



**COUNCIL OF  
THE EUROPEAN UNION**

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**"I/A" ITEM NOTE**

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From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
No. Cion doc.:	8173/12 ENV 242 MAR 33 TRANS 101 COMER 71 - COM(2012) 120 final
Subject:	Proposal for a Council Decision concerning the ratification of, or the accession to, the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009, by the Member States in the interest of the European Union
	- Request by the Council for the consent of the European Parliament

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1. The Commission submitted the abovementioned proposal to Council on 27 March 2012.
2. The Hong Kong Convention for the Safe and Sound Recycling of Ships (Hong Kong Convention) was adopted in May 2009. It needs to be ratified by a sufficient number of both large flag and recycling States in order to enter into force and start producing effects. The Union cannot become a Party to this Convention.

3. At its meeting of 21 October 2009, the Council endorsed the adoption of the Hong Kong Convention and strongly encouraged Member States to ratify the Convention as a matter of priority so as to facilitate its entry into force as early as possible and to generate a real and effective change on the ground.
4. After the successful outcome of the negotiations on a first reading agreement with the European Parliament on the related Regulation of the European Parliament and of the Council on ship recycling, the Working Party on the Environment examined the abovementioned proposal at meetings in September and October 2013. COREPER considered a Presidency text <sup>1</sup> at its meeting on 23 October 2013. The amended compromise text presented by the Presidency following that meeting did not meet with sufficient support in the course of an informal silence procedure.

Taking into account consultations with concerned delegations thereafter, the Presidency put forward a draft Council Decision. This text<sup>2</sup> was agreeable to a majority of delegations, while DE, LU, NL and UK could not support it; DE, NL and UK also made a statement to that effect. Other delegations (AT, CZ, HU, RO, SI and SK) made statements to express their concerns.

5. Consequently, COREPER is invited to:
  - confirm agreement on the text of the Council decision concerning the ratification of, or the accession to, the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, 2009, as set out and finalised by the legal-linguistic experts in doc. 15902/13; and
  - suggest that Council, at one of its forthcoming sessions, requests the consent of the European Parliament on this draft Council decision with a view to its later adoption.

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<sup>1</sup> doc. 14999/13.

<sup>2</sup> doc. 15526/13.