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'I/A' ITEM NOTE

From:	General Secretariat of the Council
To:	Permanent Representatives Committee/Council
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Subject:	Proposal for a Council Decision on the position to be adopted on behalf of the European Union within the Port State Control Committee of the Paris Memorandum of Understanding on port State control during the period 2025-2029 – Adoption

INTRODUCTION AND BACKGROUND

1. On 28 March 2025, the Commission transmitted the above-mentioned proposal to the Council.
2. Directive 2009/16/EC of the European Parliament and of the Council¹ sets out the Union regime on port State control. That regime is based on the pre-existing structure of the Paris Memorandum of Understanding on port State control ('the Paris MOU')².

¹ Directive 2009/16/EC of the European Parliament and of the Council of 23 April 2009 on port State control (OJ L 131, 28.5.2009, p. 57).

² The Paris MOU has been signed by 22 EU Member States and by Canada, Iceland, Norway, the Russian Federation (membership suspended, see Council Decision (EU) 2022/762) and the United Kingdom.

3. Certain procedures, tools and activities, such as instructions, of the Paris MOU are brought into Union law through Directive 2009/16/EC and therefore certain decisions taken by the Port State Control Committee ('PSCC') of the Paris MOU become binding on EU Member States.
4. Until 2015, the EU position to be adopted in the PSCC was decided on an annual basis. As the internal rules of the Paris MOU make it difficult to establish a position to be adopted, on behalf of the Union, in a timely manner for each individual meeting of the PSCC, the Commission in 2015 proposed a multi-annual framework decision, covering the period 2016–2019, which was duly adopted by the Council¹. That Council Decision was followed by a second multi-annual framework decision for the period 2020–2024².
5. This draft Council Decision, if adopted, would provide a multi-annual framework for the position to be adopted, on the Union's behalf, within the PSCC of the Paris MOU, for the period 2025 to 2029.

WORK WITHIN THE COUNCIL PREPARATORY BODIES

6. The proposal was examined by the Shipping Working Party at its meetings on 7 and 14 April 2025. At that last meeting, some changes were made to the proposal which were subjected to an informal silence procedure, with no objections expressed by delegation.
7. Following the agreement reached at working party level, the text of the draft Council Decision was revised by the Council's legal-linguistic services.³

ACTION REQUESTED

8. The Permanent Representatives Committee is invited to examine and endorse the draft decision, as set out in document ST 8474/25, prepared by the legal-linguistic experts, and its addendum, and transmit it to the Council with a view to adoption at a future session.

¹ Council Decision (EU) 2016/381 of 14 March 2016, OJ L 72, 17.3.2016, p. 53.

² Council Decision (EU) 2020/722 of 19 May 2020, OJ L 171, 2.6.2020, p. 4.

³ The two annexes to the Council Decision have not been revised by the legal-linguistic services, and are included in an addendum to document 8474/25.

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