



European  
Maritime  
Safety  
Agency

Work Programme 2008







European Maritime Safety Agency  
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# Foreword

*2008 is my sixth and final year as Chairman of the Administrative Board of the European Maritime Safety Agency. Every year since we began in 2003 has seen significant developments in the tasks and capabilities of our Agency. 2008 will be no exception. In this foreword I shall focus on one particular example.*

*Capturing and disseminating information will loom large in EMSA's tasks in 2008, as the Work Programme makes clear. This is much in tune with our times. We live in an information age, with greater capability to gather, consolidate and analyse facts and figures than ever before in history. Considerable value can be derived from today's "data warehouses" and I am confident that this will be the case in the maritime sector, as it is more widely. At the same time, setting up and managing these warehouses effectively and efficiently presents very significant challenges. EMSA faces not one such challenge, but four.*

*Towards the end of 2007, the European Council of Ministers agreed that EMSA should set up and operate the Long Range Identification and Tracking (LRIT) database for the European Union. This will meet the new international maritime security requirements set by the International Maritime Organization (IMO). In view of the challenging, globally agreed timetable for establishing LRIT, this new task has moved immediately to the top of EMSA's list.*

*The next challenge is SafeSeaNet, which will*

*bring together information on vessel traffic movements from the Eastern Mediterranean to the Baltic and Barent Sea. This is a massive undertaking, which in due course will require up to 10 million data transactions each month.*

*Then there is CleanSeaNet, the new satellite monitoring service for oil spills and pollution which EMSA is providing to Member States across the European Union. CleanSeaNet brings together under one roof a task which has traditionally been carried out by each maritime administration, with evident scope for efficiency savings.*

*Last but not least, EMSA has responsibility for bringing together information on ship inspection activity across the EU in its New Information System for port state control.*

*It is important not to see these challenges as just IT and data warehousing projects. They fit into a wider context. Human appetite for movement, whether of goods, services or people, has been growing steadily throughout the twentieth century. It shows no signs of abating in the twenty-first. The maritime sector is no exception: indeed, some sectors of maritime traffic (such as container and bulk commodities movements) have grown especially rapidly, as globalisation has driven the expansion of world trade. Looking ahead one can see other pressures which will boost demand for shipping, for example as developed and developing countries become more dependent on remote energy sources.*

*Whether on land, at sea or in the air, one sees a clear and common trend. There is more and more demand for movement, and for space to move in. Yet the volume of sea or air space is fixed, and man made infrastructure, whether road or rail, ports or airports, is costly and often heavily constrained by other factors, not least its environmental impact. So the conclusion to be drawn is equally clear: we must learn to make better use of the space we have.*

*A number of inter-connected questions then arise. How can we pack more movements into a given space? How can we improve the safety and reliability of our transport systems, minimising wasted capacity? How can we best ensure the security of our transport systems, so that available capacity can be used, everywhere and by everyone, with confidence? How can we minimise the damage which transport causes to our environment, so that we can 'afford' the maximum volume of movement, without destroying the inheritance of future generations?*

*It is no exaggeration to say that the new information systems being developed by EMSA form part of the answer to these questions for the maritime world. There is a lot of truth in the popular business expression: "if you can't measure it, you can't manage it". The transport systems of the future, shipping included, will have to be better measured and better managed than ever before, if we are to meet the challenges which lie ahead. I am delighted to see EMSA playing such a*



*significant role.*

*In this Work Programme you can read about the many other tasks - some new, some carried forward from earlier years - which will occupy the staff of EMSA in 2008. I commend their commitment and hard work, which over the past five years has brought the Agency to a level of development which none of us foresaw when we gathered in Brussels for the inaugural Board meeting, at the beginning of 2003. I know that the same commitment and dedication will serve EMSA well in its expanding range of objectives for the year ahead and beyond.*

**Brian Wadsworth**

*Chairman of the Administrative Board*



# 1 *The European Maritime Safety Agency*

## 1.1 INTRODUCTION

2008 will again be a year of change. It is expected that the Agency will move from its temporary location in the Lisbon Expo area to its final headquarters in the centre of the city. This relocation will require a considerable effort from the administrative services in particular, but the work of the technical units may also be affected during this period.

In 2008, the first five year evaluation will have to be finalised, and this will look at the working practices, effectiveness and efficiency of the Agency over the last years. The Administrative Board will present its final report and issue possible recommendations to the Commission, which will be forwarded to the European Parliament and the Council and will be made public.

In the many areas that are covered by the activities of the Agency, as described in this work programme, there is a continued challenge to refine, intensify and to innovate the contribution of EMSA. These aspirations are outlined in this document.

## Mission statement <sup>1</sup>

The European Maritime Safety Agency has been established for the purpose of ensuring a high, uniform and effective level of maritime safety, maritime security as well as prevention and response of pollution by ships within the Community.

## Objectives

- The Agency provides the Member States and the European Commission with the technical and scientific assistance needed, and with a high level of expertise, in order to help them:
  - ✓ to apply Community legislation properly in the field of maritime safety and prevention of pollution by ships;
  - ✓ to monitor its implementation;
  - ✓ to evaluate the effectiveness of the measures in place.
- Additional operational means are to be provided, upon request, to assist Member States and the European Com-

<sup>1</sup> Mission statement and objectives as stated in the founding Regulation 1406/2002/EC.

EMSA new building in Lisbon city centre





mission to address marine pollution by ships within the Community.

## Origin & Tasks

The concept of setting up a European Maritime Safety Agency (EMSA) as a regulatory agency originated in the late 1990s, along with a number of other major European level maritime safety initiatives. The set-up process began at the end of a decade that had seen six major oil pollution accidents and the second of two major ferry accidents in EU waters, culminating in the Erika disaster in 1999. As a result of these and other accidents and incidents, hundreds of citizens had been injured or killed, thousands of tonnes of oil had entered EU waters, either accidentally or deliberately, and a significant number of seafarers had been killed or injured. Consequently, EU decision makers decided that it was time to set in place a body of legislation and support which could substantially improve the situation. Within this package, EMSA was created to be a major source of support to the European Commission and the Member States.

The objectives, as mentioned before, are addressed through a matrix of mainly preventative, but also reactive, tasks in a number of key areas. Firstly, EMSA has been tasked with assisting the Commission in monitoring the implementation of EU legislation relating to ship construction and planned maintenance, ship inspection and the reception of ship waste in EU ports, certification of marine equipment, ship security and training of seafarers in non-EU countries. Secondly, the Agency sets up EU

level support capabilities. Significant examples are the SafeSeaNet system, which will ensure effective tracking of vessels and their cargoes, and the EU accident database, which will contain comprehensive records of marine casualties and incidents occurring in EU waters. An important element in this part of the programme is the provision of training and assistance to new and incoming Member States or candidate and potential candidate countries in aligning to, transposing and implementing EU legislation.

In addition, an oil pollution preparedness and response capability is being created, including a small fleet of contracted pollution response vessels and European satellite oil spill monitoring service (CleanSeaNet), both with the aim of contributing to an effective system for protecting the EU coast and waters from pollution by ships.

Finally, EMSA provides technical and scientific advice to the European Commission in the field of maritime safety and prevention of pollution by ships in the continuous process of evaluating the effectiveness of the measures in place, and in the updating and development of new legislation. It also provides support to, and facilitates co-operation between, the Member States, and disseminates best practice. As a body of the European Union, the Agency sits at the heart of the EU maritime safety network and collaborates with many industry stakeholders and public bodies, in close cooperation with the European Commission.

## Monitoring execution of the Work Programme

The Agency is managed by its Executive Director, who shall be completely independent in the performance of his duties, without prejudice to the respective competencies of the European Commission and the Administrative Board. The Administrative Board supervises the work undertaken by the Executive Director. Within the Administrative Board there are representatives of all EU Member States, Iceland and Norway (EFTA countries), four representatives from the European Commission (DG Transport and Energy (2), DG Environment and DG Budget), as well as four representatives of the maritime industry sectors who do not have the right to vote.

In 2008, the Administrative Board will focus on:

- presenting its final evaluation report on the five year evaluation of the Agency, assessing the impact of the founding Regulation, the Agency and its working practices in establishing a high level of maritime safety and prevention of pollution by ships. The evaluation findings and recommendations shall, in accordance with Article 22 of the founding Regulation, be forwarded by the European Commission to the European Parliament and the Council and shall be made public;
- performance monitoring to help the Agency carry out the tasks outlined in the legislation and achieve the aspirations outlined in its work programme;
- providing its high level maritime exper-

tise and experience for the benefit of the different maritime safety and pollution prevention activities.

To achieve the objectives, the Administrative Board will, as foreseen by the founding regulation:

- adopt the Agency's work programme, budget and establishment plan, within its competence in the framework of the Budgetary procedure;
- adopt the Annual Report, with details on achievement of objectives and performance output relating to the principles of cost-effectiveness, efficiency and sound financial management.

It is planned to have three meetings of the Administrative Board in 2008 (March, June and November).

## 1.2 MAIN ACHIEVEMENTS IN 2007 AND WORK IN PROGRESS

2007 was the first full year that the Agency has been in Lisbon. The Agency has become a European platform for exchange of knowledge and best practices between maritime and pollution response experts from the European Commission, EU Member States, EFTA states and candidate countries:

43 different workshops were organised with around 1.339 participants from all over Europe.

2007 was also a year when the scope and number of training activities of the Agency increased significantly. 25 different training sessions were organised. Amongst those were dedicated sessions for candidate countries and maritime safety related training for experts from EU Member States. The training programme for Port State Control

officers, which started in 2006, further evolved and was followed in 2007 by four dedicated training seminars. These training sessions are intended to be for all European and Paris MoU Port State Control Officers. The aim is to enhance harmonisation and effectiveness of PSC inspections throughout the region, in particular in the context of the new inspection regime (proposed re-cast PSC Directive). The training programme will be a long term continuous activity and consists of two different courses. One is the training for those beginning work as Port State Control Officers, while the other covers refresher training for experienced officers.

Activities in 2007		
Number:	Activity:	Participants/experts:
25	Training sessions	576
43	Workshops	1339
3	Meetings of the Administrative Board	
2	Inter-Agency meetings	

In the field of pollution preparedness, response and detection, new steps have been taken with the entry into function of: Clean-SeaNet, the EU satellite based oil spill monitoring system which provides satellite images and alerts for the initial monitoring of sea areas of Member States, and; the Action Plan for HNS, which aims to provide Member States and the European Commission with incident response support for marine pollution by hazardous and noxious substances (HNS).

In the field of maritime applications a more robust version of SafeSeaNet (SSN) has been developed and tested and quality checks of SSN notifications have been started. The development of a pilot Accident investigation Data Base has been completed and a GIS system has been developed in EMSA that is being tested with different applications.

A core activity of the Agency continues to be its inspection and visits task. In 2007, the Agency again intensified and developed these tasks in line with the work programme, and some 75 visits and inspections took place in the following five fields of activity:

	Inspections carried out in 2007
Assessment of Classification Societies	22
Training of Seafarers (STCW)	8
Maritime Security	34
Port State Control	5
Port Reception Facilities	6

The Agency has begun to improve its information tools for the general public. Dedicated leaflets have been drafted to explain individual tasks of the Agency, as well as other media tools explaining its operational services.

Further details concerning the above mentioned activities and other tasks carried out by EMSA in 2007 will be presented in more detail in the 2007 annual activity report.

### 1.3 PRIORITIES FOR 2008

The Agency has two main priorities for 2008:

- working on setting-up a European Long Range Identification and Tracking of Ships (LRIT) Data Centre;
- improving, providing and combining maritime data on ships, vessel traffic and marine pollution.

#### 1.3.1 European LRIT Data Centre

On 1-2 October 2007, the Council of Ministers adopted a Council Resolution and agreed to the setting-up of an EU Long Range Identification and Tracking of Ships (LRIT) Data Centre, to be managed by the Commission, in cooperation with Member States, through the European Maritime Safety Agency. This task will represent a major effort for the Agency, and additional human and financial resources will be needed. This new activity was however not taken into account in the Budgetary procedure 2008. Additional budget and staff is therefore not available at the beginning of 2008 and a rectification of the budget and establishment plan is needed during 2008 to provide the required financial and human resources for the establishment of the EU LRIT Data Centre.

The Agency will prepare as much as possible the set-up of a European Long Range Identification and Tracking of Ships Data Centre. During 2008 the overall architecture will have to be defined by a dedicated task force. The tender specifications for outsourcing the Communication Service Provider (CSP) and Application Service Provider (ASP) functions

will be developed and launched subject to commitment appropriations being available. This task force has been created changing internal priorities and it will use some of the 12 new posts of the establishment plan 2008. Some other tasks, as for example mentioned in the conclusion of Chapter 3, will have to be delayed and/or can not be intensified during 2008. The tender process and the actual setting-up of a LRIT EU Data Centre can only be finalised once the required resources are made available. The priorities and resources of the Agency will have to be considered further.

#### General background on LRIT; work to be undertaken in 2008 and 2009

On 19 May 2006, the International Maritime Organization (IMO) adopted amendments to the International Convention of Safety of Life At Sea (SOLAS-Chapter V), introducing requirements for Long Range Identification and Tracking of Ships (LRIT) which should become operational worldwide by 31 December 2008.

The objective of the LRIT system is to develop a global system for the identification and tracking of ships that allows monitoring even when ships have left the areas covered by the AIS<sup>2</sup> coastal networks. In accordance with these amendments, contracting governments shall be able to receive long-range identification and tracking information on ships for security and search and rescue (SAR) purposes, and for maritime safety in general (as well as protection of the marine environment).

Flag states should choose a service provider and set up a data centre (at national, re-

<sup>2</sup> Automatic Identification of Ships according to Directive 2002/59/EC.

gional or international level) and ensure, as a minimum, that four position messages per ship per day are stored and are available for those actors entitled to access LRIT information. These are:

- Flag states demanding information on the location of their vessels, irrespective of their location;
- Coastal states may request information on ships up to 1000 Nm from their coasts, irrespective of their flag;
- Port states may request information on those ships that have declared one of their ports as a destination, irrespective of their location or flag;
- Search and rescue authorities.

The entity requesting the message should pay for LRIT information, with the exception of search and rescue authorities.

Ships engaged in international voyages will be required to transmit LRIT information as from 31 December 2008. According to the IMO Implementation plan, the LRIT data

centres should be ready from 1 July 2008, and no later than 1 October 2008.

Organising an LRIT Data Centre at EU level creates economies of scale when compared with a solution whereby each Member State sets up such a system on its own. EMSA is the natural choice for such an EU project<sup>3</sup>.

The EU Member States and Norway and Iceland (29 states) will be the "clients" and stakeholders of the EU LRIT European Data Centre. EMSA will have to maintain close contacts with the stakeholders. The network of LRIT users in the European Union will be broader than just the maritime administrations of Member States.

The European LRIT Data Centre at EMSA will have to be in daily contact with the other regional and national data centres around the world. The exchange of LRIT information between data centres will be subject to invoicing in accordance with the IMO SOLAS text, and EMSA will have to set up separate accounts for this purpose. As a

<sup>3</sup> See Council Resolution on the Establishment of a European Union Long Range Identification and Tracking (LRIT) Data Centre, 2821st Transport, Telecommunications and Energy Council, Luxembourg, 2 October 2007 and the report (A6-00D6/2007 Final) of the European Parliament amending Directive 2002/59/EC establishing a Community vessel traffic monitoring and information system.

LRIT allows global ship monitoring





working hypothesis, it is assumed that data exchange covering the international obligations described above, between EMSA on the one hand and Member State authorities on the other, will be covered by the Community budget subject to decisions by the budgetary authority. The costs for additional information regarding Community vessels, or vessels from third countries, should be borne in principle by the requesting authority. LRIT will not be a static system. There will be further development at both the technical and political levels. EMSA will also assist the European Commission in representing the Community interest in the relevant international fora.

The Agency will have to develop the overall architecture of a European LRIT data centre. Different components will be outsourced, but their interconnection should be ensured and the Agency will be responsible for the overall performance of the system, including the continuity and the quality of the output.

Contracts will have to be concluded with data service providers for the transmission of vessel positioning reports of more than 8.000 vessels registered under EU flags and engaged in international voyages. The necessary technical services for collecting, storing and proving LRIT reports will have to be contracted. Appropriate staff will have to be recruited for tasks such as those linked to the maintenance of the ship register and operational monitoring and reporting on the system. Facilities and procedures will be put in place for the billing/invoicing for such information, and for providing training to Member States. Third parties may request LRIT information regarding EU

flagged ships, which will be handled via the International Data Exchange (IDE).

Prior to the required Open Calls for Tender, the technical specifications for various components of the system need to be developed/designed. Setting up a European LRIT Data Centre requires special expertise which is currently not available in EMSA. After the procurement phase and the awarding of contracts, the system components will have to be linked and will have to be supervised and monitored. The Agency itself will be responsible for providing information from and to Member States, preferably using the SafeSeaNet distribution system from the outset. In support of providing information, the Agency will have to set up a helpdesk for Member States, and this will be done, as far as possible, in conjunction with the helpdesk for SafeSeaNet. In addition, it will be the focal point for the exchange of information with other LRIT data centres worldwide and will have to process the clearance of payments in conjunction with those data centres. Separate accounts will have to be created for this set of transactions.

To develop the European LRIT Database Centre at EMSA during 2008/2009, a dedicated entity needs to be established with its own management and administrative support, including the following sections: a) System development and reference information; b) Contract management; c) Operational support and IT maritime applications; d) External relations, and; e) Financial support.

<b>1.2.1 European LRIT Data Centre</b>
<b>Resources/input<sup>4</sup></b>
Financial resources (payment appropriations): 3.202.866 Euros and (commitment appropriations): 6.667.879 Euros (both for Titles 1-3)
Human resources <sup>5</sup> : As an interim measure an internal Task Force has been created.
<b>Output</b>
The Agency will design the overall architecture of the LRIT information components and the set-up the European LRIT Data Centre in cooperation with Member States; establish its technical, administrative and financial structure and tender if possible the contracts with the satellite service and satellite application providers.
<b>Outcome</b>
From 2009, The Agency would like to be able to deliver, as part of its operational service, LRIT information to EU Member States and requesting third parties, in accordance with the amended SOLAS Convention, Chapter V.

### 1.3.2 Maritime data

The collection, analysis, combination and dissemination of maritime information is becoming a vital component of the support tasks of the Agency. With work progressing to bring new and ever greater quantities of maritime data into the Agency, there is a growing need to ensure the maximum availability of quality information to Member States and the European Commission, which increasingly recognise EMSA as a central facilitator and provider of maritime information.

Given these clear, increasing needs for data processing and the development of maritime statistical information, EMSA will also

continue to work in cooperation with international organisations such as Paris MoU and Equasis to produce and disseminate reliable statistical information.

In this field, the Agency has a dual task to perform. Individual database systems need further development and refinement and, as a second step, information of different databases needs to be linked to better facilitate maritime applications.

EMSA is setting up the New Information System (NIS) for Port State Control in the context of the recast directive on Port State Control. The NIS will be the core element of the new Port State Control regime. As Project Manager since 2007, the Agency is preparing a new operational system in order to meet the EU legal requirements at the same time taking into account the needs of the Paris MoU.

The final EMSA data management system for satellite imagery for oil spill detection should be procured and completely installed in 2008 with all functionalities. When SafeSeaNet is fully operational, the reception of satellite imagery should be (semi)automatically combined with vessel traffic information, covering the same sea area, in near real time. For the purpose of pollution identification, this combined information shall be linked with fore- and hindcasting models.

SafeSeaNet will become the core system for vessel traffic information, including LRIT messages. The system, which is being developed step by step by improving its capabilities and enlarging its functionalities, will be fully operational in 2008 to relay traffic monitoring information between national, regional and port authorities in the EU

<sup>4</sup> An amount of 900.000 Euros under Title III has already been allocated for this purpose, but has to be complemented. Financial and human resources are needed in addition to the Community budget 2008 agreed upon during the Budgetary Procedure in 2007. The Agency is awaiting the Commission's proposal and the Budgetary Authority's approval for adding the required resources.

<sup>5</sup> For the establishment and running of the EU LRIT Data Centre, 28 statutory posts are required and Contract Agents; 16 posts should be added to the establishment plan for 2008 and 12 for 2009.





EMSA will generate quality information on all types of ships

Member States. The Agency is responsible for the system management and is developing a support and maintenance plan for keeping the system operational at all times. The Agency will give more attention to the Member States' implementation through increased technical support. At the same time, the Agency will develop new functionalities for the SafeSeaNet system in cooperation with the European Commission and the Member States.

SafeSeaNet will be the core system for ship information. There is a growing demand to connect SafeSeaNet information to other systems under development, and in particular to the Port State Control New Information System (NIS). SafeSeaNet notifications in a fully operational phase, combined with automatic data on ships' actual calls to ports in Member States will provide a key source of information for:

- (1) NIS: The proper functioning of NIS requires that it can rely on a fully operational maritime safety information system within the Community.
- (2) CleanSeaNet, the satellite monitoring service to detect illegal discharges at sea
- (3) LRIT, the EU LRIT Data Centre: Safe-

SeaNet should be used as the interface for communication of LRIT Messages to Member States.

To meet the various demands set out above, the Agency will put in place a centralised service for storing information. Tasks related to the improvement of maritime data and the inter-connection of data systems are carried out by staff working in the sections of the Agency dealing with SafeSeaNet, CleanSeaNet and Port State Control. EMSA will continue to strengthen its information management by investing in appropriate systems, software and staff.

#### 1.4 OPERATIONAL TASKS OF EMSA IN 2008

For 2008, new and intensified tasks are foreseen (as already partly explained in paragraph 1.2). The European Commission has already given EMSA new requests for monitoring visits, studies and technical assistance. The Visit Programme to Member States is getting more diverse, including additional EU maritime safety legislation to be verified, which was not yet covered by

the Agency. Notably, in the fields of Port Reception Facilities and prevention of pollution by ships, work will further expand in 2008.

In 2007/2008, a number of key activities are moving from the development phase into the initial operating phase in order to become fully operational in the course of 2008 or shortly thereafter. This is true for:

- the LRIT European Data Centre (to be operational as of 2009)
- CleanSeaNet (initial start up in April 2007)
- SafeSeaNet (target year 2008)
- oil pollution response stand-by oil recovery vessels (tendering process to be concluded 2007-2008)
- the Port State Control New Information System (NIS)

Although the Agency is committed to finding resources internally and to rationalising its work practices, it will nevertheless be necessary to enlarge the existing staff in order to cope successfully with the wide range of activities and the changing demands as described in more detail in the following chapters.

Additional priorities may arise for 2008, subject to progress in the negotiations on the third maritime safety package and subject to the availability of resources.

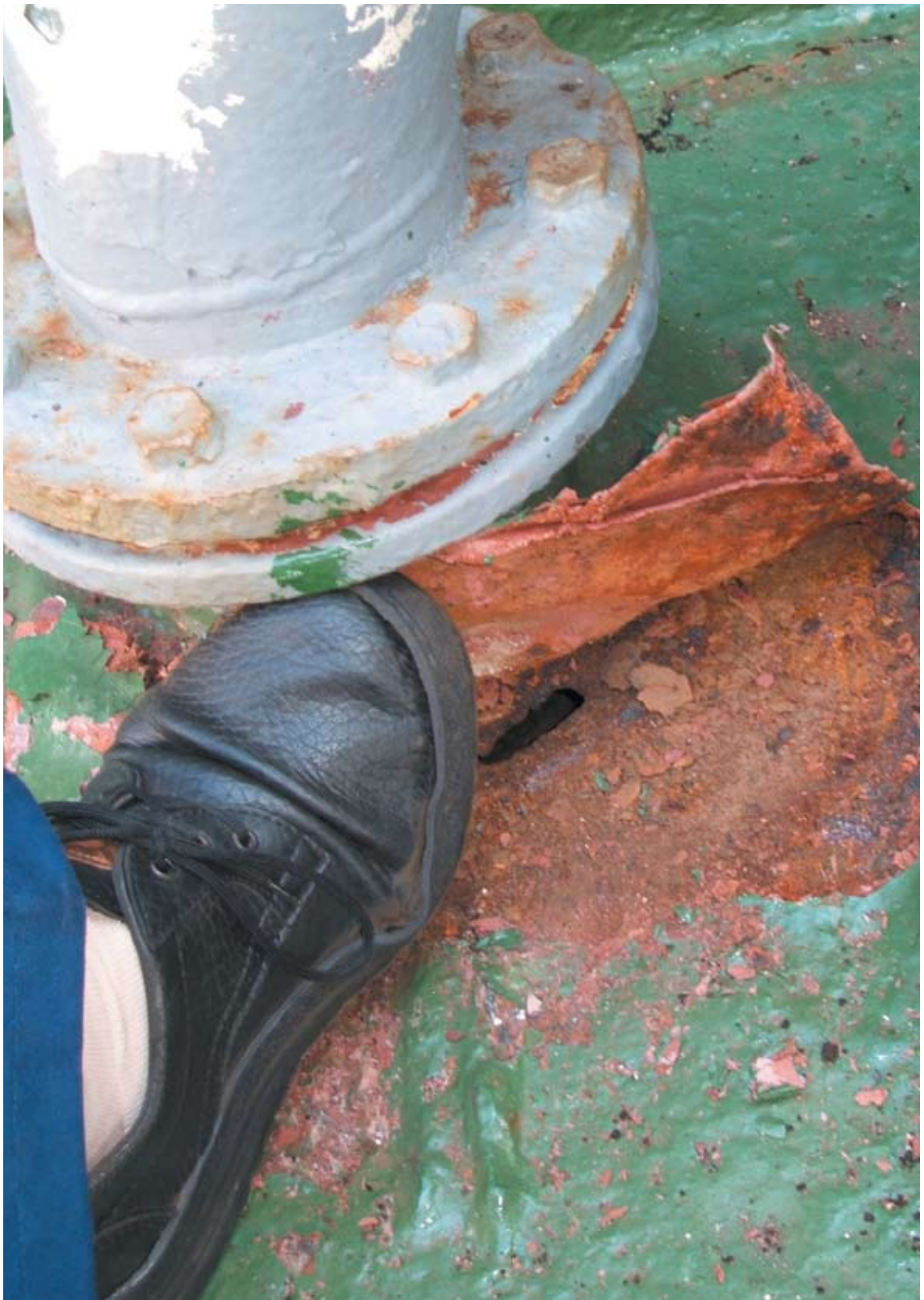
The broad range of activities undertaken by the agency in the fields of safety, security and prevention of pollution and response to pollution by ships can be subdivided into the following 3 categories:

- 1) Visits and inspections to monitor the implementation of EU legislation at the request of the European Commission (chapter 2);

- 2) Providing Member States and the European Commission with technical and scientific assistance and facilitating technical cooperation between Member States' maritime authorities and the European Commission in specific fields (chapter 3);
- 3) Pollution preparedness, response and detection (chapter 4).

The most important activities in each category are highlighted in this work programme.

# 2 *Visits and inspections to monitor the implementation of EU legislation*



## 2.1 INTRODUCTION

Improving the implementation of maritime safety legislation has been a core task of the Agency right from the start. It is important to verify how legislation is being implemented in practice for several reasons: to detect gaps in the safety system; to promote a harmonised approach across the European Union and; to improve the efficiency and effectiveness of measures in place.

The visit and inspection task of EMSA has three different backgrounds:

- a) The European Commission has been entrusted with an assessment task by EU legislation and has delegated the inspection work to the Agency. This is, for example, the case for the inspection of the work of classification societies and for the inspection of the education and training systems for seafarers in third countries (STCW).
- b) The European Commission has requested that the Agency verifies the effective implementation by Member States of EU maritime legislative acts. The Agency thus carries out visits to Member States in accordance with Article 3 of its Founding Regulation and the visits policy that has been established by its Administrative Board.
- c) In the field of maritime security the Agency has been given the task on (via Regulation 724/2004/EC) of assisting the European Commission with its inspection of Member States. The role of the Agency is restricted to supporting Commission with the inspection of ships, ship related companies and with Recognised Security Organisations.

## 2.2 CLASSIFICATION SOCIETIES

The classification societies supervise and certify the safety of ships from the building stage and throughout their life time. Classification societies also perform statutory tasks for Flag States (surveying and issuing international safety certificates on their behalf). They are therefore crucial to the upholding of safety standards in shipping, and Directive 94/57/EC provides that only those meeting the highest professional standards can be granted the recognition that allows them to carry out statutory tasks on behalf of the Member States. In order to verify that they continue to meet the quality and performance criteria laid down in the Directive since 2004, the Agency has carried out the necessary inspection work on behalf of the European Commission. In addition to the ongoing inspection work, the Agency may continue to assist the Commission in verifying the implementation of Directive 94/57/EC by the Member States – a task to be initiated in 2008.

Furthermore, the discussions on the proposed re-cast Directive regarding classification societies started in mid-2007 in the different European legislative bodies. EMSA was requested to support this process with technical assistance and this work will continue in 2008. Once the re-cast Directive has been adopted, EMSA may have to adjust and adapt the inspection task accordingly.



### 2.2.1 Inspection of classification societies or Recognised Organisations on the basis of EU Directive 94/57/EC

EMSA will carry out inspection visits to monitor the activities of EU-recognised organisations and other classification societies for whom EU-recognition has been requested by a Member State. Following the trend initiated in 2007, greater emphasis will be placed on risk analysis and field work including visits to ships, branch and regional offices as well as to site offices at ship yards. It is also expected that inspections will cover emerging shipbuilding markets and include geographical areas where inspections have so far not been carried out. The total number of inspections is expected to be around 16-18.

### 2.2.2 Visits to Member States regarding their monitoring of the Recognised Organisations

The preparation of visits to Member States, to monitor how they fulfil their duties in accordance with Directive 94/57 concerning monitoring of the Recognised Organisations they have authorised to carry out statutory tasks on their behalf, will continue in 2008. This task involves making an assessment of best practice; discussing issues at a workshop to be organised with Member States; refining the methodology and; subsequent visits to Member States. Subject to confirmation by the European Commission, it is expected that 6-8 visits will be carried out.



*Between 16 and 18 classification societies inspections are expected in 2008*

<b>2.2 Classification Societies<sup>6</sup></b>
<b>Resources/input<sup>7</sup></b>
Financial resources (payment appropriations): 2.859.385 Euros
Human resources <sup>8</sup> : 9 AD, 2 AST and 2 END posts
<b>Output</b>
<ul style="list-style-type: none"> <li>- On behalf of the European Commission, the Agency will carry out 16-18 inspections to offices of recognised Classification Societies and sites where they are active. When requested by the European Commission, the Agency will carry out initial inspections related to any new request for EU recognition of classification societies.</li> <li>- A workshop will be organised with Member States regarding the monitoring by Member States of the work performed on behalf of them by Recognized Organisations, followed by a number of visits (possibly 6-8).</li> </ul>
<b>Outcome</b>
Based on the reports submitted by the Agency, the European Commission should be able to undertake the relevant assessment, and as a result, take policy decisions and/or request corrective measures relating to classification societies or the Member States which control them, in order to improve the overall quality of the certification work undertaken by those companies.

## 2.3 SYSTEMS FOR MARITIME EDUCATION, TRAINING AND CERTIFICATION OF SEAFARERS

A large number of foreign seafarers (those holding certificates issued outside the European Union) work on board EU flagged vessels. Their numbers are increasing and they are also taking over more and more senior officer functions. For safety reasons, it is im-

portant to ensure that their qualifications are up-to-standard, as laid down by the STCW Convention. In the past individual EU Member States visited labour supplying third countries to check the educational system and the seafarer qualifications based upon the international STCW standards. On the basis of Directive 2001/25/EC as amended, this task has been centralised and the Agency is carrying out such inspections on behalf of the European Commission for all EU Member States. In support of these activities, the creation of an EMSA STCW Information System is being considered. It is aimed at providing reliable data on seafarers, certificates, maritime colleges, maritime programmes and other STCW related matters. A correspondence group with Member States will be established to further outline the system, to address outstanding issues and to present a cost-benefit analysis for such system.

### 2.3.1 Inspection of maritime education, training and certification systems in third countries

Inspection visits to third countries will include five visits in 2008. It is envisaged to cover, as a priority in 2008, the remaining countries which were notified to the Commission in previous years. In addition, it is to be noted that EMSA has developed a targeting system based on objective criteria to facilitate prioritising future inspections.

### 2.3.2 Visits to Member States to monitor their implementation of the Directive 2001/25/EC

It is expected that the European Commission will request more visits in this domain.

<sup>6</sup> The Agency is developing a system of Activity Based Budgeting. It needs to be phased in, allowing the Agency to build-up reference figures and to develop calculations of its activities. Figures are therefore indicative at this stage and are based on payment appropriations. Allocated costs under Title I attributed to activities are based on average costs per type of post (Temporary Agent (AD and AST), National Seconded Expert and Contract Agent).

<sup>7</sup> Indicators as suggested by the European Court of Auditors in its Performance Audit Report of 7 November 2006.

<sup>8</sup> Staff levels are expected staff levels at the end of 2008. Staff are taken on under an activity based upon their main activity. The work of an individual staff member is not split up. General overhead costs have been divided proportionately over the operational activities.

These visits to Member States are carried out to monitor their implementation of the STCW 78 Convention, as amended, as transposed into Community law by Directive 2001/25/EC as amended. The number of visits is expected to be five.

2.3 STCW
<b>Resources/input</b>
Financial resources (payment appropriations): 1.911.785 Euros
Human resources: 7 AD, 1 AST, 1 END and 1 CA posts
<b>Output</b>
<ul style="list-style-type: none"> <li>- 5 visits to third countries</li> <li>- 5 visits to EU Member States</li> <li>- Developing and testing the STCW</li> </ul>
<b>Outcome</b>
Based on the reports submitted by the Agency, the European Commission should be able to take policy decisions and/or request corrective measures by third countries or Member States, in order to improve the correctness of the certification and overall quality of seafarers in line with respectively the STCW Convention or Directive 2005/45/EC.

## 2.4 MONITORING THE IMPLEMENTATION OF THE PSC DIRECTIVE IN MEMBER STATES

The instrument of port state control has become one of the most effective tools for verifying whether ships comply with worldwide safety regulations. Port state control inspections should be carried out in a harmonised way to ensure equal safety standards and to avoid distortion of competition. At the request of the European Commission, the Agency is verifying the implementation of PSC rules within the European Union by visiting Member States administrations and their ports.

By the end of 2007, the first full cycle of visits to monitor the functioning of the PSC regime will be finalised. This cycle does not yet include the new Member States Bulgaria and Romania. An overall report on the implementation of the PSC system in the EU will be compiled.



*A classroom in an Italian maritime college.*



2.4 implementation of PSC Directives in Member States
<b>Resources/input</b>
Financial resources (payment appropriations): 915.352 Euros
Human resources <sup>9</sup> : 2 AD, 1 AST and 2 END posts
<b>Output</b>
<ul style="list-style-type: none"> <li>- Visits to Romania and Bulgaria;</li> <li>- Reporting the outcome of all visits to the European Commission;</li> <li>- Upon the request of the European Commission, due to special circumstances, a visit to a Member State may be organised on an ad hoc basis.</li> </ul>
<b>Outcome</b>
Provide information to the European Commission on the improvement of implementation of the PSC Directive and on the implementation of the Passenger Ro-Ro Directive in and by Member States, enabling the Commission to monitor the implementation and to provide follow-up actions where required in order to improve the application of the Port State Control provision and rules related to Passenger Ro-Ro ships in the European Union, thereby enhancing maritime safety.

nised Security Organisations, shipping companies and ships in ports. The plan for the inspections will be drafted by the Commission services and approved by the European Commission by the end of 2007. The EFTA Surveillance Authority may also request the support of the Agency for carrying out visits and inspections in Norway and Iceland in the field of maritime security. At present, it is expected that a total of 16-18 visits will be required.

2.5 Maritime Security
<b>Resources/input</b>
Financial resources (payment appropriations): 1.048.391 Euros
Human resources: 4 AD and 1 AST
<b>Output</b>
16-18 visits to EU Member States.
<b>Outcome</b>
The Agency assists the European Commission and the EFTA Surveillance Authority in carrying out inspections which enable them to fulfil their tasks within the scope of Regulation 725/2004/EC.

## 2.5 MARITIME SECURITY

The international measures taken to improve security standards in shipping (the ISPS Code adopted by the IMO) have been transposed into Community law. The Agency has been tasked with assisting the Commission in its inspections of ships, related companies and Recognised Security Organisations. These inspections will continue. As all the Maritime Security Administrations of the Member States will have been visited by 2008, it is expected that the emphasis will be put on the Recog-

## 2.6 MONITORING OF THE IMPLEMENTATION OF OTHER EU MARITIME LEGISLATION

At the request of the European Commission, the programme for monitoring visits to Member States has been extended to verify the effective implementation of other legislative acts in the field of maritime safety and marine pollution by ships. In 2008, the visits in the field of port reception facilities will be continued and it is expected that the European Commission will request visits in the field of vessel traffic monitoring. Based on a possible request of the

<sup>9</sup> Staff are also involved in implementing tasks as described in Chapter 3.1 (Port State Control).



Inspecting security on ships

European Commission, EMSA is to carry out monitoring visits to the Member States in relation to Directive 2002/59/EC on traffic monitoring. These visits may start in 2008.

Within the maritime industry and among ports, there is a lot of discussion on the differences in availability of waste reception facilities, and on the different fee systems that are applied in different Member States (and even in different ports in the same Member States) for the delivery of ship generated waste and residues. Against this background, it is very useful to take stock of the effectiveness of the measures in place and to make an overview of the implementation of the Directive during its first five years of existence. On the basis of the experience gained during 2007, EMSA will continue its cycle of visits to Member States to monitor their implementation of Directive 2000/59/EC. It is expected that around 7 visits will take place during 2008, including comprehensive reporting to the European Commission and the Member States concerned. (see also paragraph 3.6.1)

The European Commission may request the Agency to visit Member States to verify the implementation of any other EU legislative acts in the field of maritime safety or ship-sourced pollution. For example, the European Commission has recently requested the Agency to verify the implementation of Directive 2005/33 on the use and availability of low sulphur marine fuel. (see also paragraph 3.6.3). There are clear indications that the Commission has the intention to intensify the work of EMSA in the field of inspections,

monitoring visits, desk studies on the effectiveness of implementing measures, etc.

## 2.6 Monitoring implementation of EU maritime legislation

### Resources/input

Financial resources (payment appropriations): 695.642 Euros

Human resources: 3 AD posts and additional resources from relevant sections when and where required

### Output

- 7 visits to EU Member States in the field of Port Reception Facilities
- Desk analysis and visits to EU Member States regarding Directive 2002/59 on Vessel Traffic Monitoring upon the request of the European Commission
- Desk analysis on the implementation of Directive 2005/33/EC on the use and availability of low sulphur marine fuel.

### Outcome

The Agency is assisting the European Commission in its assessment and verification of the implementation of EU maritime legislation, and further requests are expected. The aim is to assess and improve the level of maritime safety and the prevention of pollution by ships in the Community at Member State level.

## In conclusion:

For the execution of the total cluster of inspection tasks, as described in previous paragraphs, EMSA has currently only 19 inspectors. A limited number of additional maritime assessors/inspectors for both field work and desk studies will have to be recruited in order to cover the growing range of EU legislation to be verified.

# *Providing Member States and the European Commission with technical and scientific assistance*

*Facilitating technical cooperation between Member States' maritime authorities and with the European Commission*



### 3.1 PORT STATE CONTROL

Once the amended Port State Control (PSC) Directive ('re-cast') is adopted, EMSA's technical support, as project manager for the development of the Paris MoU New Information System (NIS), will be focused on the development of the tools necessary to support the new inspection regime. The new PSC inspection regime planned for the EU and Paris MoU region will require a new database with port state control data to support it. The project management, including the financing, of the New Information System (NIS) has been entrusted to EMSA. The interfacing of the system with other Community databases already administered by EMSA, such as SafeSeaNet and the ro-ro ferry database, needs to be given due attention in order to ensure the proper functioning of the new PSC inspection regime. Since the objective of the new inspection regime is to generate an automatic record of the data concerning ships' calls in the inspection database, which would enable the latter to generate all the inspections data needed for inspection purposes, the provision of arrival notifications by Member States to SafeSeaNet is necessary for the proper functioning of the new inspection regime. Following the awarding of the contract for developing the NIS, EMSA will work with experts in the Paris MOU to supervise, verify and validate the development of the system in consultation with the relevant experts.

The development of harmonised training tools for PSC inspectors/officers is another important task for the Agency, which is also

referred to in the new Directive on PSC. The Agency will work with Member States and the Paris MoU to develop and implement a harmonized training scheme for the training and qualification of port state control Officers using the best parts of training regimes from Member States. At the same time, a distance learning package is being developed and facilities for training will be provided to a larger number of officers than has been the case in the past. For 2008, it is envisaged to:

- a. organize a new entrants seminar. This will be for port state control officers who have either not been authorised yet by a Member State to carry out PSC inspections or have less than three years of experience;
- b. offer three refresher seminars for port state control officers with more than three and less than eight years of experience. This will be part of an ongoing series of refresher seminars which will, over five years, accommodate all officers within the port state control regime in Europe;
- c. develop and deliver the main part of thirteen modules of a computer based distance learning package to cover all aspects of the relevant statutory instruments with reference to PSC inspections. Earlier modules developed by the Paris MoU may require some up-dating, depending on the developments in the relevant international instruments (eg the new ILO Maritime Convention).
- d. complete "Rulecheck", which is a common database which will give all port state control officers access to all relevant international regulations, the Paris

MoU Manual and Paris MoU Instructions. This tool will also assist in the harmonization of the application of correct regulations when inspecting a ship.

The Agency will endeavor to inform Member States well in advance of envisaged training dates. Possibilities to expand distance learning will be explored.

The aforementioned monitoring visits to Member States offer the opportunity to get a clearer picture of the weaknesses and strong points of the various national PSC systems. The insight developed within this framework (lessons learned) should also be beneficial for the design or improvement of the training programme, as well as for the setting-up of the NIS.

The analysis of the enforcement of the banning provision for multiple detentions, and the up-dating of the list of banned vessels in the European Union on its website, are ongoing tasks of EMSA which will be continued in 2008.

As regards ro-ro ferries, EMSA will continue to populate the database with the inspection reports completed pursuant to the survey regime established by Directive 99/35/EC, and will continue to monitor the application of the regime. Technical assistance to help common and harmonised inspection procedures by Member States will also be provided.

As regards regulations and directives other than the Directive on Port State Control where a Port State is involved in their enforcement, EMSA will be, together with Member States, the Commission and other relevant bodies, involved in drafting guidelines for their enforcement by port state control officers.

3.1 Port State Control	
Resources/input	
	Financial resources (payment appropriations): 3.848.014 Euros
	Human resources: 7 AD, 2 END, 2 AST and 1 CA posts
Output	
	<ul style="list-style-type: none"> <li>- Development of the new database 'New Information System (NIS)'</li> <li>- Development of harmonised training tools for port state control officers</li> <li>- Provision of training: New entrants seminars and refresher seminars</li> <li>- Project management for the development and delivery of the distance learning project</li> <li>- Completion, distribution and product focal point of 'Rulecheck'</li> <li>- Keeping up-to-date the official list of banned vessels</li> <li>- Providing statistics upon request</li> <li>- Participation in certain meetings of the Paris MoU on behalf of the Commission.</li> </ul>
Outcome	
	The Agency is contributing to setting-up the new port state control system in line with the proposed re-cast Directive, introducing a new approach to port state control based on a new information system. The Agency is working towards harmonising port state control in and by Member States, by developing and organising common training and common PSC tools. This will contribute to a more harmonised level of PSC in the European Union, establishing a more unified level of maritime safety.



### 3.2 EU VESSEL TRAFFIC MONITORING

In 2008, the computerised exchange of maritime traffic monitoring data between Member States, ports and local authorities, will become mandatory (as required by Directive 2002/59/EC). Within its responsibility for SafeSeaNet system management, the Agency will further work on providing a robust system which is able to manage a very large and increasing number of messages and queries. The service needs to be available at all times without disruption and the quality of data will be monitored closely.

By 2008, the system must be fully operational and all Member States should be fully participating in the system. By the end of the year, the number of messages will be up to 50 million messages per month. EMSA will support Member States efforts in joining the system: by coordinating the network; by carrying out a continuous assessment of the system in terms of availability and reliability of the data; by offering training and; by providing seven days a week technical assistance to Member States for the development, testing and operation of the system.

In parallel, new messages (security pre-arrival messages following Regulation 725/2004/EC, waste message) or functionalities (alert distribution plan) will have to be defined in cooperation with Member States. These applications need to be developed to allow for their integration into the system by 2009. The SSN will also have to be adapted to route to Member States the LRIT requests and reports stored in the new EU LRIT Data Centre.

In addition, the Agency will be involved in the development of regional AIS networks for different sea basins and in their integration. On a regular basis, meetings take place with experts from Member States to monitor the implementation process at national and EU level.

#### 3.2 EU vessel traffic monitoring

##### Resources/input

Financial resources (payment appropriations): 4.378.587 Euros

Human resources: 9 AD, 3 AST and 2 END positions

##### Output

- EMSA will have supported all Member States to reach the operational phase of SSN: connecting their national information systems to SSN and actively exchanging, through the system, information on vessel traffic movements. The support will consist of:
  - Maintenance, hosting of the core of the system to support the exchange of an increased number of messages;
  - Technical assistance and helpdesk;
  - Check of the completeness and reliability of data;
  - Training upon request;
  - Regular meetings with experts from Member States.

##### Outcome

SafeSeaNet should be fully operational, providing information on the address for vessel cargo, vessel position and vessel routing upon request. This information system assists search and rescue bodies finding information on the cargo (hazardous goods), facilitates port logistics and provide overall information on vessel traffic to public authorities.

### 3.3 ACCIDENT INVESTIGATION

In 2004, a common European approach was lacking, the EMSA Administrative Board, in accordance with EMSA's founding Regulation, decided that it was appropriate to develop a common European database with a common taxonomy on marine accidents and incidents, and to make it the central tool of a common European casualty information body called "European Marine Casualty Information Platform (EMCIP)." Later, in the context of the third maritime safety package", the European Commission presented a proposal for a Directive defining common principles for accident investigation and foreseeing the sending of Member State casualty data and investigation reports for storage in a common European database. This proposal has not yet been adopted. In the meantime, the architecture of this database in the meantime has been finalised by EMSA in cooperation with experts from Member States and test runs have been carried out.

In 2008, the initial database design will be further improved and, according to needs identified in its first phase of operation, a visual, GIS-based function and a reporting tool facilitating parallel reporting to IMO will be developed. The database will be populated on the basis of reports send in by Member States on a voluntary basis, and with the support of training provided by EMSA. After the Directive comes into force, the database can be the tool to fulfil reporting obligations of Member States. The Agency has established the "Consultative Technical Group for Cooperation in Marine Accident Investigation" (CTG CMAI) in close cooperation with the Member States and the Commission. This CTG meets regularly at EMSA and is a permanent panel for the exchange of views and information between Member States, EMSA and the Commission on all issues relating to marine accident investigation, including the development of a common investigation methodology and guidelines for its implementation.

*Deck of freighter after storm in Bay of Biscay*





Technical assistance to Member States has been developed regarding the use and analysis of VDR data (Voyage Data Recorder – “ship’s black box”) for accident investigation. EMSA contracted a service to assist Member States with the downloading of different data from VDR systems. Upon request training, helpdesk assistance and coaching can be provided to all marine casualty investigation authorities to Member States. The service is contracted until end 2009. EMSA also supports European research and development in the field of VDR standards and technology.

Closely related to the development of a common investigation methodology is the issue of training and qualification. EMSA will work with the European Commission and the Member States to develop a common approach for investigation guidelines and training activities.

### 3.3 Accident investigation

#### Resources/input

Financial resources (payment appropriations): 1.013.900 Euros

Human resources: 3 AD, 1 AST and 2 END posts

#### Output

- Putting into operation the accident investigation database (EMCIP)
- Consulting Member States’ experts within the framework of the Consultative Technical Group
- Supporting Member States with processing VDR information
- Development of common methodology and guidelines for investigation
- Develop training activities

#### Outcome

Activities are aimed at further developing the accident investigation capabilities of Member States and the ability to collect and compare investigation data at EU level.

### 3.4 TECHNICAL ASSISTANCE (TRAINING AND COOPERATION)

Training activities have developed from initially covering candidate countries and new Member States to covering all Member States. In 2006, the Agency established a consultative network for technical assistance and cooperation (CNTA), with representatives from the maritime administration of the 27 EU and 2 EEA Member States. This network will identify the scope of training activities. The 2008 training sessions and exchange of best practices will be organised on the basis of national requests and will take into account recommendations expressed by this network. One of the general inputs received from the CNTA members is the need for EMSA to provide technical assistance and training which is mainly focussed on existing EU legislation, rather than on international legislation. The CNTA members also recognised the possibility to tailor some technical assistance activities to the concept of “Train the Trainers”, in order to make the best use of available resources.

The above mentioned activities will cover all the fields of EMSA’s mandate: port state control, maritime security, traffic monitoring, port reception facilities, marine



*Technical assistance is organised on the basis of national requests*

equipment, pollution response, etc. Up to 12 training sessions and workshops will be organised in the areas mentioned above. EMSA will cooperate where possible with relevant bodies in the different regions. The Agency is also involved in ad hoc funded EU projects for non-EU countries focusing on technical assistance for transposing EU maritime legislation into their national law. Actions include ad hoc trainings, information days in participating countries, exchange of expertise and other technical assistance activities. During 2008, the Agency's participation is expected in two specific projects to be conducted in cooperation with the European Commission. The project for the Western Balkans will

come to full implementation in 2008. A proposal is expected from the Commission for a second project to follow up the first set of training actions for Croatia and Turkey (started in 2006 and ending in 2007). The nature and scope of these actions will vary depending on the beneficiaries: EMSA can adapt certain training programmes to the needs of these countries.

Further ad hoc assistance is provided to the European Commission in the implementation and monitoring of specific EU funded projects for neighbouring countries: during 2008 the first SAFEMED project will come to an end and it is expected to be followed by a second set of activities for the Mediterranean basin.

<b>3.4 Technical assistance (training and cooperation)<sup>10</sup></b>
<b>Resources/input</b>
Financial resources (payment appropriations): 951.296 Euros
Human resources: 2 AD and 1 AST posts
<b>Output</b>
<ul style="list-style-type: none"> <li>- 12 training workshops</li> <li>- Training/Technical assistance for Turkish and Croatian officials related to EU-legislation and EMSA activities</li> <li>- Support the European Commission in implementing the SAFEMED Project</li> </ul>
<b>Outcome</b>
<p>To promote best practice between EU Member States and increase knowledge and awareness of solutions found, benefiting maritime safety and pollution response.</p> <p>To support the process of implementing the EU maritime safety acquis in candidate and potential candidates countries and also to assist neighbouring countries.</p>

### 3.5 MARINE EQUIPMENT AND SHIP SAFETY STANDARDS

Under Directive 96/98/EC on Marine Equipment, in order for marine equipment to be placed on board a vessel flying the flag of an EU Member State, it must have a safety certificate issued by an EU Member State or on its behalf. Once this is done, equipment can be freely marketed and sold throughout the Community. The above mentioned directive determines the applicable technical and testing requirements, and lays down the necessary procedures for product certification, which is a task where the Member

States are assisted by the so-called "notified bodies".

The most important task that will mark 2008 in the field of marine equipment will be the work undertaken to provide an impact study for the amendment of the Marine Equipment Directive. It will be during this year that the process for preparing the Directive will take place, and when the formal consultation with the relevant parties by the European Commission is expected to happen. EMSA will provide technical support to the Commission in formulating the legislative proposals and by assisting it during the legislative procedure.

A system for the continuous monitoring of essential requirements and testing standards for marine equipment will become operational with a view to providing the European Commission with the necessary information to update the Directive's technical annexes at least once a year.

With regards to the MRA+ signed between the EU and the United States, it is expected that the alert system that was developed in 2007 will become operational. This system will need testing and completion by the EU Member States' regulatory authorities and their counterparts in the USA, the US Coast Guard. EMSA will be the coordination body responsible for this, and will manage the system on behalf of the European Commission and will provide the necessary assistance in dealing with the notifications channelled through it. Assistance to the European Commission will be provided for the extension of the MRA+ with the United States.

The Agency will continue to manage the MARED database of approved equipment. In 2008, a new version will be launched to

<sup>10</sup> Although all training activities of EMSA are part of the same budget line, training on PSC is not included here because it constitutes a different activity. It is part of paragraph 3.1 Port State Control.



reflect the changes in the Directive and to assess the needs of the user when consulting the database. Finally, EMSA will continue to carry out the technical examination of submissions under Article 13 procedures of the Marine Equipment Directive in support of the Commission.

Further to this, the work on the development of a common auditing methodology on notified bodies for the EU Member States will be completed. Within this perspective, EMSA may participate as an observer to their audits, with the aim of collecting experience and maintaining the consistency and coherence of auditing and reporting procedures. Monitoring of developments of IMO regulations will continue in the field of ship safety standards. The Agency will assist the Com-

mission by providing technical evaluations of submissions which have a link to EU Directives for: Domestic passenger ship safety (Directive 98/18/EC); Safety of ro-ro passenger ferries and high speed passenger craft in regular service (Directive 99/35/EC); Specific stability requirements for ro-ro passenger ships (Directive 2003/25/EC); Harmonized requirements and procedures for the safe loading and unloading of bulk carriers (Directive 2001/96/EC) and; Harmonized safety regime for fishing vessels (Directive 97/70/EC).

Furthermore, technical advice will be provided related to e-navigation (NAV) and goal based standards (GBS) and the implementation of Regulation 336/2006/EC on the International Safety Management Code (ISM).

*Lifeboat launch equipment is a significant issue*



3.5 Marine equipment and Ship Safety Standards
Resources/input
Financial resources (payment appropriations): 992.737 Euros
Human resources: 5 AD posts
Output
<ul style="list-style-type: none"> <li>- Finalising the impact study and providing technical information for the amendment of the Marine Equipment Directive</li> <li>- Producing the first technical study for the 5th update of the Marine Equipment Directive</li> <li>- Upgrade of the MARED database</li> </ul>
Outcome
The Agency contributes to the safety of marine equipment by assessing safety problems and/or market distortions. Member States are supported with monitoring the work of the Notified Bodies certifying marine equipment.

## 3.6 PREVENTION OF POLLUTION BY SHIPS

### 3.6.1 Port reception facilities

In the context of Directive 2000/59/EC on Port Reception Facilities for ship-generated waste and cargo residues, EMSA is assisting the European Commission in monitoring the implementation of the Directive in Member States. Having finalised the reports on the fee system (2006) and the assessment of the waste reception and handling plans (2007),

as well as initiating the monitoring visits to Member States in 2007, the work in 2008 will concentrate on the following issues:

- Continuing the visits to Member States to monitor the practical implementation of the Directive in Member States (authorities, ports);
- Based on the outcome of the visits, an interim report with specific proposals, including on delivery of cargo residues, will be forwarded to the European Commission in the context of the wider review of the Directive, which is expected to start in 2008.
- Following the discussion at COSS level (EU maritime committee with the Commission and experts from Member States), and at various EMSA workshops, a working group will be established for the development of a system in order to improve the identification of those ships which have not delivered waste in their previous port(s) of call.
- Based on the discussion initiated in 2007, the advice on the so called "green ship criteria" for a reduced fee will be finalised for further consideration by the Commission and the Member States.
- At international level, the action plan adopted at IMO to tackle the problems of port reception facilities and the review of MARPOL Annex V will be followed closely.
- As a follow up to the assessment of the waste reception and handling plan, a correspondence group will be established to prepare the drafting of guidelines to assist Member States in the development of these plans in accordance with the requirements of the Directive.

It is expected that the Agency will assist the European Commission with its impact assessment accompanying the future proposal of the Commission amending the Directive.

### 3.6.2 Anti-fouling systems

As an environmental measure, the International Maritime Organisation has prepared a Convention (AFS Convention of 2001) prohibiting the use of paint with organotin or TBT components which are environmentally unfriendly. This Convention has been transposed into Community legislation with Regulation 782/2003/EC on the prohibition of organotin compounds (TBT) on ships. The AFS Convention will enter into force in September 2008. The Community regime will remain in force and will already apply to all ships as from the 1 January 2008. The Agency will provide technical assistance to the European Commission and to the Member States in establishing appropriate procedures for the verification of compliance with the Regulation.

### 3.6.3 Air emissions

In comparison to other modes of transport, little progress has been made with reducing air pollution from ships. Bunker fuels used by the shipping industry have high sulphur content. As transport by ships has increased, the percentage of air pollution (SO<sub>x</sub>, NO<sub>x</sub>, PM) produced by shipping is increasing and there is certainly room for improvement. One of the steps taken to reduce air pollution is Directive 2005/33/EC, which requires lower levels of sulphur content in bunker fuels in SO<sub>x</sub> Emission Control Area (SECAs), as well as for all ferry

services operating to and from EU ports. The European Commission has requested the Agency to provide technical assistance for the monitoring of the implementation of this Directive by Member States. Based on information collected in 2007, further analysis is planned of how Member States ensure that bunker fuel available on their national market meets the requirements of this Directive.

Based on Member States' reports (art. 7.1) and information collected by EMSA (availability of low sulphur content marine fuel, national enforcement mechanisms, testing fuel quality on shore and on board ships), EMSA will provide bi-annual reports on the implementation of the Directive to the European Commission. Depending on the result of testing schemes established by the Member States, EMSA will explore the feasibility of organising a European bunker fuel testing system, in order to assist and facilitate the Member States with their fuel testing tasks, and to ensure monitoring of sulphur content and bunker quality at European level.

Specific training sessions and workshops will be organised to enhance knowledge on the enforcement of Directive 2005/33/EC. Further to the assistance on the implementation of Directive 2005/33/EC, it is expected that the Agency will assist the European Commission in assessing the various options to address the issue of greenhouse gas emissions from shipping.

The Agency will assist the European Commission in preparing a position of the European Union for the discussions within IMO on the revision of MARPOL Annex VI by providing a platform for a technical discussion.

### 3.6.4 Ship recycling

Worldwide, between 200 and 600 large end-of-life ships are broken up and recycled every year. Most of this ship dismantling nowadays takes place in South Asia. A lack of environmental protection and safety measures leads to high accident rates, health risks and extensive pollution of coastal areas. Community legislation is affected in so far as it prohibits the export of hazardous waste to developing countries, and it requires the phasing out of single hull oil tankers.

2008 will be a crucial year in policy making both at international and EU level. The International Maritime Organisation has

been developing an international convention on the safe and environmentally sound recycling of ships. This process will intensify during 2008, since the instrument should be ready for adoption in the 2008/2009 biennium. On the basis of a request from the European Commission, the Agency will continue to provide technical assistance in the process of participating in the negotiations on the future IMO Convention on the safe and environmentally sound recycling of ships, as well as developing technical guidelines. In this respect, the Agency will participate on behalf of the Commission in the IMO Correspondence Group, as well as in the inter-sessional Working Group on Ship Recycling.

*Blue Lady (ex-Norway, Ex-France) waiting to be scrapped in India*





Furthermore, the Agency will contribute to the work of the European Commission in developing an EU-wide strategy for ship dismantling which promotes the safe and environmentally sound recycling of ships through the use of certification and award schemes.

### 3.6.5 Ballast water

Ships take on ballast water in one sea area and discharge it in another sea area. These operations from time to time seriously disturb or alter the ecosystem by introducing "invasive" micro-organisms in the local environment. This issue is being addressed by the IMO Convention on the Management of Ships' Ballast Water and Sediments (2004). The implementation by the European Union needs further exploration in 2008, focusing on the coherence of implementation in the seas around Europe. EMSA will monitor the developments at international level and will examine, in collaboration with the relevant Commission services, possible actions, such as developing a standard risk assessment tool with a decision support system for European ports, and facilitating a coherent approach across the boundaries of the regional seas around Europe. In the framework of the Paris MoU, the Agency will participate in drafting guidelines to enforce the IMO Convention.

3.6 Prevention of pollution by ships
Resources/input
Financial resources (payment appropriations): 1.345.486 Euros
Human resources: 6 AD and 1 AST posts

Output
<ol style="list-style-type: none"> <li>1. Port reception facilities             <ul style="list-style-type: none"> <li>- Drafting an interim report on the implementation of the Directive for Port Reception Facilities based on the inspection visits outcome</li> <li>- Assisting the Commission with the impact assessment for amending the PRF Directive</li> </ul> </li> <li>2. Anti-fouling systems             <ul style="list-style-type: none"> <li>- Providing an inventory of the Member States' application of Regulation 782/2003/EC</li> <li>- Providing technical assistance to Member States for the enforcement of the Regulation (Port state control / sampling)</li> </ul> </li> <li>3. Air emissions             <ul style="list-style-type: none"> <li>- Providing technical assistance to the European Commission in the field of air emissions, in the context of the MARPOL Annex VI revision and in the field of Green House Gases and on the implementation of Directive 2005/33/EC by Member States</li> </ul> </li> <li>4. Ship recycling:             <ul style="list-style-type: none"> <li>- Assisting the Commission in defining an EU wide strategy for ship dismantling</li> <li>- Assisting the Commission with negotiations at IMO on a future Convention on Ship Recycling</li> <li>- Assisting in developing a scheme for the certification of ship recycling facilities</li> </ul> </li> <li>5. Ballast water:             <ul style="list-style-type: none"> <li>- Monitoring developments at international and sub regional levels</li> <li>- Identifying possible actions to accelerate and to contribute to implementation of the International Convention</li> </ul> </li> </ol>
Outcome
Contributions are made to better tackle the problem of ship-sourced pollution by providing information on the implementation of EU legislation at national level and with technical advice concerning possible improvements. The Agency assists the Commission in the work of International Maritime Organisation on these issues.

### 3.7 LIABILITY AND COMPENSATION

Support will be provided to the European Commission, when requested, to represent or assist it in relation to the proceedings of the IMO's Legal Committee and the International Oil Pollution Compensation IOPC Fund.

Moreover, support will be provided to the European Commission to represent or assist it in relation to the proceedings of the IMO (International Maritime Organisation) Legal Committee and the International Oil Pollution Compensation IOPC Fund.

Furthermore, the Agency will, when requested, advise Member States in the process of ratification of the HNS Convention (International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances by Sea 1996) and the Bunkers Convention (International Convention on Civil Liability for Bunker Oil Pollution Damage, 2001) and their implementation.

Last but not least, work on liability issues will continue in relation to places of refuge in respect of the implementation of the Directive 2002/59/EC on vessel traffic monitoring.

#### 3.7 Liability and Compensation

##### Resources/input

Financial resources (payment appropriations): 198.547 Euros

Human resources: 1 AD post

##### Output

- Support to the European Commission in preparing for and at discussions at IMO regarding liability and compensation issues
- Support Member States upon request with the ratification and implementation of international conventions in this field

##### Outcome

The Agency contributes to a better regulatory system regarding liability and compensation in the maritime environment.

#### In conclusion:

Within this field, the activities of the Agency need to be intensified, subject to availability of resources, in the fields of Port State Control, SafeSeaNet and prevention of pollution by ships. The work related to accident investigation will only increase after the entering into force of the new Directive on accident investigation.

# 4 *Pollution preparedness, response and detection*

This part of the work programme is the update of the Action Plan for Oil Pollution Preparedness and Response of 2005 and subsequent years, as required under article 10(2)(k) of Regulation 1406/2002/EC as amended. The Work Programme and the Action Plan have to follow the same procedure for adoption by the Administrative Board. Therefore, both documents have been integrated. Both documents together provide a full overview of the activities of the Agency.



## 4.1 INTRODUCTION

Not all Member States are well prepared to address large scale oil spills in their waters. In general, there has been a lack of at-sea oil recovery capacity in Europe. The Agency is tasked to provide additional support to “top-up”<sup>11</sup> efforts by Member States. In order to address accidental spills, a stand-by vessel oil recovery service has been developed in order to support, on request, the pollution response mechanisms of Member States.

For detecting illegal discharges and monitoring accidental spills, the Agency provides CleanSeaNet. The service started in April 2007 to assist Member States by providing them with satellite images and alert messages for the initial monitoring of their seas. This service is rapidly expanding and in 2008 new applications will be added.

With respect to marine pollution from hazardous and noxious substances (HNS), it is commonly acknowledged that preparedness and response capabilities are not sufficiently developed in all Member States and differ greatly across the EU. A general need for more supporting information on HNS pollution risk assessment and response options has been identified by Member States. These issues were considered when developing the Agency’s Action Plan for HNS Pollution Preparedness and Response (HNS Action Plan). Following adoption by EMSA’s Administrative Board in June 2007, implementation of the HNS Action Plan began in 2007 and will continue in 2008.

In accordance with the legal framework, the Agency’s activities are based on providing support to existing national preparedness and response structures. In an emergency

situation, EMSA’s oil recovery vessels will be made available via the Commission’s Community Mechanism for civil protection. Operational control during pollution incidents remains the responsibility of the affected Member State(s). For major disasters, satellite monitoring services will be offered following the activation of the “International Charter Space and Major Disasters” when EMSA is appointed as a project manager.

## 4.2 STAND-BY OIL RECOVERY VESSEL NETWORK

The existing network of stand-by oil recovery vessels has been built up over a period of 3 years (2005, 2006 and 2007). The service provides additional response capacity where needed and covers, in principle, the entire EU coastline. Taking into account EMSA’s “top-up” approach in combination with the “major spill” scenario, the focus has been on mobilising very high response capacity in the heaviest category. In practical terms, this means ships with an onboard recovered oil storage capacity in the order of thousands of cubic metres as opposed to hundreds, the latter being more commonly found at the disposal of Member States.

2007 saw the most ambitious and complex procurement procedure to date for at-sea oil recovery services, with the objective of completing the service network. The priority areas were the Black Sea, Aegean Sea, West Mediterranean and Atlantic Coast. Following the results of this procurement procedure, additional response capacity has been established. Unfortunately it was not successful for the Black Sea area. A small additional tender process is needed in 2008 to complete the network by filling this re-

<sup>11</sup> As established by Decision 2001/792/EC, EURATOM



maining gap. Furthermore, the Agency will enter into dialogue with the countries surrounding the North Sea to discuss whether an EMSA contracted stand-by arrangement should be established in this sea basin as well. In parallel, the work of bringing the in 2007 contracted vessels into operational service after equipping and testing the new arrangements will subsequently be undertaken in 2008.

Through innovation, more effective response systems should be developed. Accordingly, the performance/capacity of the equipment chartered in 2005 was evaluated and a number of actions were identified. These included providing a substantial increase in skimming and pumping capacity and exploring the feasibility of setting-up a contingency lightering support service. The contingency lightering support service is aimed at reducing the time wasted by specialised oil recovery vessels during an incident in discharging their "dirty" cargo at an appropriate facility in a port. Operational

efficiency can be improved by offloading to another receiving vessel at sea, thus allowing the response vessel to return to the spill site and continue its core activities. If appropriate, technical preparations would be undertaken in 2008. A similar feasibility study has been carried for those contracts established in 2006 for the Atlantic (Lamor-Galp Marine) and East Mediterranean (Falzon-Santa Maria) and appropriate upgrades have been identified. Implementation of the associated actions is scheduled for completion in 2008.

As is widely appreciated, the functional capability of the at-sea oil recovery service must be maintained throughout the duration of the contracts. When addressing similar objectives, the common practise among Member States is to conduct exercises of differing nature targeting various aspects of the pollution preparedness and response system in place. In the same vein, the EMSA vessel oil recovery service will continue to be tested and



*The Bahia Uno is one of the EMSA vessels contracted in 2007*



maintained through different types of exercise. At the most basic level, the quarterly drills undertaken by the vessel contractors will be observed and recommendations made when and where appropriate. These drills are designed to maintain the essential operational capacity of the equipment and vessels and the training of the crew. At the second level, alert and mobilisation procedures will be tested within the framework of the contracts. Thirdly, and along the same lines, vessels in the network will, when invited, participate in the at-sea operational exercises held by Member States, or equally those hosted under the umbrella of the relevant mutual assistance arrangements in place around Europe. One of the main purposes of such events is to train all the actors in the coordination and co-operation procedures when responding to a major international spill and the associated challenges in carrying out an effective response at the operational level. Member State requests for assistance from the Agency support services should be channelled through the existing Community Mechanism in the field of civil protection. Accordingly, it can be expected that a number of the above mentioned exercises will involve the Monitoring and Information Centre (MIC) of the European Commission (managed by DG Environment). The Agency will organise additional training and/or exercises to ensure the operational capacity of its resources. Contracts for at-sea oil recovery services established in 2005 will expire at the end of 2008. In order to maintain the network of at-sea oil recovery vessels, the Atlantic, Baltic and Mediterranean arrangements will either be renewed or replaced by alternative service providers. If required, the procurement procedure for this activity will be launched in 2008. The Agency

continues to appreciate the active support of Member States in encouraging appropriate reactions from their industry as well as in providing the flexibility to utilise its resources in the best possible manner.

By working with its network of stand-by oil recovery vessels, the Agency is gaining more experience and information with this system, equipment and exercises. This information will be disseminated to the Member States.

#### 4.2 Stand-by oil recovery vessel network

##### Resources/input

Financial resources (payment appropriations): 17.034.241 Euros

Human resources: 8 AD, 4 AST and 2 END posts

##### Output

- Renewing or replacing the stand-by oil recovery contracts of 2005 for at least an additional period of 3 years
- Organising the participation of EMSA contracted oil recovery vessels in regional and/or national at-sea response exercises where possible
- Monitoring the maintenance and training of equipment and crew of the contracted vessels
- Organising a tender for a stand-by oil recovery arrangement for the Black Sea area

##### Outcome

The system of stand-by oil recovery vessels and its proper functioning aims to offer top-up oil pollution response capabilities to EU Member States to better protect the EU coasts, as defined by the EMSA Founding Regulation as amended and the Action Plan for Pollution Preparedness and Response.

### 4.3 EU SATELLITE OIL SPILL MONITORING AND PREVENTION OF ILLEGAL DISCHARGES

In 2008, the CleanSeaNet (CSN) service will increasingly deliver satellite images and pollution alert services to Member States for the monitoring and detection of illegal oil discharges in all European seas. Due to the strong demand from Member States for satellite images from the very beginning of the service in mid-April 2007, the Agency will have provided more than 1.300 CSN satellite images to Member States by the end of 2007. This volume is expected to increase significantly with the estimated delivery of more than 2.500 images in 2008. The rise in volume will result from the growing number of participating Member States (from 15 in mid 2007 to 23 Member States by January 2008), and from the increasing operational use of CleanSeaNet by Member States with requests for further satellite derived information, including high resolution images, for specific incidents. The Agency is ready to provide technical, tailor-made assistance to individual Member States for setting-up a response chain targeting illegal discharges. In the case of large scale accidental spills in European waters and adjacent high seas, the Agency will work with the International Charter on Space and Major Disasters and co-ordinate the emergency delivery of satellite images and supporting information to the affected Member State(s) and the European Commission.

Further work will be undertaken to improve the CleanSeaNet service by integrating more applications in order to offer a more complete service to response authorities in Member

States. With this in mind, the Agency would like to be able to offer a service which uses AIS information from vessels displayed as a GIS layer on satellite images (in order to attempt to link discharges to vessels) to all EU Member States towards the end of 2008. At present, this can only be provided to the Baltic States and Norway. This capability can be made available as soon as the relevant modules of the SafeSeaNet system are operational. To support the identification of ship sourced illegal discharges, the Agency will explore the possibility of integrating regional and local back-tracking models (hind casts) within CleanSeaNet, in order to link the movement of spills with the routes of individual ships. The use of further oceanographic information will allow the detection capabilities of the CSN service to be improved.

Based on the feedback from more than 80 participants on the first round of training for Member States in June 2007, further training for CleanSeaNet operational end users will be organised. Future training courses will be targeted at different users according to their specific needs, which will vary depending on their level of expertise in the field of satellite surveillance and monitoring and on the region where they operate.

In 2008, the Agency will assist the European Commission in monitoring the implementation of Directive 2005/35/EC by Member States. At the request of the European Commission, further accompanying measures may be developed. Activities will include the exchange of best practices in relation to the use of technical and legal instruments for the detection of illegal discharges and to the related prosecution of offenders.



CleanSeaNet operational users meet at EMSA

### 4.3 CleanSeaNet and illegal discharges

#### Resources/input

Financial resources (payment appropriations): 5.550.778 Euros

Human resources: 7 AD, 3 AST and 2 END posts

#### Output

- Provide CleanSeaNet satellite images and alerts to EU Member States on a regular basis for the monitoring of seas and detection of illegal discharges
- Provide assistance to EU Member States in case of accidental spills
- Provide assistance upon request to EU Member States in setting-up a response chain targeting illegal discharges
- Enhance the CleanSeaNet service with vessel traffic information, models and oceanographic information
- Provide training to EU Member States on CleanSeaNet
- Develop with the European Commission accompanying measures in line with Directive 2005/35/EC article 10

#### Outcome

The Agency is providing technical support to Member States in the field of tracking and tracing illegal discharges and polluters via its CleanSeaNet service. This service provides a sustainable and extensive basis on which Member States can extend their activities aimed at targeting illegal discharges in European waters.

### 4.4 INCIDENT RESPONSE SUPPORT FOR MARINE POLLUTION BY HAZARDOUS AND NOXIOUS SUBSTANCES (HNS)

As detailed previously in the Oil Pollution Action Plan, the Agency recognised that additional support actions were necessary to address marine pollution caused by hazardous and noxious substances (HNS). It was also indicated at this time, that such activities for so called “chemical” spills would be phased-in gradually. Accordingly, 2007 saw the development of the Action Plan for Hazardous and Noxious Substances Pollution Preparedness and Response (HNS Action Plan).

The HNS Action Plan was adopted by the Administrative Board at its 18th meeting on 12th-13th June 2007. It provides a concise overview of available information on preparedness and response to HNS marine pollution and defines the framework for EMSA’s role and activities.

The intention is to fill the existing “information gap” and over time to build a supporting service for Member States during incidents.

In implementing the HNS Action Plan, work will be carried out closely with Member States, the Regional Agreements and other key organizations in this field to further develop existing operational manuals, information support systems and chemical characteristics databases. These actions have the objective of



assisting the Member State decision making process during an incident. Furthermore, taking into account that health and safety issues are of primary importance when dealing with an HNS release, a study will be undertaken on the minimum technical requirements for a “safe platform” which is capable of entering a dangerous zone to undertake recovery and monitoring/sampling operations of relating to HNS releases. Key to such a “safe platform” is the protection of the responders and the prevention of the escalation of the incident. EMSA intends, as part of the European Commission delegation, to contribute regularly to the relevant International Maritime Organisation (IMO) forum for oil and HNS preparedness and response (namely the OPRC-HNS Technical Group).

#### 4.4 HNS Operational support

##### Resources/input

Financial resources (payment appropriations): 759.867 Euros

Human resources: 2 AD and 1 AST posts

##### Output

- Establish and maintain a network of specialised chemical experts
- Develop operational manuals and information support systems
- Feasibility study on ‘safe platform’ definition

##### Outcome

The Agency aims to disclose as much as possible relevant information regarding chemicals and their treatment in the environment, in order to assist Member States in dealing with spills involving hazardous and noxious substances.



HNS must be treated with great care

#### 4.5 CO-OPERATION, CO-ORDINATION AND INFORMATION

Within the framework of its mandate, the Agency will continue to develop its activities in close co-operation and coordination with Member States and the existing regional and international structures.

At the regional level, the role of and contribution by the Regional Agreements and their associated fora in this field remain integral to the activities of the Agency in supporting Member States. Supporting the European Commission as part of the European Community delegation, EMSA will continue to contribute to the work of the relevant

technical meetings. In addition activities will entail both technical and operational support. For example, it can be expected that, when requested, the satellite imagery surveillance service (CleanSeaNet) will continue to provide monitoring and surveillance support to such activities as the Super-CEPCO (Co-ordinated Extended Pollution Control Operation) arranged by the Bonn Agreement. The Agency will also assist in the process to develop European guidelines on this subject. Furthermore, the requested continuation of the Regional Agreement inter-secretariat meetings will promote the sharing of information between Regional Agreements, the Commission and the Agency to facilitate effective working relations and co-ordination between the different bodies.

Work will continue in providing technical and scientific assistance to the Member States, for example in the field of oil spill dispersant usage. 2008 will see an upgrade, based on the Member States' requests and feedback, of the Operational Manual on the Applicability of Oil Spill Dispersants. This decision support tool has been developed to provide real time assistance to responders in determining the appropriateness of such a strategy for any given incident, based on the information available at the time of the spill. On the same theme, and following the 2007 update of the Inventory of national policies regarding the use of oil spill dispersants in the EU Member States, the issue of dispersant testing, approval and usage will be explored in co-operation with Member State experts.

The continuous process of updating various inventories related to response capacities and mechanisms in the European Union will

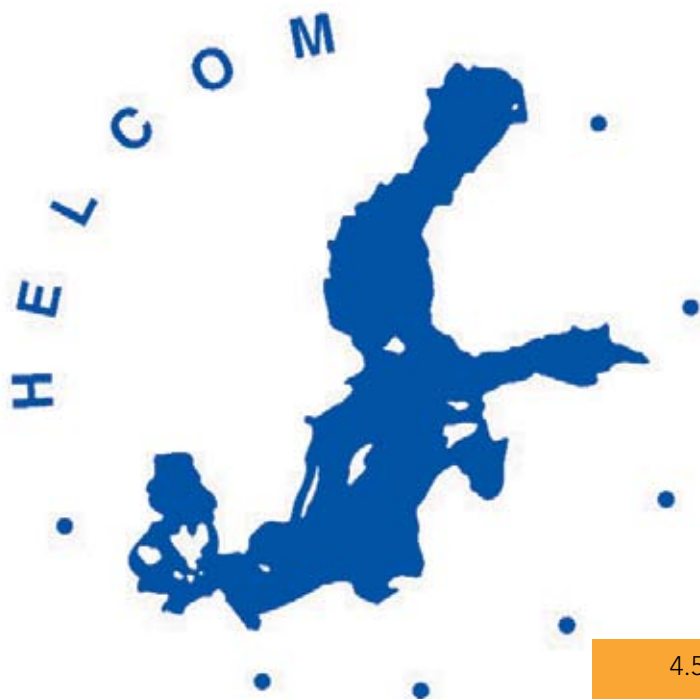
be undertaken as appropriate. As requested by Member State experts, this activity will include the further development of the overview report of EU-funded research and development projects in the field of marine pollution. The inventory of available recovered oil discharge facilities in Europe will be further developed.

The Agency will prepare and present its first overview of the financial execution of the Action Plan, as specified and required by the new Regulation 2038/2006/EC on multi-annual funding for the actions of the European Maritime Safety Agency in the field of response to pollution caused by ships.

2008 will be the second year of the Consultative Technical Group for Marine Pollution Preparedness and Response (CTG MPPR), which was set-up by the Agency to provide a European platform for Member State experts following the expiry of the Community framework for cooperation in the field of accidental or deliberate marine pollution. Established in 2007, one of the main considerations of the group is to build upon the results of activities carried out in the preparedness and response field in the past. The CTG provides Member States with the opportunity to present initiatives for consideration by the group as well as making active contributions to issues most appropriately addressed at European level.

EMSA will continue to support the work of the CTG across a range of technical and operational issues, as defined in its rolling programme. This includes the development of an expert exchange programme similar to the European Programme on "exchange of experts in the field of marine pollution" (EU-MAREX), which ended in August 2007.





*The Helsinki Commission (Helcom) is one of the Regional Agreements with which EMSA is cooperating.*

New projects will be identified by the group and could include various workshops, reports, studies and training programmes. The development of the above mentioned data sources, inventories, manuals and technical and operational documentation, as well as decision support software tools, form a concentrated and specialised resource. As has been the case to date, it is the intention to maintain and develop as appropriate the pollution preparedness and response section of the EMSA website ([www.emsa.europa.eu](http://www.emsa.europa.eu)) as a user-friendly information portal for experts and public alike. This section of the website will continue to provide comprehensive and up-to-date information regarding the Agency's operational tasks, activities, workshops and publications in this field, as well as being a portal to useful external links.

#### 4.5 Co-operation, co-ordination and information

##### Resources/input

Financial resources (payment appropriations): 2.414.081 Euros

Human resources: 5 AD and 1 AST

##### Output

- Support to exercises of Regional Agreements where possible
- Coordinating activities with Regional Agreements
- Developing a rolling programme with Member States experts in the context of the CTG MPPR stimulating preparedness activities
- Setting up a pollution response expert exchange programme
- Developing and updating information, inventories and decision making support tools

##### Outcome

Activities of the Agency in this field are intended to improve the capabilities of Member States to respond to pollution incidents and to disseminate best practices and information between Member States and their Regional Agreements.

# 5 *The Agency's administrative structure*



## 5.1 MANAGEMENT TEAM

The Agency is managed by its Executive Director. The duties and powers are defined in Article 15 of Regulation 1406/2002/EC, which include:

- preparation of the work programme of the Agency and the detailed plan (Action Plan) for the pollution preparedness and response activities;
- deciding on the visits to Member States;
- setting up internal administrative instructions;
- preparation of the annual report;
- appointing authority for staff;
- preparation of the budget requirements and accounts.

The Executive Director is directly supported by a policy advisor and an assistant. The Bureau of the Executive Director has a special responsibility in drafting and coordinating the official documents and in preparing the meetings of the Administrative Board. Currently, the Agency has eight units (three administrative and five technical/operational units) should the European LRIT Data Centre become a task of EMSA, it is most likely that the organization chart will be adapted to include a dedicated unit for this purpose.

The Executive Director and the Heads of Unit meet on a regular basis to monitor the progress of the ongoing projects and to discuss any outstanding issues of an administrative or technical nature.

## 5.2 HUMAN RESOURCES

Recruitment will be an ongoing activity for the Agency during 2008. EMSA will continue to encourage women to apply for its vacancies, especially in those areas where women are under-represented. EMSA recognises the importance of continuing to recruit on a broad geographical basis. The Agency should, as far as possible, employ nationals from all Member States of the European Union, Norway and Iceland.

The introduction programme for newcomers will be further developed. This will help newcomers to familiarise themselves with the Agency and its working procedures on their arrival. In addition, in order to facilitate the integration of new staff (often not familiar with EU administrative practices) the Intranet site will be continuously updated and further developed with relevant information.

Training of new and existing staff has become more important during 2007. In order to increase the number of available training courses, the Agency has signed an agreement with the European Commission, giving it access to the European Commission's training courses. Training plans are prepared for each staff member. These training plans aim to keep the necessary competences of staff in line with the ever evolving needs of the Agency. The targeted number of days for personal development and training for each staff member for 2008 is an average of six days. In addition, the Agency continues to encourage staff members to participate in language courses organised in-house.



This enhances, the multi-linguistic skills of staff members, thus facilitating their work in the multi-cultural environment of an EU body.

EMSA will introduce a policy and programme for traineeships, particularly for units where technical expertise is already fully available. As a consequence, the Agency will be in a position to give the opportunity to students and post-graduates to familiarise themselves with the working practices of a technical body of the European Union, as is the case in other EU bodies.

The Agency will introduce a specific and adapted IT system in order to manage its human resources whilst respecting the principles laid down in the Staff Regulations and its implementing rules. A working group will be constituted in order to explore different options used by other EU Institutions and Agencies. The group will present a solution for EMSA and the subsequent financial resources will be allocated to this project accordingly. Since the number of staff employed by the Agency continues to grow, it is crucial to move to a more sophisticated system which

enables the rapid provision of reliable information.

It is also very important that EMSA continues its work regarding the adoption of the implementing rules which give effect to the Staff Regulations. As in the past, this will be done in close cooperation with the European Commission and other EU Agencies in order to follow the guidelines on staff policy of the European Regulatory Agencies in working towards a harmonised approach. An update of the Multi-Annual Staff Policy Plan will be presented, building upon the outline developed in the first plan of 2007. Other stakeholders, such as the European Parliament, also receive regular information on the state of implementation of regulations and staff policies.

In order to have a common approach on administrative matters, several inter-Agency networks have been developed and are active in areas such as human resources, legal issues, ICT and communication. EMSA actively participates in these networks. Moreover, the Heads of EU-Agencies (which are now more than 20) meet bi-annually to discuss these issues.

### 5.3 LEGAL AND FINANCIAL AFFAIRS

Appropriate support to the Executive Director and the operational and administrative units in legal affairs is provided on a continuous basis, and may have to be further strengthened in 2008 in order to adequately respond to the extending tasks of the Agency. Legal commitments entered into by the Agency are subject to prior financial and legal verification.

The execution of the budget is managed by the Agency and checked by the European Court of Auditors, and is subject to a discharge by the European Parliament. The Agency is developing Activity Based Budgeting, and is in the process of establishing reference figures which can be consolidated when the Agency is at its final location. By 2009, these systems should be ready. Furthermore, budget control and bi-weekly financial reporting will be further refined.

In 2008, the internal administrative rules and procedures, as well as internal control, will continue to be developed and strengthened. New services to be offered by the Agency will have to be efficiently supported by the financial systems, which may have to be modified or extended. The internal organization of the Agency has been reviewed by the Internal Audit Service of the European Commission (report of August 2007) and follow-up is expected in 2008.

The budget of the Agency is managed under the rules of its Financial Regulation, based on the Framework Financial Regulation for the Community bodies and the related Implementing Rules, as adopted by the Administrative Board.

### 5.4 INFORMATION AND COMMUNICATION TECHNOLOGY, FACILITIES AND LOGISTICS

The key challenge in 2008 will be the preparation and execution of the move to EMSA's final headquarters, which is planned to happen in the first quarter of 2008. The objective will be to minimise the impact of this move on the functioning of the Agency and its provision of support and services to its stakeholders. Moving a significantly larger agency during full operation will pose a challenge to EMSA's management. The key challenge in the field of ICT in 2008 will be to implement and test the ICT Infrastructure for the final headquarters in parallel with providing ICT Services at the interim offices. To adapt the ICT infrastructure to a significantly larger office building, including a conference centre, implies the design, procurement and implementation of a complete new IT Network with enhanced capabilities, such as Virtual Private Networking and the procurement of additional servers.

The move of the satellite acquisition system, satellite database and archive and the other databases hosted by EMSA with minimum service interruption will be required.

In addition, ICT resources will focus on the implementation of maritime applications (LRIT, NIS, SafeSeaNet and others mentioned in this work programme), taking into account their need for interchanging and sharing data. Services linked to the maintenance, administration and hosting of a series of maritime applications (for example: SafeSeaNet, CleanSeaNet, RuleCheck, Accident Investigation Database) will continue to be provided in 2008.

Following the establishment of the core ICT service management processes and the com-



plete documentation of ICT services in 2007, the focus in 2008 will change to addressing the next level of ICT processes, including business continuity and disaster recovery.

5.1, 5.2, 5.3 and 5.4 Overhead/horizontal tasks
<b>Resources/input</b>
<ol style="list-style-type: none"> <li>1. Management Team/Bureau of the Executive Director Human resources<sup>12</sup>: 13 AD and 3 AST</li> <li>2. Human Resources Human resources: 1 AD, 9 AST and 1 CA</li> <li>3. Financial and Legal affairs Human resources: 4 AD and 6 AST</li> <li>4. Information and Communication Technology, Facilities and Logistics Human resources: 5 AD, 17 AST and 17 CA</li> </ol>
<b>Output</b>
<ol style="list-style-type: none"> <li>1. Management Team/Bureau of the Executive Director <ul style="list-style-type: none"> <li>- Work programme, annual report and accounts</li> <li>- Action Plan for Pollution Preparedness and Response</li> <li>- Preparation of meetings of the Administrative Board</li> <li>- Regular monitoring of ongoing projects</li> </ul> </li> <li>2. Human Resources <ul style="list-style-type: none"> <li>- Management of the establishment plan (new recruits, turnover, etc.)</li> <li>- Administration and management of the payroll</li> <li>- Development and implementation of a traineeship policy</li> <li>- Implementation of rights and obligations arising from the Staff Regulations-Further development of training policy (in particular regarding the implementation of individual training plans)</li> <li>- Introduction of electronic tools to manage staff career and rights</li> <li>- Implementation and improvement of existing HR policies related to career development.</li> </ul> </li> <li>3. Financial and Legal affairs <ul style="list-style-type: none"> <li>- Verification of commitment and payments files</li> <li>- Organising and executing transfers</li> <li>- Providing budget overviews</li> </ul> </li> </ol>

- Advising on and verifying contracts and procurement procedures
- Providing legal advice to the Executive Director and the units
- 4. Information and Communication Technology, Facilities and Logistics
  - Providing support to staff on ICT
  - Providing support to maritime applications
  - Managing facilities and support services of the Agency

#### Outcome

The functions mentioned should further structure and facilitate the working practices and projects of the Agency to enable staff with the allocated resources to work towards meeting the objectives in an efficient and cost-effective manner in line with the Financial and Staff Regulations.

## 5.5 INFORMATION, COMMUNICATION AND PROTOCOL

In 2008, EMSA will continue its efforts to further advance communication with external stakeholders in selected operational fields. One of the main ways of achieving this will be by offering improved information through the EMSA website. The implementation of a new content management system will enable far greater flexibility in the presentation of, and access to, information on the website and on the intranet. In addition, it will allow for the development of extranet capabilities for the Agency's operational sectors.

Consideration will be given to closer information and communication networking links with EU Member States.

Having begun in late 2007, the exhibitions programme will be substantially expanded to ensure that EMSA is best presented at an interpersonal level at different key maritime safety related events. Typically, EMSA

<sup>12</sup> This number includes the Executive Director and his staff, all Heads of Unit of the Agency and the accountancy function.



EMSA stand at European Commission event

will also be giving individual presentations at such events.

Ongoing core activities in the field of information and communication include the publication of annual documents such as the Work Programme, the Annual Report, the monthly newsletter and operational reports, as well as providing information to the media and supporting internal and external events and conferences. Following the relocation to the final headquarters, EMSA will have access to state of the art event hosting facilities.

Since the relocation to Lisbon, the support to the operational units and staff in the field of privileges and immunities has been set in place. The Protocol between the Government of the Portuguese Republic and the European Maritime Safety Agency covering the relations between the Agency and Portugal (Seat Agreement) was signed on 28 July 2004. It lays down the rights, privileges and immunities of the Agency and its staff necessary to provide for the proper functioning of the Agency.

Particular attention will be given to the ongoing negotiations with the Portuguese authorities regarding the signature of Addi-

tional Implementing Rules as foreseen by the Protocol, clarifying some administrative and procedural issues.

5.5 Information, Communication and Protocol
Resources/input
Financial resources (payment appropriations): 1.106.911 Euros
Human resources: 3 AD, 2 AST and 1 CA
Output
<ul style="list-style-type: none"> <li>- Preparing regular publications</li> <li>- Completing a series of leaflets</li> <li>- Completing EMSA information tools, including its website</li> <li>- Presenting EMSA at exhibitions and conferences, when requested</li> </ul>
Outcome
Activities should aim at giving public and interested parties objective, reliable and easily understandable information with regard to the Agency's work (Reg. 1406/2002/EC, Art. 4.2).

## *Perspectives beyond 2008*

In the coming years, EMSA will be faced with providing assistance to, and monitoring of, the implementation of new EU legislation. Many proposals in the third maritime safety package will have an impact on the work of the Agency beyond 2008. Preparatory work is already being undertaken in the fields of the new Port State Control regime, the Community Vessel Traffic Information System and Classification Societies.

With the adoption of a European directive on accident investigation, the Agency will be tasked with the mandatory collection, analysis and dissemination of accident data of Member States. Within the proposed framework for Flag State implementation, there will be substantial technical tasks in the field of data collection, data processing and verification of compliance of Member States with Flag State requirements.

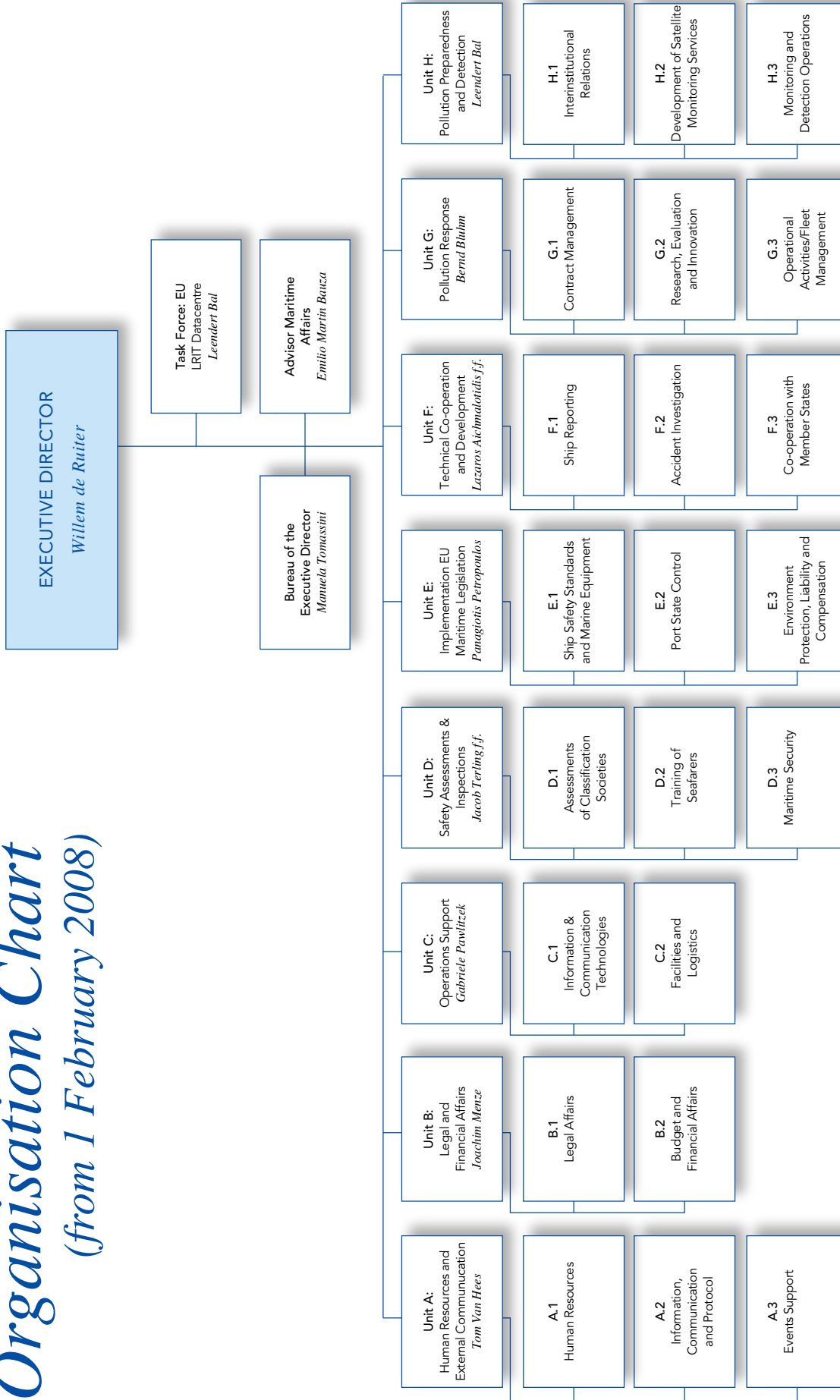
A new (fourth) revision of the founding Regulation of EMSA has been announced by the Commission for 2008. Concrete elements have not yet been made available, but the proposal is likely to include new tasks, for example the tasks forming part of the third maritime package, and/or to enlarge existing tasks of the Agency. The new Commission proposal will be accompanied by an impact assessment and a financial statement demonstrating the consequences for the Agency in terms of resources (staff and budget). Subject to the outcome of the co-decision process, this revision will have an impact on the work of the Agency.

Finally, the discussion on the future maritime policy of the European Union<sup>13</sup> may have long-term consequences for the Agency. At this stage, it is not clear what will be expected from EMSA in this context.

<sup>13</sup> See *Communication from the Commission 'An Integrated Maritime Policy for the European Union', Brussels, 10 October 2007; COM (2007) 575.*

# Organisation Chart

(from 1 February 2008)





# Budget 2008

## Revenue

Title	Heading	Commitment and payment appropriations 2007	Commitment appropriations 2008	Payment appropriations 2008	Comments
1	Subsidy from EU (DG TREN)	48,100,000 <sup>14</sup>	44,300,000	46,890,000	Regulation (EC) No 1406/2002
	EC funds for candidate, potential and ENP countries (DG ENLARG)	149,058	135,000	135,000	EC Funds for candidate, potential candidate countries and European Neighbourhood policy countries
	<b>Total:</b>	<b>48,249,058</b>	<b>44,435,000</b>	<b>47,025,000</b>	<b>EC Funds for candidate, potential candidate countries and European Neighbourhood policy countries</b>

## Expenditure

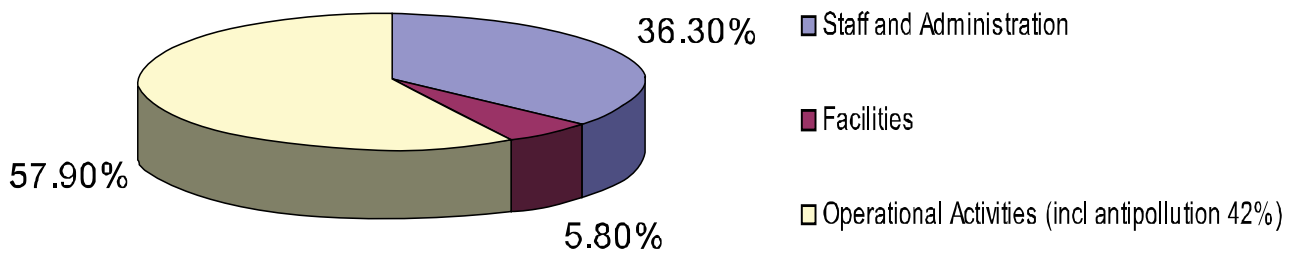
Title chapter	Heading	Commitment and payment appropriations 2007	Commitment appropriations 2008	Payment appropriations 2008	Comments
1	Staff				
1.1	Staff in active employment	13,985,000	15,781,000 - 1,166,000 14,615,000	15,781,000 - 1,166,000 14,615,000	- Remuneration of Permanent, Temporary and Contract Agents, Allowances - Seconded National Experts. - Salary weighting/Coefficient Corrector - Net salaries
1.2	Expenditure related to recruitment	900,000	1,240,000	1,240,000	Expenditure involved in recruitment procedure, including travel costs of candidates, installation and daily subsistence allowances, resettlement allowances and removal costs
1.3	Administrative missions and duty travel	200,000	150,000	150,000	Costs for non-operational missions
1.4	Socio-medical infrastructure, training	500,000	640,000	640,000	Training of staff, annual medical checks, Canteen
1.6	Social measures	375,000	375,000	375,000	Social measures: school expenses and associated costs
1.7	Reception and entertainment	40,000	40,000	40,000	Representations expenses, social activities EMSA staff and miscellaneous receptions
	<b>Total title 1</b>	<b>16,000,000</b>	<b>17,060,000</b>	<b>17,060,000</b>	
2	<b>Administrative expenditure</b>	<b>Commitment and payment appropriations 2007</b>	<b>Commitment appropriations 2008</b>	<b>Payment appropriations 2008</b>	
2.0	Rental of building and associated costs	1,500,000	1,000,000	1,000,000	Building rental and associated costs (including insurance, utility costs, security and fitting-out premises)
2.1	Data processing expenditure and associated costs	400,000	780,000	780,000	ICT hardware and software, licences and consultancies as well as maintenance.

<sup>14</sup> The European project requested to continue the programme for Croatia and Turkey in 2008 (100,000 Euros). EMSA has applied for a project with Western Balkan countries involving an amount of 50,000 Euros for activities in 2007 and 2008, of which 35,000 Euros is allocated for 2008.

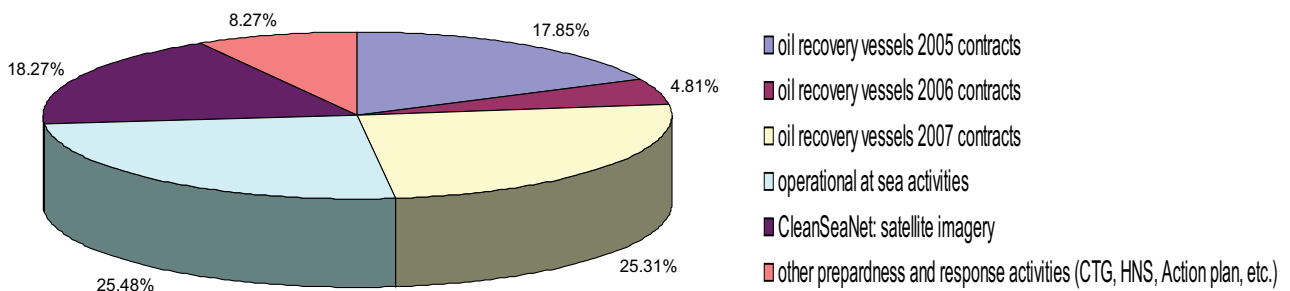
2.2	Movable property and associated costs	100,000	390,000	390,000	Technical installations and electronic office equipment, Furniture and documentation and library expenditure
2.3	Current administrative expenditure	150,000	200,000	200,000	Office stationery and supplies, financial and legal charges, and other operating expenditure
2.4	postal charges and telecommunications	200,000	200,000	200,000	Postal charges and telecommunication costs
2.5	Meeting expenses	150,000	170,000	170,000	Administrative Board meetings
	<b>Total title 2</b>	<b>2,500,000</b>	<b>2,740,000</b>	<b>2,740,000</b>	
	<b>Total titles 1 &amp; 2: (06 02 02 01)</b>	<b>18,500,000</b>	<b>19,800,000</b>	<b>19,800,000</b>	
<b>3</b>	<b>Operating expenditure</b>	<b>Commitment and payment appropriations 2007</b>	<b>Commitment appropriations 2008</b>	<b>Payment appropriations 2008</b>	
3.1	Development of Databases	1,100,000	3,200,000	3,440,000	Set up of databases to compile data on maritime safety, creation of computer infrastructure and development and maintenance of applications
3.2	Information and Publication	250,000	200,000	200,000	Website development, publication of general reports, information and technical dossiers in paper form and internet
3.3	Meetings PHARE funds	1,100,000 149,058	650,000 135,000	650,000 135,000	Expert meetings , conferences and workshops
3.4	Translation expenses	200,000	200,000	200,000	Translation expenses
3.5	Studies	900,000	900,000	1,000,000	Monitoring and evaluation of maritime safety measures
3.6	Mission expenses	850,000	700,000	700,000	Operational missions including visits to Member States, inspection of classification societies, maritime accidents, assistance in the implementation of the monitoring Directive, etc
3.7	Training activities	200,000	650,000	650,000	Training activities for EU Member States (including Port State Control)
	Total title 3 without anti-pollution (06 02 02 02 including DG Enlarg funds)	4,749,058	6,635,000	6,975,000	
		Commitment and payment appropriations 2007	Commitment appropriations 2008	Payment appropriation 2008	
3.8	Anti-pollution measures (06 02 02 03)	25,000,000	18,000,000	20,250,000	Costs of chartering vessels (with their equipment) to combat large oil spills, provision of satellite imagery, technical assistance, studies and research projects to improve pollution preparedness and response (implementation of action plan and its updates)
	<b>Total title 3 (06 02 02 02, 06 02 02 03 including DG Enlarg funds)</b>	<b>29,731,560</b>	<b>24,635,000</b>	<b>27,225,000</b>	
	<b>Total budget (including DG Enlarg funds)</b>	<b>48,249,058</b>	<b>44,435,000</b>	<b>47,025,000</b>	
	<b>Total budget (excluding DG Enlarg funds)</b>	<b>48,100,000</b>	<b>44,300,000</b>	<b>46,890,000</b>	

## Activity Based Budgeting for 2008

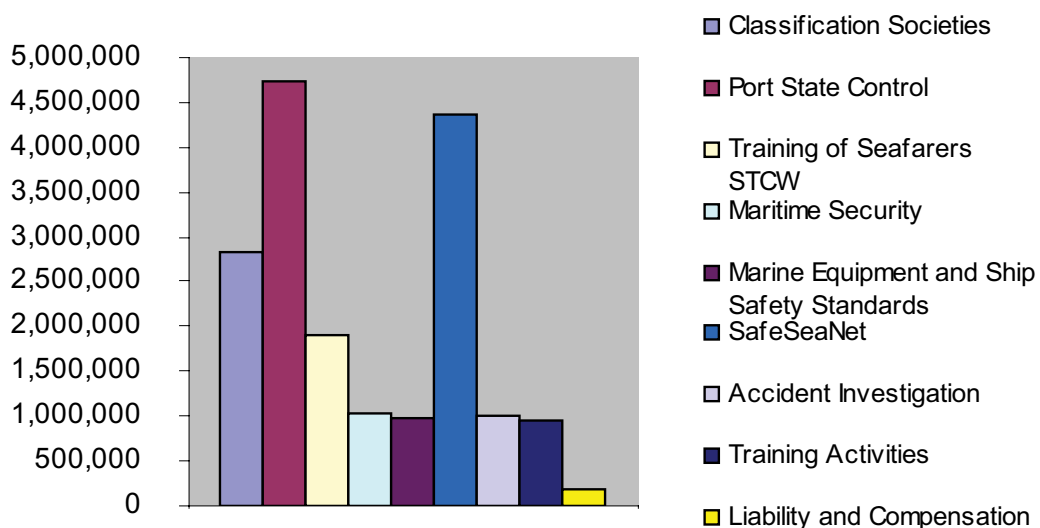
Budget proposal 2008: 47.025 million Euros  
 Payment appropriations: titles 1, 2 and 3



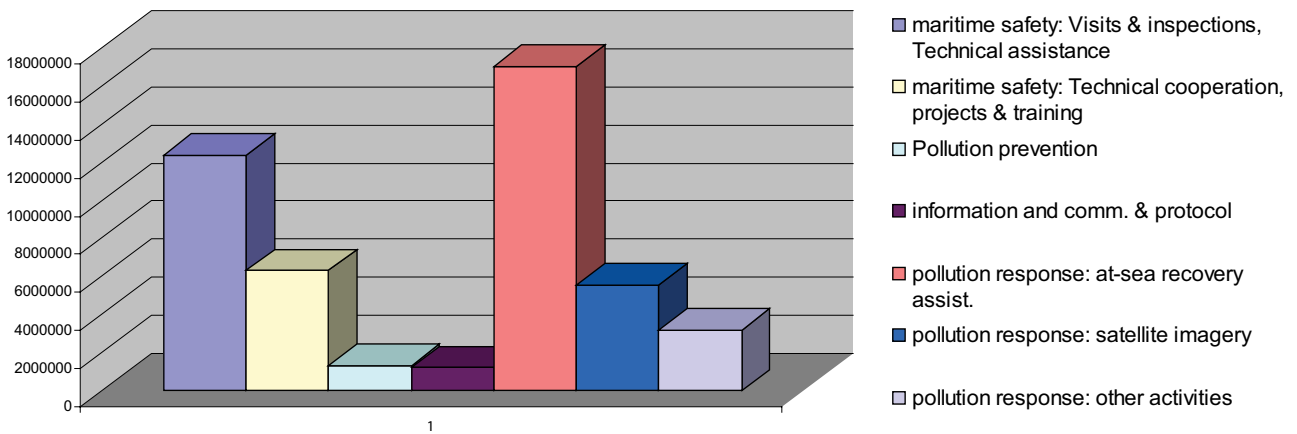
Pollution Response payment appropriations 2008: 20,250 million Euros



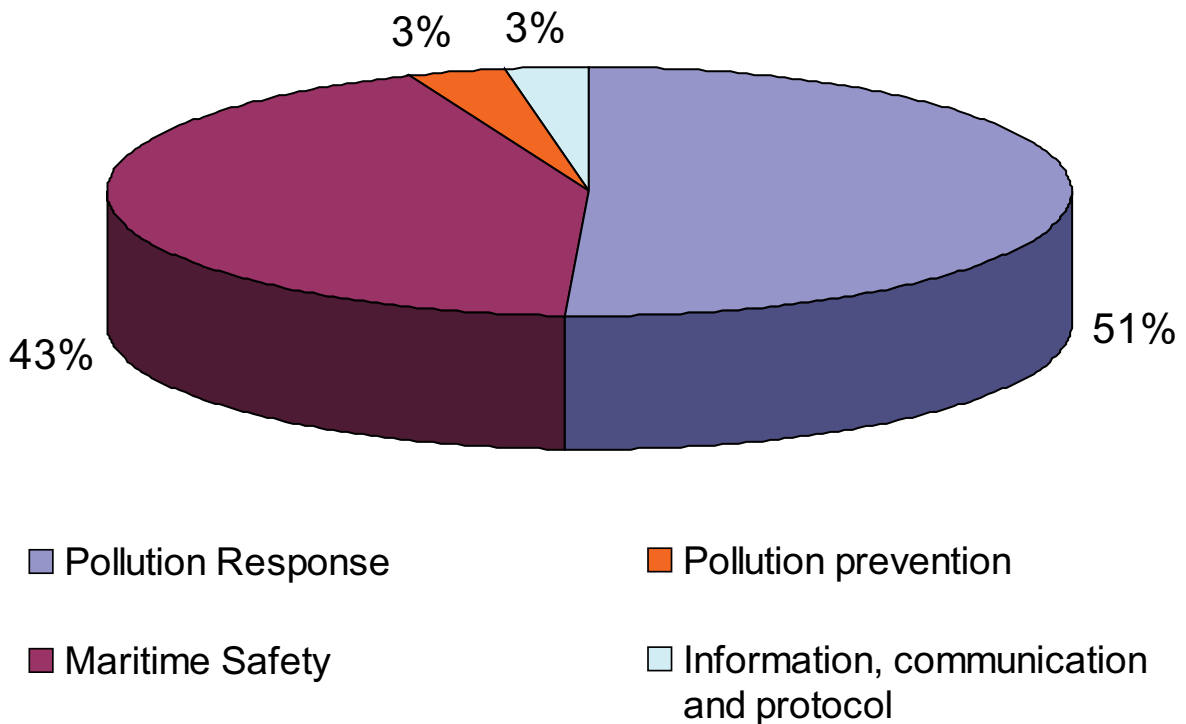
Costs of Maritime Safety activities in Euros



*Total costs by group of activities*



*Use of EMSA resources per group of activities*



# Establishment Plan 2008

Function Group and Grade	2007 Authorised		2008 Authorised		2008 Amending proposal	
	Permanent	Temporary	Permanent	Temporary	Permanent	Temporary
AD16						
AD15		1		1		1
AD14		1		1		1
AD13	1	1	1	2	1	3
AD12	2	6	2	8	2	8
AD11	1	7	1	10	1	10
AD10	5	12	1	16	1	17
AD9		15		16		19
AD8		14		15		17
AD7		12		14		19
AD6		9		11		12
AD5		7		7		7
<b>Total AD</b>	<b>9</b>	<b>85</b>	<b>5</b>	<b>101</b>	<b>5</b>	<b>114</b>
AST11						
AST10						
AST9				1		1
AST8	1	1	1	1	1	1
AST7		1		1		1
AST6		3		3		3
AST5		8		8		8
AST4		10		10		11
AST3		15		15		17
AST2		14		13		13
AST1		6		6		6
<b>Total AST</b>	<b>1</b>	<b>58</b>	<b>1</b>	<b>58</b>	<b>1</b>	<b>61</b>
<b>Total AD + AST</b>	<b>10</b>	<b>143</b>	<b>6</b>	<b>159</b>	<b>6</b>	<b>175</b>
<b>Grand Total</b>		<b>153</b>		<b>165</b>		<b>181</b>



PHOTO CREDITS:

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Contship: 11

Slovenian PSC: 16

Port of Marseilles: 23

French Navy: 27

Spanish PSC: 31

Helsinki Commission: 45



European Maritime Safety Agency (EMSA)

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

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