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Delegations will find attached document D034034/02.

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Brussels, **XXX**
[...] (2014) **XXX** draft

COMMISSION DIRECTIVE/.../EU

of **XXX**

**amending Directive 2002/59/EC of the European Parliament and of the Council
establishing a Community vessel traffic monitoring and information system**

(Text with EEA relevance)

COMMISSION DIRECTIVE ../.../EU

of **XXX**

amending Directive 2002/59/EC of the European Parliament and of the Council establishing a Community vessel traffic monitoring and information system

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 92/75EEC¹, and in particular Article 27(2) thereof,

Whereas:

- (1) The competitiveness of European maritime transport can be facilitated through a more efficient use of resources and better use of electronic information.
- (2) For reasons of maximising efficiency and avoiding duplication of efforts, there is a need to build on existing national and Union platforms, technical solutions and on standardisation, reaping also the benefits of investments already made.
- (3) The Union Maritime Information and Exchange system, SafeSeaNet, established in accordance with Directive 2002/59/EC, apart from enhancing maritime safety, port and maritime security, environmental protection and pollution preparedness, allows for the exchange, in accordance with Union legislation, of additional information aiming at facilitating efficient maritime traffic and maritime transport
- (4) In order to enable cost savings, avoid creating multiple Steering Groups and take advantage of the experience of the HLSC, its management principles and its tasks should be adjusted to cover additional areas covered by the Directive.
- (5) Directive 2002/59/EC requires Member States and the Commission to cooperate to develop and update the Union Maritime Information and Exchange system, on the basis of the experience gained in operating the system, its potential and its functions, with a view to enhancing it, taking into account developments in information and communication technologies.

¹ OJ L 208, 5.8.2002, p.10

- (6) Experiences have been gained and technical advancements have been made, in particular in developing an interoperable data exchange system which can combine information from SafeSeaNet with information from the other Union monitoring and tracking systems (CleanSeaNet, the European Union Long-Range Identification and Tracking of Ships European Data Centre (EU LRIT Data Centre) and Thetis), and also from external systems (e.g. satellite AIS), further enabling integrated maritime services. Several satellite AIS initiatives have been launched, including by Member States, confirming the operational benefits from having access to SAT-AIS data.
- (7) The EMSA hosted systems and applications are able to provide Member States' authorities and Union bodies, comprehensive information on, for example, ship positions, dangerous cargoes, pollution, etc., as well as provide support services in areas such as coast guards, anti-piracy and, statistics, in accordance with the access rights attributed in compliance with the Interface and Functionalities Control Document (IFCD) established and maintained under Article 22a and Annex III of the Directive.
- (8) The management of the system and its technological enhancements are regularly discussed with Member States in the SafeSeaNet High Level Steering Group (HLSG) established by Commission decision² of 31 July 2009. Improvements made resulting in the technical integration of the various systems and applications developed are also discussed by this group. These advancements and the testing of an integrated maritime data environment by the European Maritime Safety Agency have produced synergies, improved systems features and services.
- (9) Annex III to Directive 2002/59/EC should therefore be adapted to reflect these technical advancements made in light of experience gained with SafeSeaNet.
- (10) Annex III to the VTMIS Directive which covers the Union Maritime Information and Exchange system and refers to other relevant Union legislation, should be made more explicit by specifying those Union acts in regard to which SafeSeaNet is currently used such as Directive 2000/59/EC of the European Parliament and of the Council , Directive 2005/35/EC of the European Parliament and of the Council , Directive 2009/16/EC of the European Parliament and of the Council and Directive 2010/65/EU of the European Parliament and of the Council; in regard to the mentioned legal acts, the use of SafeSeaNet can further facilitate the exchange and sharing of information and should further facilitate the use of the system, the integrated information system and a platform to ensure the convergence and interoperability of maritime systems and applications, including space-based technologies.
- (11) The developments reflected in this Directive can also play a central role in the development of a Common Information and Sharing Environment (CISE) for the maritime domain, which is a voluntary collaborative process in the European Union seeking to further enhance and promote relevant information sharing between authorities involved in maritime surveillance.
- (12) The measures provided for in this Directive are in accordance with the opinion of the Committee on Safe Seas and the Prevention of Pollution from Ships (COSS),

² OJ L 201, 1.8.2009, p. 63

AS ADOPTED THIS DIRECTIVE:

Article 1

Annex III to Directive 2002/59/EC is replaced by the text in the Annex to this Directive.

Article 2

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [12 months from its entry into force] at the latest. They shall forthwith communicate to the Commission the text of those provisions.

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.

Article 3

This Directive shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

Article 4

This Directive is addressed to the Member States.

Done at Brussels,

*For the Commission
The President*