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#### 'I/A' ITEM NOTE

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From: General Secretariat of the Council  
To: Permanent Representatives Committee/Council

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No. prev. doc.: 11270/20  
No. Cion doc.: ST 11143/20

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Subject: Draft COUNCIL DECISION amending Council Decision (EU) 2020/721 of 19 May 2020 to include the position to be taken on behalf of the European Union within the International Maritime Organization's Marine Environment Protection Committee during its 75<sup>th</sup> session and within the International Maritime Organization's Maritime Safety Committee during its 102<sup>nd</sup> session on the approval of a MSC-MEPC.5 circular on a Model agreement for the authorization of recognized organizations acting on behalf of the Administration  
– Adoption

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#### INTRODUCTION

1. On 28 September 2020, the Commission transmitted the above-mentioned proposal to the Council.

2. The proposal aims to amend Council Decision (EU) 2020/721<sup>1</sup> in order to add to that decision a Union position for the approval of an MSC-MEPC.5 circular on the Model agreement for the authorization of recognized organizations acting on behalf of the Administration. The circular is expected to be approved jointly by the International Maritime Organization's (IMO) Maritime Safety Committee at its 102nd session (MSC 102) from 4 to 11 November 2020 and the Marine Environment Protection Committee at its 75th session (MEPC 75) from 16 to 20 November 2020.
3. The approval of the MSC-MEPC.5 circular would be capable of decisively influencing the content of Union law, namely Directive 2009/15/EC of the European Parliament and of the Council<sup>2</sup>.

### **WORK WITHIN THE COUNCIL PREPARATORY BODIES**

4. The proposal was examined by the Shipping Working Party on 30 September and 7 October 2020. At the latter meeting, the working party agreed on the text.
5. The Commission voiced concerns on some of the amendments made to its original proposal and announced its intention to make a statement to the minutes of the Permanent Representatives Committee and of the Council.
6. Following the agreement reached at working party level, the text of the draft Council Decision was revised by the Council's legal-linguistic services.

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<sup>1</sup> Council Decision (EU) 2020/721 of 19 May 2020 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 (OJ L 171, 2.6.2020, p. 1).

<sup>2</sup> Directive 2009/15/EC of the European Parliament and of the Council of 23 April 2009 on common rules and standards for ship inspection and survey organisations and for the relevant activities of maritime administrations (OJ L 131, 28.5.2009, p. 47).

## CONCLUSION

7. The Permanent Representatives Committee is invited to examine and endorse the draft decision, as set out in document ST 11340/20, prepared by the legal-linguistic experts, and transmit it to the Council for adoption.
8. The European Parliament will be informed of the adoption in accordance with Article 218(10) TFEU.