



European Maritime Safety Agency

EMSA 5-Year Strategy



EUROPEAN MARITIME SAFETY AGENCY

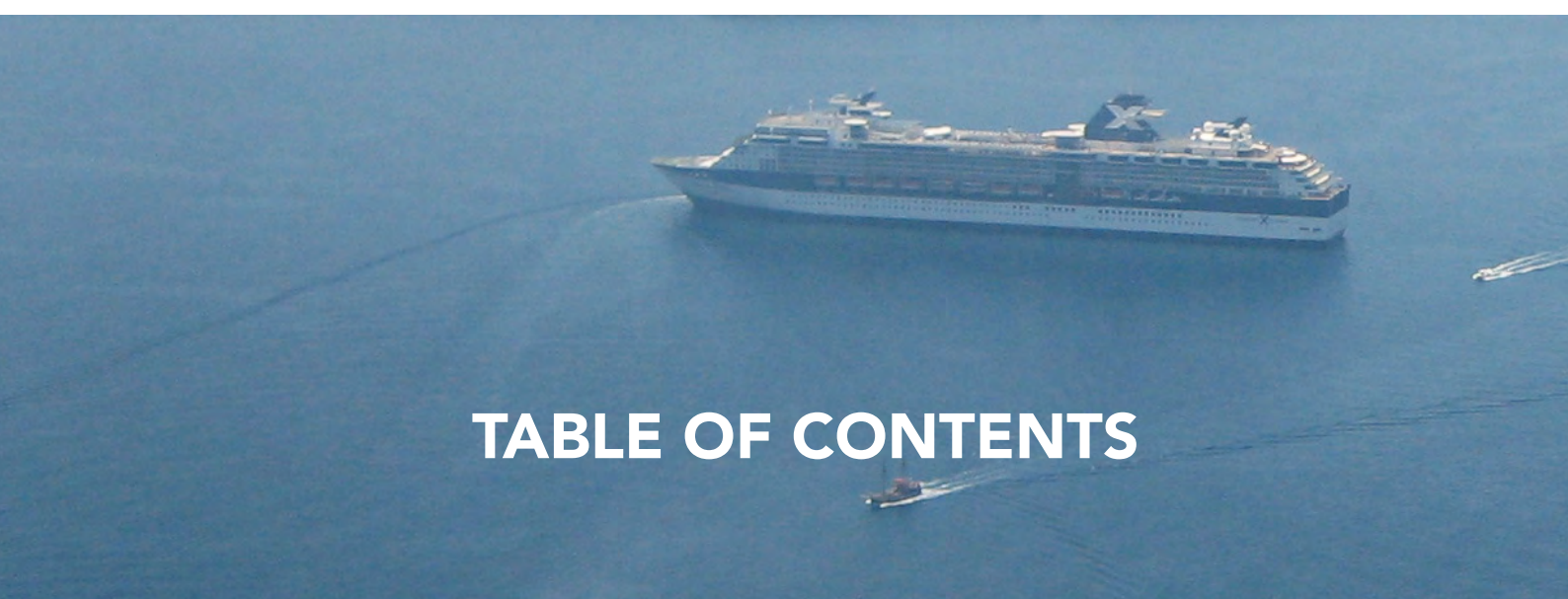


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FOREWORD





EMSA's headquarters on the river Tagus in central Lisbon

ABOUT THE EUROPEAN MARITIME SAFETY AGENCY (EMSA)

EMSA, as a body of the European Union, the Agency sits at the heart of the EU maritime safety network and fully recognises the importance of effective collaboration with many different interests and, in particular, between European and international institutions, Member States' administrations and the maritime industry.

EMSA's activities can be broadly described as:

- to provide technical and scientific assistance to the European Commission and Member States in the proper development and implementation of EU legislation on maritime safety, pollution by ships and security on board ships.
- to improve cooperation with, and between, Member States in all key areas.
- operational tasks in oil pollution preparedness, detection and response.

The development a strategic plan covering a 5 year perspective for EMSA was one of the conclusions of the evaluation of the Agency's activities¹. The relevant recommendation issued by the EMSA Administrative Board says:

"A Strategic Plan should be developed to provide an overview of the situation for EMSA over the next 5 years. This rolling plan should outline where the Agency wants to be in a 5 year time span and indicate priorities and the high-level objectives of the Agency, taking into account its mission, the multi annual staff policy plan, the Action Plan for Oil Pollution Preparedness and Response (Oil Action Plan) and key documents and influences that will affect its work in the coming years."

Following a discussion at its 25th meeting in November 2009, the EMSA Administrative Board agreed that EMSA should focus on and further develop a number of themes. The analysis should include a cost/benefit analysis, their legal implications and an estimate of the resources that may be required in the 2010-2014 period. However, the estimates presented do not constitute an agreement on the budget, establishment plan or legislative change to the EMSA Regulation once the Strategy is adopted by the Board.

¹ See the "Evaluation of the European Maritime Safety Agency - Final Report - April 2008" - http://www.emsa.europa.eu/Docs/adminboard/emsa_evaluation_final_report.pdf

EMSA VISION STATEMENT

"To reduce the risk of maritime accidents, marine pollution from ships and the loss of human life at sea."

The European Maritime Safety Agency aims to ensure a high, uniform and effective level of maritime safety, maritime security as well as the prevention of pollution and response to pollution by ships within the European Union.

STATEMENT FROM THE CHAIR OF THE EMSA ADMINISTRATIVE BOARD

Adopting this first EMSA 5-Year Strategy is a milestone in taking EMSA forward in the service of safety, security and prevention of pollution at sea. It is with great pleasure that we present this strategy.

An old saying goes "don't make predictions, particularly about the future". That might as well go for the future of EMSA taking into account that determining the tasks of EMSA and allocating resources to EMSA's work depend on future political decisions to be taken by Council, Parliament and the Commission.

However it is important that the EMSA Administrative Board identifies new areas of work for EMSA in the coming years in order to fulfill its vision. We take stock of where EMSA can add value, where tasks can be carried out more effectively or more efficiently by EMSA and in doing so gain a common understanding of where EMSA is heading, where we want to take EMSA.

The strategy is the result of joint efforts by the EMSA Management and the EMSA Administrative Board representing Member States, Iceland and Norway, the Commission and the European Maritime Industry. I would like to thank them all for their valuable contributions to developing this strategy.

It is my sincere hope that EMSA's stakeholders will appreciate the strategy, and that it will prove to be a useful tool in developing EMSA in the coming years.

Jørgen Hammer Hansen
Chairman of the Administrative Board



Jørgen Hammer Hansen
Chairman of the Administrative Board



Willem de Ruiter
Executive Director

STATEMENT FROM THE EXECUTIVE DIRECTOR OF EMSA

The EMSA strategy is a result of the evaluation carried out in 2008, which looked at the Agency's impact and relevance in its first five years. To develop a five year strategic vision was one of the recommendations of the evaluation.

Out of need, the number of tasks requested of EMSA has grown, and today's organisation deals extensively with maritime safety, marine environment protection, security and counter-pollution. We have grown in scope and scale, creating synergies and improving efficiency wherever possible. The year 2009 has been a milestone in the sense that many of the projects EMSA had been working on for a considerable amount of time became operational. However, things never stand still for very long, and the Commission and Member States may continue adding competences to our mandate.

The lines between maritime safety, security, the prevention of pollution and pollution response are increasingly blurred. New policy priorities exist, and we must continue our work and face up to the challenges that await us.

The Strategy for the next five years builds on previous achievements and anticipates the future demands that will be placed on EMSA. The EU institutions are very keen to continue the development of Maritime surveillance in order to address different policy areas (e.g. environmental

monitoring; fisheries and border control) and to integrate actions in these policy areas in order to promote a holistic approach and to better manage resources at EU level. Furthermore, it is recognised that the natural successor to monitoring the implementation of maritime legislation in order to check safety is to build on the knowledge gained, and be proactive in proposing solutions where deficiencies in practices or current laws have been identified.

The EMSA strategy takes into account the areas described above for many of its activities, in the constant pursuit of increased efficiency and cost savings, not only for EMSA but for the EU institutions and Member States as well, without compromising on the improvement of maritime safety. This is further reflected in the Commission's initiatives concerning the human element, the modernization of maritime practices, as well as the important climate change issues to which the shipping sector is not immune, that will be backed up with important policies in the coming years.

As a final word, to echo the sentiment of our Chairman and taking the first five years of EMSA as a reference, it will be very difficult to know exactly what EMSA will look like in five years time. What is certain is that the themes identified in this strategy are a first step in the right direction on the long road ahead.

Willem de Ruiter
Executive Director

SETTING THE SCENE



The maritime sector in the EU

The EU is a leading maritime power in the world, in particular with regard to shipping, shipbuilding technology, coastal tourism, offshore energy, including renewables, and ancillary services.

Shipping and ports are essential for international trade and commerce. 90% of the EU's external trade and over 40% of its internal trade is transported by sea. Europe's leadership in this global industry is beyond any doubt, with 40% of the world fleet owned by EU-EEA interests.

Table 1. The Maritime Sector in the EU

Ship building and equipment 	Direct employment in the shipbuilding sector in Europe stood at 155.000 persons in shipbuilding and 287.000 in marine equipment in 2004-2005*. However, the vast majority of EU countries demonstrate a downward trend in employment. The strongest marine equipment industries in Europe rely on exports rather than on internal demand only from domestic shipyards. One effect of this has been noted at the level of the Member States Maritime Administrations where increasingly, technical tasks related to ship building and maintenance are being carried out by recognised organisations on behalf of the State they act upon.
Seafarers 	The maritime transport sector provided a total of 303.000 jobs for EU and non-EU nationals in 2004/2005** under EU, EEA and third country flags. Poland, Greece and Italy are the largest maritime nations in Europe in terms of the number of seafarers. A general trend in employment has been that of decline. One of the most significant factors affecting employment in this sector in the EU in the upcoming years is the ageing profile of the EU national workforce which is exacerbated by another key factor affecting employment in this sector which is the growing number of non-EU nationals on board of the EU fleet leading to a greater dependency of EU-flag States on seafarers trained in third countries.
Marine environment 	Major spills still occur across the pan-European region even in EU waters, such as the Erika in 1999 (20.000 tonnes) and the Prestige in 2002 (64.000 tonnes). The experience from these two events shows the difficulties in containing and collecting the spilled oil from the sea and from coastal areas, emphasizing that the measures to prevent oil spills should always be the top priority in combating oil pollution. Operational oil discharges which occur during ship deballasting, tank washing and from the normal workings of engine rooms are more frequent and happen on a daily basis. The North, Baltic, Mediterranean and Black Seas have the status of "special areas" under the IMO MARPOL73/78 Annex 1, which prohibits almost all operational oil discharges. However, surveillance of these seas shows large numbers of illegal operational oil discharges, mostly within shipping corridors. Unfortunately, the other seas in the European region are not covered by similar extensive monitoring schemes. Shipping traffic in pan-European seas, despite the current economic situation, is forecast to rise rapidly in the next decade. This is partly due to policy measures which aim to offset up to 95% increases in inland freight predicted to occur in the EU by 2020, through initiatives such the trans-European "motorways of the sea", short-haul shipping lanes linking EU ports according to defined shipping corridors***. Though the increase in shipping intensity in these corridors will increase the efficiency of freight transport, increasing pressure on the marine and coastal environment, in particular from operational oil discharges, which in turn will require greater efforts at monitoring, and identifying polluters.

* Source: "La Costruzione Navale in Europa, Struttura, Occupazione, Prospettive", University of Bremen for CESA, 2006

** Source: "Employment trends in all sectors related to sea or using sea resources", ECOTEC Research & Consulting, 2006

*** Source: "European Commission, DG Energy and Transport: Motorways of the sea — shifting transport of Europe's roads (2006)

Whilst taking all these factors into account, the impact of the current economic crisis for the maritime industries is likely to be severe and long lasting. The industry as a whole is seeing demand for maritime transport services being reduced; some of the effects of this include depressed freight rates through price-competition, the cancellation of orders for new buildings and the laying up of vessels. Other cost-cutting exercise are wide-ranging and the current conditions

risk seeing the emergence of sub-standard shipping, as corners are cut in order to reduce costs. Similarly, austerity measures are being introduced by EU Member States which include possible personnel reductions and budget cuts for their Maritime Administrations. This will further strengthen the trends witnessed towards delegating technical tasks to recognised organisations by Member States, which is taken into account in the EMSA strategy.



EMSA's SafeSeaNet monitors commercial shipping in EU waters

The regulatory framework

EMSA's role lies firmly within the EU regulatory framework that deals with maritime safety issues, which is in turn derived principally from the work of the IMO.

Regulation 1406/2002, establishing EMSA, is the legal basis that defines the tasks of EMSA and is the principal framework for developing the EMSA strategy. However, the Commission is planning to present a proposal amending Regulation 1406/2002 in the course of 2010. The Commission services in charge of preparing this proposal are working in dialogue with EMSA management. From this dialogue it appears that the current thinking is not to define completely new tasks but rather to broaden the range of activities undertaken by the Agency within the scope of existing tasks. The same philosophy is being followed in this Strategy paper. The main task-fields covered by the Agency currently are:

- assistance to the European Commission;
- working with Member States;
- pollution response;
- maritime surveillance.

It cannot be excluded that the European legislator might decide to define new tasks that go beyond the current scope of activities. However, it is not considered fruitful to speculate on this eventuality.

EMSA's stakeholders

A consultation was held with EMSA's stakeholders at the end of 2008 in order to clarify the areas that they considered useful for the Agency to analyse in the development of a strategy. This consultation built upon the Commission's Impact assessment for updating the EMSA Regulation, and the five year evaluation of EMSA carried out by the EMSA Administrative Board. The focus of this discussion paper for the five year strategy is on areas identified by the stakeholders where EMSA can provide added value to the EU and Member States.

EMSA's stakeholders are defined as "internal" and "external", the former having a direct influence on EMSA's activities; the latter are the group who are directly and indirectly affected by the work of EMSA.

Internal:

- The European Commission;
- The European Parliament;
- EU MS and EFTA Member States;
- Other EMSA Board Members.

External:

- EU MS and EFTA Member States as work partners;
- 3rd countries work partners;
- International organisations;
- Industry (and their associations).

Parameters used for the definition of the EMSA Strategy

The preparation of the EMSA strategy covering the next 5 years needs to take into account a number of different parameters, which will define the objectives EMSA can realistically aim for in the medium term.

The main parameters for EMSA include the Commission's strategy for maritime transport; the Commission's Integrated Maritime Policy; the strategic goals identified in the Commission communication on the maritime transport policy²; current and forthcoming legislation as well as comments received by the stakeholders. Many of these factors are beyond the control of EMSA, but the strategy will aim to fit within what is known and legally possible.

Finally, it is worth noting that the themes that are identified in this paper are new areas of work where the Agency is ideally placed to build on current tasks or begin new activities that are within the scope of EMSA's remit.

² Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: "Strategic goals and recommendations for the EU's maritime transport policy until 2018" 21 Jan 2009

Description of areas that the strategy will focus on

Following the consultation, the strategic areas need to focus on activities that add-value to the EU within the current and future legal basis of EMSA. When defining the EMSA strategic objectives, the following underlying drivers will be taken into account:

- Improving and developing safety activities carried out on behalf of the European Commission and the EU Member States and ensuring that the outcomes of EMSA's work leads to improvements;
- Improving EMSA's operational services
- Developing new areas of activity in line with the development of relevant EU policy initiatives.

Furthermore, EMSA's existing tasks need to be described in broader terms than the usual list of actions associated with each field of activity. Currently, it is estimated that EMSA deals with up to 20 different tasks, some of which are common to other activities; examples of these are inspections of Member States and EU-recognised Classification Societies, training for maritime administrations, providing technical reports on different topics, certain operational

tasks in pollution response, etc. In this context it has to be stressed that providing training to Member States' national administrations in relation to the implementation of the third maritime safety package represents a priority for the Agency.

With regards to setting high-level objectives, EMSA aims to provide technical assistance to the Commission and the Member States that will lead to measurable improvements to maritime safety, the prevention of loss of life at sea and the prevention of marine pollution. The expected specific outcomes for the activities listed in the strategy, and for EMSA as a whole will vary according to each task. Targets and outcomes will be defined as the Agency tasks are determined, and the experience gained over the years will allow knowledge to be built up that will help evaluate the impact of the Agency's role in improving maritime safety. This will permit the realistic setting of objectives and outcomes of the Agency's tasks within its institutional parameters in the future.

The definition of groupings of activities constituting the work of the Agency are organised according to a strategic theme. For each topic, one or more activities take place. The groupings of activities by strategic theme are as follows:

Table 2. Activities of EMSA, grouped by strategic theme

Maritime Safety Legislation:	1. Accident investigation 2. Emissions 3. Port State Control
Inspections and evaluations:	4. Adding value from assessments to improve maritime safety legislation and practises 5. Assisting the Commission and Member States in Monitoring Recognised Organisations
Ship monitoring & surveillance:	6. Extending the scope of vessel monitoring tools currently under the management of EMSA to support other EU institutions and bodies 7. Coordination of satellite information (GMES) 8. Monitoring of illegal discharges 9. Establishing regional centres 10. EMSA's role in EU research
External cooperation:	11. Technical assistance to EU neighbourhood policy countries and extending EMSA services to EU neighbourhood countries
Operational activities:	12. Marine pollution preparedness and response
Future Commission initiatives:	13. The Human Element 14. E-maritime

MARITIME SAFETY LEGISLATION



1. Accident Investigation

With the coming into force of the Accident Investigation Directive 2009/18/EC, the framework has been set for the development and consolidation of a sound marine accident investigation practice in Europe. However, many Member States face significant hurdles in implementing the directive.

Firstly, they will have to ensure the adequate availability of investigators for the implementation of the existing international requirements and European Maritime Acquis. A recent study commissioned by EMSA has indicated that as a result of the new Accident Investigation Directive the Member State administrations will have a significant shortfall of trained investigators to carry out the projected number of casualty investigations; it is estimated that for the total of the Member States at least double the current number of investigators will be required for such investigations to be carried out. This will have a much stronger impact on those Member States operating large fleets but with smaller administrations, who will struggle to meet the legislative requirements. Also small administrations with small fleets, currently not equipped with an independent maritime accident investigation branch, may be facing similar difficulties.

Other issues related to preparations for the implementation of the new Directive include the adoption of an accident investigation methodology and the associated required competence of investigators to conduct investigations. On these issues, work has started but if the deadline of June 2011 is to be met, greater effort is needed.

Finally, past experience (for example "Erika" and "Prestige") has demonstrated that investigations of multi-national nature would benefit strongly from a coordinated and cooperative approach, such as access to data; crew interviews and other information. It also happens that different States involved, e.g. coastal State and Flag State, each launch their own investigation, which may lead to contradictory results. The AI-Directive requires a permanent co-operative framework between Member States to be established in order to avoid such difficulties. The process of creating such agreements is yet to be started in earnest and will require significant

collaboration between the Member States in the lead up to the Directive coming into force.

Objectives:

- To provide operational support to Member States – on their request – concerning investigations related to serious maritime accidents, in particular in accidents of a multi-national nature.
- To determine a training framework, and to provide training to member States' Maritime accident investigators.

Required actions:

At present, apart from a Seconded National Expert recently arrived from the UK, EMSA does not employ any staff with operational accident investigation experience. In order to start working on achieving the objectives mentioned above, EMSA would have to facilitate the setting-up a pool of specialist investigators from relevant national bodies.

In a first phase the training framework should be developed. A parallel can be drawn with the approach followed in training of PSC-officers, where "the professional development scheme" as agreed in the context of the PMOU provides for: initial trainer courses for PSC officers with limited experience (1 yr), refresher courses for advanced inspectors (+5 yrs) and distant learning packages to highlight specific complex issues. This approach can serve as a source of inspiration for designing EMSA's training activities for accident investigations. It will be the task of the EMSA team to design such training framework for accident investigation and to organise the (partial) outsourcing through public procurement. Following the drafting of the specifications, a public procurement process can be launched.

As regards timing, it should be noted that the Accident Investigation Directive should be fully implemented by 17-6-2011. The additional obligations stemming from this Directive should lead to the recruitment of junior investigators in Member States. Consequently the need for a common training framework as mentioned before will probably be clearly felt as from 2011/2012.

LEGISLATIVE IMPACT: No change required

TIME FRAME: - Training Scheme - Immediate
- Availability Of Investigators - Through Pooling Scheme 6 Months

RESOURCES: Existing Resources



The Full City, aground and spilling oil on the Norwegian Coast

2. Emissions

2.1. Sulphur and nitrogen emissions

International legislation dealing with air emissions will be coming into force in the following years. For example, in Emission Control Areas (ECAs), the maximum sulphur content of marine fuel will be reduced from 1.5% to 1.0% in 2010, and to 0.1% in 2015. New stringent requirements on nitrogen emissions from ships' engines will also become applicable in 2011 and 2016. Secondly, on the basis of EU legislation, the maximum sulphur content of fuel used while

at berth is 0.1% as of 1st January 2010. Currently, there is a wide ranging debate on how these requirements will be implemented and enforced. The implementation and monitoring of the new rules still need to be addressed.

The most pressing issue regards the new set of requirements to reduce sulphur content in marine fuels adopted in 2008 at IMO under the review of MARPOL Annex VI which may be reflected in the revision of the European Directive 2005/33/EC. There are a number of outstanding uncertainties as how to these new rules will be met, implemented, monitored and enforced.

In the case of fuel quality, techniques on how to measure and control the sulphur requirements on board ships visiting EU ports. The waste streams, arising from abatement technologies also need to be given further attention, including the question of waste reception facilities.

Innovations towards building more fuel efficient ships and systems that reduce pollution are being discussed intensively at international level. New standards are to be adopted, including the International Code of Safety for Gas-fuelled Ships (IGF Code); alternative fuel and/or propulsion systems (e.g. LNG) and advanced after-treatment technologies. Close technical cooperation between EU experts will be necessary to arrive at common positions, where possible, and the Agency is well placed to provide a platform for this kind of technical cooperation.

Objective:

To assist the Commission, Member States and the maritime industry where appropriate by providing technical information about how to meet, implement, monitor and enforce international and European legislation on the reduction of SOx and NOx emissions which will be gradually phased-in during the next five years.

Required actions:

In the early phase of the period it is necessary to revise Directive 2005/33/EC to bring its provisions up to date with the new Marpol standards. This also presents an opportunity to clarify certain aspects of the Directive and to elaborate in more detail the provisions which are specific for shipping, such as notably the enforcement and verification provisions. EMSA will be assisting the Commission in this work.

In the medium term it is important to ensure that means are available for testing and sampling fuels sold in the EU and used on board ships visiting EU ports. An EU-wide system for testing and sampling fuels should be developed to ensure that the Member States have the capacity to verify and enforce the new EU and international requirements. EMSA could develop the elements of such a scheme and also assist in by undertaking spot-checks to verify implementation. A particularly interesting development in this regard is the development of remote sensing technologies, whereby the fuel quality and emissions from ships may be measured remotely from shore or by airplanes. While results obtained by such systems may not be conclusive, they could play a very important role in the selection of ships for further sampling. EMSA is already actively involved in assessing such technologies and will assist Member States and the Commission promote their use in the future.

The stringent fuel quality requirement will generate a series of concerns relating to availability and price of compliant fuels in the years to come. Such concerns, together with environmental considerations, pave the way for a new thinking on ships' fuels and propulsion systems more generally. Switching to new types of fuels, such as LNG, in ships may resolve several of the current environmental, economic and technical concerns relating to the new standards, for short sea shipping at least. This in turn, requires efforts from different parts of the maritime industry, including the on-shore supply side. Various promotional schemes may also be necessary to encourage pioneers to invest in alternative fuels and technologies. EMSA will play an active role in this area by providing technical expertise and other forms of support for promoting the development of alternative fuels and propulsion systems for ships to reduce air emissions from ships.

LEGISLATIVE IMPACT:	Legally, there are no obstacles. EMSA should start to work on this immediately taking into account the deadlines of the current Directive
TIME FRAME:	2010
RESOURCES:	- Existing resources - Expenses from studies and reports to develop the tools described above. Furthermore, disseminating tools and training to the EU MS would also need to be considered



Emissions from ships are considered to be a significant source of air and sea pollution

2.2. Greenhouse gases

It is expected that international legislation (IMO and/or UNFCCC) will include some form of rules on GHG emissions from ships before 2015. Complementary EU requirements cannot be ruled out. These developments will require the EU and its Member States to set up a system to control CO₂ emissions from ships. Whatever system is opted for, it will have to be monitored and enforced in the EU and it is probable that EMSA will play a role in ensuring that the rules are applied in practice.

Technological developments focus on alternative designs and energy efficiency management. As with the SO_x and NO_x emissions debate, the construction, operation and use of more efficient ships and technologies will also feature strongly in future discussions and rulemaking. Assistance in relation to the Energy Efficiency Design Index verification and application processes may be necessary at EU level.

The discussions concerning the setting up of market-based instruments such as a trading scheme or an emissions fund to reduce greenhouse gases from shipping could probably also come to a conclusion in the relevant period. The tools to manage the chosen system will generate an increased demand for accurate information on individual ships' emission and trading routes.

Finally, significant reductions of CO₂ may be achieved through operational measures. EMSA will provide assistance to the Commission, Member States and the maritime industry as appropriate to reduce the CO₂ emissions by operational measures and tools such as the Ship Energy Efficiency Management Plan.

Objective:

Once a decision has been taken, EMSA will provide technical assistance in relation to the reduction of greenhouse gases from ships and to assist the Commission and the Member States in setting up a system to monitor and enforce new requirements on CO₂ emissions from ships.

Required actions:

EMSA would:

- Assist the Commission and Member States with technical expertise in the process towards new legislation on greenhouse gases from ships;
- Assist in monitoring, implementing and enforcing a future regulatory regime, once decided and in place;
- Develop, in cooperation with the Commission and Member States, guidance/requirements, as appropriate, on the promotion, development and use of measures improving the energy efficiency of ships.

LEGISLATIVE IMPACT:	To be determined
TIME FRAME:	To be determined
RESOURCES:	Existing resources It is difficult to estimate the cost of any action in this field until there is more certainty on the nature of future regulations to reduce CO2 emissions from ships

3. Port State Control

Since its establishment, EMSA has gradually been given an increasing role in the work of the Paris MOU, including the Secretariat. This evolving role includes the tasks of: chairing meetings; designing and providing training courses for the PMOU; developing services and products (distance learning package, Rulecheck); redesigning the inspection regime and; the development and hosting of the new inspection system (THETIS) for the Paris MOU region.

The EU's commitment to a well functioning system of Port State Control has never been stronger, with the new Directive on Port State Control further encouraging only quality shipping to European waters and targeting substandard vessels through the New Inspection Regime.

Relations with the Paris MOU secretariat are very good; currently the EMSA PSC-team and the PMOU Secretariat are staffed with about 10 people. There has been a knowledge-transfer to EMSA. It is estimated that about three quarters of the Paris MOU Secretariat activities are now managed and financed by EMSA.

However it is felt that efficiency gains for the two organisations are now possible. This could also reduce costs for the Member States.

Objective:

To maximise management efficiency for both organisations.

Required actions:

The Agency will assist the Commission in developing a document for submission to next Port State Control Committee in May 2010, presenting the issues at stake for consideration by the relevant stakeholders.

In the meantime the Commission will explore the position of the PMOU-contracting States that are not members of the EU and the Agency will clarify the possible efficiency gains.

In addition, – following first contacts in January 2010 – further dialogue between the Agency and the PMOU secretariat will be organised at working level.

LEGISLATIVE IMPACT:	Depending on the outcome of the discussions within the Paris MOU framework, the text of the Paris MOU would need to reflect any change of location of the secretariat
TIME FRAME:	This issue is expected to be raised at the next Port State Control Committee in May 2010
RESOURCES:	To be determined

INSPECTIONS AND EVALUATIONS



4. Adding value from inspections to improve maritime safety legislation

- a. Following current trends, the dependency of Member States on technical organisations acting on their behalf is increasing. With the coming into force of the 3rd maritime package and other legislation, the need by the Member States to develop quality management systems and audit methodologies is increasing and consistency across the EU in how assessments systems are set up and carried out is paramount.

For existing and future legislation, the possibility to analyse findings and to draw horizontal conclusions have an importance: firstly in providing information to the Commission³ on the level of implementation of EU legislation by the Member States and other entities; secondly to help the audited party remedy shortcomings; and thirdly, they provide a strong basis for the amendment of relevant legislation.

Currently, the findings of EMSA reports are usually followed-up with corrective action plans for the audited party in order to remedy reported shortcomings. However, this is done on a one-to-one basis, such that where generic findings occur, these are not being shared with all Member States. They are often of a technical nature where further action by the European Union would also benefit the global shipping community.

There already exists a significant amount of reports that could be analysed, at the time of writing, EMSA has performed:

- Over 100 audits of recognised organisations under the Class Directive;
- 204 audits of national administrations and maritime education and training institutions under the Directive for training of seafarers, and;
- 140 inspections for maritime security;
- In addition series of visits to Member States have been carried out to verify the proper implementation of EU Directives on PSC, port Reception Facilities, VTMS, etc.

Taking into account other areas that are subject to inspections by EMSA, as well as the Member States reporting obligations for the audits that they are required to carry out under the new legislation, the potential to have a more complete overview of the level of implementation and effectiveness of maritime legislation has never been clearer. This would provide the opportunity to bring about changes/improvements to the relevant legislation, based on observed practices.

- b. In the field of security inspections, as defined by Commission Regulation (EC) No 324/2008 on procedures for conducting Commission inspections in the field of maritime security, EMSA is active in the inspection tasks in respect of ships, relevant companies and Recognised Security Organisations (RSOs). However, in accordance with the founding Regulation EMSA is not involved in security inspections for ports and port facilities.

This latter field is covered exclusively by Commission inspectors. Whereas the subject of the inspections differs, the relevant international standards according to which they are measured originate from the same set of rules, namely Regulation (EC) 725/2004. As such the knowledge required for both ship and port facility inspections is similar.

In this light, the Commission is considering to involve EMSA inspectors also in the inspection work for ports and port facilities, which may lead to gains in efficiency through economies of scale. The relevant legislation would have to be amended accordingly.

Objective:

EMSA will aim to provide the Commission with objective, comparable audit information and generic findings based on analysis of completed inspection cycles in order to be able to provide recommendations that may bring improvements to maritime safety and maritime safety legislation resulting from observed practices.

³ It should be carefully noted that it is the role of the Commission to carry out an assessment of the implementation of EU legislation, and that for certain Directives in the Maritime sector, the Commission may use the findings of EMSA audit and inspection reports to help them assess the level of compliance by any particular audited party

Required actions:

- a. With regards to providing support to the Commission, EMSA will exploit the existing work of its specialists to enhance its advisory role by analysing inspection reports in order to draw horizontal conclusions, to identify best practice and make recommendations for the Commission's consideration.

As a first step, an agreement on the procedures for preparing and submitting horizontal findings will be discussed with the Commission in the first half of 2010. Work on this is expected to begin in 2010.

A specialised function will need to be created at EMSA that can analyse audit reports in the context of the legislative and policy requirements of the Commission.

The scope of the analysis will initially be carried out for existing legislation where EMSA has an inspection role (VTMIS, PRF, STCW, PSC), as well as for all future legislation that is subject to inspection by EMSA.

The frequency of reporting the horizontal findings of the EMSA inspection is dependent upon completion of the visits to Member States on the particular legislation whose implementation is monitored. For the continuous monitoring of ROs under the Class Regulation for example, it is expected that the horizontal findings will be presented every two years. However, in cases such as the STCW inspections for third countries which follow a 5-year cycle or the new PSC Directive, it is proposed to present interim reports after a certain number of inspections (for example 20) or period of time containing horizontal findings.

Additionally, more time sensitive conclusions, such as security inspections, will also have a more frequent reporting rate.

Upon presentation of the horizontal reports by EMSA to the Commission, the Commission is likely to convene meetings with the Member States to discuss the findings and direct future policy.

The Commission may also propose follow-up actions and new legislation. Subsequently, when a need for legislative change is triggered by the findings, EMSA will support the Commission in preparing proposals to update the legislation (EU legislation, IMO submissions, etc).

- b. In conjunction with the Commission, discussion will be held on how to increase EMSA's role within the field of Security inspections. It is proposed that an extension of EMSA's role be considered including:

- EMSA to begin to assist in security inspections of port facilities in addition to its existing support role for ship security inspections;
- Subject to COM proposals, to include inspection of ship RSOs alongside its inspection of ROs, and thereby benefit from the existing RO inspection programme, audit methodology and experience that EMSA has established.

LEGISLATIVE IMPACT:	Task 1 - No legal impact/Possible rephrasing of the visits policy in EMSA Regulation Task 2 - Change to the EMSA Regulation required
TIME FRAME:	Start 2010
RESOURCES:	Existing resources

5. Assisting the Commission and Member States in Monitoring Recognised Organisations

Directive 2009/15/EC on common rules and standards for ship inspection and survey organisations and for the relevant activities of the maritime administration includes the

obligation for Member States to monitor the organisations which carry out work on their behalf. There are currently 167⁴ agreements between the EU Member States and the EU Recognised Organisations, each one of which should be monitored at least every two years. The burden varies according to the Member State:

MEMBER STATE	RECOGNISED ORGANISATION													TOTAL
	ABS	BV	CCS	DNV	GL	KR	LR	NK	RINA	RS	HRS	RINAVE	PRS	
Austria		X			X									2
Belgium	X	X		X	X		X	X						6
Bulgaria					X		X			X				3
Cyprus	X	X	X	X	X	X	X	X	X	X			X	11
Czech Republic		X		X			X			X				4
Denmark	X	X		X	X		X	X	X					7
Estonia	X	X		X	X		X			X				6
Finland	X	X		X	X		X			X				6
France	X	X		X	X		X							5
Germany	X	X		X	X		X			X				6
Greece		X	X	X	X	X	X	X	X		X			9
Hungary										X				1
Ireland	X	X		X	X		X	X		X				7
Italy	X	X			X				X					4
Latvia	X	X		X	X		X			X				6
Lithuania		X		X	X		X			X			X	6
Luxembourg	X	X		X	X		X	X	X					7
Malta	X	X	X	X	X	X	X	X	X	X			X	11
Netherlands	X	X		X	X		X	X	X					7
Poland				X	X			X	X	X			X	4
Portugal		X		X	X		X		X			X		6
Romania		X			X	X	X			X				5
Slovakia	X	X		X	X		X		X	X			X	8
Slovenia		X			X				X					3
Spain		X			X	X			X					4
Sweden	X	X		X	X		X							5
UK	X	X		X	X		X	X	X					7
Iceland	X	X		X	X		X	X						6
Norway	X	X		X	X		X							5
TOTAL	17	26	3	21	27	5	22	9	11	13	3	1	5	167

⁴ This figure as well as the detailed table concerning agreements between Member States and the EU Recognised Organisations is based on information provided by the Member States.

Most Member States will have to monitor 6 to 8 ROs (see table p.21) on a biennial basis. Certain ROs (BV; DNV; GL; LR) will be monitored by 20 or more Member States. The expectation is that the monitoring would include audits to address the duties the RO is undertaking on the Member State's behalf.

Furthermore, the new quality assessment and certification entity, set-up by ROs under article 11 of the new Regulation 391/2009, may be expected to carry out a significant number of audits per year. Added to this are the EMSA audits carried out on behalf of the European Commission, approximately 20 audits annually. With regards to checking the requirements of the international conventions, the audits that EMSA carries out cover almost exactly the same issues as those which the Member States would be required to assess. Here, duplications of audits will be numerous.

It is worth noting that the reports of all these audits will then be sent to the Commission for evaluation and further action. It is expected that analysing hundreds of reports – and making decisions on the follow-up to be given - will place a considerable burden on the Commission services.

Note: EMSA will obviously provide assistance to the Commission in the assessment and processing of the various audit reports, if so requested. This task would be in addition to the core task of performing the periodical audits of EU-recognised ROs, which serve to verify whether the ROs continue to comply with the requirements for obtaining EU recognition as laid down in Annex I to Regulation 391/2009.

For various reasons set out above, further consideration should be given to how to avoid duplications and introduce economies of scale, taking advantage of the inspections performed by the Agency. In particular, the question arises whether EMSA could assist the Member States by auditing organisations which carry out certification tasks on their behalf, within the limits of international and EU legislation (so excluding any additional national requirements included in the agreement between a Member State and a Recognised Organisation). EMSA would in this case combine its "core task audits" as mentioned above with additional verification work on behalf of requesting Member States, who will be recipients of the latter findings.

Objective:

To increase efficiency in EU auditing by avoiding duplication and to reduce the audit burden for Member States and recognised organisations.

Required actions:

As mentioned above, it is expected that Member States in implementing their obligation to monitor the quality of the work done by ROs on their behalf (Art. 9 of Directive 2009/15), will verify in particular issues such as: the implementation of statutory requirements and the Quality Management System of the ROs, the training of the surveyors, etc. These same issues are also duly examined when EMSA carries out an audit on behalf of the Commission to verify whether the RO still complies with the requirements for EU recognition.

- a. In order to minimise duplication, Member States could first of all use the findings of the regular EMSA reports (verifying compliance with the Annex I of Regulation 391/2009) as input for their own monitoring. It is understood that the Commission intends to ensure dissemination of the EMSA reports to Member States that have delegated statutory work to the RO in question. The Commission will soon present further information on the modalities for the implementation and the timing of this new arrangement.
- b. The increased transparency will certainly help to reduce the risk of unnecessary duplication. In addition, there is the question whether Member States could ask for EMSA's technical assistance in monitoring the performance of ROs. Such assistance would be based on Article 2.(c) of the Founding Regulation 1406/2002 which provides: "EMSA shall work with Member States to: (ii) develop technical solutions and provide technical assistance related to the implementation of EU legislation." On this basis it is considered that a Member State may for example request EMSA to provide advice in auditing the RO in question.

It has to be noted that experts from Member States may accompany the EMSA inspection teams (as it is the case already today for the Member State having

requested the recognition) from time to time in order to carry out from their side in parallel the monitoring as regards the statutory requirements, which the Recognised Organisation is carrying out on behalf of that Member State. This would partially alleviate the inspection burden of the classification societies and avoid duplication of work.

In conclusion, there is general agreement on the objective of avoiding, or at least minimising, duplication in auditing work. A certain degree of technical assistance by EMSA to Member States will be called for in this context, the precise boundaries of the task remain to be decided. These activities may expand, depending on the future evolution of the relevant EU legislation.

LEGISLATIVE IMPACT:	A revision of the relevant EU legislation may be considered in the next years
TIME FRAME:	2010 – intensification of assistance to the Commission as required under the new legislative framework 2010 – analysis of common audit criteria used by the MS in their agreements with ROs, and adaptation of the EMSA audit if required 2011 – beginning of audit report sharing
RESOURCES:	For the time being existing resources



SHIP MONITORING AND SURVEILLANCE SYSTEMS



6. Extending the scope of vessel monitoring tools currently under the management of EMSA to support other EU institutions and bodies assisting the Commission and Member States in Monitoring Recognised Organisations

Maritime surveillance at the European level has over the years become more important. The European Commission is taking initiatives to strengthen maritime surveillance and to stimulate the development of enhanced and integrated tools. This is needed to serve a wide range of European policy objectives such as improving the internal market for short sea shipping, maritime safety and marine pollution control, fisheries management and control, enhancing border control and addressing illegal immigration, etc, as outlined in the Commission's "An Integrated Maritime Policy for the European Union"⁵.

The Commission has further underlined its ambitions and objectives in its strategic paper where it states: "Looking ahead to 2018, the capacities of the EU's maritime transport system should be strengthened by putting in place an integrated information management system to enable the identification, monitoring, tracking and reporting of all vessels at sea and on inland waterways to and from European ports and in transit through or in close proximity to EU waters"⁶.

Beyond the maritime domain, the Commission states that: "the EU should promote the creation of a platform to ensure the convergence of sea-, land-, and space-based technologies...", "building on the resources currently available, such as AIS, LRIT, SafeSeaNet or CleanSeaNet, or those that are being developed, such as Galileo and GMES and taking into account the need to fully develop EUROSUR"⁷.

To achieve its objectives, the Commission directly refers to systems which are currently developed and operated by the European Maritime Safety Agency (EMSA), such as in the recent communication "Towards the integration of maritime surveillance in the European Union" the concept of a "common information sharing environment" is being introduced, with a key role for SafeSeaNet.

Objective:

The objective is to place EMSA at the centre of an effective integrated maritime surveillance platform that will enhance maritime safety, security and the protection of the marine environment by monitoring ships and cargoes moving along the EU coastline.

This will ensure an effective information sharing platform able to combine data from different sources to further the stated objective.

Required actions:

EMSA will support the above mentioned Commission policy by making maritime surveillance systems currently operational for the purpose of maritime safety and protection of the marine environment (SafeSeaNet, CleanSeaNet and EU LRIT Data Centre) available to other EU bodies under certain conditions.

All these will take into account technology that will ensure adaptability in the future to the latest standards such that the systems will be as much as possible based on open source standards, XML and web services, whilst ensuring the highest levels of security.



The European Maritime Safety Agency's Maritime Support Services (MSS) centre, operating around the clock

⁵ COM (2007) 575 dated 10.10.2007.

⁶ Quotes from page 9 of the Communication – COM (2009) 8, dated 21.1.2009. "Strategic goals and recommendations for the EU's maritime transport policy until 2018".

⁷ This is a project to develop a surveillance system in the framework of the EU external border management. See Commission's Communication COM (2008) 68, dated 13.2.2008.

Pilot projects to assess the possibility of further developments in this area will continue, examples of which are follows:

a) The LRIT information provided to EUNAVFOR for monitoring the coast Somalia and the Gulf of Aden to prevent pirate attacks:

- The pilot project started in September 2009 and is based on LRIT reports;
- When an EU flagged ship enters the sensitive area as defined by EUNAVFOR in the Gulf of Aden and the Horn of Africa, there is an automatic increase of the periodic rate of transmitting LRIT reports to the Flag State and to EUNAVFOR, from 6 hours to 1 hour. An alert message is as well transmitted when the ship enters or leaves the area;
- 20 Member States participate in the project (December 2009).

b) The PIRASAT project with the European Space Agency (ESA) monitoring the coast Somalia and the Gulf of Aden to identify pirate ships:

- To further improve anti-piracy monitoring, the Agency is collecting information on ships from different sources (LRIT, AIS, and Satellite AIS) and combining them with satellite pictures available for a defined area for antipiracy purposes, in order to identify possible non-cooperative targets.

c) Integration of SSN/VMS with the participation of Member States in the West Mediterranean basin to improve maritime safety:

- The objective is to demonstrate the available synergies between VMS and SSN functionalities, and allow a better monitoring of the fishing vessels' identity/position.

d) Exchange of VTS data (radar) with the participation of Member States in the West Mediterranean basin to enhance security:

- The objective is to exchange coastal radar data through SafeSeaNet, to cover also border surveillance. This would allow a better traffic image including non-identified targets.

e) Satellite-AIS project with ESA to extend the current range available for maritime safety:

- EMSA is exploring with ESA the possibility for S-AIS to become a space node of SafeSeaNet, and of combined AIS, S-AIS and LRIT information.

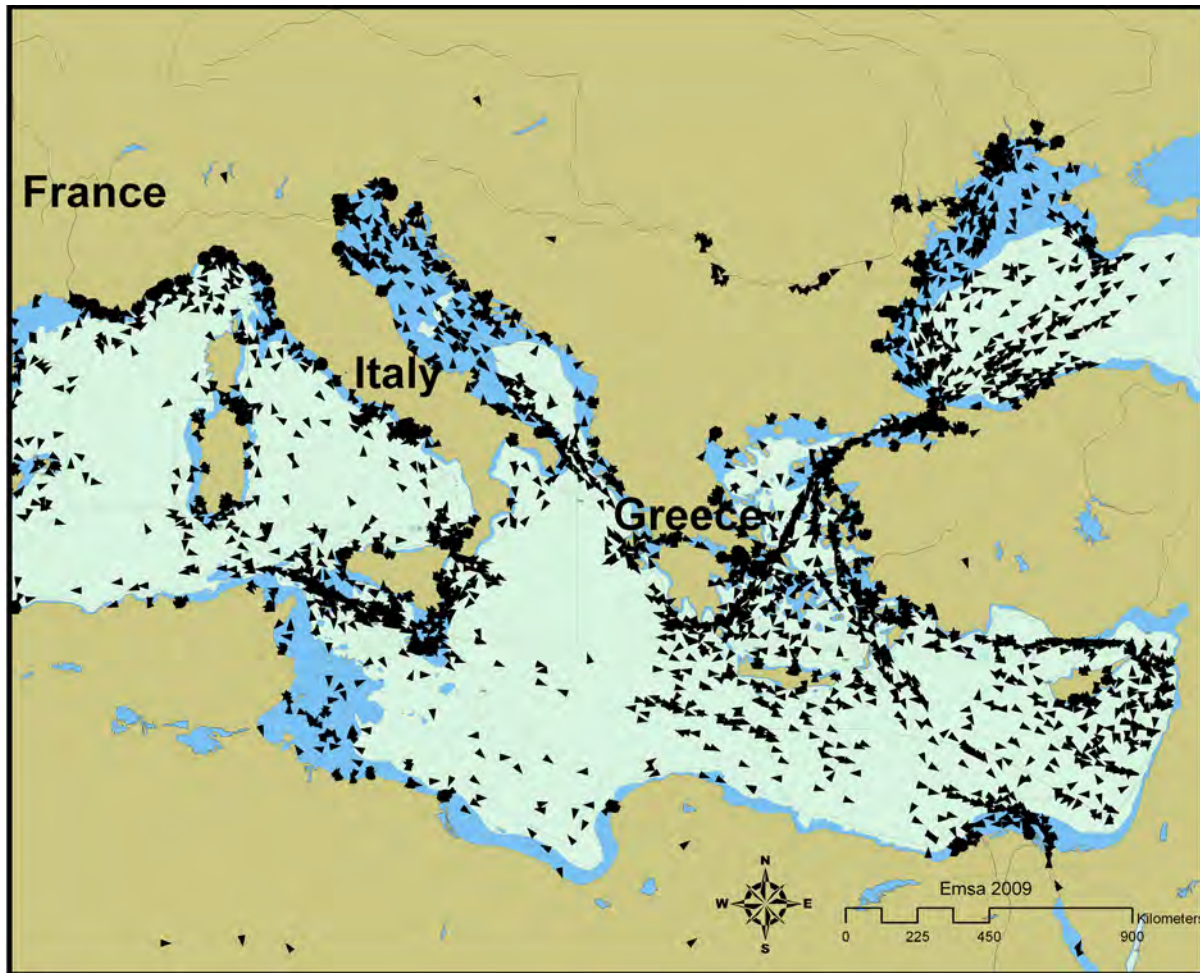
This list of pilot projects, which is by no means exhaustive⁸, once completed, will be able to confirm that the information from different sources can be integrated and used to serve different purposes.

EMSA, FRONTEX and CFCA have put in place a framework to develop exchange of information and expertise and foster mutual cooperation.

A further pilot project to promote the creation of a European maritime space without barriers for Short Sea Shipping between EU-ports, by replacing classical custom procedures by simplified procedures subject to electronic monitoring of ship movements, is currently under consideration. This could further contribute to the development of the European common maritime space without barriers and e-Customs.

LEGISLATIVE IMPACT:	No change of legislation required Issues of data access rights and data protection need to be taken into account
TIME FRAME:	2010
RESOURCES	For the time being existing resources

⁸ Additional projects include the Vessel Traffic Oil Pollution Information System that is being carried out by Bulgaria; and current projects could also be extended to other sea areas such as the Arctic.



Each triangle represents a vessel and provides a link to further ship information, such as type of cargo and expected time of arrival

7. Coordination of maritime satellite information (GMES)

There is an increasing use in Europe for satellite earth observation data. At the moment most of the satellite radar data for the European seas is being used for research projects, ice mapping and oil spill monitoring. With the growing interest for maritime surveillance multiple users are ordering images from industry providers for their various needs. For different purposes, for example oil spill monitoring and vessel detection, the satellite needs to be programmed differently. The industry and the European Space Agency (ESA) are already asking for more coordination between European entities and national users in order to avoid conflicting orders. In one instance, the Agency has already held discussions with the MyOcean project on the issue of conflicting orders for ice mapping and oil spill monitoring in the Baltic Sea. In this case, a compromise has been found.

In the future, most of the earth observation data will be covered by GMES, the European programme of the Commission and ESA for "Global Monitoring for the Environment and Security". At the moment the governance structure is under discussion. One of the models is to use EU Agencies for collecting user requirements, having dialogue with other users and to coordinate acquisition requests. Most active EU Agencies in this field are EUSC (European Union Satellite Centre), EEA (European Environment Agency) and EMSA. A suggestion is to give EEA a coordinating role for land based applications and EMSA for maritime applications.

Within the GMES programme, the Agency has established close relationships with the European Space Agency and is increasing its operational cooperation with ESA. This is due to EMSA's links with the maritime sector which is useful to ESA when developing new services for that user group.

Additionally, CleanSeaNet is recognized by the Commission as being a GMES service. Recently the Agency has been given the possibility to use the Data Access Grant under GMES for financing emergency acquisitions. This gives EMSA access to a broad portfolio of radar and optical satellite data, which can be used for monitoring environmental and security related accidents and incidents.

CleanSeaNet is a prominent project in the field of earth observation. The CleanSeaNet service has as of end 2010 a vessel detection functionality on a structural basis, which is useful for maritime surveillance applications. Earth observation satellite information will be more and more used in combination with maritime traffic information to validate positions and to identify non-cooperative targets. The new platform of CleanSeaNet will be able to offer a secure environment for special projects for separate user communities.

Objective:

EMSA aims to be the EU reference point for maritime data, including satellite data for the maritime domain, in order to avoid duplications with other EU programmes.

Required actions:

- EMSA is more and more the EU reference point for maritime data. In the medium term, the Agency could develop a coordinating role in this field.
- EMSA will develop its satellite monitoring systems to further improve and enhance the information gathered, in support of its operational role and will be able to support and host projects for other user communities in a safe and secure environment.

LEGISLATIVE IMPACT:	As with point 6
TIME FRAME:	As with point 6
RESOURCES:	For the time being existing resources Impact of GMES to be determined on a later stage

8. Illegal discharges

With the adoption of Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements, expectations were raised in addressing what is the most common type of pollution in EU waters, oil discharges. The aim of the Directive is twofold: to encourage Member States to track discharges and the related polluter(s) and to fine them; and to set-up an effective deterrent to stop illegal discharges by ships thereby reducing pollution in European waters.

The enforcement chain as provided through the Directive is the primary responsibility of the coastal State, and involves: the monitoring of seas, the detection of pollution, the identification of polluters and the detention and prosecution of those responsible. The objective of the Directive can only be achieved through a fully operational enforcement chain that involves the maritime administrations for the operational tasks and the judiciary authorities for prosecutions.

The Agency has been tasked to give technical assistance to Member States, in particular in the field of satellite monitoring and surveillance, which has resulted with the development of CleanSeaNet. This European satellite oil spill detection and monitoring service became operational in April 2007 and is the first step in the enforcement chain. To date 24 coastal states EU Member States, EFTA countries and candidate countries) benefit from this service receiving around 2.500 analyzed satellite images per year, covering European Union waters.

With this service the Agency is meets the requirements of Article 10.2.a) of the Ship Source Pollution Directive⁹. According to the Directive, many other actions still need to be supported or developed that are part of the enforcement chain in a consistent manner by all participating Member States.

⁹ Directive 2005/35/EC on ship-source pollution and on the introduction of penalties for infringements.



In this photo, a spill from March 2009 when a Russian Aircraft carrier, the Admiral Kuznetsov, polluted waters off the Southern Irish coast

The good performance of CleanSeaNet is unfortunately counterbalanced by the relatively low percentage of enforcement through follow-up actions at national level. In the long run, this may backfire on the service and may put into doubt the added value of delivering such a service at European level, if a large number of polluters remain unchallenged.

The actions that are only being partly implemented and where further work is required include: collecting evidence (improving and extending aerial surveillance observations and improving its admittance in Court as evidence); correlation of data linking pollution and polluter, creating an effective link between the pollution response, Port State Control and judiciary authorities; promoting simple, effective and consistent judicial pursuit and publicising the system to the shipping industry.

Objective:

EMSA's objective is to support the enhancement of the effectiveness of the enforcement chain of the Directive on illegal discharges.

Required actions:

Within the next 5 years the Agency will develop areas covered by Article 10 of Directive 2005/35/EC, as quoted above.

The first step will require EMSA to provide technical support to promote the collection of evidence. Areas that would be analysed and where knowledge shared through the promotion of best practise include: enhancing aerial surveillance; establishing standardised reporting methods of aerial observations and the admittance of qualified aerial surveillance reports as evidence in courts.

Once this is done, the conditions will be right to support a more efficient enforcement chain. Actions resulting from this would initially be addressed to Member States that predominantly use administrative fines in this field, where it is important that information related to observed illegal discharges is communicated effectively. Thus, a notification system with Port State Control officers in the next port of call needs to be set up, to ensure that an adequate follow-up is provided by Port State Control inspections.

Furthermore, discussions with the enforcement community will be needed to agree to a simpler and a more efficient way of collecting evidence for linking the pollution with the polluter. This will result in the development of guidelines based on best practice for tracing pollution and polluters and strengthen the level of enforcement.

Once the enforcement chain is improved, an awareness campaign to inform the shipping industry of the system in place will need to be carried out.

In any case, the Agency will continue to work over the next years to integrate ship position information in CleanSeaNet (AIS, LRIT, VMS, S-AIS), enabling correlations with observed spills. In addition, with the support of national and/or regional authorities, oil spill back tracking models will be linked to CleanSeaNet on a structural basis.

LEGISLATIVE IMPACT:	Directive 2005/35/EC foresees already more actions (in its Article 10) initiated by Commission and Member States. This should not interfere with national enforcement obligations. No immediate changes in legislation are required
TIME FRAME:	2010 to start preparations, consult and define the legal framework for the Member States
RESOURCES:	For the time being existing resources

9. Establishing regional centres

In the EMSA Founding Regulation (EC) 1406/2002 the possibility is foreseen to set-up one or more regional centres of the Agency under Article 5.3, for tasks related to the monitoring of navigation and maritime traffic, as provided for in Directive 2002/59/EC.

According to the Founding Regulation, it is for the Commission to present a proposal to establish a regional centre – in agreement with the Member State/s concerned – and for the Administrative Board to decide.

The Mediterranean Sea and the Black Sea are particularly sensitive sea areas, not only from a point of view of maritime safety and protection of the marine environment, but also for reasons relevant for border control and the fight against illegal immigration, as well as from a point of view of political cooperation and external policy.

27 coastal states face the Mediterranean, with seven EU members, two candidate and three potential candidate countries. 30% of global sea-borne trade in volume takes place in the Mediterranean between its more than 450 ports and terminals, and a quarter of worldwide seaborne oil traffic. The semi-enclosed nature of the Mediterranean Sea and the trans-boundary impacts of maritime activities call for increased cooperation with non-EU Mediterranean partners.

The possible creation of an EMSA Regional Centre is therefore not only a technical matter, but equally a political choice to be seen in the context of the Commission policy as laid down in its recent Communication on “Partnership between the European Union and Africa” of 24 June 2009, and in its Communication “Towards an Integrated Maritime Policy for better governance in the Mediterranean” of 11 September 2009.

It has to be clarified that as a principle, within the framework of Directive 2002/59/EC, as amended by Directive 2009/17/EC on vessel traffic monitoring, and more in particular for the SafeSeaNet system, there are significant advantages in having a regional centre. SafeSeaNet currently sources vital information from two regional servers currently located in Italy and Denmark, and this is an essential element in facilitating the provision of a reliable maritime traffic picture using the latest state-of-the-art technology.

The surveillance priorities of one region are not the same with the needs of others. Recognising the particularities of the Mediterranean, EMSA, in close cooperation with interested Member States of the region (France, Italy and Spain) is already working on pilot projects on monitoring and surveillance: the first one is focused on the exchange of fisheries control VMS information and the second one on VTS/ coastal radar information through SafeSeaNet.

The latter has also gained the interest of Frontex since it is directly linked with border surveillance, a high priority in the Mediterranean. These pilot projects confirm the need to strengthen inter-EU agency and cross-border surveillance cooperation for the Mediterranean and Black Sea Regions; setting up a regional centre focused at the beginning on vessel traffic monitoring will represent undoubtedly a step in the right direction.

As a further development, the regional servers could be used as an effective device for the integration of candidate and neighbouring countries within the sub-regional system of SafeSeaNet, and could also have a relevance when combining information from the different EMSA monitoring systems such as CleanSeaNet and future monitoring developments to support EU policies. The Commission already outlined in its Communication "Towards an Integrated Maritime Policy for a better governance in the Mediterranean" that the inclusion of Mediterranean partner countries in the integration of maritime surveillance deserves further consideration, in order "to improve not only the overall surveillance level in terms of information gathering and processing, thus allowing for better coordinated responses at sea or in ports, but may also reduce surveillance costs by taking advantage of unexploited economies of scale".

For the Mediterranean Sea there are even more synergies to be developed, since the Regional Centre could become an antenna to assist candidate, potential candidate and neighbouring countries in the region, including support for building up national capacities and providing training, as deemed appropriate, in the fields of activity of the Agency. The Mediterranean States present big differences in the implementation of the international maritime conventions. Safety of navigation and prevention of pollution from ships fall under the responsibility of 27 coastal states, of which, as already stated before, only 7 are EU Member States.

For example, the purpose of Directive 2002/59 is to establish in the EU a vessel traffic monitoring and information system with a view to enhancing the safety and efficiency of maritime traffic. In a region like the Mediterranean, it would be important to ensure uniform application by the EU and non-EU Member States, in order to attain the same objectives. There is a lot of work to be done in this area to reduce the distance between the EU and the non-EU Mediterranean States.

The involvement of EMSA in this area would, of course, require an amendment to the Founding Regulation, where at present the tasks of the regional centre(s) are limited to the monitoring of navigation and maritime traffic. This would facilitate the Agency's involvement and improve EU and non-EU cooperation in the region.

It has to be added that the idea of a regional centre for the Mediterranean and Black Sea regions is now emerging also for other Agencies such as Frontex, and the possibility of a co-located regional centre, with potential economies of scale and efficiencies for both Agencies should be explored.

Following the revision of the EMSA Founding Regulation, a two-step approach could be followed in this field and the Agency, subject to a proposal by the Commission and a positive decision of the Administrative Board, could:

1. Set-up a regional centre for tasks related to the Vessel Traffic Monitoring Directive, in close cooperation with the Italian Coast Guard currently operating the regional server for the Mediterranean;
2. Extend the mandate of the regional centre and include technical assistance in the other fields of activity of the Agency to candidate and neighbouring countries of the region.

The Regional Centre will work of course under close scrutiny of the Agency in Lisbon and under its strict supervision.

It is also to be added that the Agency is supporting the Commission with the execution of the SAFEMED II programme, which includes building up AIS capacity in the southern non-EU Mediterranean countries. At the same time an increasing number of training sessions are provided to candidate countries and countries covered by the Neighbourhood Policy of the EU. In a medium term perspective, the Regional Centre may become a useful tool for the Commission to manage relevant programmes designed for the Mediterranean and Black Sea.

Actions for the region are being considered and coordinated with REMPEC and FRONTEX in various fields. Having EMSA systems running in offices placed in a strategic location may facilitate these tasks of the Agency.

Objective:

EMSA aims to give full support to the Commission's policy for the Mediterranean basin and to the European Neighbourhood Policy, and to implement best practises for regional traffic monitoring in the Mediterranean and Black sea regions.

Required actions:

- EMSA will research, using a cost-benefit analysis as part of a feasibility study the setting up a regional centre serving the Mediterranean and Black Sea regions to support vessel traffic monitoring systems and other relevant services, as well as to facilitate exchanges and training within the EU neighbourhood countries policy.
- Subject to the proposal presented by the Commission and a positive decision by the Administrative Board, the Agency will start as from 2014 preparatory steps for setting up a Regional Centre.
- the possibility of a joint regional centre with FRONTEX, with economies of scale for both Agencies, will also be explored.
- The implementation will proceed in three steps:
 - 2013 – preparation in close cooperation with the Italian Coast Guard;
 - 2014 – making the MED regional centre operational with tasks related to the Vessel Traffic Monitoring Directive, in close cooperation with the Italian Coast Guard;
 - 2015 – performing extended tasks in the field of assistance to Mediterranean Partner Countries.

LEGISLATIVE IMPACT:	None for establishing a regional centre for tasks related to the VTM Directive. Amendment to the Founding Regulation for the inclusion in the mandate of the Regional centre assistance to neighbouring countries of the region
TIME FRAME:	To begin in 2013
RESOURCES:	For the time being existing resources



Italian Carabinieri patrol boat intercepts migrant boats. Each year hundreds of migrants trying to reach Europe across the Mediterranean

10. EMSA's role in EU research

Currently, EMSA's role in research activities is defined by Article 2(a) of its founding Regulation which limits the Agency to assisting the Commission in analysing the results of research projects solely for the purpose of updating legislation.

Today, EMSA is only involved in certain actions in the field of pollution. Nevertheless, it has been recognised that due to EMSA's central position in maritime safety matters, more involvement in relevant research activities could be beneficial and help shape future policy, legislation and technical development. It should be noted that EMSA's involvement in research would need to be related to areas that are directly related to its field of activities: maritime safety; prevention of pollution originating from shipping and maritime security.

Within these boundaries, EMSA can play a useful part. Research activities dealing with Maritime issues under the EU Budget are performed by a number of different Commission Directorate-Generals: Transport, Research, Environment, Enterprise, Maritime Affairs, Trade, Regional Affairs and Taxation & Customs all have some programmes running. Notwithstanding the Commission, extensive research and studies are funded also by other EU Agencies and bodies such as the EEA; ESA; the JRC to name but a few.

In this vast field EMSA's involvement should be well targeted and concentrate on assisting in the analysis of the outcome of research projects relevant to the fields of the Agency. This may include the identification of possible regulatory follow-up measures resulting from specific research projects and the identification of key themes and priorities for further research at EU-level.

One example is the current development of satellite AIS. In the United States and Canada pilot projects have been developed by commercial satellite owners. Low orbiting communication satellites are carrying an AIS payload to receive and process AIS signals from ships. In Europe a more public oriented approach is being followed initiated with some pilot studies of the Commission (DG MARE) and ESA.

The Agency has the opportunity to work closely together with ESA setting-up a hybrid European Satellite-AIS capability. Hybrid refers to having European and national satellites as part of the same constellation. Norway already expressed its interest to link its national AIS satellite (to be launched in 2010) to this initiative and to make its S-AIS information available via SafeSeaNet.

Depending on final investment decisions by the European Space Agency, two demonstration satellites may be launched in 2013 followed by completing the constellation as of 2015. Satellite-AIS should become a complementary source of ship information that, together with coastal AIS, LRIT and preferably also VMS, should be made available to the user communities in the European Union using SafeSeaNet. A service platform will have to be developed for the reception, storage and distribution of S-AIS information before 2013 when the first satellites should be launched.

At the same time, no international rules or standards on satellite-AIS have yet been set by the International Maritime Organization, although preliminary discussions are ongoing. Preparatory work of the International Telecommunication Union and IALA is promising and will probably lead to an established international framework before the launch of any European AIS satellite in 2013.

Other examples of areas where EMSA would benefit from additional research information of a technical nature would support Commission policies and legislation include: design of more efficient engines using alternative fuel sources such as LNG and developing methods for testing ships exhaust to monitor for SOX and NOX emissions in the EU in ports and at sea in support of low-sulphur fuel legislation that has recently come into force.

Objective:

EMSA will aim to analyse EU research with the aim of using it to support EU maritime policy and to help with the development of new legislation.

Required actions:

EMSA would enhance its role in research with the support of the Commission, to help execute the effective implementation of EU policies that are relevant to its activities¹⁰.

As a first step, EMSA would identify maritime research projects relevant to safety of life at sea, maritime safety and the prevention of maritime pollution currently being funded by the relevant Directorates General of the Commission (DG Transport, Research, Enterprise, Mare etc). This would result in an overview of areas of potential interest that could be used in preparation of new actions. Taking into account the volume of EU research and the current limitations in budget and EMSA staff availability, research projects where the Agency will be involved will be based on relevance.

For the selected projects, the Agency will have an advisory role and will provide expertise in preparing calls under the framework programmes and of research projects. As the projects evolve, EMSA will provide guidance and at a later stage, through the analysis of the results. The latter will be done initially for the analysis of research results for projects under the previous research framework programme (FP6), specifically MARNIS.

For the current research framework programme (FP7) which began in 2007 and runs until 2013, the Agency will support the Commission through relevant regulatory follow-up measures resulting from specific research projects and will identify the key themes and priorities for further research at EU level, such as the examples of Satellite-AIS presented above and the e-maritime concept (see Theme 14 below). In the first case, EMSA would continue its role with regards Satellite-based AIS, and help the Steering Committee with technical input and using experience with the other related EMSA managed satellite systems. The aim is to have an EU-wide approach to the use, technical requirements and standards for this system which can then be proposed to the international community.

Other areas where the Agency's involvement would help advance the Commission's policies and which include analysis of efficient engines, new ways testing of emissions to monitor SOX and NOX emissions and areas that would benefit from additional research initiatives such as tracking container that are lost overboard. Here, additional research could identify appropriate systems to reduce these hazards and lead to new guidelines and legislative initiatives. Finally, EMSA could also identify areas where new research could be beneficial, examples of these include further studies on certain aspects, notably stability issues, of the effects of SOLAS 2009 and RO-RO vessels.

LEGISLATIVE IMPACT:	Founding Regulation 1406/2002 will need to be updated to define the tasks research
TIME FRAME:	Work to begin in 2012
RESOURCES:	2012 - 2 FTE 2013 - 1 FTE

¹⁰ These research areas may cover a wide range of activities such as: stability of passenger vessels; monitoring of the environmental aspects of shipping; etc.

EXTERNAL COOPERATION



11. Technical assistance to EU neighbourhood policy countries and extending EMSA services to EU neighbourhood countries.

Discussions surrounding EMSA's possible role in establishing closer links with neighbouring non-EU countries, either through request for operational assistance during an emergency (the Lebanese oil spill, the Kerch straight in the Black sea), through the extension of EMSA managed tools (SafeSeanet, CleanSeaNet) and other actions through the EU's Neighbourhood Policy, have been ongoing for a number of years.

In accordance with current EU legislation, EMSA is providing operational services to Member States in particular in the fields of oil pollution response through its network of oil pollution response vessels and CleanSeaNet, and of maritime surveillance through SafeSeaNet and the EU LRIT Data Centre. Participating EEA States (Norway and Iceland) also benefit from these services. In addition, candidate countries can be provided with technical assistance under certain conditions.

Despite the EU interest in providing assistance to the neighbourhood countries in order to prevent maritime accidents – or the consequences thereof - in the regional seas common to the EU and its neighbours, there is currently no legal instrument that provides a clear mandate for offering EMSA services to non-EU countries in the Mediterranean and the Black Sea.

In this context, the policy currently developed by the Commission points clearly towards the strengthening of support and assistance for European Neighbourhood Policy (ENP) countries, and this affects directly the Agency and its mandate.

In its Communication on partnership between the European Union and Africa dated 24 June 2009¹¹ the Commission has announced a new role for the Agency in supporting African Mediterranean countries to improve their maritime traffic monitoring systems, through an amendment to the Founding Regulation.

In addition, in its Communication "Towards an Integrated Maritime Policy for better Governance in the Mediterranean" dated 11 September 2009, the Commission clearly states its intention " to propose that the European Maritime Safety Agency (EMSA) starts technical cooperation with Mediterranean partners, including in case of pollution accidents, by providing anti-pollution vessels".

Moreover, the Agency has now developed a solid portfolio of training sessions based on international and EU maritime safety, security and pollution prevention legislation. This training is designed for Member States, and made accessible to candidate and potential candidate countries. As concerns ENP countries, EMSA is already active within the framework of the SAFEMED project, by providing selected assistance to the Commission on specific tasks: in particular EMSA supports the Commission with the execution of the SAFEMED II programme, which includes building up AIS capacity in the southern non-EU Mediterranean countries, and supports specific training actions.

With the approach of the next generation of technical assistance projects for ENP countries (e.g. SAFEMED III or TRACECA II), EMSA's role as coordinator would be useful as the programmes deal with activities that are directly related to the Agency's mandate and are becoming increasingly reliant on EMSA expertise.

It has to be stressed that enhancing cooperation and offering technical assistance to the ENP Countries would not only be beneficial for those States, but also for the wider EU environmental and safety interests, as most of these countries are coastal States of the Mediterranean and Black Seas.

Extending the Agency's services to third countries will of course imply a clear identification of the conditions for access, and will require an amendment to the Founding Regulation.

Objective:

Subject to the amendment of relevant legislation, EMSA will extend the set of systems and services under its management to the European Neighbourhood Policy States, under conditions to be defined.

¹¹ Communication from the Commission "Partnership between the European Union and Africa. Connecting Africa and Europe: working towards strengthening transport cooperation". COM (2009) 301 of 24 June 2009.

Required actions:

In the next five year period, as already suggested by the Commission as a priority, the EMSA will support the Mediterranean non-EU countries to develop vessel traffic monitoring tools interoperable with the EU SafeSeaNet.

As a second step, in cooperation with the Commission and the Member States, EMSA will evaluate the pros and cons of their full integration into the EU vessel surveillance network.

In the field of maritime surveillance, EMSA may make available to the Commission its technical expertise in order to evaluate the feasibility of the inclusion of ENP Countries in systems, tools and projects under development, such as the Satellite AIS System, the integration of SafeSeaNet and VMS for the monitoring of fishing vessels, radar exchange.

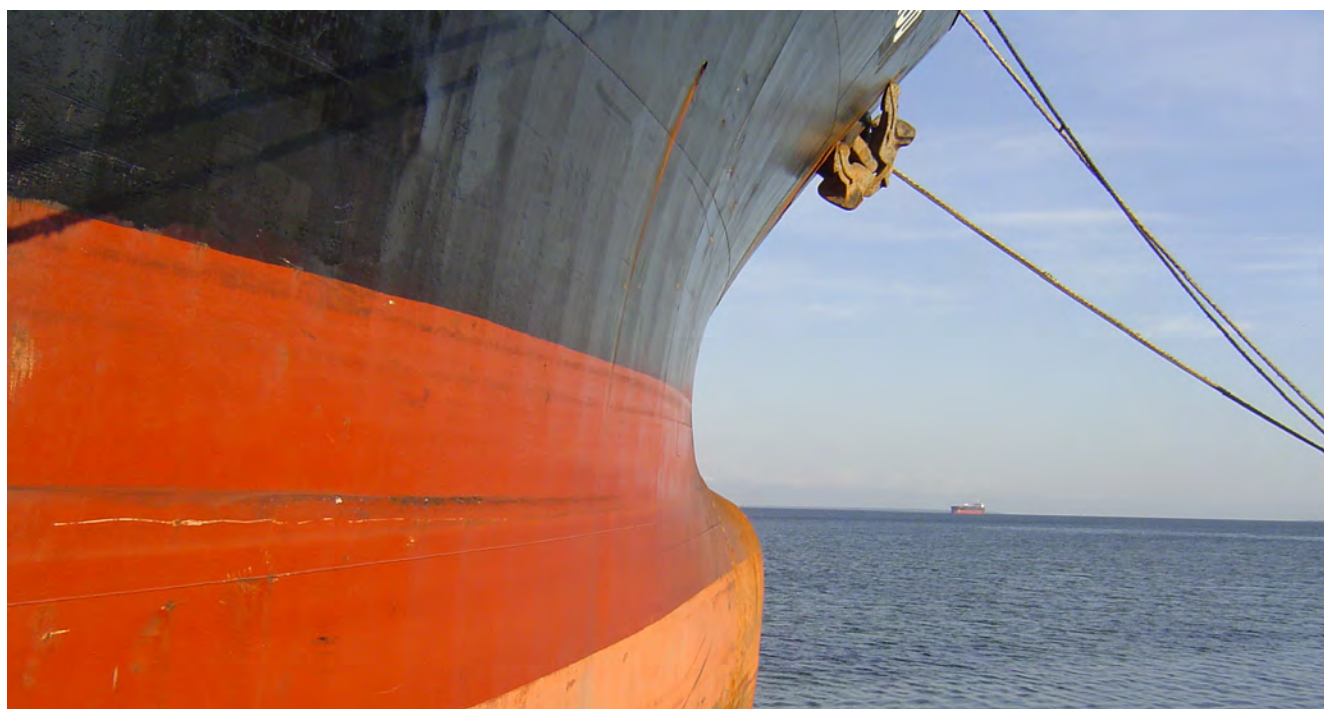
As regards the operational services offered by EMSA to Member States in the field of Anti Pollution Response,

EMSA could make available its managed capabilities in the field of pollution response, such as the oil recovery vessels and CleanSeaNet to the ENP Countries that face the Mediterranean and the Black Sea. This of course will include the definition of the conditions for access to these services by relevant non-EU Countries.

In the field of training, EMSA is well placed to identify (in dialogue) relevant training needs of ENP countries, in relation to enhancing maritime safety, maritime security and prevention of pollution by ships. EMSA can as well provide technical assistance in building-up national capacities for the implementation of relevant legislation.

Finally, taking into consideration its expertise and in-house capabilities, EMSA could further develop its assistance to the Commission in providing support to neighbourhood countries, including the management and implementation of relevant programmes such as SAFEMED III and TRACECA II.

LEGISLATIVE IMPACT:	An amendment to the EMSA founding Regulation will be required to allow EMSA to extend its services to the "neighbourhood" countries
TIME FRAME:	Start of analysis can begin in 2011
RESOURCES:	2012 - 1 FTE 2013 - 2 FTE



POLLUTION RESPONSE



12. Marine Pollution Preparedness and Response

Following the sinking of the *Prestige*, EMSA was given an operational task in the field of pollution response. The *Prestige*-case had demonstrated that the EU was not sufficiently prepared for such a type of accident, resulting in large quantities of heavy oil drifting initially at sea and then washing ashore, thus causing great ecological and socio-economic damage. It was concluded that EMSA should mobilise a number of larger, better performing, pollution response vessels that could serve as a "top-up" for Member States' resources for mechanical recovery at sea.

Having the above scenario in mind, EMSA developed in 2004 the concept of so-called "stand-by oil spill response vessel contracts" for at-sea oil recovery services. This means, contracts concluded between the Agency and private vessel operators engaged in a long term commercial activity in a designated area, who will accept – against payment – to modify their vessel to make it suitable for pollution response activities and, in addition, accept, in case of an emergency, to switch immediately from their regular commercial activity into pollution response mode.

This concept was brought into practice in 2005 when a first series of 3 such contracts was concluded. In the following years additional contracts were signed, thus building up a network of pollution response vessels covering more or less the entire EU coastline. Today EMSA has established stand-by contracts in the Baltic Sea, North Sea, Atlantic Coast, Western and Eastern Mediterranean basins and Black Sea. In total a maximum of fully equipped pollution response vessels could be mobilised simultaneously under these contracts. Different vessel types are being used, but they all offer a relatively large storage capacity. With an average storage capacity for recovered oil of approximately 3,000 m³, these vessels are substantially larger than response vessels generally used by Member States.

Recently (December 2009) the procurement procedure – 2009 for additional response vessels in respectively (a) the Northern Baltic/Gulf of Finland and (b) the Western English Channel/Gulf of Biscay was successfully concluded. The relevant contracts have been signed. The vessels are now in the process of being technically adapted for their new task. They will be operational as from summer 2010.

The concept of "stand-by contracts in public/private partnership", developed in 2004, has been fine tuned on points of detail over the last years, but has not been changed fundamentally. The vessels have been successfully deployed on a number of occasions and have performed well during drills and exercises carried out in the framework of regional agreements.

It is generally accepted that the concept of stand-by contracts in public/private partnership is the best way (if not the only way) to mobilise a large oil pollution response capacity with relatively modest financial means.

The strategic question for the next 5 years is therefore not "the concept", but rather how to complete the chain of pollution response vessels, or in other words, what total capacity is required in the framework of EMSA's task? Secondly, how can the capacity of the system in place be measured and optimised?

Objective:

EMSA will carry out a risk assessment in order to set the optimal fleet size and usage of oil pollution response vessels managed by EMSA. Further study should also determine how EMSA can further contribute towards better understanding and dealing of HNS (Hazardous and Noxious Substances) spills.

Required actions:

In 2004 the policy decisions were made for the build-up of the EMSA pollution response network as we know it today. The Action plan for Oil Pollution Preparedness and Response, as adopted by the Administrative Board on 22nd October 2004, was based on a partial risk assessment containing an analysis of the actual tanker traffic routes at the time, the navigational hazards, the prevailing weather patterns and coastline sensitivity. Also an analysis was made of historical pollution incidents, which was considered an overall indicator of "risk" per sea area. The analysis allowed the identification of priority areas for the mobilisation of EMSA response capacity and, secondly, to define the general specifications for the equipment needed, such as vessel characteristics, mobilisation time, skimmers, booms, sweeping arms, etc.

In 2010 a review of the system will be undertaken on the basis of a new risk assessment¹²⁻¹³ that will build upon the experience gained and insights acquired over the last years. In order to be able to make an educated decision on the optimal fleet size the following 3 elements of information need to be available:

- The costs of the system; in particular what is the cost of increasing or decreasing the density of EMSA contracted response vessels along the EU coastline?
- The benefits of the system; in particular what performance can be expected – in terms of tonnes of pollutant substance recovered at sea – of the present network of contracted response vessels in case of a large accidental spill ?
- What is the chance of occurrence and what are the consequences of a large accidental spill in the various sea basins that form the EU coastline?

As regards the cost element, sufficient information is available from the experience gained over the last 5 years. As regards potential performance of the vessels under contract, the Agency is currently carrying out a so-called scenario-study. This means that for concrete well defined accident scenarios (size of the spill, type of oil, location, weather conditions, etc.) simulations are being carried out to see how much of the pollutant substance could, for that particular scenario, be recovered at sea by the EMSA contracted vessels. For each case a general estimation will also be made of the (socio-economic and ecological) benefits of such recovery at sea compared to the alternative of shore-line cleaning.

Once the scenario-study is completed the complementary analysis as set out under –c- will be added; The whole process should be completed by October 2010 and will be presented to the Commission for the Mid-term report as required under Article 8 of Regulation (EC) n° 2038/2006 on the multi-annual funding of the Agency's pollution preparedness and response tasks.

Although the main purpose of the risk assessment is to serve as a basis for strategic decision making on the optimal fleet size for the future and consequently on the budget needed for this task, the analysis will also produce information on how to optimise the performance of the vessels currently under contract.

As regards combating the effect of accidental spills of Hazardous and Noxious Substances, the Administrative Board following the adoption of the HNS Action Plan in June 2007, has already implemented the policy line that EMSA should continue to focus on developing a deeper knowledge of "what to do and what not to do" in case of marine chemical incidents. EMSA shall thus serve as a knowledge-centre providing technical assistance to Member States in case of a chemical emergency. The MAR-ICE system is considered a good example of such a tool, developed by EMSA in close cooperation with the European Chemical industry, providing useful assistance to Member States in their operational tasks regarding chemical spills. It is not foreseen for EMSA to develop any direct operational chemical response capacity.



Inflatable oil booms are typically used for offshore oil spill operations

¹² Reference is being made to the report: "Pollution Preparedness and Response" (Fleet of vessels) of the IAS to EMSA of 4 November 2009 i.a. recommending to undertake a new risk assessment.

¹³ Reference the 25th Meeting of the Administrative Board, 19th November 2009, Agenda item 10: Multi-Annual Funding Mid-Term Report.



EMSA Vessel map at the end of 2009

FUTURE COMMISSION INITIATIVES



13. The Human Element

Competent crews are essential for ensuring safety and security at sea, the protection of the environment and indeed the driving force for a prosperous shipping industry. A commonly cited statistics states that 80% of all accidents are a result of the "Human Element", thus the reliance on ensuring that seafarers are properly trained, regardless of which country they come from and of the flag of the vessel that they are sailing on. In the long-term, competent seafarers who eventually go ashore to work for industry or national administrations, are the result of adequate and proper education and training at the beginning of their maritime careers.

As regards the European Union, the number of national seafarers decreased considerably during the last 10 years. This is mainly due to a lack of interest in the maritime professions, to an ageing seafaring workforce and to the increase in the number of third countries' seafarers. In 2005, the number of European seafarers (EU-27) was approximately 200.000. Current deficient supply of seafarers is likely to worsen by reason of a lacking interest in the professions and potential increases in the EU fleet¹⁴.

Hence, to ensure competency of both European and non-European crews the Commission has initiated since 1994, a very comprehensive set of rules¹⁵, which above all transposes into EU law the international training and certification requirements laid down by the International Maritime Organization (IMO) in the STCW Convention¹⁶. More recently, the European Commission has set up a Task Force on maritime employment and competitiveness that will look at ways to promote seafaring in the EU.

EMSA is currently involved in ensuring that non-European seafarers on board EU ships are trained and certified according to the minimum international requirements as described in the STCW Convention in accordance with Directive 2008/106.

This allows the Commission to accept EU-wide recognition of a third country maritime education and training system,

and the seafarer certificates issued by these countries are accepted for EU-flagged vessels.

The above processes entail assessment of compliance of maritime education training and certification systems in third countries in relation to the requirements of the Convention, which the Directive entrusts to the European Commission. This assessment involves an on site inspection of facilities and procedures, which the Commission delegated to the European Maritime Safety Agency, in order to compile evidence regarding the implementation of the STCW Convention. This information is subsequently used by the services of the Commission to gauge compliance of a third country with the relevant requirements of the STCW Convention.

Related to training standards are the living conditions on board a vessel. In order to improve conditions on board and make the sector more appealing globally, the ILO Maritime Labour Convention (MLC), adopted on 23 February 2006, lays down standards related to minimum requirements for seafarers to work on board a ship including medical conditions, age, training, recruitment conditions, working time, accommodation, recreational facilities, food and catering, health protection, medical care, welfare and social security protection and also foresees provisions on compliance and enforcement. This was transposed into EU law by virtue of the Directive 2009/13 of 16 February 2009.

With a view of a harmonised enforcement, further legislation may be needed to define the respective responsibilities of the Flag state, the Port state as well as the labour supplying state in order to be able to control the working and living conditions on board ships calling at EU ports, regardless of the ships' flag and the nationality of the crew.

These themes are taken up in the Communication on the strategic goals and recommendations for the EU's maritime transport policy until 2018, adopted January 2009, where the Commission presents the main strategic goals for the European maritime transport, with a significant importance allocated to the human element.

¹⁴ See DG TREN "Study on the Labour Market and Employment Conditions in Intra-Community Regular Maritime transport Services" which provides data on the number of European seafarers, December 2009. <http://download.ecorys.com/fuu/downloads/EE15196repfin.pdf>

¹⁵ Directive 2008/106/EC on the minimum level of training of seafarers (recast) and Directive 2005/45 on the mutual recognition of seafarers' certificates issued by the Member States.

¹⁶ IMO Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended.

The Commission is considering presenting a policy communication listing several measures, including two legislative proposals, which look at the social aspects of shipping (a “social package”) in 2011. The communication would include:

- A legislative proposal to set up monitoring systems for relevant international legislation designed to ensure adherence to certain standards for seafarers, such as MLC;
- A legislative proposal to revise the STCW Directive;

Objective:

EMSA will contribute towards the improvement of living conditions and training for seafarers by supporting the Commission in the preparation of the maritime social package.

Required actions:

EMSA will work towards improving the human element aspects by:

- Providing assistance to the Commission in the implementation of the new Maritime Labour Convention and the monitoring of the effective implementation of EU legislation dealing with the working environment for seafarers;
- To provide the systems to set up an STCW observatory on training and qualifications of seafarers;
- Contribute to the development of additional professional competences for EU seafarers by providing assistance to the Commission.

LEGISLATIVE IMPACT: To be determined

TIME FRAME: To be determined

RESOURCES: Subject to the Commission’s proposals, the Agency will need to recruit additional staff in order to fulfil these new tasks and activities
2012 – 2 FTEs
2013 – 1 FTEs



EMSA is currently involved in ensuring that non-European seafarers on board EU ships are trained and certified according to the minimum international requirements as described in the STCW Convention in accordance with Directive 2008/106

14. E-Maritime

The e-maritime initiative¹⁷, aims to provide an integrated EU system including e-services at the different levels of the transport chain, will be presented by the Commission in a communication and a strong framework of specific aims, leading to a framework Directive by 2020. It is anticipated that implementations will be achieved earlier based upon existing EU transport projects and initiatives.

The initiative is broad based but can be summarised as establishing greater use of advanced information technologies for doing business within the EU maritime domain and standardisation of existing electronic platforms. The platform for implementing the core exchange of information would recognise and use existing initiatives such as SafeSeaNet (linked to e.g. EU port systems).

SafeSeaNet will be expected to provide the exchange of information, combined with its surveillance capabilities and requiring the 24/7 support of EMSA and systems in the Member States.

A specific focus for e-Maritime will be to facilitate the implementation of the EU maritime transport policies and in particular:

- The Motorways of Sea;
- The European maritime transport space without barriers, (a number of actions are required in both the short and medium terms, dealing with the simplification and easing of administrative formalities and burdens).

Using EMSA information platforms and especially SafeSeaNet as the EU traffic monitoring and information system by additional transport sectors will require further development, due to its increased use by Member States and throughout the EU for different monitoring purposes. As this occurs, adding the type of functionality that the e-maritime project requires from SafeSeaNet will assist the Commission in further developing the EU's internal market with regards to the transport of goods by sea. It will enhance and strengthen meeting the original core and original objectives for safety and counter pollution identified in Directive 2002/59.

Objective:

EMSA through SafeSeaNet will develop and provide the additional, essential functionalities for the Commission in its definition and implementation of e-maritime and associated initiatives and applications.

Required actions:

- Assist the Commission in identifying the tools that will help with the development of e-maritime;
- provide support to the Commission throughout the legislative process (and SSN High Level Steering Group);
- provide support for the relevant definition of pilot projects;
- prepare and provide the SafeSeaNet-based platform for pilot projects within the framework relating to eMaritime.

LEGISLATIVE IMPACT:	To be determined
TIME FRAME:	To be determined
RESOURCES:	To be determined

¹⁷ "Keep Europe moving" - European Commission mid-term review of the White Paper on Transport Policy - http://ec.europa.eu/transport/transport_policy_review/doc/2006_3167_brochure_en.pdf, and, COM(2007) 607, COMMUNICATION FROM THE COMMISSION, Freight Transport Logistics Action Plan, 18 October 2007 - <http://eur-lex.europa.eu/LexUriServ/LexUriSrv.do?uri=COM:2007:0607:FIN:EN:PDF>



ESA "Earth from Space - United Europe"

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Maps and tables generated by EMSA

About EMSA

The European Maritime Safety Agency is one of the European Union's decentralised agencies. Based in Lisbon, the Agency provides technical assistance and support to the European Commission and Member States in the development and implementation of EU legislation on maritime safety, pollution by ships and maritime security. It has also been given operational tasks in the field of oil pollution response, vessel monitoring and in long-range identification and tracking of vessels.



<http://www.emsa.europa.eu>