation in order to collect data for marine scientific research purpose on marine ecosystems, physical oceanography, marine chemistry, marine biology, fisheries, scientific ocean drilling and coring, geological and geophysical research, and other activities;
- implementing cooperation projects with third countries to improve maritime safety, pollution prevention by ships, maritime security and preservation of the marine environment.

### Financial allocations

The Agency should provide horizontal, technical support, upon request by the Commission or the Member States, for the implementation of any task that falls under the remit of its competences and objectives, stemming from future needs and developments at the Union level under the remits of maritime legislation. Such additional tasks should be subjected to a consideration of the available human and financial resources, which the Management Board of the Agency should take into account before deciding to include them in the Single Programming Document of the Agency as part of its annual or multiannual work programme.

### Governance structure

Members considered crucial strengthening relations between the Agency and the European Parliament. Therefore, they proposed to involve the European Parliament in the appointment of the Executive director, appointing a European Parliament representative for the management board and be consulted on the multi-annual programme.

## European Maritime Safety Agency

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The European Parliament adopted by 570 votes to 20, with 14 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on the European Maritime Safety Agency and repealing Regulation (EC) No 1406/2002.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the proposal as follows:

#### Horizontal technical assistance

It is stated that the Agency should assist the Commission as well as the Member States.

#### Tasks relating to maritime safety

The Agency should, inter alia:

- disseminate the results of its research and innovation activities, following approval by the Commission, as part of its contribution to creating synergies between the research and innovation activities of other Union bodies and the Member States;
- analyse and propose relevant guidance or recommendations in relation to potential safety risks stemming from the uptake and deployment of sustainable alternative sources of power for ships, including onshore power supply to ships at berth, battery technologies used for propulsion, zero emission technologies, as defined in [FuelEU Maritime] or other future technologies on board of ships or in port areas;
- gather and analyse data on the implementation of the Maritime Labour Convention, 2006 (MLC, 2006) with the aim of assisting in the improvement of the onboard working and living conditions of seafarers. The Commission should use that data, jointly with the data generated by the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers information system (STCW IS) for developing appropriate strategic responses to recruit and retain seafarers in activity.

#### Tasks relating to sustainability

The Agency should share and receive relevant information from other EU Agencies, such as the European Fisheries Control Agency (EFCA), especially in relation to lost fishing gear.

On the containers lost at the Sea, the Agency should provide guidance to the industry stakeholders and to the Flag State on the requirements agreed at IMO for mandatory reporting of lost containers. The possibility of collective and coordinated response mechanisms at EU and international level should also be examined.

#### Tasks relating to decarbonisation

The Agency should:

- assess the need to implement additional training modules for maritime professionals handling new and often complex hybrid and zero emission systems;
- analyse and propose relevant guidance or recommendations in relation to the uptake and deployment of sustainable alternative fuels, energy and power systems for ships, including, onshore power supply, wind-assisted, solar and kinetic wave propulsion and on-board carbon capture, ensuring respect for technology neutrality, as well as in relation to energy efficiency measures, with practices such as slow steaming and speed optimisation.

Such assistance should also include monitoring and reporting on impacts on port traffic, port evasion and traffic shift to the neighbouring container transshipment ports, to the detriment of EU ports.

#### Tasks relating to maritime surveillance and maritime crises

In support of a strong and united answer of the Union and its Member States to Russia's war of aggression against Ukraine, the Agency should, inter alia, monitor suspicious behaviour around pipelines and detect sanctions evasion at sea.

#### Tasks relating to digitalisation and simplification

The Agency should provide technical and operational assistance, as well as regular training and certification programmes to the Member States, upon their request and without prejudice to their rights and obligations as flag States, in the digitalisation of their registries and their procedures facilitating the uptake of electronic certificates and in the digitalisation of any other procedures, which may have a positive effect in reducing the administrative burden on flag, port or coastal State Authorities.

#### European cooperation on coast guard functions

In cooperation with the European Border and Coast Guard Agency and the European Fisheries Control Agency, the Agency should provide support to national authorities performing coastguard functions at national and Union level and, where appropriate, at international level:

- by sharing the relevant research, developments and technologies, including artificial intelligence, in a collaborative and flexible way, to find solutions to the challenges faced in the different areas;
- by increasing the cooperation in order to collect data for marine scientific research purpose on marine ecosystems, physical oceanography, marine chemistry, marine biology, fisheries, scientific ocean drilling and coring, geological and geophysical research, and other activities;
- by implementing cooperation projects with third countries to improve maritime safety, pollution prevention by ships, maritime security and preservation of the marine environment.

#### Management Board

Member States and the Commission should be represented on a Management Board vested with the necessary powers, including the power to establish the budget and approve the programming document. The European Parliament should be represented as an observer.

Transparency				
AGUILERA Clara	Rapporteur for opinion	PECH	19/09/2023	Confederación Sindical de Comisiones Obreras

CERDAS Sara	Shadow rapporteur	TRAN	07/09/2023	IACS (International Association of Classification Societies Ltd.International Association of Classification Societies Ltd)
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