

Basic information	
2004/0031(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Maritime transport: enhancing port security Subject 3.20.03 Maritime transport: passengers and freight 3.20.03.01 Maritime safety 3.20.09 Ports policy	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	TRAN Transport and Tourism		HENNIS-PLASSCHAERT Jeanine (ALDE)	01/09/2004
	Committee for opinion		Rapporteur for opinion	Appointed
	ITRE Industry, Research and Energy		CHICHESTER Giles (PPE-DE)	21/09/2004
	LIBE Civil Liberties, Justice and Home Affairs		LA RUSSA Romano Maria (UEN)	13/09/2004
	Former committee for opinion		Former rapporteur for opinion	Appointed
	ITRE Industry, Research and Energy			
	LIBE Civil Liberties, Justice and Home Affairs		The committee decided not to give an opinion.	
	Council of the European Union	Council configuration		Meetings
Transport, Telecommunications and Energy		2589	2004-06-10	
Transport, Telecommunications and Energy		2680	2005-10-06	
European Commission	Commission DG		Commissioner	
	Energy and Transport			

Key events			
Date	Event	Reference	Summary
10/02/2004	Legislative proposal published	COM(2004)0076 	Summary
25/02/2004	Committee referral announced in Parliament, 1st reading		
28/05/2004	Modified legislative proposal published	COM(2004)0393 	Summary
10/06/2004	Debate in Council		Summary
15/09/2004	Committee referral announced in Parliament, 1st reading		
19/01/2005	Vote in committee, 1st reading		Summary
08/02/2005	Committee report tabled for plenary, 1st reading	A6-0031/2005	
10/05/2005	Decision by Parliament, 1st reading	T6-0168/2005	Summary
10/05/2005	Results of vote in Parliament		
10/05/2005	Debate in Parliament		
06/10/2005	Act adopted by Council after Parliament's 1st reading		
26/10/2005	Final act signed		
26/10/2005	End of procedure in Parliament		
25/11/2005	Final act published in Official Journal		

Technical information	
Procedure reference	2004/0031(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Legal basis	EC Treaty (after Amsterdam) EC 080-p2
Stage reached in procedure	Procedure completed
Committee dossier	TRAN/6/21163 RETT/5/20708

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A6-0031/2005	08/02/2005	
		T6-0168/2005		

Text adopted by Parliament, 1st reading/single reading	OJ C 092 20.04.2006, p. 0020-0095 E	10/05/2005	Summary
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Council of the EU

Document type	Reference	Date	Summary
Draft final act	03629/3/2005	26/10/2005	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2004)0076 	10/02/2004	Summary
Modified legislative proposal	COM(2004)0393 	28/05/2004	Summary
Commission response to text adopted in plenary	SP(2005)2482	16/06/2005	
Follow-up document	COM(2009)0002 	20/01/2009	Summary
Follow-up document	COM(2013)0792 	18/11/2013	Summary
Follow-up document	COM(2019)0191 	25/04/2019	Summary
Follow-up document	COM(2024)0192 	07/05/2024	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0954/2004 OJ C 302 07.12.2004, p. 0023-0026	30/06/2004	
CofR	Committee of the Regions: opinion	CDR0163/2004 OJ C 043 18.02.2005, p. 0026-0034	30/09/2004	
EESC	Economic and Social Committee: opinion, report	CES1428/2004 OJ C 120 20.05.2005, p. 0028-0029	27/10/2004	

Additional information

Source	Document	Date
European Commission	EUR-Lex	
European Commission	EUR-Lex	

Maritime transport: enhancing port security

2004/0031(COD) - 25/04/2019 - Follow-up document

The Commission presented its third report assessing the implementation of the Directive on enhancing port security.

As a reminder, Directive 2005/65/EC complements Regulation (EC) No 725/2004 on enhancing ship and port facility security by establishing a security system for all of the port area, in order to ensure a high and equal level of security for all European ports serving direct sea-going services.

Over 1 200 commercial maritime ports are operated along the 70 000 km of coastline in the European Union, one of the regions in the world with the largest number of ports. Around one thousand of these ports fall within the scope of the Directive, i.e all ports housing one or more port facilities which are the subject of a security plan approved under the Regulation.

The first report was adopted on 20 January 2009, the second on 18 November 2013. This third report on progress made in terms of implementing the Directive describes the measures which have been taken in order to promote the implementation of standardised port security measures across the Union, progress made during the last five-year reference period and the continued problems which have arisen during the implementation period. The report is based on exchanges of information with Member State authorities responsible for maritime security and other stakeholders; the results of the large number of port security inspections carried out by the Commission for the monitoring of this Directive during the period of reference; ongoing dialogue between the national authorities and the various players from the maritime and port sectors.

Monitoring the implementation of the Directive

Since 2009, the Commission has had a system for receiving regular information from Member States on the implementation of the Directive. A sustained dialogue has been opened with the authorities of the Member States in order to obtain regular and reliable information on the extent to which assessments have been carried out and port security plans adopted.

The decrease in the number of infringement procedures initiated is also an indicator of significant improvement of the implementation of the Directive.

The large number of port security inspections has also significantly contributed to this high level of port security; findings are exchanged between Member States through the MARSEC Committee and the exchange of best practices fostered.

Discrepancy between the objective of improving port security coordination among local authorities, port operators and public law enforcement bodies and the still imperfect results which have actually been reported remain, even if there has been significant improvement over the last years.

Defining port boundaries for security purposes is still an issue for certain Member States. Another key challenge is the five-year review of port security assessments and port security plans, which has not yet been carried out everywhere.

Inspection and supervision of port security plans

The report notes that in European ports, the level of security coordination among local authorities, port operators and public law enforcement bodies has further increased in European ports. The combination of the implementation of the Regulation and the application of the Directive has made possible a credible framework for preventing security breaches in ports and to obtain adequate protection for ships in port and port commercial activities.

Although it is difficult to assess the impact of these measures in terms of providing a deterrent for terrorist acts, port authorities agree that there has been a major impact in terms of smuggling, theft and malicious acts, which have been greatly reduced. Furthermore, the introduction of security measures have often led to a review of the organisation of ports, such as – for example – the movement and storage of goods, the control of access to different areas of the port or a definition of restricted areas within the port operational areas.

Conclusions and future steps

The Commission considers that this system is currently meeting the expectations and that Directive 2005/65 on enhancing port security does not need to be amended at this point in time.

In the coming months, Member States will again re-examine port security assessment and plans in accordance with the provisions of Article 10 of the Directive, which lays down that this review should take place at least once every five years. The Commission therefore considers that the methodology developed in the TAPS II study on the technical aspects of port security - which had been entrusted to the Joint Research Centre (JRC Ispra) - could be useful where necessary, in order to redefine the perimeter of ports, including the necessity to take due account of the water side of these ports.

In addition, the Commission's multiannual inspection work programme will continue to include in-depth checks of port security measures. The inspections will cover (i) the application of the procedures provided for in the port security plans to be applied to passengers and vehicles to be boarded on ro-ro ships (which are by nature particularly vulnerable); (ii) verification that the Member States concerned cooperate in the port security assessment at both ends of the maritime line, in the case of international maritime transport services.

The Commission will remain vigilant on the application of the Directive and will continue to take legal action when it deems it necessary.

Moreover, the Commission's multi-annual inspections work programme will continue to include detailed examinations of port security measures. For example, the implementation and application of procedures under the port security plans to be applied to passengers and vehicles to be loaded on RO-RO vessels (which are, by nature, particularly vulnerable) will continue to be the subject of further examination and monitoring by the Commission inspection services. Similarly, in the case of international maritime transport services, the approach of checks on both sides of the route will be continued in order to verify and ensure that the Member States concerned are cooperating in port security assessments.

Lastly, the Commission will continue to monitor the application of this Directive and continue to take legal action where it considers this to be necessary.

Maritime transport: enhancing port security

2004/0031(COD) - 18/11/2013 - Follow-up document

The Commission presents its second report assessing the implementation of the Directive 2005/65/EC on enhancing port security. The main objective of the Directive was to complement the measures adopted in 2004 by means of Regulation (EC) No 725/2004 on enhancing ship and port facility security.

The [first report was adopted on 20 January 2009](#). This second report on progress made in terms of implementing the Directive describes the measures which have been taken in order to promote the implementation of standardised port security measures across the Union, progress made during the last five-year reference period and the continued problems which have arisen during the implementation period.

At the end of this assessment period, the main provisions of the Directive had finally been transposed into the national law of the vast majority of Member States. Unfortunately, there continued to be organisational and functional difficulties in terms of ensuring implementation in practical terms at port level, since local administrations did not yet have all the resources necessary in order to ensure the practical implementation of the Directive. The main difficulty related to **defining the port perimeter** from a security point of view.

During the period 2009-13, the Commission has continued its commitment to ensuring a more effective implementation of the Directive, through initiatives to help Member States and also monitoring activities. The definition of port perimeter was given special attention. A study on the technical aspects of port area security (TAPS II) was assigned to the Joint Research Centre (JRC – Ispra).

Monitoring action plans for completion of the practical implementation of the Directive: since 2009, the Commission has had a system for receiving regular information from Member

States on the implementation of the Directive.

92 % of assessments have currently been carried out and **just over two-thirds (70 %) of port security plans have been established and approved**. The delays are caused by the United Kingdom, Spain, Greece and Germany. The lack of willingness on the part of these Member States to show their commitment to prioritising the implementation of the Directive has prompted the Commission to **open infringement proceedings**.

Inspections carried out by the Commission: the inspections carried out since 2012, both by national administrations and in the form of direct inspections of a sample of ports, have shown that although the general framework of the implementation of the Directive has now been correctly applied, there is a **large discrepancy between the objective of improving port security and the still imperfect results which have actually been reported**.

Critical size of the ports: during discussions with stakeholders, the view is often expressed that the Directive is generally well designed for large ports with high commercial activity but that implementation is harder for small ports. On the basis of the port security assessment, the port boundaries have very often (but not always) been defined as being the same as that of the port facility.

Therefore, of the 1 052 ports housing one or several port facilities covered by a ship security plan approved under the Regulation, **586 ports have been considered as falling under the provisions of the Directive, i.e. 55 % of ports in the European Union**.

Awareness of the threat and awareness-raising amongst players: the report stresses the importance of increasing awareness of general security policy, of which all staff employed at the port (i.e. staff of port undertakings but also those employed by external companies involved in port activities) and also the various users of the port need to be aware. Awareness-raising activities provide key tools in this regard.

The Commission considers that by taking better account of requirements as regards staff training and port security drills, the general level of knowledge required for the protection of ports could be improved.

Inspection and supervision of port security plans: each Member State has developed its own monitoring system depending on its own internal organisation and the resources available. This monitoring role has been devolved to either central or local government, or even to multi-purpose teams combining several administrative bodies (transport, police, customs, harbour-master offices, etc.).

The reports, both of national auditors and also of those of Commission inspectors, serve as a basis for the national authorities to provide advice and assistance to the competent authorities at the ports, with a view to rectifying the shortcomings identified. This practice should be encouraged and extended. The paper notes, however, that **some Member States have not yet put in place the structures needed** in order to provide this verification of compliance on a regular and appropriate basis. **Human or financial resources** needed for these monitoring tasks should be put in place as soon as possible.

In conclusion, the Commission states that the assessment of the implementation of Directive 2005/65/EC has shown that the measures needed to implement all provisions of the Directive in full still need to be improved in most Member States. **The Commission will continue to work with Member States to improve the implementation of the Directive.**

However, experience acquired during the monitoring of the implementation of the Directive has shown that **significant progress has been made**. There is no doubt that the level of security has increased in European ports.

- Although it is difficult to assess the impact of these measures in terms of providing a deterrent for terrorist acts, port authorities agree that there has been a major impact in terms of smuggling, theft and malicious acts, which have been greatly reduced.
- Furthermore, the introduction of security measures have often led to a review of the organisation of ports, such as—for example—the movement and storage of goods, the control of access to different areas of the port or a definition of restricted areas.

In the coming months, Member States will have to re-examine port security assessment and plans. The Commission therefore considers that the **methodology developed in the TAPS II study** could be useful where necessary, in order to redefine the perimeter of ports, including the necessity to take due account of the water side boundaries.

Moreover, the Commission's multi-annual inspections work programme will **enter a phase of more detailed examination**: (i) the implementation and application of procedures under the port security plans to be applied to passengers and vehicles to be loaded on RO-RO vessels (which are, by nature, particularly vulnerable) will be the subject of further examination; (ii) in the case of international maritime transport services, checks will be carried out on both sides of this route to verify that the Member States concerned are cooperating in port security assessments.

Maritime transport: enhancing port security

2004/0031(COD) - 10/05/2005 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the report by Jeanine HENNIS-PLASSCHAERT (ALDE, NL) broadly approving the proposal under the 1st reading of the codecision procedure, subject to a few amendments. (Please refer to the summary dated 19/01/2005).

It should be noted that, contrary to the previous summary, the Commission should, by 30 June 2006 at the latest, submit to the European Parliament and the Council the findings of a study on the costs involved in measures taken under this Directive, addressing in particular the way financing is shared between the public authorities, port authorities and operators.

Maritime transport: enhancing port security

2004/0031(COD) - 26/10/2005 - Final act

PURPOSE : to introduce and implement Community measures aimed at enhancing port security in the face of threats of intentional unlawful acts.

LEGISLATIVE ACT : Directive 2005/65/EC of the European Parliament and of the Council of 26 October 2005 on enhancing port security

CONTENT : The main objective of this Directive is to introduce Community measures to enhance port security in the face of threats of security incidents. This Directive also ensures that security measures taken pursuant to Regulation 725/2004/EC benefit from enhanced port security.

The measures will consist of the following:

- common basic rules on port security measures;
- an implementation mechanism for these rules;
- appropriate compliance monitoring mechanisms.

The measures laid down in this Directive will apply to every port located in the territory of a Member State in which port facilities covered by an approved port facility security plan pursuant to Regulation 725/2004/EC are situated. This Directive does not apply to military installations in ports. Member States must define for each port the boundaries of the port for the purposes of the Directive, taking into account information resulting from the port security assessment.

Member States must designate a port security authority for each port covered by the Directive, which will be responsible for the preparation and implementation of port security plans based on the findings of port security assessments. Port security assessments may be carried out by a recognised security organisation and must be approved by the Member State concerned.

Subject to the findings of port security assessments, Member States must ensure that port security plans are developed, maintained and updated. These plans must identify, for each of the different security levels referred to in the Directive, the procedures to be followed, the measures to be put in place and the actions to be undertaken. There are three security levels, which are described in the directive.

In addition, a port security officer will be approved by the Member State concerned for each port. Each port shall, where practicable, have a different port security officer, but may, if appropriate, share a security officer. Port security officers will fulfil the role of point of contact for port security related issues.

Member States will also appoint for port security aspects a focal point.

Port security plans must be reviewed at least once every five years.

By 15 December 2008 and every five years thereafter, the Commission will submit an evaluation report.

ENTRY INTO FORCE : 15 December 2005

DATE OF TRANSPOSITION : 15 June 2007.

Maritime transport: enhancing port security

2004/0031(COD) - 10/06/2004

Pending the European Parliament's opinion on the proposal for a Directive enhancing port security, the Council agreed on a general approach on the file at this stage. It will be up to the incoming Presidency to establish contact with the new European Parliament with the aim of reaching an agreement at first reading in the codecision procedure.

The Ministerial discussion was based on a Presidency compromise text reflecting the March 2004 European Council which voiced concerns in its Declaration on Terrorism after the tragic events in Madrid on 11 March 2004 and called in particular " for the strengthening of the security in all forms of transport systems, including through the enhancement of the legal framework and the improvement of prevention mechanisms".

The compromise text agreed upon by the Council also concerns controls prior to embarkation on board of roll-on roll-off ferries (Article 7, paragraph 3) on the basis of the modified Commission's proposal.

Moreover, with regard to the proper implementation of the Directive, it has been unanimously agreed that it is up to the Member States to set up a system ensuring adequate and regular supervision of the port security plans and their implementation (Article 14.1). The Commission, preferring Community controls in this matter, maintains a reservation on this point.

Maritime transport: enhancing port security

2004/0031(COD) - 28/05/2004 - Modified legislative proposal

The Commission presents an amended proposal on enhancing port security, the contents of which are substantially the same as those presented in its initial proposal. The amended proposal imposes on Member States the obligation to coordinate closely the port security measures with those taken in application of the Regulation on maritime and port facility security. In addition, the port security plan must ensure that, on the basis of risk assessments, adequate security controls are carried on cars set for embarkation on vessels which also carry passengers.

The main amendments are in the financial implications:

- [Budget lines and headings:](#)

- [06 07 01 Transport security;](#)

- [06 01 04 13 Transport security administrative management;](#)

- [06 02 11 03 Committees;](#)

- Period of application: Indefinite, starting in 2006;

- Overall multi-annual estimate of expenditure (totals):

- Schedule of commitment appropriations/payment appropriations (financial intervention): EUR 0.520 million;

- Technical and administrative assistance and support expenditure: EUR 0.150 million;

- Overall financial impact of human resources and other administrative expenditure:

- EUR 0.670 million; Total: EUR 4.671 million;

- Staff to be assigned: 1 permanent and 8 temporary.

Maritime transport: enhancing port security

2004/0031(COD) - 10/02/2004 - Legislative proposal

PURPOSE : to introduce and implement Community measures aimed at enhancing port security in the face of threats of intentional unlawful acts. **PROPOSED ACT** : Directive of the European Parliament and of the Council. **CONTENT** : After the events of September 11th 2001, the EU developed legislation on aviation security and turned to the problem of terrorist gateways through international maritime transport. The IMO Diplomatic Conference on 12 December 2002 adopted amendments to the SOLAS Convention and the related ISPS-Code on a security regime for international maritime shipping and the ship/port interface. The results of the IMO Diplomatic Conference are in the process of being incorporated into EU legislation in the form of a regulation to ensure a uniform application. Parts of the non-mandatory elements of the ISPS Code will be made mandatory and there will be fine-tuning of the IMO texts to address the specific conditions in the EU. However, the scope of IMO rules limits the field of application to international shipping and the ship/port interface. Although already a significant breakthrough, this limited scope leaves an unwanted void in security since the areas beyond the ship/port interface fall outside the coverage. Hence, a Community directive on port security is considered necessary to: - provide the Member States with a uniform framework to enhance security in ports; - establish a uniform approach to integrate key maritime and non-maritime port areas in an overarching port security framework; - support Member States in developing secure ports both towards maritime transport and towards landside population, as well as vis-à-vis the marine and land environment; - ensure uniform conditions throughout the EU for access to and control of markets and activities associated with the port sector. Briefly, the proposal requires each Member State to identify the boundaries of the ports subject to the directive. Member States should outline a security policy for these areas and ensure that security assessments and appropriate security plans are established and updated. A national central authority must monitor the introduction and implementation of each national port's security policy. For the purposes of reaching a desired common level of implementation, the directive includes priority issues in its Annex for the port security assessment and the port security plan. More particularly, the measures required for enhancing port security would follow these principles: - port security complements maritime and ship/port interface security and ensures that these security measures are reinforced by security measures in the entire port area; - a port security assessment decides what measures are required, where and when; - security levels distinguish between normal, heightened or imminent threats; - a port security plan outlines all measures and details for enhancing port security; - a port security authority is responsible for the identifying and implementing appropriate port security measures by means of the assessment and the plan; - a port security officer coordinates development and implementation of the port security plan; - a port security committee provides advice to the responsible authority; - training and control will support implementation of the required measures. The proposal: - calls upon Member States to ensure that proper port security assessments and port security plans are developed; - calls upon Member States to determine and communicate the security levels in use and changes thereto; - calls upon Member States to designate a port security authority for every port or for groups of ports. This is this public authority that will be responsible for the appropriate identification and implementation of port security measures. - establishes the need to appoint a port security officer for each individual port to ensure proper coordination when port security assessments and plans are established, updated and followed up; - establishes the general requirement of an advisory security committee, bringing together representatives of all relevant operational and government functions in a port; - puts forward minimum requirements for security assessments and plans; - calls for the appointment of focal points in the Member States to provide the necessary communication both to other Member States and to the Commission; - provide for inspection procedures to monitor the implementation of port security measures; - lays down a procedure for the adaptation of its provisions. **FINANCIAL IMPLICATIONS** : The directive provides for a monitoring and inspection exercise to be carried out by the Commission. It is expected that, as from 2006, approximately 84 inspection visits will be carried out each year (5 days per port at EUR 1500). Monitoring and inspection will be accompanied by meetings of experts. A study on implementation and possible future initiatives should be carried out in 2008 (i.e. two years after the directive has become operational). A study will be commissioned evaluate the impact and the effectiveness of the measures adopted. Such a study should be conducted in 2008, and then every three years. Such regular evaluation is necessary to enable the Commission to propose, via the committee procedure, any adjustments to the proposed system which might prove necessary. The unit cost of each study is estimated at EUR 150 000. Budget lines and headings: 06 02 03 02 Transport security 06 02 11 03 Committees. Period of application: indefinite, starting in 2006 Overall multi-annual estimate of expenditure: Commitments and payments total EUR 0.670 million. Technical and administrative assistance and support expenditure : none Overall financial impact of human resources and other administrative expenditure: EUR 4.001 million. The overall total is EUR 4.671million. Total staff, permanent and temporary : 9

Maritime transport: enhancing port security

2004/0031(COD) - 20/01/2009 - Follow-up document

This report assesses the implementation status of Directive 2005/65/EC on enhancing port security and the effectiveness of the measures taken. The main objective of this Directive is to complement the measures adopted in 2004 by means of Regulation (EC) No 725/2004 on enhancing ship and port facility security.

The main objective of Regulation (EC) No 725/2004 was to implement Community measures aimed at enhancing ship and port facility security in the face of the threats posed by intentional unlawful acts. The Directive completes the mechanism provided for under this Regulation by establishing a security system for all port areas, in order to ensure a high and comparable level of security for all European ports. The aim of the Directive is to improve security in port areas not covered under the Regulation and to ensure that the enhancement of port security will support the security measures taken under the Regulation, without creating additional obligations in areas already governed by the Regulation. It should be noted that the Directive applies to all ports located in the territory of a Member State in which one or more port facilities, covered by a port facility security plan approved in accordance with Regulation (EC) No 725/2004, is or are located.

Given that the Commission's experience of the application of the Directive has been relatively recent, **it is still too early to perform a final assessment of its impact.**

However, following the difficult task of implementing the provisions designed to improve ship security and that of associated port facilities, which Member States have been doing since 2004, the challenge is now to complete security provisions for port areas in order to ensure high and comparable security in all European ports. The work carried out by the Member States in order to complete transposition of the Directive down to local level must continue, not only in order to complete the regulatory framework for maritime security but above all to enhance security in maritime and port activity areas and to ensure maximum protection for these activities within the perimeter of all ports. It should always be borne in mind that the security of the whole logistics chain will always be the same as that of its weakest link.

On the basis of these conclusions, the Commission recalls that the security of ports and their approach areas is essential to security within maritime transport as a whole. It is in no-one's interests to entrust or offload passengers or cargo in a port which is not 'secure'. Conditions of port security require a high level of vigilance on the part of Member States and the preparation of all those involved in order to ensure high and comparable security for all European ports. For this reason, as regards security in maritime areas and ports, work should continue to permanently improve prevention, protection and response measures to **counteract the new threats arising from terrorism, piracy or any other intentional illegal act.** To this end, from 2009, the working programme for the performance of maritime security inspections carried out by the Commission will include a systematic component allowing verification that procedures for monitoring the application of the Directive have been correctly applied.

The Commission is also proposing examining the **constraints facing the authorities responsible for the implementation of security measures.** This study should enable an objective typology of ports to be drawn up and to examine how best to include the interests of all parties involved in ports, with suggestions for putting in place the necessary security measures to protect against illegal acts and the devastating consequences of such acts. The research should necessarily focus on interaction between the various areas of port activity, whether commercial, industrial or residential activity or other water-based activity such as fishing or leisure craft with a direct or indirect impact on the general security of the port.

Depending on the characteristics identified for each type of port, research should be done into the most suitable method of ensuring the necessary **balance between the fundamental principles of freedom and the implementation of measures** essential for taking vulnerabilities into account and for responding to threats, in order to ensure – depending on the assessment of risk level – the best level of protection for all users of ports and maritime transport, for Europe's economy and society in general.