

Maritime safety: establishing a Community vessel traffic monitoring and information system

2005/0239(COD) - 25/04/2007 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Dirk **STERCKX** (ALDE, BE) making amendments to the proposed directive establishing a Community vessel traffic monitoring and information system:

- the purpose of the Directive is to establish in the Community a vessel traffic monitoring and information system with a view to enhancing the safety and efficiency of maritime traffic, port and maritime security, improving the response of authorities to incidents, accidents or potentially dangerous situations at sea, including search and rescue operations, and contributing to a better prevention and detection of pollution by ships;
- whereas the Commission was proposing that fishing vessels over 15 metres long should be equipped with the Automatic Identification System (AIS), Parliament said that this should be required only of ships over 24 metres long;
- fishing vessels equipped with an AIS, shall maintain it in operation at all times, except where international agreements, rules or standards provide for the protection of navigational information;
- in accordance with the IMO Guidelines for the onboard use of AIS, AIS may be switched off where the master considers this necessary in the interests of the safety or security of his vessel;
- a new article 6b was designed to incorporate into Community legislation the progress made in the IMO on long-range identification and tracking of ships (LRIT);
- vessels coming from a port outside the Community and heading for a port of a Member State or an anchorage in the territorial waters of a Member State which have dangerous or polluting substances on board must be in possession of a declaration by the shipper containing certain prescribed information;
- Member States shall designate a competent authority which has the required expertise and is independent in that it has the power, at the time of the rescue operation, to take decisions on its own initiative concerning the accommodation of ships in distress with a view to: the protection of human lives, coastal protection, the protection of the marine environment, safety at sea, minimising economic loss;
- the competent authority may follow certain courses of action, including the following: restrict the movement of the ship or direct it to follow a specific course; give official notice to the master of the ship to put an end to the threat to the environment or maritime safety; come aboard or send an evaluation team aboard the ship to assess the damage to the ship and the degree of risk, help the master to remedy the situation and keep the competent coastal station informed; call on and deploy rescue workers itself where necessary; cause the ship to be piloted or towed;
- on the basis of a preliminary assessment of the circumstances, the authority shall decide on the accommodation of a ship in distress in a place of refuge. The authority shall ensure that, based on an assessment of the circumstances, ships in distress are admitted to a place of refuge in all cases where the accommodation of the ship in distress in a place of refuge permits the risks associated with those circumstances to be reduced;

- the absence of an insurance certificate or financial guarantee shall not exonerate the Member States from the preliminary assessment and decision referred to in the legislation and is not of itself sufficient reason for a Member State to refuse to accommodate a ship in distress in a place of refuge;
- Member States shall respect the IMO Guidelines on the fair treatment of seafarers in the event of a maritime accident in relation to the crew of a ship in distress in the waters under their jurisdiction;
- the Commission shall ensure that the Community maritime information exchange system SafeSeaNet is operational on a 24 hours-a-day basis;
- when cooperating within regional agreements or in the framework of cross-border, inter-regional or transnational projects, Member States shall ensure that information systems or networks developed comply with the requirements of this Directive and are compatible with and connected to the SafeSeaNet system;
- to ensure that there is a sufficient period to test the functioning of the SafeSeaNet system, that system shall become fully operational on 1 January 2009.