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LEGISLATIVE ACTS AND OTHER INSTRUMENTS

Subject: COUNCIL DECISION on the position to be taken on behalf of the European Union within the International Maritime Organization's Maritime Safety Committee at its 110th session as regards the adoption of amendments to the International Convention for the Safety of Life at Sea (SOLAS), 1974, the 1994 International Code of Safety for High-Speed Craft (1994 HSC Code) and the 2000 International Code of Safety for High-Speed Craft (2000 HSC Code)

COUNCIL DECISION (EU) 2025/...

of ...

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within the International Maritime Organization's Maritime Safety Committee
at its 110th session as regards the adoption of amendments
to the International Convention for the Safety of Life at Sea (SOLAS), 1974,
the 1994 International Code of Safety for High-Speed Craft (1994 HSC Code)
and the 2000 International Code of Safety for High-Speed Craft (2000 HSC Code)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular
Article 100(2), in conjunction with Article 218(9), thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Action by the Union in the sector of maritime transport should aim to improve maritime safety and to protect the marine environment and human health.
- (2) The Maritime Safety Committee (MSC) of the International Maritime Organization (IMO), at its 110th session from 18 to 27 June 2025 ('MSC 110'), is expected to adopt amendments to the International Convention for the Safety of Life at Sea (SOLAS), 1974, the 1994 International Code of Safety for High-Speed Craft ('1994 HSC Code') and the 2000 International Code of Safety for High-Speed Craft ('2000 HSC Code').
- (3) It is appropriate to establish the position to be taken on the Union's behalf at MSC 110, as the envisaged amendments to SOLAS, the 1994 HSC Code and the 2000 HSC Code are capable of decisively influencing the content of Union law, namely Directive 2009/45/EC of the European Parliament and of the Council¹ and Commission Implementing Regulation (EU) 2024/1975².

¹ Directive 2009/45/EC of the European Parliament and of the Council of 6 May 2009 on safety rules and standards for passenger ships (OJ L 163, 25.6.2009, p. 1, ELI: <http://data.europa.eu/eli/dir/2009/45/oj>).

² Commission Implementing Regulation (EU) 2024/1975 of 19 July 2024 laying down rules for the application of Directive 2014/90/EU of the European Parliament and of the Council, as regards design, construction and performance requirements and testing standards for marine equipment and repealing Commission Implementing Regulation (EU) 2023/1667 (OJ L, 2024/1975, 26.7.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/1975/oj).

- (4) The Union should support the amendments to Chapter II-1 of SOLAS, because they will provide clarification and certainty on the application of the International Code of Safety for Ships using Gases or Other Low-flashpoint Fuels ('IGF Code') to gaseous fuels. The Union should support the amendments to Chapter II-2 of SOLAS, because they will ensure consistent implementation of that chapter for passenger ships and cargo ships. The Union should support the amendments to Chapter V of SOLAS, because they will improve the safety of pilots at sea. The Union should also support the amendments to the 1994 HSC Code and the 2000 HSC Code because they will align the lifejacket carriage requirements with the requirements in Chapter III of SOLAS and improve the safety of infants in the event of an accident.
- (5) The Union is neither a member of the IMO nor a contracting party to SOLAS and its related mandatory codes. The Council should therefore authorise the Member States to express the position of the Union at MSC 110.
- (6) The scope of this Decision should be limited to the content of the proposed amendments, to the extent that they are capable of affecting Union common rules and fall under the exclusive competence of the Union. This Decision should not affect the division of competences between the Union and the Member States,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the International Maritime Organization's (IMO) Maritime Safety Committee at its 110th session shall be to agree to the adoption of the amendments to Chapters II-1, II-2 and V of the International Convention for the Safety of Life at Sea (SOLAS), 1974, the 1994 International Code of Safety for High-Speed Craft and the 2000 International Code of Safety for High-Speed Craft, set out in Annexes 1, 2, 3 and 4 to IMO document MSC 110/3.

Article 2

The position to be taken on the Union's behalf as set out in Article 1 covers the proposed amendments to the extent that those amendments fall under the the exclusive competence of the Union and to the extent that they may affect Union common rules. The position shall be expressed by the Member States, which are all members of the IMO, acting jointly in the interest of the Union.

Minor changes to the position as set out in Article 1 may be agreed upon without a further decision of the Council.

Article 3

Member States are hereby authorised to give their consent to be bound, in the interest of the Union, by the proposed amendments, to the extent that those amendments fall under the exclusive competence of the Union.

Article 4

This Decision shall enter into force on the date of its adoption.

Done at ..., ...

For the Council

The President
