From: Evina Fotiadou

To: <u>ECSA - Committee Shipping Policy</u>

Cc: <u>ECSA - National Associations</u>; <u>ECSA - Secretariat</u>

Subject: ECSA C-14237 For information | ECSA SPC | European Commission adopted Amendment to VTMS Directive

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Attachments: <u>image001.png</u>

NCSR- EC Amendment of existing mandatory ship reporting systems.pdf

To ECSA - Committee Shipping Policy

ECSA - National Associations

ECSA - Secretariat

Ref. ECSA C-14237 4/28/2025

For information | ECSA SPC | European Commission adopted Amendment to VTMS Directive

Dear members,

This is to inform you that on Friday 24 April, the European Commission adopted an **amendment to the Vessel Monitoring Directive** (VTMIS - 2022/59/EC). This amendment introduces a new Delegated Directive updating the reporting obligations under both existing and future **Mandatory Ship Reporting Systems** (MRS).

Members can find the adopted text <u>here</u>, as published today in the Official Journal of the EU.

The Delegated Directive is part of the Commission's efforts to address shadow fleet activity and protect the Member States' coastlines from environmental damages.

The Directive introduces a targeted amendment of <u>point 4.X of Annex I</u> to the VTMIS Directive which refers to reporting obligations under article 5 of the Directive. To recall, Article 5 requires Members States that are operating an area of mandatory ship reporting systems established under SOLAS Regulation 11 (V) to take all necessary and appropriate measures to ensure that all ships entering the area comply with the reporting requirements.

The targeted amendment introduces the following reporting obligation under point 4.X:

- one or more insurance certificates issued by its provider and carried on board the ship, providing evidence of existence of insurance for maritime claims in accordance with Article 4 of Directive 2009/20/EC, as well as civil liability certificates issued in accordance with:
 - the International Convention on Civil Liability for Oil Pollution Damage, 1992, as amended (1992 Civil Liability Convention);
 - the International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001 (2001 Bunkers Convention); and
 - the Nairobi International Convention on the Removal of Wrecks, 2007 (2007 Nairobi WRC).

Member States are therefore allowed to require vessels sailing through MRS areas (without necessarily calling at port) to provide insurance information as above. However, we understand informally that this amendment does not automatically amend the individual regulations that establish MRS areas in Member States waters, as this is an IMO responsibility.

Next steps:

• Member States have 6 months to transpose the Directive into national law

• Following this amendment, the European Commission and Member States have also submitted a proposal to the IMO seeking an amendment to several existing Mandatory Ship Reporting Systems (MRS) in and around the European coastal States. The amendments will be discussed during the next Sub-committee on Navigation, Communications, and Search and Rescue (NCSR) of IMO in May.

Members can find the Commission's submission, attached. Please note that the document includes the list of MRS areas concerned.

The Secretariat is in contact with the European Commission to clarify enforcement methods and the next steps.

Should you have any questions, please share them with Luisa Puccio (<u>luisa.puccio@ecsa.eu</u>) and Evina Fotiadou (<u>evina.fotiadou@ecsa.eu</u>).

Kind regards,

Evina Fotiadou

Senior Advisor for Shipping Policy and Communications

+32 496 926 478 | evina.fotiadou@ecsa.eu

www.ecsa.eu | LinkedIn | X | Youtube Bd. du Régent 43-44, 1000 Brussels, Belgium



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