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COUNCIL DECISION (EU) 2026/1029

of 27 April 2026

on the position to be taken on behalf of the European Union within the International Maritime Organization's Marine Environment Protection Committee at its 84th session as regards the adoption of amendments to the International Convention for the Prevention of Pollution from Ships (MARPOL) and within the International Maritime Organization's Maritime Safety Committee at its 111th session as regards the adoption of amendments to the International Convention for the Safety of Life at Sea (SOLAS), 1974, the International Code of Safety for High-Speed Craft, 1994 (1994 HSC Code), the International Code of Safety for High-Speed Craft, 2000 (2000 HSC Code), the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code), the International Life-Saving Appliance Code (LSA Code) and to the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (1988 Load Lines Protocol)

THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the European Commission,

Whereas:

(1) Action by the Union in the sector of maritime transport should aim to improve maritime safety and to protect the marine environment and human health.

(2) The Marine Environment Protection Committee (MEPC) of the International Maritime Organization (IMO), at its 84th session from 27 April to 1 May 2026 ('MEPC 84'), is expected to adopt amendments to Annex VI to the International Convention for the Prevention of Pollution from Ships (MARPOL) concerning the designation of the North-East Atlantic as a new Emission Control Area (regulations 13 and 14 and appendix VII), the accessibility of the IMO Ship Fuel Oil Consumption Database (IMO DCS) and the review clause of the short-term greenhouse gas (GHG) reduction measure (regulations 20, 25, 27 and 28).

(3) The Maritime Safety Committee (MSC) of the International Maritime Organization (IMO), at its 111th session from 13 to 22 May 2026 ('MSC 111') is expected to adopt amendments to chapters IV and V of and the appendix (Certificates) to the International Convention for the Safety of Life at Sea (SOLAS), 1974, the International Code of Safety for High-Speed Craft, 1994 (1994 HSC Code), the International Code of Safety for High-Speed Craft, 2000 (2000 HSC Code), the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code), the International Life-Saving Appliance Code (LSA Code) and to Annex B to the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (1988 Load Lines Protocol).

(4) It is appropriate to establish the position to be taken on the Union's behalf at MEPC 84, as the envisaged amendments to MARPOL are capable of decisively influencing the content of Union law, namely Directive (EU) 2016/802 of the European Parliament and of the Council [1], Regulation (EU) 2015/757 of the European Parliament and of the Council [2], Directive (EU) 2023/959 of the European Parliament and of the Council [3] and Regulation (EU) 2023/1805 of the European Parliament and of the Council [4].

[1] Directive (EU) 2016/802 of 11 May 2016 relating to a reduction in the sulphur content of certain liquid fuels (OJ L 132, 21.5.2016, p. 58, ELI: http://data.europa.eu/eli/dir/2016/802/oj).

[2] Regulation (EU) 2015/757 of the European Parliament and of the Council of 29 April 2015 on the monitoring, reporting and verification of greenhouse gas emissions from maritime transport, and amending Directive 2009/16/EC (OJ L 123, 19.5.2015, p. 55, ELI: http://data.europa.eu/eli/reg/2015/757/oj).

[3] Directive (EU) 2023/959 of the European Parliament and of the Council of 10 May 2023 amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union and Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading system (OJ L 130, 16.5.2023, p. 134, ELI: http://data.europa.eu/eli/dir/2023/959/oj).

[4] Regulation (EU) 2023/1805 of the European Parliament and of the Council of 13 September 2023 on the use of renewable and low-carbon fuels in maritime transport, and amending Directive 2009/16/EC (OJ L 234, 22.9.2023, p. 48, ELI: http://data.europa.eu/eli/reg/2023/1805/oj).

(5) The Union should support the amendments to regulations 13 and 14 of Annex VI to MARPOL and appendix VII to Annex VI to MARPOL because those amendments will contribute to preventing, reducing and controlling air pollutant emissions from ships, which should result in related health, environmental and economic benefits.

(6) The Union should also support the amendments to regulation 27 of Annex VI to MARPOL, because they will further improve the accessibility of IMO DCS.

(7) The Union should support the amendments to regulations 20, 25, 27 and 28 of Annex VI to MARPOL, because those amendments are consequential to the adoption of the 2023 IMO Strategy on Reduction of GHG Emissions from Ships and to the finalisation of the review of the short-term measures by the IMO, and allow for further review of those regulations.

(8) It is appropriate to establish the position to be taken on the Union's behalf at MSC 111, as the envisaged amendments to SOLAS, the 1994 HSC Code, the 2000 HSC Code, the 2011 ESP Code, the LSA Code and the 1988 Load Lines Protocol are capable of decisively influencing the content of Union law, namely Directive 2009/45/EC of the European Parliament and of the Council ([5]), Directive 2002/59/EC of the European Parliament and of the Council ([6]), Regulation (EU) No 530/2012 of the European Parliament and of the Council ([7]) and Directive 2014/90/EU of the European Parliament and of the Council ([8]).

(9) The Union should support the amendments to chapters IV and V of and the appendix (Certificates) to SOLAS, to the 1994 HSC Code and the 2000 HSC Code because it is more efficient to use dedicated channels for the application specific messages (ASM) of the VHF Data Exchange System (VDES), and as VDES has additional capacity for the exchange of more digital data, it could accommodate future growth in demand for digital data use in maritime radiocommunication. In addition, the exchange of digital data brings numerous benefits, not only for safety and situational awareness, but also for security, the efficiency of navigation, the protection of marine environment and the reduction of the burden on seafarers. VDES provides a significant enhancement to the benefits delivered through Automatic Identification System (AIS) and is considered an enabler of e-navigation. The ability to exchange ASM and other information between ships and shore authorities is significantly improved through the implementation of VDES. Therefore, the Union should also support those amendments because, by introducing new recognised mobile satellite services, the IMO rules need to clearly state the requirement for dissemination of maritime safety information and search and rescue related information through all operational recognised mobile satellite services.

(10) The Union should support the amendments to the 2011 ESP Code because remote inspection techniques offer greater efficiency, higher flexibility, and increased reliability in the day-to-day activities of survey and inspection without impairing the results of those activities.

(11) The Union should support the amendments to the LSA Code because they will facilitate the safety of life at sea by increasing the confidence in the effective and efficient operation of the free-fall lifeboats in the event of the ship being abandoned.

(12) The Union should support the amendments to the 1988 Load Lines Protocol because setting guard rails with three courses on the deck structure can effectively enhance the protection of the crew, reduce the risk of crew falling overboard and the risk of injuries, and improve the safety of ships with minimal economic cost.

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

([6]) Directive 2002/59/EC of the European Parliament and of the Council of 27 June 2002 establishing a Community vessel traffic monitoring and information system and repealing Council Directive 93/75/EEC (OJ L 208, 5.8.2002, p. 10, ELI: http://data.europa.eu/eli/dir/2002/59/oj).

([7]) Regulation (EU) No 530/2012 of the European Parliament and of the Council of 13 June 2012 on the accelerated phasing-in of double-hull or equivalent design requirements for single-hull oil tankers (OJ L 172, 30.6.2012, p. 3, ELI: http://data.europa.eu/eli/reg/2012/530/oj).

([8]) Directive 2014/90/EU of the European Parliament and of the Council of 23 July 2014 on marine equipment and repealing Council Directive 96/98/EC (OJ L 257, 28.8.2014, p. 146, ELI: http://data.europa.eu/eli/dir/2014/90/oj).

(13) The Union is neither a member of the IMO nor a contracting party to MARPOL, SOLAS, the 1994 HSC Code, the 2000 HSC Code, the 2011 ESP Code, the LSA Code or the 1988 Load Lines Protocol. The Council should therefore authorise the Member States to express the position of the Union at MEPC 84 and MSC 111.

(14) The scope of this Decision should be limited to the content of the proposed amendments, to the extent that they are capable of affecting Union common rules and fall under the exclusive competence of the Union. This Decision should not affect the division of competences between the Union and the Member States,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken on the Union's behalf within the International Maritime Organization's (IMO) Marine Environment Protection Committee (MEPC) at its 84th session, shall be to agree to the adoption of:

(a) the amendments to regulations 13 and 14 of Annex VI to MARPOL and appendix VII to Annex VI to MARPOL concerning the designation of the North-East Atlantic as a new Emission Control Area (ECA), and

(b) the amendments to regulations 20, 25, 27 and 28 of Annex VI to MARPOL concerning the accessibility of the IMO Ship Fuel Oil Consumption Database (IMO DCS) and the review clause of the short-term GHG reduction measure,

as set out in the Annex to IMO document MEPC 84/3.

Article 2

The position to be taken on the Union's behalf within the IMO's Maritime Safety Committee (MSC) at its 111th session, shall be to agree to the adoption of:

(a) the amendments to chapters IV and V of and the appendix (Certificates) to the International Convention for the Safety of Life at Sea (SOLAS), 1974,

(b) the amendments to the International Code of Safety for High-Speed Craft, 1994 (1994 HSC Code),

(c) the amendments to the International Code of Safety for High-Speed Craft, 2000 (2000 HSC Code),

(d) the amendments to the International Code on the Enhanced Programme of Inspections during Surveys of Bulk Carriers and Oil Tankers, 2011 (2011 ESP Code),

(e) the amendments to the International Life-Saving Appliance Code (LSA Code), and

(f) the amendments to Annex B to the Protocol of 1988 relating to the International Convention on Load Lines, 1966 (1988 Load Lines Protocol),

as set out in the Annex to IMO documents MSC 111/3 and MSC 111/3/1.

Article 3

The position to be taken on the Union's behalf as set out in Article 1 and the position to be taken on the Union's behalf as set out in Article 2 each cover the proposed amendments to the extent that those amendments fall under the exclusive competence of the Union and to the extent that they may affect Union common rules. Each position shall be expressed by the Member States, which are all members of the IMO, acting jointly in the interest of the Union.

Minor changes to the position as set out in Articles 1 and the position as set out in Article 2 may be agreed upon without a further decision of the Council.

Article 4

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

Article 5

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

Done at Luxembourg, 27 April 2026.

For the Council

The President

M. PANAYIOTOU