

Investigation of accidents in the maritime transport sector

2005/0240(COD) - 08/12/2008 - Commission opinion on Parliament's position at 2nd reading

The Commission accepts in full 6 amendments to the common position, adopted by the European Parliament in first reading. It also accepts in part or in principle 7 other amendments by the European Parliament.

The Commission rejected amendments aimed at:

- reintroducing distress alerts within the scope of the Directive and at making investigations mandatory not only for very serious casualties but also for serious casualties;
- making a clear distinction between safety and other investigations, particularly criminal investigations;
- introducing into the Directive an arrangement involving the Commission whereby, in the event of a conflict between investigation bodies, one Member State would be appointed as the lead State for conducting an investigation;
- extending to serious casualties the instances in which the investigative body must produce a full report whereas in some cases, if no lessons can be drawn from the investigation, there would be justification for producing only a simplified report;
- enabling the Commission to make substantive changes to investigative reports, whereas the content of reports must be the responsibility of the investigative bodies alone;
- requiring the Commission to produce a report on the implementation of the Directive every three years, whereas there is no evidence anywhere that such a requirement would serve any purpose;
- obliging Member States to apply the provisions of the IMO Guidelines on fair treatment of seafarers in the event of a maritime accident.