



Council of the European Union
General Secretariat

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CM 2259/20

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ENV
CLIMA
PROCED

COMMUNICATION

WRITTEN PROCEDURE

Contact: anders.vilhelmsson@consilium.europa.eu

Tel./Fax: +32 2 281 6955

Subject: **END OF WRITTEN PROCEDURE**

COUNCIL DECISION on the position to be taken on behalf of the European Union within the International Maritime Organization's Marine Environment Protection Committee during its 75th session and within the International Maritime Organization's Maritime Safety Committee during its 102nd session as regards the adoption of amendments to regulations 2, 14 and 18 and appendices I and VI of Annex VI to the International Convention for the Prevention of Pollution from Ships, Parts A-1, B, B-1, B-2 to B-4 of Chapter II-1 of the International Convention for the Safety of Life at Sea, Parts A-1 and B-1 of the International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels and resolution A.658(16) on the use and fitting of retro-reflective materials on life-saving appliances

– Adoption

Delegations are informed that the written procedure, opened by CM 2247/20 of 15 May 2020, was completed on 19 May 2020 at 10:31 and that all delegations voted in favour of the adoption of the draft **Council Decision on the position to be taken on behalf of the European Union within the International Maritime Organization's Marine Environment Protection Committee during its 75th session and within the International Maritime Organization's Maritime Safety Committee during its 102nd session as regards the adoption of amendments to regulations 2, 14 and 18 and appendices I and VI of Annex VI to the International Convention for the Prevention of Pollution from Ships, Parts A-1, B, B-1, B-2 to B-4 of Chapter II-1 of the International Convention for the Safety of Life at Sea, Parts A-1 and B-1 of the International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels and resolution A.658(16) on the use and fitting of retro-reflective materials on life-saving appliances**, as set out in document ST 6956/20, prepared by the legal-linguistic services.

The required qualified majority has been reached. Therefore, the above Council Decision is adopted.

The Council Decision will be published in the Official Journal.

The European Parliament will be informed of the adoption in accordance with Article 218(10) TFEU.

The statement by the Commission is reproduced in the Annex to this CM.

The above statement will be included in the summary of acts adopted by the written procedure as statement to be entered in the Council minutes, in accordance with the third subparagraph of Article 12(1) of the Council's Rules of Procedure.

Adoption by the IMO of the proposed amendments to Annex VI to the International Convention for the Prevention of Pollution from Ships (MARPOL), to Chapter II-1 to the International Convention for the Safety of Life at Sea and to the International Code of Safety for Ships Using Gases or Other Low-flashpoint Fuels affects existing Union legislation. As such, these amendments fall within the exclusive external competence of the Union. Furthermore, in accordance with established case-law, in particular case C-600/14, the EU external competence is not limited to exclusive competence. The Union position established in respect of those amendments cannot be limited in scope and must be understood as covering them in their entirety.