

A photograph of a modern building facade, tilted at an angle. The building has a grid of windows and a light-colored exterior. A flag with the EMSA logo is visible on the building. The image is framed by a blue border.

European
Maritime
Safety
Agency

Activity Report 2006

A photograph of ocean waves with white foam, filling the bottom half of the cover. The water is a deep blue, and the foam is bright white.



European Maritime Safety Agency
Activity Report 2006

Table of Contents

Foreword : Brian Wadsworth and Francis Vallat, Chairman and Vice-Chairman of the Administrative Board	4
Introduction: Willem de Ruiter, Executive Director, EMSA	6
Chapter 1: The European Maritime Safety Agency	7
1.1. Introduction	7
1.2. Administrative Board	7
1.2.1. Summary of Board Decisions	8
Chapter 2: Supporting the Commission	9
2.1. Horizontal assistance to the Commission	10
2.2. Specific tasks relating to the implementation and monitoring of the Community acquis in the field of maritime safety	10
2.3. Specific tasks relating to the implementation and monitoring of the Community acquis in the field of prevention of pollution by ships	23
2.4. Summary of achievements	27
Chapter 3: Working with Member States	29
3.1. EU vessel traffic monitoring and information system	29
3.2. Accident/casualty investigation	32
3.3. Training activities	33
3.4. Summary of achievements	35
Chapter 4: Operational tasks	36
4.1. Providing operational assistance in the field of pollution response	36
4.1.1. Network of stand-by availability contracts for oil recovery services	37
4.1.2. Providing satellite monitoring and surveillance	40
4.1.3. Jieh Spill, Lebanon: EMSA supports International Assistance Efforts	42
4.1.4. Providing Operational Assistance in the field of Pollution Response	43
4.2. Broadening the scope of operational assistance for other pollutants	44
4.3. Other activities	44
4.4. Summary of achievements	46

Chapter 5: Administrative support	47
5.1. Relocation of the Agency	48
5.2. Human Resources	49
5.3. Staff Training	52
5.4. External Communications	52
5.5. Website	53
5.6. Administrative Systems - Contractual Management	53
5.7. Finance and Accounting	53
5.8. Administrative Systems - ICT	54
5.9. Events Service	54
5.10. Summary and vision	54
Annex I: Implementation of the 2006 budget	57
Annex II: Economic outturn account for 2005 / 2006	58
Annex III: Balance sheets for 2005 / 2006	59



A year of adding value – Foreword by the Chairmen of the Administrative Board



2006 was an important and busy year in the development of our Agency. The challenges facing EMSA's management and staff in the delivery of our maritime safety and environmental protection agenda were compounded by the relocation of the Agency's permanent home to Lisbon, completed in July. It is gratifying for us to be able to report that this took place without any significant interruption to the Agency's delivery agenda or services, even though - inevitably - there were some staff changes as a result of the move away from Brussels. One measure of the challenge for the management is that EMSA had to recruit 56 new staff members during the year, some 20 more than was otherwise planned.

The inauguration of EMSA's interim offices in Lisbon, held on 14th September, attracted attention and attendance at the highest levels, including the President of the European Commission and the Portuguese Prime Minister. It was an opportunity both to celebrate the Agency's 'homecoming' and to thank the Executive Director, his management team and EMSA's staff for their collective efforts to ensure a successful transition.

EMSA exists to monitor implementation of the European Community maritime sector 'acquis' (essentially the body of European law, policy and regulatory practice), to assist the Commission with the development of policy, to promote co-operation between Member States and to assist with maritime pollution response. Increasingly, EMSA is developing as a service provider where there are compelling

arguments for having a common European service infrastructure (e.g. SafeSeaNet) or potential scale economies in delivery (e.g. inspection of third country seafarer training and certification).

There are details throughout this report of EMSA's record of delivery during 2006. These are a few examples:

- Over 60 visits and inspections were carried out (50% more than in 2005), including audits of Classification Societies in Europe and elsewhere, inspections of Port State Control arrangements in Member States, visits to thirty overseas seafarer training establishments in nine countries and inspections of maritime security arrangements in 13 EU countries.
- Advice was provided to the Commission on the development of the third Maritime Package, for example in connection with accident investigation and development of Port State Control arrangements. EMSA also provided technical assistance on atmospheric emissions from ships, ship recycling and ballast water treatment.
- SafeSeaNet became operational during 2006, providing a common database for monitoring maritime activity throughout Europe, with 13 Member States connected by the end of the year. EMSA's involvement in facilitating Member State co-operation covered aspects such as shore based traffic monitoring, methods for dealing with vessels in distress, and the principles of accident investigation, as well as training activities for maritime sector officials - an important tool for promoting convergence of standards and another area where economies of scale can be realised.
- EMSA's initial capability to assist Member States with oil pollution response became operational during 2006, based in the Baltic Sea, at Brest in north-west France and Valetta, Malta. This is a very clear manifestation of the benefits of European co-operation and another case of realising scale economies, through the shared procurement of specialised services and equipment which would be much costlier if each coastal Member State sought to put in place its own, separate capability. Work is in hand to extend both to geographical coverage and to develop cost-effective forms of assistance for non-oil pollution incidents.

The Administrative Support chapter of this Annual Report describes 2006 as the year in which EMSA "hit cruising speed". Crucially, the benefits of creating EMSA are increasingly flowing through, to the collective advantage of European maritime administrations and, more importantly, citizens and taxpayers. On behalf of the entire Administrative Board, we appreciate the commitment and determination of EMSA's staff in delivering these results, which enable us to review the past with pride and look forward with confidence to 2007 and beyond.

Francis Vallat
Vice-Chairman

Brian Wadsworth
Chairman

Message from the Executive Director



2006 has been a key milestone in the development of the Agency. The move to Lisbon for one, filling up posts vacated as a result of this and in order to fulfil the tasks that the Agency has been assigned on the other have both been critical areas where a great deal of effort has been made.

I would like to congratulate my staff for their continued professionalism and good spirit throughout the upheaval that the move from Brussels to Lisbon created. It has been a very difficult time for all of us and I know that I speak for all my staff that we are very pleased with our location and grateful to the people of Portugal for helping us settle and make us feel welcome in our new home.

Furthermore, the support received from the EMSA Administrative Board has allowed the Agency to start its operational services. Continuation of our tasks would not have been possible without our close working relationship with the European Commission, whose regular involvement, advice and cooperation would not have led to so much being achieved.

The annual report for 2006 is an extensive document which describes these areas of activity in more depth. I hope you find it interesting reading and that it helps to underline the role of the Agency and how EMSA is adding value towards safeguarding life at sea, improving maritime safety and protecting the environment.

Chapter 1: The European Maritime Safety Agency

1.1. INTRODUCTION

The European Maritime Safety Agency (EMSA) underwent some very substantial changes in 2006. The most visible was the long awaited move to Lisbon from Brussels following the completion of the temporary offices that was assured by the Port of Lisbon Authority (APL) and with the support of the Portuguese Government. Despite the considerable strain of moving staff, their families and the entire office infrastructure and systems, most work areas were able to progress without any disruption to the normal services offered by EMSA. The inauguration of the current offices in Lisbon was the highlight event of the year, with an excellent representation of guests coming from the European Union, the Portuguese Government and the world wide maritime sector. The core tasks of EMSA and objectives for 2006 were achieved, and will be further explored in this activity report for 2006.

The European Maritime Safety Agency, established as part of the second Erika legislative package, aims to be an active driver towards the improvement of maritime safety in the European Union.

The Agency's objective is to provide technical and scientific advice to the Commission in the fields of maritime safety, maritime security, prevention of pollution and response to pollution caused by ships, in the continuous process of updating and developing new legislation, monitoring its proper implementation and evaluating the effectiveness of the measures in place.

The Agency contributes to the evaluation of the effectiveness of Community legislation by providing the Commission and the Member States with objective, reliable and comparable information and data on maritime safety and on ship pollution. Following major shipping disasters in European waters, such as the sinking of the ferry Estonia and the tankers Erika and Prestige, very substantial

packages of EU legislation have been adopted to improve maritime safety and to reduce pollution from ships.

This annual report presents the work undertaken by the Agency during 2006 according to the objectives defined in that year's work programme. The priorities identified in the work programme include the further building up of support capabilities in the field of oil pollution response, intensification of assessments carried out by EMSA and the setting up of an EU satellite monitoring system to provide the Member States with images of illegal discharges in order to track polluters at sea. A number of other areas have also seen a continued level of progress, in both the maritime and administrative sectors. For each chapter and subsection of the annual report, the objectives for each task have been restated in order to provide the reader with a reminder of what was expected of the European Maritime Safety Agency. A summary of achievements and a scoreboard are also included as an indicator of performance.

1.2 ADMINISTRATIVE BOARD

EMSA's Administrative Board met four times in 2006, one more than the usual three times, with an additional Board meeting held on the day following the inauguration ceremony. Two new Board Members and four new alternate Members were welcomed in 2006 replacing previous representatives.

1.2.1 SUMMARY OF BOARD DECISIONS

13th Administrative Board meeting, 14th March 2006 held in St. Julian's, Malta

The Administrative Board:

- Adopted the Preliminary Work Programme 2007;
- Adopted Preliminary Draft Budget 2007;
- Adopted the proposed amendment of article 2 of its rules of procedure regarding the election of the chairperson and vice-chairperson.

14th Administrative Board meeting, 15th June 2006 held in Lisbon, Portugal

The Administrative Board:

- Adopted the EMSA 2005 Annual Report;
- Agreed on working towards providing continuity of maritime support services;
- Took note of information on dissemination of EMSA inspection reports;
- Took note of the activity based budget presentation.

15th Administrative Board meeting, 15th September 2006 held in Lisbon, Portugal

The Administrative Board:

- Agreed on EMSA's task in the field of Marine Equipment developing a common methodology for auditing Notified Bodies.

16th Administrative Board meeting, 24th November 2006 held in Lisbon, Portugal

The Administrative Board:

- Adopted the Work Programme 2007 and Budget/Establishment Plan 2007;
- Adopted the EMSA Financial Statement for 2005;
- Adopted four implementing rules of the Staff Regulations;
- Adopted new rules for Seconded National Experts;
- Agreed to include PHARE in 2006 budget;
- Agreed to establish a Working Group for the external evaluation of the Agency in accordance with Article 22 of EMSA's founding Regulation, 1406/2003/EC.





Chapter 2: Supporting the Commission

SUPPORTING THE COMMISSION WITH MONITORING OF THE IMPLEMENTATION OF EU MARITIME SAFETY LEGISLATION AND GIVING TECHNICAL ASSISTANCE FOR NEW AND/OR AMENDED LEGISLATION

Objectives for 2006

- Provide the Commission with scientific and technical assistance for the preparation and updating of community legislation,
- Through visits, assessments and inspections, monitor the implementation of EU Legislation
- Develop tools to set up a "one-stop shop" data centre,
- Provide the Commission with technical advice when presenting a community position at various international and regional fora (IMO, regional agreements, non-EU neighbouring states)



EMSA assessors on site

2.1. HORIZONTAL ASSISTANCE TO THE COMMISSION

Technical assistance for the preparation of new legislation

The third package of maritime safety legislation was launched by the European Commission in November 2005. The process of agreeing on new European Union law, that involves discussions between the European Parliament, the European Commission and the Member States, continued throughout 2006.

Assistance was provided to the European Commission in the preparatory works for the amendment to Directive 2002/59 on traffic monitoring in Council; as well as for the follow up of this debate at IMO level of the LRIT initiative by representing the Commission at the correspondence and session working groups.

Further assistance was delivered to the Commission relating to the new Directive on Accident Investigation within the third

Maritime Package by submitting a report on the pros and cons of the current practices in the Member States regarding possible time limits for the start of an investigation after an accident. The Agency was also involved in assisting the Commission on preparing the presentation of the recast Directive on Port State Control, as well as with the update of the Annexes of the Marine Equipment Directive. These are discussed in more detail within the relevant sections that follow.

2.2. SPECIFIC TASKS RELATING TO THE IMPLEMENTATION AND MONITORING OF THE COMMUNITY ACQUIS IN THE FIELD OF MARITIME SAFETY

Monitoring the implementation of Community legislation

Verification of the proper implementation of Community legislation has become one of the principle activities of the Agency. Teams of EMSA staff now regularly inspect the performance of Classification Societies,

Chronological list of inspections and visits to Recognised Organisations under Directive 94/57/EC, as amended

Recognised Organisation (RO)	Inspection Place	Inspection Period	EMSA draft report sent to the Recognised Organisation and the Member State ¹	EMSA final report sent to the European Commission, the Recognised Organisation and the member State, if any ²
Lloyd's Register	Regional Office - Shanghai	18-23 Jan 2006	17-05-2006	13-06-2006
Det Norske Veritas	Regional Office - Shanghai	24-27 Jan 2006	11-05-2006	12-07-2006
Det Norske Veritas	Regional Office - Hamburg	13-14 Feb 2006	11-05-2006	15-06-2006
Germanischer Lloyd	Regional Office - Rotterdam	09-10 Mar 2006	19-07-2006	15-09-2006
China Classification Society	Head Office - Beijing	21-27 Mar 2006	04-09-2006	27-10-2006
China Classification Society	Regional Offices – Wenzhou & Shanghai	27-28 Mar 2006	25-09-2006	27-10-2006
Korean Register of Shipping	Branch Office - Shanghai	27-29 Mar 2006	12-06-2006	01-08-2006
Registro Italiano Navale	Branch Office - Shanghai	30-31 Mar 2006	19-06-2006	03-08-2006
Det Norske Veritas	Head Office - Oslo	15-16 May 2006	04-08-2006	25-09-2006
Registro Italiano Navale	Regional Office - Istanbul	20-23 Jun 2006	15-09-2006	19-10-2006
Germanischer Lloyd	Regional Office - Bucharest	13-16 Jun 2006	01-08-2006	06-09-2006
Germanischer Lloyd	Regional Office - Busan	28-29 Sep 2006	25-10-2006	08-12-2006
Nippon Kaiji Kyokai	Regional Office - Busan	28-29 Sep 2006	05-12-2006	21-12-2006
Nippon Kaiji Kyokai	Regional Office - Nagasaki	2-3 Oct 2006	05-12-2006	21-12-2006
Nippon Kaiji Kyokai	Head Office - Tokyo	4-6 Oct 2006	05-12-2006	21-12-2006
Hellenic Register of Shipping	Head Office - Piraeus	7-9 Sep 2006	27-11-2006	05-02-2007
Hellenic Register of Shipping	Regional Office - Dubai	9-10 Oct 2006	27-11-2006	05-02-2007
Registro Italiano Navale	Head Office - Genoa	16-17 Nov 2006	20-12-2006	05-02-2007
Russian Maritime Register of Shipping	Regional Office - Latvia	6-7 Dec 2006	09-02-2007	12-03-2007
Germanischer Lloyd	Head Office - Hamburg	13-15 Dec 2006	19-02-2007	03-04-2007

1) EMSA draft report is sent for comments to the Recognised Organisation in question and to the participating Member State(s), if any.

2) The new procedure started with retroactive effect (for 2006) as from 1st July 2006.

maritime training systems of third countries, the organisations and companies that issue security certificates and work has begun on preparing the methodologies required to assess how EU Member States have implemented the current maritime safety laws. In all, it has been estimated that there are approximately twenty different EU legal instruments that deal with maritime safety and pollution deriving from ships, ranging from the very technical issues such as ship safety standards to the more human element aspects of shipping, such as the effective recognition of seafarers' certificates. Among this are other issues that deal with the sound technical management and operation of a vessel, the tools a vessel needs to use to navigate, as well as the various pieces of legislation that look at environmental issues, shore based traffic management tools, the handling of ships wastes and the regular inspections that are the duty of the coastal and port state. Furthermore, increasing scrutiny is focussing on the role of the flag state.

The Agency's role is to monitor the correct application of rules and to inform the Commission of any shortcomings. In the section that follows the inspection work that was carried out by teams of EMSA assessors in 2006 will be described. Overall, the scope and scale of EMSA assessments has intensified and have provided extensive information to the European Commission and the EU Member States. The main areas of inspection carried out in 2006 concerned, as mentioned above, the assessment of classification societies under Directive 94/57/EC, maritime education and training systems of third countries under Directive 2001/25/EC, the maritime security provisions of the Member States according to Regulation EC/725/2004 and the finalisation of the Port State Control assessments concerning the implementation of the requirements of Directive 95/21/EC by the EU Member States. For each, the inspection teams have been strengthened, with two full

sets of inspectors in the first case and one set for the remaining type of assessments. 48 inspections were carried out in 2006, with the regular assessments of Recognised Organisations reaching cruising speed, the STCW and security assessments starting up and the Port State Control assessments completing the scheduled timetable. Following each inspection, the Agency prepares a report to present its findings to the European Commission and the Member State and concerned organisation, where applicable. The following section will detail these and the other tasks undertaken in order to continue monitoring the implementation of EU maritime legislation.

(a) Classification societies

Objectives for 2006

- To carry out six assessments of Recognised Organisations (ROs) focusing on regional offices, plan approval offices, ships
- Continuation of the pilot project carried out with Member States (MS) to visit ships detained with serious class-related deficiencies
- Organise meetings with MS to share experiences on working with ROs
- To carry out inspections of ROs for MS to grant or extend recognition
- To undertake a study concerning the implementation of civil liability provisions of the Directive

According to Directive 94/57/EC as amended, EU Recognised Organisations (ROs) shall be assessed at least once every two years. The assessment shall cover both head offices and regional/site offices and may include visits to ships to assess the performance of the recognised organisations.

There are at present 13³ EU recognised organisations. The second cycle of inspections

started in late 2005 and is expected to be completed by the end of 2007. Inspections planned for 2006 (see table below) were all carried out and reported to the European Commission. Inspections continued to focus on new building activities around the world and especially for emerging markets. The work also included some specific follow up inspections from the first cycle of assessments.

In this respect, a more transparent reporting procedure⁴ was introduced. Following inspections the RO being inspected is sent a draft version of the report, with a copy to the recognising Member State (if participating) for possible factual corrections. Thereafter the final report is sent to the RO, the Member State and the European Commission simultaneously. Initial experiences with the new procedure have been very positive. In 2006 the number of inspections further increased and a total of 20 assessments were carried out covering nine EU-Recognised Organisations namely: Due to the increase in inspections and the subsequent increase in follow up, the EMSA team involved in inspections was enlarged from six to eight assessors, enabling the composition of teams of three or two assessors depending on size and activity of office being inspected. All staff underwent refresher training for ISO Lead Auditor in the course of the second cycle.

The visits to ships project, in co-operation with the EU Member States, was ongoing and resulted in a workshop being organised by EMSA on 1st March 2006. Through the project, a number of visits to ships and to new building sites and projects in the course of the inspections of regional offices in 2006 were made to monitor class-related issues that arose. The project is considered

an important element to provide a more complete picture of the performance of the Recognised Organisations.

Further fine tuning of the ongoing monitoring of Recognised Organisations, on the basis of available data and information sources, was done. As indicated in the 2006 Work Programme, preparatory meetings with recognising Member State(s) either at EMSA headquarters or on the site of the assessment before the commencement of the Inspection proper were held.

Also, the analysis of the inspection findings and identification of some horizontal issues common to all Recognised Organisations resulted, after consultation with the European Commission, in recommendations on future practices by Recognised Organisations that can be applicable in a uniform way. The aim is to contribute to the continuous improvement and in identifying not only areas for further improvement but more importantly, possible solutions to the shortcomings in the interest of improved maritime safety. In this respect EMSA continued to support the European Commission at different meetings in the International Maritime Organisation (IMO) as well as in the Committee of Safe Seas (COSS) on issues relating to classification societies.

Lastly, subsequent to the study regarding the liability provisions in the Directive commissioned by in late 2005, a report was submitted to the European Commission on the basis of this analysis. As a result of this, the European Commission issued a working document in accordance with article 6.5 to the European Parliament and to the Council on "the control of Recognised Organisations by the Commission and on the impact of the civil liability regime in accordance with Directive 94/57/EC"⁵.

3) The Polish Register of Shipping (PRS) received limited recognition by Commission Decision of 29th September 2006 (2006/660/EC)

4) The new reporting procedure was presented to all EU ROs at a meeting in Brussels 4th July 2006, after having been presented to all EU Member States at an EMSA Administrative Board meeting in June 2006.

5) COM(2006)588 final of 11th October 2006



Ship awaits inspection in port

(b) Port State Control (PSC)

Objectives for 2006

- To complete the assessment cycle on how Directive 95/21/EC has been implemented by the EU MS
- To contribute to the development of the new inspection regime of the Paris MOU on PSC
- To contribute to the development of a new information exchange network of ship's inspections
- To develop a harmonised Community scheme for the qualification and continued training of PSC officers
- To monitor the enforcement of the banning provisions
- To assist/represent the Commission for its participation at the meetings of the Paris MOU on Port State Control

In 2006, in addition to the well defined tasks of visits to Member States, there were two new developments in the work carried out by the EMSA PSC team. The first concerned the assignment to EMSA of the role of Project Manager for the development of the New Information System, which will support the New Inspection Regime of the Paris MOU and which will replace Sirenac. The second has to do with the laying of the foundations of a comprehensive training regime for Port State Control Officers, by organising the first training seminars and by launching the tender for the Rulecheck system.

Visits to Member States to inspect the PSC system

In 2006, monitoring of the effectiveness of the implementation of the Port State Control regime in Europe continued. The programme of visits were organised to verify the level of compliance, the quality and the effectiveness of Member States' PSC systems

in the UK, Sweden, Greece, Denmark, Spain and Slovenia.

The visit to Spain completed the first phase of visits to the "established" EU Member States of the Paris MOU which commenced in November 2004. The visit to Slovenia marked the start of the second phase covering the newly acceded Member States.

Visits carried out in 2006

Member State	Inspection period	Report Sent
United Kingdom	January	March 2006
Sweden	February	June 2006
Greece	April	June 2006
Denmark	May	July 2006
Spain	June	Sept. 2006
Slovenia	November	Jan. 2007

Every inspection was preceded by an analysis of data relating to the State's PSC activity. Each visit was performed by a team of three

or four assessors who carried out work in the PSC authority's head office and visited local district offices to witness "live" inspections of ships. Individual reports on each visit were sent to the Commission and copied to the Member State in question. An interim report detailing the overall findings of the first phase of 14 visits was prepared for the Commission. In addition a summary report, based on the first ten visits was submitted to the Paris MOU Committee in May 2006.

New Information System

Towards the end of the year the project management of the New Information System (NIS) that will determine how ships are selected for inspection by Paris MOU. port state authorities was assigned to the Agency. The NIS is a major project and will be a crucial element in the implementation of the recast Directive on Port State Control and the Paris MOU's new inspection regime and will be able to cross-fertilize with other maritime databases.

Training PSC Officers

The Agency was required to organise the first round of training seminars for European Port State Control Officers. Two seminars for new

List of countries systems inspected by EMSA during 2006

Country	Inspection period	Draft report	Final report
Romania	6/02 to 10/02	16/06/2006	12/09/2006
Bulgaria	13/02 to 17/02	26/06/2006	12/09/2006
The Philippines	06/03 to 28/03	09/08/2006	31/01/2007
Cape Verde	26/06 to 30/06	24/10/2006	19/12/2006
Algeria	16/09 to 21/09	10/11/2006	16/01/2007
Georgia	19/09 to 23/09	01/12/2006	19/02/2007
Sri Lanka	20/11 to 29/11	13/03/2007	04/2007
Egypt	04/12 to 08/12	22/03/2007	05/2007
Morocco	11/12 to 15/12	02/04/2007	05/2007

entrant inspectors were delivered at a venue in the UK with the assistance of presenters from the Paris MOU. The tender for the second round was completed to be launched in 2007. Agreement was reached with the Paris' MOU to share the development costs of the second phase of a distance learning package for inspectors and this which began in early 2007. The ground work and tender specifications for a third and final phase will be taken forward in 2007. The contract for the development of a database to enable inspectors to check the application of the plethora of international maritime rules and regulations (Rulecheck) was launched.

Monitoring of the application of the banning measure

An up-to-date list was maintained on EMSA's web site of vessels banned from European ports because of an excessive number of detentions. The global Equasis public database was also updated with new bans and lifted bans.

The enforcement of the PSC Directive's banning provision for multiple detentions was monitored closely. In the beginning of 2006 a second report on the application of the banning measure was produced. This provided details on the effect of the ban on the trading patterns of banned ships as well as the application and enforcement of the provisions by Member States.

Recast of the Directive 95/21/EC on PSC control

Extensive technical input was provided to the recasting of the PSC Directive, including written comments and attendance at several Council Shipping Working Group meetings and ad hoc meetings in support of the European Commission.

Participation in Paris' MOU activities

The contribution to the work in relation to the Paris MOU included participation, on behalf of the Commission, in the Paris' MOU bodies including the annual Committee meeting. In

particular, the leadership of a Paris' MOU Task Force developing a new inspection regime was assigned to the Agency. Building on the work already done by the Task Force, a number of substantive papers, including an impact study, were submitted to the Paris' MOU bodies and to the Commission to help ensure the alignment of the new inspection regime with the proposals for the recast Directive. Contributions to the work of seven other Task Forces including those on inspector training, statistics and the new information system were also provided. In addition presentations were made to the Paris MOU Seminar for Surveyors and the Sirenac Users Workshop.

(c) Ro-ro ferries

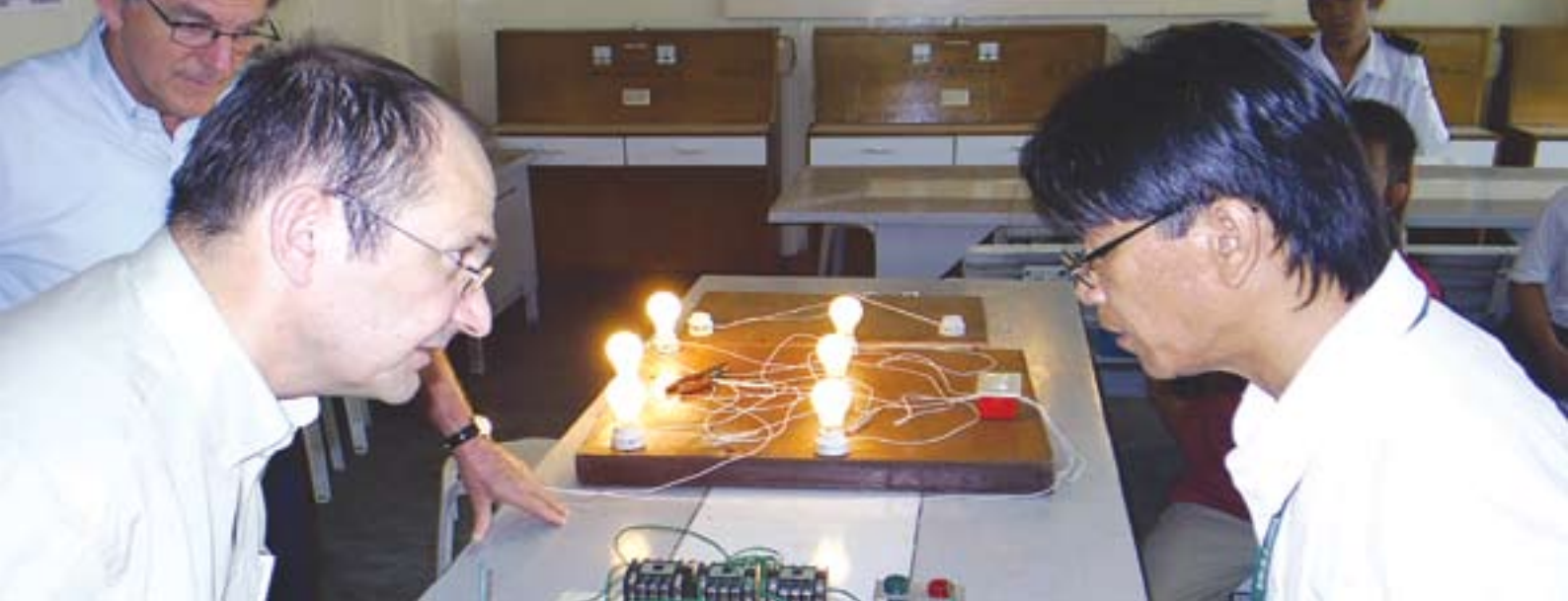
Objectives for 2006

- To produce regular statistical reports derived from the ro-ro ferries database that is administered by the Agency
 - To send inspection reports to the Equasis information system
-

Monitoring of Directive 99/35/EC on mandatory surveys for the safe operation of regular ro-ro ferry and high speed passenger craft services.

The inspection database pursuant to the survey regime under Directive 99/35/EC on mandatory surveys for the safe operation of regular ro-ro ferry and high speed passenger craft services continues to be hosted and maintained by the Agency.

A workshop on the practical functioning of the regime was held in March and from this a correspondence group was established. The group has identified improvements needed in the functioning of the database. It also developed a common check list for surveyors and guidelines on the application



EMSA inspectors at work

of the prevention of operation order.

An exercise in co-operation with the Commission to identify ferries in operation which were not recorded in the database and to liaise with Member States to rectify the situation was carried out. Information on stability standards, requested by the Commission, was also collected as part of the task.

(d) Training of seafarers

Objectives for 2006

- To carry out 10 assessments of third country maritime training systems under Directive 2003/103/EC
- To prepare the assessment methodology of EU MS' implementation of Directive 2005/45/EC, concerning mutual recognition of seafarer's certificates.
- To support the Commission in detecting and tracing fraudulent practices concerning certification of seafarers
- To set up a database concerning certification systems of all concerned countries in accordance with the STCW Convention

In accordance with Directive 2001/25/EC, as amended by Directive 2003/103/EC, inspections to the maritime education, training and certification systems of third countries which had already been recognised at Community level were undertaken. In addition to these inspections, the systems of third countries which had not yet been recognised following a request to the

Commission by Member States were made. Assessments were carried out in nine countries. Among the countries visited, the inspection to the Philippines was the most extensive where five inspectors stayed in this country for more than three weeks inspecting seven agencies of the maritime administration and fourteen educational establishments. In total more than thirty education and training establishments were inspected during the year in the nine countries.

In July 2006, a more transparent reporting procedure⁶ was introduced. Following inspections the maritime administration of the country being inspected is sent a draft version for possible factual corrections. Thereafter the final report is sent simultaneously to the inspected country and to the European Commission. The initial experiences with the new reporting system have been very positive and efforts to increase transparency vis-à-vis the Member States will continue.

The STCW information system started being developed during the year and is expected to be running by the end of 2007. As it had been agreed during 2005 it will contain a database containing information on the implementation of maritime education, training and certification systems, in accordance with the STCW Convention, in Member States and third countries. Furthermore, information on maritime labour practices is expected to be introduced at a later stage.

The study concerning fraudulent practices associated with seafarers' certificates which had been commissioned to external

6) The new reporting procedure was presented to all EU Member States at an EMSA Administrative Board meeting in June 2006.

consultants during 2005 was concluded in 2006. The final report was delivered in early 2007. Following the results obtained during the first inspections to third countries it was agreed with the consultants to enlarge the scope of the study to cover training capacities of the countries supplying seafarers to the EU shipowners.

EMSA started assisting the European Commission in the process of review of the STCW Convention and this task will continue until a new version of this instrument is adopted. In line with this task EMSA participated in January 2006 in the 37th session of the STW Subcommittee.

(e) Maritime Security

Objectives for 2006

- To support the Commission by carrying out assessments of how MS have implemented the ISPS code and other EU security legislation
- To support the Commission by carrying out visits to ships, relevant companies and Recognised Security Organisations
- To collect data deriving from these inspections in order to assess the overall implementation of security related legislation
- To assist at the meetings of MARSEC with the Commission and MS and follow developments in security related regulation in the EU MS

In accordance with Regulation (EC) 725/2004, the Commission has expanded its inspection programme for monitoring the Member State's implementation process of the EU maritime security legislation. EMSA inspectors support those teams as regards the inspection of maritime administrations but which also have included recognised security organisations, relevant

companies and ships.

During 2006 EMSA has supported the Commission in a total number of 19 inspections. The inspection programme developed by the Commission mainly focused on national maritime administrations with a total of 13 inspections. Furthermore four ships, one Recognised Security Organisation and one company have also been inspected with the assistance of EMSA inspectors. In 2007 the intensity of the latter is to be increased. The following table illustrates the list of national maritime administrations inspected during 2006:

National Administration	Location	Date of the inspection
Italy	Rome	27-29/03/2006
Belgium	Antwerp	30-31/03/2006
France	Paris	03-05/04/2006
Ireland	Dublin	18-20/04/2006
Cyprus	Limassol	09-12/05/2006
Germany	Hamburg	15-17/05/2006
Finland	Helsinki	06-08/06/2006
Denmark	Copenhagen	26-28/06/2006
Lithuania	Klaipeda	10-13/07/2006
Estonia	Tallinn	19-22/09/2006
Slovenia	Koper	16-19/10/2006
Portugal	Lisbon	14-16/11/2006
Spain	Madrid	27-28/11/2006

Following each inspection, EMSA completed a comprehensive report outlining, not only actions carried out during the inspections, but also providing details of the entity's organisational structure, its maritime

security implementation process and the observations noted during the inspection.

In addition to the inspection related duties, working documents addressing different type of inspections are developed to assist the inspectors during the course of inspections. These documents include check lists, working procedures such as inspection methodology. The final version of the ship inspection methodology for conducting ship inspections has been submitted to the Commission for comments and approval. Participation in the MARSEC Committee and the stakeholders meetings under the auspices of the European Commission also occurred, with the aim to keep abreast with developments within the field of EU maritime legislation and their implementation process.

To enable the continued collecting, recording and evaluating maritime security related data, a new colleague was recruited to the security team in order to provide additional expertise in the maritime field.

(f) Ship Safety Standards

Objectives for 2006

- Monitoring the work of IMO and provide technical analyses on issues with a community interest
 - Continued work within the "Goal Based Standards" correspondence group
 - Continue contributing to the work of the passenger ship safety initiative
 - Follow up of the high level double-hull tanker panel
 - Assess the need for the carriage of vegetable oil by double-hulled vessels.
-

Among the wide range of issues that addressed ship safety standards, the priority in 2006 was the safety of passenger ships. Not only was the work in IMO regarding the

passenger ship safety initiative monitored and assessed, but responses to requests for technical analyses by the Member States for discussion at COSS were also provided. A working group was also set up in order to assess the technical solutions implemented on ro-ro passenger ships equipped with Long Lower Holds. The tasks of this working group were expanded, at the request of some Member States, in order to study the interrelationship between SOLAS 2009; SOLAS 90 and the Stockholm Agreement. Other areas of activity included the follow up of the high level double hull tanker panel and the preparations of the related contributions for the IMO on this subject. The work carried out in the IMO on the question of Goal Based Standards was also monitored. The analysis of the carriage of vegetable oils by double hull vessels was not carried out due to the priorities mentioned above.

(g) Marine Equipment

Objectives for 2006

- To develop a common audit methodology to assist the Member States when carrying out their periodic audits of Notified Bodies
 - To prepare technical reports in support of the Commission for cases falling within Article 13 of the Marine Equipment Directive
 - To carry out a preparatory study for the update on behalf of the Commission of the Directive within the wider update of the horizontal approach Directives that is being undertaken
 - To prepare the final version of the updated annexes for discussion and approval by COSS
 - To carry out a study preparing the update of the annexes of the equipment that falls within the scope of the MRA+ signed between the EU and the USA
-



Lifeboat drill

The priorities identified in the 2006 Work Programme for marine equipment issues consisted of preparing the update to the annexes of the Marine Equipment Directive (96/98/EC) (MED) as part of EMSA's ongoing role in supporting the Commission with updating community legislation; to prepare the updates to the annexes of the MRA+ signed between the EU and USA and

to establish a reference group in order to prepare a common audit methodology for the Member States to use while assessing the Notified Bodies that they have recognised.

Following the calendar for consultation with the Member States at COSS expert meetings and at COSS for decision-making, four versions of the update of Annex A of the Marine Equipment Directive were prepared. These drafts incorporate the experience of the EU Member States Administrations and reflect the latest applicable standards to the equipment listed in the Directive. Comments by experts from the EU Member States were collected and the coordination of the work to incorporate these into the update was carried out. Provisions for amending references to over 300 pieces of marine equipment were made.

In parallel with the update of the Annexes of the Directive, the equipment listed in the EU-USA MRA⁷ also required an update and so a study on regulatory equivalence was carried out. The results of this were ready by the end of 2006. As the new Annex A of the Marine Equipment Directive was expected to come into force in 2007, the European Commission asked EMSA to produce a preliminary report to update and extend the number of items listed under the current MRA. The outcome is the result of the close co-operation between the Commission, USCG and EMSA. The development of a common auditing methodology in order to assist Member States for the assessment of Notified Bodies (NB) was approved by the EMSA Board in November 2006. The setting up of an ad hoc Reference Group was agreed to, and will be composed of six EU Member States and Norwegian participants with particular experience in supervising Notified Bodies, as well as European Commission Representatives assisted by EMSA acting as technical secretariat. The main objective is

7) The Marine Equipment Directive, 96/98/EC as amended, sets out the rules that allow equipment to be installed upon vessels flying the flag of an EU Member State to be certified. Annex A of the Directive lists the equipment and applicable standard that is covered by the scope of the Directive and can be issued with a certificate. The items listed in the MRA+ also have to fall into the scope of the MED, so that there is no difference between the references of the items listed in the two legislative texts.



Surveillance aircraft spots pollution at sea

to provide EU Member States with a tool to implement their obligations as per the Article 9 of the Marine Equipment Directive. The Reference Group shall deliver its final draft audit methodology by the end of 2007.

Finally, other areas where EMSA was active in 2006 concerning marine equipment include:

- Monitoring the work of the group of notified bodies (MARED) on behalf of the European Commission;
- The preparation of operational guidelines for the set up of an alert system that is required under the MRA+ between EU regulatory authorities and the USA;
- The preparation of technical reports in cases of arbitration for disputes falling within the scope of Article 13 of the MED and;
- Providing technical reports to the Commission when areas of community interest regarding the development of standards has arisen at IMO.

(h) Liability and Compensation

Objectives for 2006

- To provide support to the Commission on the "ship-source pollution" Directive
 - To analyse the current state of play of the ratification by EU MS of the HNS Convention and the Bunkers Convention, then propose any action as required.
-

Liability for sea pollution by Hazardous and Noxious Substances (HNS) and bunker oil: The issue of liability with regards to ship sourced pollution from HNS substances and bunker oil is an ongoing discussion, as the two international conventions dealing with liability for such pollution have yet to be ratified by a sufficient number of State Parties to enter into force. The process of ratification then entry into force of the convention is

important as the outcome of this will create an international mechanism to compensate damages resulting from HNS accidents that exceed the current insurance ceilings that works in a similar way to the IOPC Fund. EMSA was requested to analyse various aspects of the impact of their entrance into force that the EU Member States would face, in particular the legal aspects and the more practical issues of monitoring.

In March 2006 a workshop to promote ratification and effective implementation of the HNS Convention and Bunker Oil Convention was organised in Brussels. In November 2006 a second workshop, this time dealing only with the HNS Convention, was organised in Lisbon. Moreover, a separate workshop on the HNS Convention was organised in November for the officials from candidate countries at that time (Bulgaria and Romania). At the time of writing, only Cyprus and Slovenia have completed the ratification process, whereas a number of other Member States have indicated a willingness to do so.

A tutoring project on the implementation of the HNS Convention was designed, with the participation of the experts from the Member States and the International Oil Pollution Fund. The first visit took place in Latvia in September 2006 and the next ones are being prepared.

Two technical reports were prepared on request of the European Commission in relation to the HNS Convention. The first one was an analysis of the EU legislation applicable to transport of HNS substances for the purpose of the HNS reporting requirement. The second one concerned a possible amendment of the Directive 2002/59 and the possible use of the SafeSeaNet system for the purpose of the HNS reporting once the Convention comes into force.

The work of the International Oil Pollution Compensation Fund in the fields of Liability for oil pollution damage of the sea was also

closely monitored. In the field of liability for damage sustained by passengers, support was given to the European Commission in the works carried on in the framework of the Legal Committee of the IMO and other meetings on the subject with Member States.

(i) Development and cross-fertilization of databases

As stated in the 2006 work programme, the development and use of databases storing maritime safety related data increased significantly in that year. This was due to the increase of activities carried out by the Agency which grew in accordance with the requirements of the EMSA Regulation, as well as the coming into service of certain systems developed in-house. By the end of 2006 a centralized data base was put in place dealing with traffic monitoring infrastructures (see chapter 3.1. on Vessel Traffic Monitoring) which is supported by a Geographic information System and nautical charts that is ready to support the visualization of the data in other EMSA maritime applications.

In addition, discussions for implementation of the New Information System for Port State Control inspections were held and possible interfaces with the SafeSeaNet system have been analysed as presented above. It is for these reasons that preparatory work began at the end of 2006 to establish an EMSA data centre based on the needs of the various and diverse tasks undertaken by the Agency.

Finally, in 2006 EMSA was given the mandate by the European Quality Shipping Information System (Equasis) Supervisory Committee to help prepare statistics on shipping under the title of "promoting quality in shipping." The project aimed to present a statistical overview of the world's merchant fleet, with a particular focus on statistics relating

to class, P&I, flag states, Port State Control and industrial organisations. The result is a concrete, understandable and readable publication derived from a unique, large dataset of information supplied by three Port State Control regions (Paris, Tokyo and USCG) and various data providers from the world maritime industry. This collaboration has enabled a comparison of the inspection and detention rates of 60,000 vessels to be made. It is likely to be of use to a wide range of interests in both the public and private sectors and the complete publication has been made directly accessible through the homepage of the EMSA website. This publication will be repeated on a yearly basis.

2.3. SPECIFIC TASKS RELATING TO THE IMPLEMENTATION AND MONITORING OF THE COMMUNITY ACQUIS IN THE FIELD OF PREVENTION OF POLLUTION BY SHIPS

In 2006 there were two new developments in comparison to the work carried out in 2005 requested by the European Commission. The

first concerns assistance on environmental matters – one dealing with ship dismantling and the other with air emissions from ships. The second request concerned preparatory work undertaken in the preparation for visits to MS on environmental matters with regards to port reception facilities and air emissions.

(a) Port Reception Facilities

Objectives for 2006

- To carry out visits, following the completion of the 2005 study, in order to monitor the implementation of Directive 2000/59/EC in the EU MS
- To set up preparatory actions to enable an information exchange and monitoring system to be made available to EU MS to track vessels that are likely to require Port Reception Facilities
- To support the Commission when participating in the work of the IMO on the subject of developing a global database on the availability of Port Reception Facilities



According to the Directive 2000/59/EC on port reception facilities for ship-generated waste and cargo residues, an appropriate waste reception and handling plan has to be developed by the competent authority of the Member States and implemented for each port following consultations with the relevant parties, in particular with the port users. The Member States are to present these waste reception and handling plans to the European Commission.

A request was received from the Commission to evaluate waste reception and handling plans that 20 Member States had communicated to the Commission based on a sample that had been previously identified and proposed. A total of 129 plans were analysed against the requirements of the Directive, the report was finalised in December 2006 and includes the profiles of the Member States presenting level of compliance with the legal requirements in the Directive. The second part of the report provides a horizontal analysis by port types (commercial cargo and passenger ports, fishing ports, recreational ports). It identifies solutions implemented in Member States' ports and presents best practices found in the plans. In addition, some recommendations are proposed to the Commission based on the findings of this assessment.

Within the framework of providing assistance to the Commission in its task to effectively monitor the implementation of Community legislation, the Agency was also actively engaged in the preparation phase for the inspection visits to Member States which are due to take place in 2007-2008. A methodology was developed and agreed based on the visits policy to Member States. It has to be stressed that the objective of the inspection visits is to clarify at an operational level the implementation of the Directive.

In March 2006 a workshop was organised and was the first technical meeting with the

Member States concerning the implementation of the Directive. The workshop had two main objectives: The first was to arrange a forum for the Commission to take note of the Member States' views on the implementation of the Directive as required by the Directive and the second was to share with the Member States the main findings of the study and to give an overview of EMSA's technical report to the Commission evaluating the variety of cost recovery systems adopted by the Member States.

According to the Directive 2000/59/EC, "ships producing reduced quantities of waste" should be treated more favourably in the cost recovery system. In order to define common criteria which could facilitate the identification of such ships, a study was launched. This study shall also present an inventory of the green technologies (available and prototypes) designed to reduce the production of ship-generated waste. On this basis EMSA will submit to the European Commission a set of proposed guidelines, which are aimed to be used by Member States in defining environmental performance of a ship and to establish a basis for incentive schemes that contribute in making "green shipping" economically attractive. The study was finalised in early 2007 and the results will be discussed with the Member States and the Commission in a future workshop during this year.

Revision of Annex V of MARPOL 73/78

IMO MEPC agreed at its 55th session to establish an intersessional correspondence group to review Annex V of MARPOL 73/78, "regulations for the prevention of pollution by garbage from ships" with the objective of preparing a list of initial draft amendments to MARPOL Annex V and the associated Revised Guidelines for the implementation of MARPOL Annex V. The review of Annex V is likely to have an impact on Directive 2000/59/EC on port reception facilities and the work of the intersessional correspondence group will be closely monitored.

(b) Other environmental issues

Objectives for 2006

- To assist the Commission in monitoring the impact on the Community of current IMO discussions concerning the AFS Convention
 - To assist the Commission in developing a system whereby ships not flying the flag of an EU MS can demonstrate that they do not carry organotin compounds
 - To provide technical expertise to the Commission on the current discussions at IMO concerning invasive species and ballast water management.
 - To provide the Commission with technical and scientific advice and provide a platform for discussion for all involved parties with regards the discussions about ship scrapping and recycling
 - To provide advice to the Commission and prepare a platform for discussion for all involved parties on the issue of sulphur emissions from ships, in anticipation of the revision of MARPOL Annex VI
-

Prohibition of organotin compounds on ships

The entering into force of Regulation 782/2003 of 14th April 2003, whereby organotin compounds on ships will be prohibited as of 1st January 2008, will apply to all ships visiting EU ports irrespective of their flags. In order to provide information to the European Commission on the use of harmful organotin compounds in anti fouling systems and in order to assist the Commission in developing appropriate measures to enable non EU-flagged ships to prove their compliance with the requirements of the Regulation, developments at IMO level were monitored and the collection of relevant information continued. Additionally, a study was launched in September 2006 with the overall objective to provide extensive information and an overview on the extent of the actual use of organotin compounds on ships.

Air emissions

A request was received in 2006 for technical assistance from the European Commission in matters relating to ship emissions to the air. In the framework of MARPOL 73/78 Annex



VI revision, the preparation of, participation in and follow up to the IMO MEPC and BLG meetings was undertaken for the European Commission. The aim was to develop in close co-operation with experts from the EU Member States and the European Commission a common position paper for discussion at IMO in 2007.

An investigation was carried out with the Commission on the future method to monitor and ensure compliance with the Directive 2005/33/EC on requirements for marine fuel sulphur content. Preliminary research also took place to commission a study to be launched in 2007 that will analyse current practices in Member States regarding availability, usage and monitoring of marine fuels with the required low sulphur content.

Ship recycling

Based on the request for technical assistance on ship dismantling from the European Commission in 2006, EMSA was involved in many related activities.

In the context of the European Commission's draft Green Paper on better ship dismantling, input was provided on the issues of pre-cleaning, certification, and the international state of play, namely, negotiations at IMO. The Agency also provided technical input to the Terms of Reference of a study launched by Commission on Ship recycling and pre-cleaning of ships and participated in the evaluation of the tender.

The deliberations in the IMO Working Group on Ship Recycling (MEPC 54 and 55) were also monitored, which was set up to further discuss and develop a legally binding instrument for the safe and environmentally sound recycling of ships as well as the future



The future of old vessels has never been so topical.

Guidelines to this Convention. In addition, contributions were provided to the work of IMO Intersessional Correspondence Group established to discuss this subject.

A workshop on ship recycling was organised in September 2006 in order to bring together expertise from all concerned sectors. This workshop was divided in two sessions: the first session focused on developments at global level and aimed at an exchange of views on ship recycling among representatives from the EU Member States, EEA States, acceding and candidate countries, European Commission and stakeholder organisations; the second session was limited to experts and government/EC representatives and sought to improve the level of information on current practices and solutions for ship recycling in the European Union.

Ballast water

The International Convention on Control and Management of Ship's Ballast Water and Sediments (BWM Convention) was adopted by IMO in 2004⁸. The BWM Convention focuses on minimizing the risks to the environment and human health arising from the transfer of species in ships' ballast water and sediments. Ballast water serves as a significant mechanism for transfer of aquatic organisms to new ecosystems in which they can be harmful and invasive. EMSA monitored the developments at the IMO level and also the ongoing activities in different EU regional seas (Helcom, OSPAR).

2.4. SUMMARY OF ACHIEVEMENTS

The achievements of 2006 cannot be underestimated in terms of scale and scope. With regards to the assessments carried out in support of the Commission in assessing the implementation of EU legislation, 60+

inspections were carried out during the year compared to 40 in 2005. Their subjects were Recognised Organisations, maritime training institutions of third countries and EU Member States.

The outlook is that this type of activity will increase further. For the assessment of Recognised Organisations, the cycle for inspecting the 13 EU recognised classification societies is two years between each visit to the headquarters, with subsequent visits to regional offices and shipyards. In addition, the Commission has requested EMSA to verify how Member States supervise statutory work carried out on their behalf by Recognised Organisations. This activity has started in 2007. For the maritime training institutions, the inspections carried out on behalf of the EU Member States recognising the certificates issued by third countries counted nine inspections in 2006, up from two the previous year. As these have a cycle requiring approximately 60 countries (third countries and Member States) to be visited at most every five years, an average of 14 inspections annually will be expected as of 2007.

A similar situation exists with the maritime security inspections where the number of inspections has increased from three in 2005 to 15 in 2006 (all types of inspection combined, including RSOs and ships). The focus of inspections in the next years will shift from Member States administration towards Recognised Security Organisations.

The main increase in inspection work will stem from the assessment of EU Member States' implementation of EU Legislation. Beginning with Port Reception facilities that will start in early 2007, the other EU maritime laws in force will also be the subject of EMSA assessments in the coming years as the Commission is keen to verify how the various laws related to maritime safety have been

⁸) In February 2007 six parties had ratified the Convention representing 0.62% of the world tonnage. The Convention will enter into force one year after its ratification by at least 30 parties to IMO controlling at least 35% of the world fleet by tonnage.

implemented in the Member States.

Finally, some assessment visits do complete their cycles, and this was the case for monitoring of the Port State Control Directive and Article 20 of the Vessel Traffic Monitoring Directive concerning places of refuge. The results of these assessments were sent to the Commission with an analysis of observations, which may then be used to develop future EU policy.

Other areas where considerable progress was made, taking into account that a number of requests were not included in the Work Programme for 2006 concern the environmental assistance provided by EMSA to the Commission in the areas of

ship's emissions and ship recycling. These were the result of the timing of the IMO work schedule and the importance that they have due to forthcoming amendments to the international instruments. The Agency was in a position to be very involved in these issues, hosting a number of meetings to exchange ideas between the EU Member States, the Commission and representatives from industry. It is expected that in line with the developments at IMO, the Agency will continue to play a role of facilitator and technical expert for the Commission and Member States on these high profile environmental concerns for which the European Parliament has expressed an active interest.

Chapter 3: Working with Member States



WORKING WITH MEMBER STATES AND CO-OPERATION BETWEEN MEMBER STATES AND THE COMMISSION

3.1. EU VESSEL TRAFFIC MONITORING AND INFORMATION SYSTEM

Objectives for 2006

- To begin the use of SafeSeaNet by participating States
- To continue to ensure that shore-based vessel traffic monitoring systems infrastructure currently being set up by coastal States is able to communicate with those of other MS
- To develop a GIS database on shore based facilities
- To study the feasibility of a real time data exchange information system of ship movements
- To analyse the additional uses that the LRIT system can offer
- To support the Commission in analysing how AIS on board fishing vessels has been used when preparing an update of Directive 2002/59/EC
- To support the Commission in preparing guidelines for ship-to-ship transfers

Vessel Traffic Monitoring and SafeSeaNet

Following the ongoing developments that took place in the previous years to set up an EU vessel traffic monitoring and information system, 2006 marked a turning point for SafeSeaNet (SSN), where the system went from test status to operational. Not fully implemented, the results are however encouraging. By the end of the year, thirteen countries were connected and using at least partially the SSN System (Belgium, Germany, Ireland, Lithuania, Netherlands, Norway, Poland, Portugal, Slovenia, Spain and Sweden) or were ready to do so (Denmark and Finland) compared to only six countries using the System at the end of previous year.



Of SafeSeaNet countries in November 2006, those in blue were operational; those in yellow were under the testing stage. Other countries had not yet begun testing.

Most of the other countries started also their preparations for the connection to the system in view of the deadline imposed by the Directive at the traffic monitoring Directive for transmission of the notification messages by end of 2007. The amendment to the Directive, currently under discussion in Council, refers specifically to SSN as the Central system for the exchange of the information. At the end of 2006 the number of monthly notifications to SSN had gone up to more than 900,000 and 20,000 ship particulars were registered in the SSN system compared to 260,000 and 11,000 respectively at the end of 2005, representing a significant increase. Growth is ongoing, it is estimated that SSN will handle dozens of millions of ship notifications per month by the time the system is fully implemented by all EU Member States.

These actions have required: the organisation of additional support for the online helpdesk; a full training session for the national administrators of the system; the issuing of regular bulletins and statistics; several tests and certification processes; maintenance and major corrections and upgrades of the system to achieve a more robust and stable version tested early 2007.

This was achieved also through reinforced co-ordination with Member States via regular contacts, taking the form of four co-ordination meetings with the SSN Working Group Members and in consultation with the COSS Committee which decides upon the SSN strategic options and time plan. At the end of the year the Administrative Board approved the gradual implementation

of Maritime Support Services that will be a landmark in SSN development. It will contribute substantially to SSN data quality and initiate a mechanism for ensuring continuous monitoring of the functions of SSN as well as a reinforced support to Member States traffic monitoring activities and to any request for information concerning EU traffic.

Setting-up of Shore Based installations for traffic monitoring

In 2006, detailed information from Member States on their coastal stations, equipment and procedures for vessel traffic monitoring was gathered. To record and query this information a Shore Based traffic Monitoring Infrastructure Database has been developed and installed in EMSA that is based on a Geographical Information System (GIS). The geographical representation will contribute to dissemination of the information about Member States' infrastructures and will facilitate compliance by the Member States with the requirements of article 22 Directive 2002/59. The GIS platform created by this database will also become the platform for the quality upgrade of SSN and other geo-referenced applications in the Agency.

Interconnection of Shore Based installations for traffic monitoring and exchange of AIS messages

The Agency continued being involved in the follow up and support of the work taking place in the framework of Helcom, North Sea and Atlantic co-operation agreements with regards to the linking up of automatic identification systems for ships. The most significant milestone was the progress made in respect of implementing a common Mediterranean traffic-monitoring system based upon AIS. After securing the agreement by all the Mediterranean Member States for the development of a common system that will be hosted in Italy, a timetable was agreed and discussions for technical implementation of the system were launched by means of two workshops.

It was also during 2006 that the initial conclusions of the study were presented on the possibilities for the development of an EU wide system allowing for the exchange of a nearly real time traffic image based on AIS messages (Short Range Identification and Tracking (SRIT) system). These indicate that such a system would be technically feasible and appropriate, and could utilise the regional traffic monitoring servers developed in the various EU regions and could be integrated into the SSN System. The extended SSN could thus provide real time information on vessel movements as well as their dangerous cargoes; all represented on electronic charts.

Places of Refuge – operational evaluation

Following the initial evaluation of the requirements of Article 20 of the Vessel Traffic Monitoring Directive, EMSA, in support of the EU Commission, finalised the evaluation of the operational implementation by the EU Member States, Norway and Iceland of the requirements of the Directive. A finalised report outlining the different practices observed in all EU Coastal Member States was submitted to the Commission in November 2006. In addition, training actions were provided to accession countries and candidate countries on this issue, as well as at the World Maritime University. Further work concerning "places of refuge" was also initiated within the context of SafeMed, the joint IMO-EU initiative on maritime safety in the Mediterranean Sea.

Single hull tankers (SHT) pilot project

At the request of the Commission, a pilot project was launched in 2005 with the participation of three of the Baltic Member States. The aim was to monitor compliance with the provisions of the amended Annex I of the MARPOL Convention and Regulation (EC) No 1726/2003, regarding banning the carriage of heavy oil in single hull tankers (SHT). In 2006, reports for 102 SHT were received and none of them carried heavy grade oil. The pilot project demonstrated

that it is possible to effectively monitor compliance with such complex provisions by combining AIS data and cargo data held by various sources. Based on the results of this exercise, all the participating Baltic Member States agreed to develop a more advanced project by exploiting the national and regional traffic monitoring systems (Helcom AIS) as well as the EMSA database systems.

LRIT

EMSA representatives assisted on behalf of the European Commission at the technical work of the IMO on the Long Range Identification and Tracking (LRIT) and submitted to the Commission a preliminary study on the cost for setting up an EU data centre. At the IMO Maritime Safety Committee 82 held in Istanbul in December 2006, contracting parties to the IMO confirmed their commitment to the establishment of the LRIT system that should be operational on 31st December 2008. That agreement has established a road map for 2007 for the European Commission and EU Member States to discuss the possibility for establishing a regional data centre. In anticipation of further action at EU and European level, in December 2006 EMSA carried out a cost-benefit analysis on the possible establishment of a European LRIT data centre at the request of the European Commission.

Cooperation with Frontex

Following intensive discussions, initial plans from Frontex to implement independent systems for vessel traffic monitoring were abandoned. As an alternative, it was agreed that the existing systems that the Member States have developed within the framework of Directive 2002/59/EC on vessel traffic monitoring would supply the basic infrastructure for any further development. Due to the high priority allocated towards monitoring of illegal immigration passing through EU sea borders, co-operation between Frontex and EMSA will continue to identify how practical co-operation using existing or joint systems by both Agencies can be developed.

3.2. ACCIDENT/CASUALTY INVESTIGATION

Objectives for 2006

- To provide training and tools to the MS in order to populate EMCIP, the casualty information platform database
- To work with the MS to develop a common methodology for the investigation of maritime accidents.

In 2006, a Consultative Technical Group on Cooperation in Marine Casualty Investigation (CTG CMAI) which was set up to provide a framework for discussions with Member States on relevant issues. The CTG held two meetings in 2006, its main achievements included the development of the VDR "black box" project and agreement on elements for a common EU input to the revision of the IMO Code on accident investigation. The CTG demonstrated EMSA's role as providing a platform for co-operation on technical issues between Member States and the Commission.

The request from Member States for common training on VDR matters resulted in the provision of a training service for VDR interpretation, available to all Member States in the first quarter of 2007. The training was provided by the UK's Marine Accident Investigation Branch (MAIB).

The development of a Common (EU) Methodology on Marine Accident Investigation and of a common accident data and information storage system ("European Marine Casualty Information Platform", EMCIP) continued. Potential elements for a common methodology were proposed and discussed with experts from the Member States and the Commission. An advanced methodology was tabled for discussion and is likely to be agreed to in 2007. In this period, the EMCIP taxonomy was circulated to



Accidents can be costly and take a long time to clear up

Member State's experts for comments and pilot testing.

Concerning the deliberations in the European Parliament and Council of the proposed Directive on marine accident investigation, further assistance was provided to the Commission. The Agency's contribution included factual assessments of current practices in the Member States regarding a possible time deadline for the start of an investigation after an incident. Furthermore, accident investigation reports began to be received for ro-ro ferries and high-speed passenger craft resulting in the Commission receiving two analyses of investigation reports; one of accidents involving ro-ro ferries and the other with data on various accident occurrence with an EU interest.

EMSA's inventory on marine accident investigation regulations, structures and contacts in the Member States was updated. Additionally, information was collected for a report on common investigator training standards. In this context a draft compendium of training provisions and practices currently applied in EU-25/EEA Member States was produced.

Finally, EMSA participated in relevant meetings and sub-groups of the IMO on behalf of the Commission, and attended the annual meeting of the European Marine

Accident Investigators' International Forum (EMAIF).

3.3. TRAINING ACTIVITIES

Objectives for 2006

- To create a technical consultative network with MS to identify areas where additional training provided by EMSA for maritime administrations would be useful
 - To provide training on the "maritime acquis" to the newly-joined MS and candidate countries.
 - To provide 15 training actions
 - To support the Commission in performing peer reviews of the two accession countries
-

Setting-up of consultative network with EU Member States

During 2005, it was recognised that the training offered by EMSA to the accession and candidate countries would also be of benefit to other EU Member States. In order to address the current training needs within EU maritime administrations, it was agreed by the EMSA Board that a further exploration of this should be carried out, and that a permanent panel should be established in order to highlight areas where



EMSA and other Port State Control experts at a tutoring project held in the UK

common training would be beneficial to national administrations. The first meeting of the Consultative Network on Technical Assistance (CNTA) was held on 27th June 2006 in EMSA's premises in Lisbon. The meeting aimed to present EMSA's technical assistance activities and identify the possible needs for specialised training for officers from the Member States.

Some of the last acceded Member States underlined their appreciation for the EMSA activity in the field of technical assistance during the last two years; in particular it was noted that these activities were tailor-made to respond to the specific needs expressed by maritime administrations. Subsequently, most of the Member States sent to EMSA their input for co-operation; these suggestions were compiled and form now the list of actions planned by the Agency for 2007 in the field of technical assistance and training.

Technical assistance to new EU Member States and candidate countries

In order to respond to the technical assistance

needs of the latest acceded Member States, acceding states and candidate states during 2006, EMSA undertook the organisation of the following activities:

- Three workshops (HNS Convention for Bulgaria and Romania, Consultative Network on Technical Assistance, Overview of European maritime legislation for Bulgaria);
- Nine training actions (VTS operator trainings, ISPS Auditor trainings, Trainings for newcomers to the maritime administrations, Training on Directive 94/57/EC for Bulgaria);
- Four experts visits (Tutoring project on PSC for Bulgaria and Romania, Voyage Data Recorder training on the Black Sea, HNS Convention Tutoring project for Latvia);
- Four other events (Kick off meeting for Phare project, attendance to two VTMS seminars for officers from the candidate countries, the Safemed advisory committee meeting).

The number of events provided for the beneficiary countries from the EMSA

technical assistance framework has increased from 17 up to 20. Notwithstanding the move of the Agency from Brussels to Lisbon, these activities were otherwise evenly spread throughout the whole year and involved participants from across the whole of Europe. The total number of officials benefiting from training in EMSA's technical assistance framework has reached 225, an increase from 190 officials in 2005. This figure does not include participants to the Port State Control Officer training as described in Chapter 2.2 (b).

The distribution of participants from the beneficiary countries general reflects the size of the coastline and fleet of each beneficiary country. During 2006 Bulgaria and Romania received special support from a Phare dedicated project that made possible for more than 80 officers from these two acceding countries to participate in EMSA technical assistance activities. Furthermore, as a follow up of the decision for the involvement of Croatia and Turkey in EMSA's work at technical level, five officers from Croatia and eight from Turkey actively participated in two events.

The added benefits of training

The training organised for officials from maritime administrations of EU Member States and candidate countries is given by seasoned professionals. The trainers all have the relevant background and come from EU Member States, EMSA or are external consultants. This ensures a pragmatic approach to sharing knowledge of practical situations that goes beyond the textbook theories. This is appreciated as much by the participants as by their Member States, as they are learning with their peers about common issues in a uniform way. The consultative network was set up as a result of this appreciation and will help administrations to "speak the same language". There will also be tangible benefits for the shipping community, which expects to receive similar treatment regardless of the European coastal state it is dealing with.

3.4. SUMMARY OF ACHIEVEMENTS

The progress in developing the SSN system in 2006 was partly built around the initial work carried out in the previous years, and partly dependent on the Member States contributing, as the main stakeholders in the project, their time and resources into getting the national systems connected, running and used. The role of the Commission in ensuring that all Member States remain fully dedicated to the accomplishment of this crucial European project is vital in this context. The other work that has been carried out as additional components of SSN, such as the traffic monitoring infrastructure database and GIS system are a positive step towards an integrated system. The potential use of SSN as a monitoring tool for other entities has also been recognised and further developments may ensue with inter-agency co-operation (Frontex, European Defence Agency, etc).

With regards to training, it has also been noted that the sessions organised by EMSA encourage exchanges of best practice between maritime officials across the European Union and neighbouring countries who continue to send their staff for training. This is especially beneficial for neighbouring coastal States officials to know their opposite number at all levels, share best practice, and is consistent with the policy to encourage regional co-operation through the existing networks (Helcom, Bonn Agreement, Rempec,..) as well as to create useful networks beyond the geographical sea basins of the EU. The type of contact provided during training is beginning to define a common European maritime culture.

This area of activity will evolve as the number of sessions provided will increase, as will the number of participants, so will the number of countries represented and the number of subjects covered, in parallel with the development of improved maritime safety initiatives.



Chapter 4: Operational tasks – Assistance to the Commission and Member States

4.1. PROVIDING OPERATIONAL ASSISTANCE IN THE FIELD OF POLLUTION RESPONSE

Objectives for 2006

- Bring into operation the vessels for the at sea oil recovery service
- Strengthen the network of oil recovery services
- Undertake preparatory steps to provide a satellite imagery service to EU MS for the detection of illegal discharges
- Further examine what community level action can be done for other pollutants

Introduction

A number of key objectives were achieved in 2006 in the field of pollution preparedness and response. It was an important year for the Agency as the vessels for the at sea oil recovery service became available following the procurement procedure of 2005 establishing the associated contracts. This was a milestone in the implementation of the Action Plan for Oil Pollution Preparedness and Response as adopted by the Administrative Board in October 2004. The Action Plan was developed following the new tasks given to the Agency through Regulation 724/ 2004/ EC and identifies a “phasing-in” approach so that the assistance expertise and resources

can be built-up in a professional manner. In line with this was the tender for the second round of at sea oil recovery contracts which was successful in strengthening the network with additional vessels to be based out of Sines (Portugal) and Valetta (Malta).

Following Directive 2005/35/EC of the European Parliament and of the European Council on ship-source pollution and the introduction penalties for infringements, EMSA was given new tasks in the field of detecting and deterring illegal discharges from ships. In 2006 the procurement procedure to set up the Agency's satellite imagery monitoring and surveillance service in support of Member States' activities to detect and deter illegal discharges was successfully completed. Known as CleanSeaNet, the service reaches its operational phase in April 2007. Various additional actions were also undertaken in support of this task.

Aside from the network of vessels for at sea oil recovery, the Action Plan identified three main themes of activity namely Operational Support, Co-operation and Co-ordination and Information. With respect to the latter two themes a wide range of actions were implemented and these are described in more detail in further sections of the report.

4.1.1. NETWORK OF STAND-BY AVAILABILITY CONTRACTS FOR OIL RECOVERY SERVICES

Objectives for 2006

Bring into operation the vessels contracted in 2005

Strengthen the network of oil recovery services in:

- Atlantic Coast
- Mediterranean West
- Mediterranean East

At sea Oil Recovery Service: Bringing into operation the vessels contracted in 2005

As detailed in the Action Plan, the Agency's operational support should be a logical part of the oil pollution response mechanisms of Member States and should primarily "top-up" the resources of Member States when responding to incidents beyond the national capacities of individual coastal states.

Following the first round of tenders organised in 2005 to set up the Agency's at sea oil recovery service, operational support can be offered, to support, upon request, via the Community Mechanism in the field of civil protection, Member State activities in response to oil spill incidents. The procurement procedures have established stand-by oil recovery services in the Baltic Sea, Atlantic Coast (Brest) and in the Mediterranean Sea (Valetta).

Making available, in a short period of time and with relatively limited resources, a high specification operational service has been a major challenge for the Agency given the number of complex issues that needed to be addressed from the operational, technical and financial framework perspectives. These aspects then had to be transposed into a viable procurement procedure and associated contractual structure. In designing such a system, the Agency reviewed the mechanisms already in place in Member States and the shipping/pollution response industry and customised these to meet its particular requirements.

Within the framework of the rules governing the Agency's procurement procedures, the 2005 tender process to establish these contracts was in reality a year long project involving staff from across the Agency. The service is based on a two contract system. The Vessel Availability Contract (VAC) between EMSA and the contractor assures the technical and operational quality of the service including the key obligation for the vessel(s) to react if required to respond



Deck activities prior to deploying anti-pollution boom

promptly to an incident. The Incident Response Contract (IRC) is used during an actual spill and is between the requesting Member State and the Contractor. The IRC identifies a number of pre-agreed terms and conditions including technical aspects and daily rates for the service. The IRC was discussed and finalised in co-operation with Member States.

The Vessel Availability Contracts themselves

were signed in November 2005 and identify two main phases, namely the Preparation Period and the Stand-by Period. During the Preparation Period in order to bring the vessels "online", the contractors were required to modify, so called "pre-fitting", the vessels to an appropriate technical standard for oil pollution response. This is to allow for the rapid installation of the specialised response equipment as well as to increase the efficiency of a range of technical functions that are carried out when combating a major oil spill incident. In addition, the vessel crews were also familiarised with the technical considerations of service mobilisation as well as deploying and utilising the specialised equipment. All these aspects were assessed by the Agency through "acceptance" drills before bringing the vessels into operational service, the so called Stand-by Period.

In 2006, all the vessels contracted at the end of 2005 were successfully equipped for their pollution response task and the crews trained. Following appropriate acceptance drills, all eight vessels entered into the Stand-by Period and were available to provide the contracted at sea oil recovery service.

In order to maintain the level of service during the Stand-by Period, contractors carry out regular drills and participate in a range of incident response exercises. Accordingly, a number of notification, desktop and at sea operational exercises were conducted. These types of exercise are a useful method of maintaining pollution response skills as well as being a tool for identifying areas for improvement. International exercises in particular greatly assist the integration of EMSA's resources with the response mechanisms of Member States.

With regard to at sea exercises, EMSA participated in the Helcom Regional Agreement annual international exercise Balex Delta, for which there was a total of 22

vessels from seven EU countries and Russia, with two of the vessels available from the Baltic "pool" of Agency contracted vessels. The designated exercise observer, onboard one of the EMSA contracted vessels, noted the high performance level of operations undertaken. In addition the Agency took part in two other events in Spain and Portugal. The Spanish exercise took place off La Coruña and was carried out in close co-operation with Spanish Search and Rescue Service (Sasemar). Vessels involved included the EMSA contracted response vessel Ile-de-Bréhat and a Sasemar tug. The Portuguese event, which took place off the bay of Setubal, involved the Ile-de-Bréhat and a frigate, two tugs and a Sea Lynx helicopter from the Navy. As it coincided with the official opening of the EMSA building in Lisbon a number of guests and EMSA staff were able to visit the vessel onboard as well as follow the exercise.

At sea Oil Recovery Service: Strengthening the Network in 2006

The procurement procedure of 2006 to establish a second round of at sea oil recovery contracts identified the three "lots" where vessels should be based (the Atlantic coast, the West Mediterranean and the East

Mediterranean). Based on the experience of the previous year, some improvements to the procurement procedure were implemented in order to bring new and appropriate response capacity to the market. One visible action was to hold, with assistance of Member State administrations, a series of Information Meetings to raise the profile of the tender around Europe. These meetings were open to any interested party from either the shipping or pollution response industries and took place in Portugal, Italy, Spain and Greece.

Following the open tender process, EMSA has entered into partnership with vessels based in Sines (Portugal) and Valetta (Malta). Both vessels are bunker tankers and are currently undergoing "pre-fitting" as part of the contract Preparation Period. A number of technical adaptations are to be made to the vessels and equipment to make them ready for the specific pollution response task. When they are brought into operational service in (mid) 2007, the network of EMSA contracted vessels and the service to Member States and the Commission will be strengthened.

It should be noted that a contract was not awarded for the West Mediterranean lot as



EMSA contracted vessel Galp Marine, based in Sines, in Portugal



EMSA receives images via the Envisat (above) and Radarsat satellites

the Agency was of the opinion that no bids of suitable quality were offered by potential contractors. The Agency, as approved by the Administrative Board, has re-tendered for this area in 2007.

4.1.2. PROVIDING SATELLITE MONITORING AND SURVEILLANCE

Objectives for 2006

- To set up a structure providing satellite imagery to EU MS in order to detect illegal discharges at sea, so that these will be available by early 2007

Providing Satellite Monitoring and Surveillance: CleanSeaNet

According to Article 10 of Directive 2005/35/EC on ship-sourced pollution, of the European Parliament and Council, EMSA was recently tasked to “work with the Member States in developing technical solutions and providing technical assistance in relation to the implementation of this Directive, in actions such as tracing discharges by satellite monitoring and surveillance”.

In 2006 EMSA took an important step in the implementation of an operational system at EU level for oil spill monitoring of all European waters using satellite imagery. The overall aim of such a system is to assist Member States and the Commission to

improve the response to accidental spills and illegal discharges of oil and to identify possible polluters.

Preparatory activities in 2005 had provided EMSA with an initial definition of such a system. In early 2006 a series of consultation meetings were held with relevant organisations, industry service providers and satellite operators. These meetings provided an opportunity to assess the technical feasibility of the proposed system concept. A workshop with Member States in February 2006 was used to gather feedback from Member States on the system definition and to make necessary adaptations according to Member States requirements.

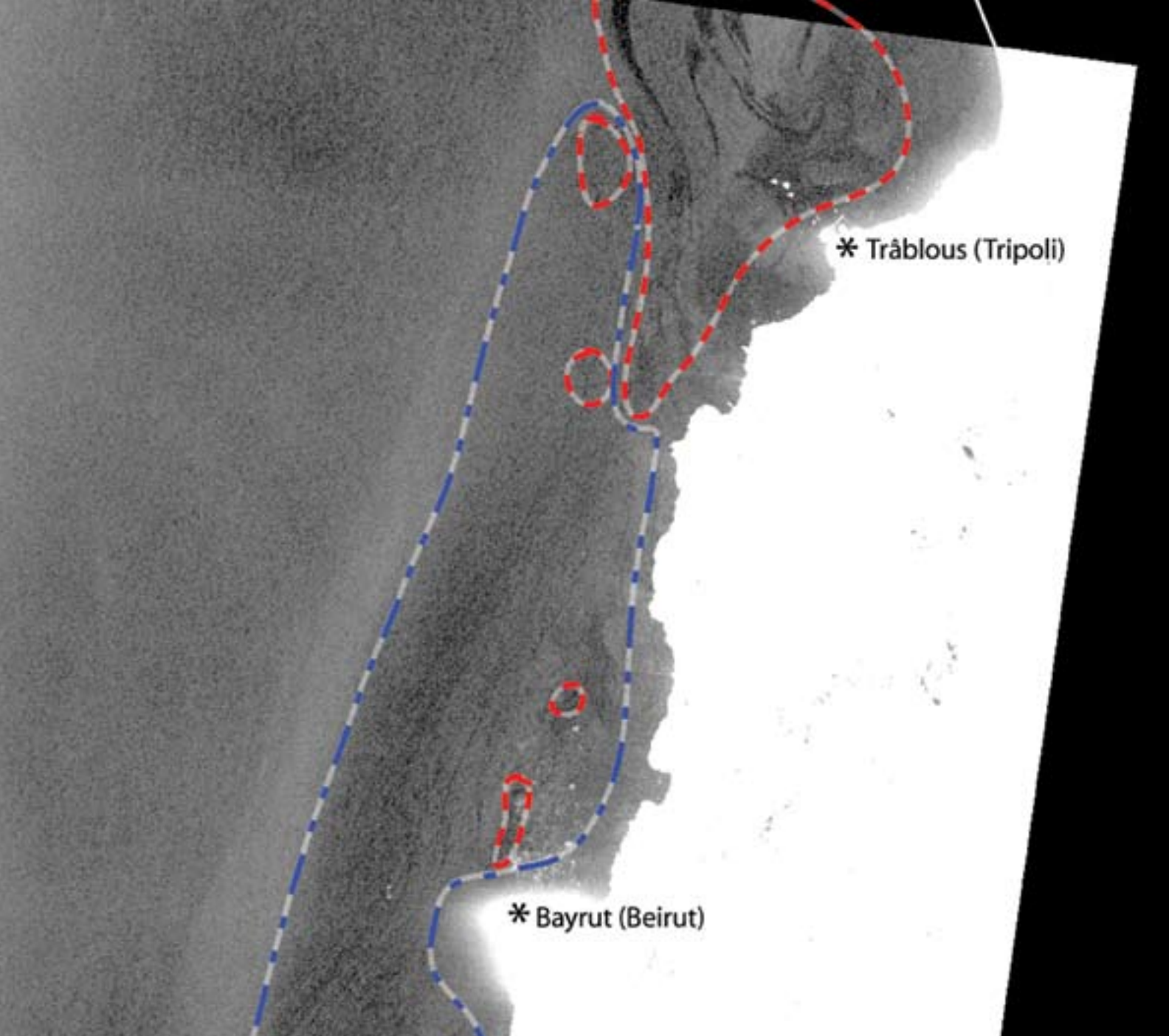
In April 2006, an Open Public Invitation to Tender was launched for the provision of satellite image licences and service elements for a total value of euro 6M over a three year period. Following a better than expected response to the bid, and an evaluation of offers, contracts were awarded to two satellite image distributors for Radarsat and Envisat Asar image licences, and to a consortium of European service providers for the provision of the telecommunications network and the service chain including satellite image acquisition, processing, and analysis and information dissemination.

These contracts provide for an image acquisition planning and first alert system for information to Member States and EMSA on the location of possible oil slicks, collateral information and the Synthetic Aperture Radar satellite images within 30 minutes of satellite overpass. Information on clean sea areas is also provided to assist planning of surveillance operations of Member States. All data and information related to the service is available to Member States over a dedicated web interface. The service is capable of monitoring all European Union and EFTA riparian waters. The system is implemented so that the monitoring activities are defined according to Member States operational

requirements and the availability of satellite overpasses. In the case of a major accidental oil spill at sea, following the activation by the Monitoring and Information Centre (MIC) or by a Member State of the "International Charter on Space and Major disasters", EMSA will be able to support the European Commission and the Member States with expert analysis on satellite imagery provided through the Charter.

In parallel to the procurement activities, EMSA began development of an in-house database to store all images and information to be produced under the contracts. In preparation for the start of the service, a series of visits were made to the national oil pollution control authorities of the Coastal Member States in October and November 2006. The meetings were organised to gather detailed information on Coastal States operational requirements for oil pollution monitoring and to answer general questions concerning the EMSA satellite service functionality. A detailed questionnaire was used to gather information on the Coastal States operational resources for verification activities, their own national imagery contracts and training needs. By late 2006, this first round of visits involving 20 Coastal States was completed, with more visits pending in 2007.

In view of its great experience in the field of satellite monitoring and the mutual benefits for co-operation, a Memorandum of Understanding with the European Union Satellite Centre was signed in 2006. Preparations were also made for the signature of a Memorandum of Understanding with the Joint Research Centre-Institute for the Protection and Security of the Citizen, and an Agreement with the European Space Agency, to foster co-operation between the Agency and these organisations in the use of satellite data for maritime safety and security. Co-operation with the European Space Agency was significant in relation to the positioning of the EMSA service within the context of the GMES (Global Monitoring



Satellite image of pollution off Lebanese coast

for Environment and Security) programme and the development of the Marine Core Services of the European Commission.

4.1.3. JIEH SPILL, LEBANON: EMSA SUPPORTS INTERNATIONAL ASSISTANCE EFFORTS

As a result of conflict in the Lebanon region, a substantial oil spill occurred in July 2006, initially with an estimated total quantity of 10,000 - 15,000 tonnes of medium/heavy fuel, when a number of oil storage tanks were damaged and caught fire in Jieh on the Lebanese coast. Given the scale of the

incident the Lebanese authorities requested assistance and a number of countries and organisations provided or made offers to aid in difficult circumstances. The Commission activated the Community Mechanism for civil protection following a request for assistance from the Lebanese Minister of Environment. Key organisations involved in co-ordinating the international assistance included the Commission and IMO (Rempec).

Following a request for assistance from the Commission, EMSA provided a pollution response expert on secondment to Rempec to assist with the logistical aspects of the deployment of the assistance on site. During the incident, the possible use of the EMSA contracted vessel Mistra Bay based in Malta



The fire on board the Hyundai Fortune (March 2006) may have involved chemical products

was explored although due to a combination of technical and security reasons, no such action was taken. The Agency did propose advice to the Commission regarding the monitoring of the spill through aerial surveillance and, through in-house resources, satellite imagery interpretation. The synthetic aperture radar (SAR) satellite image below shows indications of possible oil slicks off the Lebanon coast in August 2006.

4.1.4. PROVIDING OPERATIONAL ASSISTANCE IN THE FIELD OF POLLUTION RESPONSE

EMSA's Marine Pollution Response Assistance

As indicated in the context of the Jieh Spill, the Agency is able to offer a number of operational assistance services via the Community Mechanism for civil protection in support of a coastal state affected by a spill.

Three main types of services are available, namely:

- Vessels for the at sea oil recovery service;
- Pollution response expertise to assist, at the operational and technical levels, the national authorities affected by the incident;
- Satellite imagery support for monitoring the evolution of spills as a complement to the surveillance activities undertaken by aircraft. Comprehensive assistance in this field is available with Agency's satellite imagery monitoring and surveillance service (CleanSeaNet) becoming operational in April 2007.

More detailed information on who and how these services can be requested is presented in "FAQs: What marine pollution response assistance can EMSA provide?" on the Agency website.

Decision Support Tools and Information

Determining the most appropriate action

to mitigate the socio-economic and environmental impact of oil spilt at sea is the main challenge of any incident response strategy. For some Member States a potential alternative to mechanical recovery of oil at sea could be the application of specialised chemicals to remove the relatively concentrated oil slicks from the sea surface and disperse them into the water column.

There are a number of technical variables and limitations to using chemical dispersants all of which must be evaluated rapidly by the parties responsible for the response to the incident. In 2006, EMSA was in a position to provide technical advice on this issue and, through two procurement procedures, developed a decision support operational manual on the applicability of oil spill dispersants. The manual consists of an overview of current thinking on the technical advantages and disadvantages of using dispersants as well as a software tool. The software tool is designed to assist in the decision making process through the comparison of a range of oils, the associated "weathering" data and the effect of different dispersants on these oils. The EMSA Manual on the Applicability of Oil Spill Dispersants (Version 1) has been developed in conjunction with Member States through their feedback and contribution of data. In order to familiarise Member State experts with this decision support tool, training was provided on the Manual and on the associated software's functionalities.

4.2. BROADENING THE SCOPE OF OPERATIONAL ASSISTANCE FOR OTHER POLLUTANTS

Objectives for 2006

- To undertake preparatory research on broadening the scope of assistance for other pollutants

"Chemical Spills": Developing EMSA's activities for HNS Incidents

As indicated in the 2006 Work Programme, the Agency has been working on broadening the scope of its operational assistance to other pollutants, namely hazardous and noxious substances (HNS). To this effect, a number of actions were undertaken in this field including:

- The collection of information on existing projects, information sources, past case studies, HNS traffic patterns and a general review of material regarding HNS marine pollution preparedness and response;
- A workshop on "Ship-sourced chemical pollution at sea, risk preparedness and response in Europe" with Member States experts, where a number of key issues and approaches were discussed.

Using the results and conclusions of the actions mentioned above, a framework document has been developed regarding the Agency's possible activities in the field of HNS Pollution Preparedness and Response. This draft HNS Action Plan was discussed by the Agency's Administrative Board in 2007 for adoption.

4.3. OTHER ACTIVITIES

Co-operation and Co-ordination

As demonstrated by the recent Lebanon incident, co-operation and co-ordination is a fundamental feature of effective marine pollution response. In this respect, the Agency recognises the value and responsibilities of existing regional and international co-operation mechanisms. Accordingly, EMSA participates, on request, as part of the European Community delegation, in a number of Regional Agreement and IMO meetings. The initiative of identifying issues of mutual interest through joint meetings of the Regional Agreement Chairmen and Secretariats was continued in 2006. The Agency is fully committed to supporting



Staff members study appropriate technical standards for oil pollution response

the technical and operational activities of Regional Agreements.

In addition, the Agency participated in the final meetings of the Management Committee for Marine Pollution (MCMP) as the Community framework for co-operation in the field of accidental or deliberate marine pollution established by Decision 2850/2000/

EC of the European Parliament and the Council expired at the end of 2006. In order to maintain a European platform for marine pollution preparedness and response issues, the Agency will establish a Consultative Technical Group composed of experts from Member States in 2007. This Group will undertake activities of similar nature and scale within the framework of the Agency's

mandate in this field. The Agency continues to attend and participate in a number of other key meetings and programmes as appropriate. Specific examples include EMSA's participation at the workshop co-financed by the European Commission organised by Cedre on "Very Heavy Fuel Oils" whilst Member State personnel have, through the EUMAREX exchange of experts programme, followed the work of EMSA staff on marine pollution response issues.

Information

An ongoing activity of the Agency is the gathering and compilation of inventories or overview of different aspects of marine pollution response. A number of such studies were undertaken in 2006 including the development and publication of an "Overview of EU-funded R&D projects in the field of marine pollution" and the updating of the "Inventory of EU Member States' Oil Pollution Response Capacity".

The first phase of a study focusing on the availability of discharging facilities for oil recovered at sea by vessels was completed in 2006. Following further feedback and input from Member States, the second phase will be completed in 2007.

All the above mentioned documents are available from the Agency website (www.emsa.europa.eu). The role of the internet is tremendously important as a means for providing access to relevant information for specialists and public alike. Accordingly, EMSA continues to invest time and resources in maintaining and updating this important communication and information tool for marine pollution responders, administrators and the public.

4.4. SUMMARY OF ACHIEVEMENTS

2006 can be seen the year that the Agency reached a new phase regarding its task of providing pollution response support services to Member States and the Commission. With the at sea oil recovery service entering into operation, the Agency has implemented, on schedule, one of the key activities identified in the Action Plan for Oil Pollution Preparedness and Response. In addition, the availability of in-house expertise has also been built-up as the Agency moves forward on this specialist issue.

Regarding the new task assigned to the Agency following Directive 2005/35/EC on ship-sourced pollution, a successful procurement procedure has established contracts for the provision of a satellite monitoring and surveillance service (CleanSeaNet).

Looking to the future, 2007 will be another important year as a number of projects will reach key phases. With respect to the at sea oil recovery service, vessels contracted through the 2006 tender will become operational and the third, and in principle, final tender to strengthen the network will be completed. It will also see the contracts setting up the satellite monitoring and surveillance service (CleanSeaNet) reach their operational phase in April. Further progress is expected on co-operating and co-ordinating with Member States and Regional Agreements and 2007 will mark the first meetings of the Consultative Technical Group (CTG).

Chapter 5: Administrative support





May 2006: EMSA settles in Lisbon

5.1. RELOCATION OF THE AGENCY

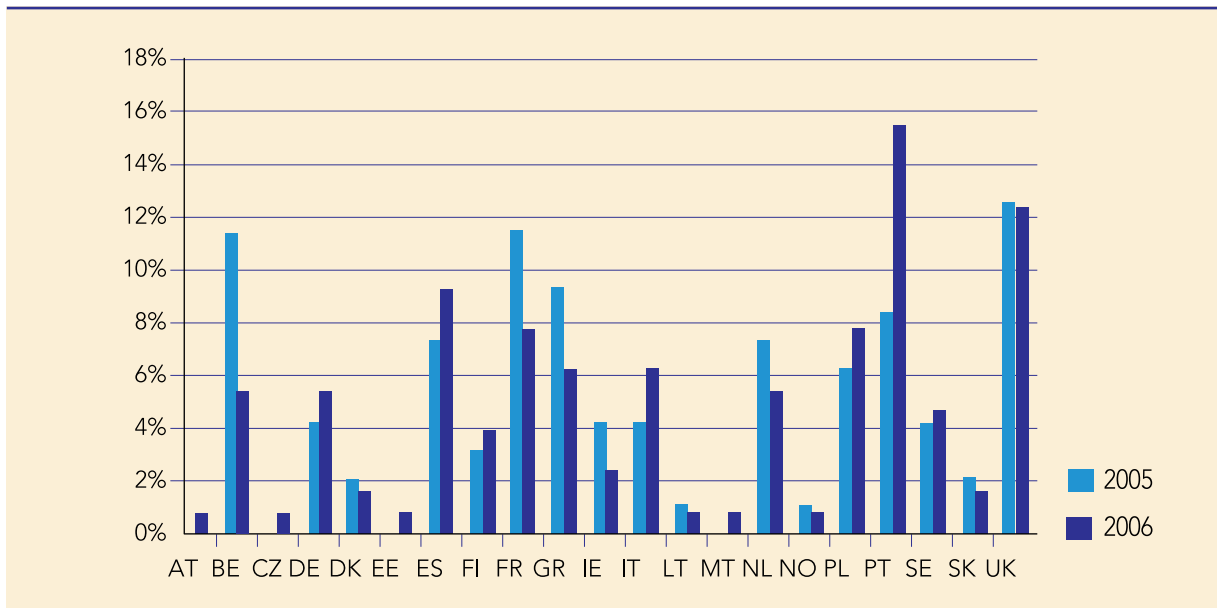
The main event affecting the Agency as a whole was the move from Brussels to Lisbon. The actual move was spread over a period of three months, but when the preparations are taken into account, the effects were spread over a much longer time. It was a challenge for the organisation to maintain continuity of service during this time. Obviously, this had a significant impact on the private life of staff members who had to relocate, en masse, with their families to a new country. Twenty staff members were not able to follow the organisation to its new location for private and family reasons.

The countdown to the move started in autumn 2005, when a contract was concluded with the Lisbon Harbour Administration (APL) covering the provision of interim office space until the completion of the final Headquarters of EMSA in the city centre. The building was chosen following an evaluation of the market and rented by APL. It was

furnished and equipped by APL and is made available to EMSA on the basis of a service contract. The building has about 7,000m² and provides office space for around 190 staff, several meeting rooms, a cafeteria and underground parking facilities.

The relocation of the staff, the services and the infrastructure of the agency took place in three phases starting from April 2006 and ending in July 2006. Here, the logistics support previously provided by OIB in Brussels was replaced by contracting and setting up equivalent services such as reception; security; mail handling; transportation services; a print shop, a cafeteria and an events/conference service. Although complex in its nature, it is to be concluded that the relocation operation was concluded smoothly and successfully. By the end of 2006 all systems were fully up and running. Staff members were generally well integrated in the new environment and appreciate the quality of the new premises.

EMSA Staff by Nationality 2005-2006

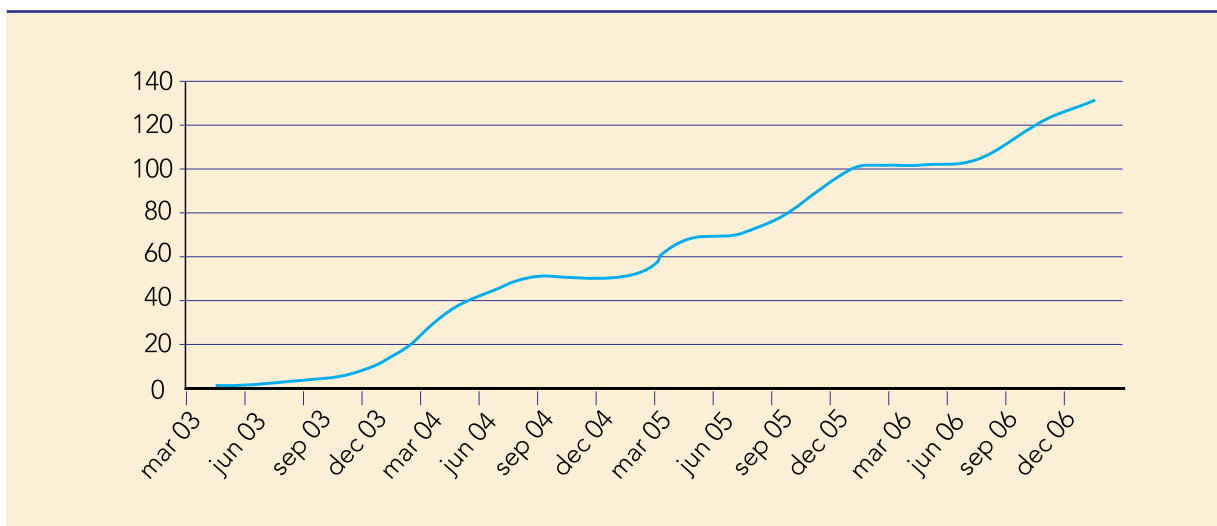


5.2. HUMAN RESOURCES

The Agency’s move from its Brussels offices to its new location in the Lisbon Expo area generated a major flow of exceptional administrative activities for the Human Resources Sector during 2006.

This work took place from early 2006 until the summer, during which time the Human Resources sector was confronted with a substantial additional workload to cope with all the necessary administrative formalities, including the attribution of individual allowances for removals and schooling.

Number of Staff





EMMSA staff at training session

In order to support the integration of the staff and their families within their new living environment, the Agency set up a “Lisbon HelpDesk” with the co-operation of the Municipality of Lisbon. The HelpDesk was able to provide staff with all kinds of assistance relating to the administrative and practical arrangements associated with settling in the Lisbon area. At the same time, the EMMSA protocol services was focused on other necessary administrative issues, as a result of which special identity cards were arranged for 168 staff and family members and 46 cars were provided with new registration plates. To attract and retain appropriately qualified and experienced staff of different EU nationalities, it is crucial that they have access to multilingual tuition

for their children under the same conditions as EU officials based in other EU centres such as Brussels and Luxembourg. With this in mind, the Agency has given special attention to those staff members with children of school age. Following the adoption by the Administrative Board of the Social Measure on ‘Multilingual tuition for children of EMMSA staff in Lisbon, seven suitable international, multilingual schools were selected, following which the Agency entered into administrative agreements to cover the entry of the children of staff members to these establishments. By the end of the year, 27 children were enrolled in participating schools and their school fees are financed from within the EMMSA budget.

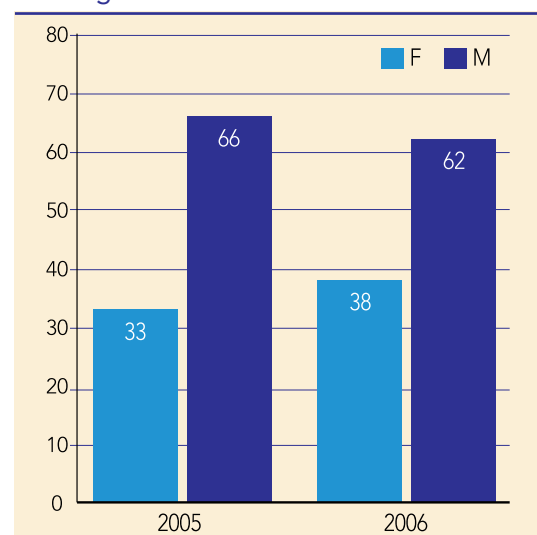
In the area of human resources, besides the



EU Commission Vice President Jacques Barrot, Portuguese Prime Minister José Socratès, EU Commission President Manuel Barroso, IMO Secretary-General Efthimios Mitropoulos and EMSA Executive Director Willem de Ruiter (from left to right) at the Agency's inauguration ceremony.

administrative formalities, the move also had a significant impact on the process of recruitment. As mentioned above, a result of relocating significant numbers of people internationally was that some staff members decided not to make the move, so additional recruitment procedures had to be organised to fill those positions which became vacant. The combination of this effect, together with the requirement to increase the staff by 37 positions in accordance with the Establishment Plan, resulted in the Human Resources Sector putting a major focus on recruitment. This resulted in a total of 56 new staff members joining the Agency during 2006, and it is estimated that at the end of the year 2006, 50% of the staff were recruited in the previous twelve months.

EMSA gender balance



In continuation of the recruitment policy, one of the objectives is to encourage women to apply, in particular also for technical and management positions. The present gender balance reflects this by showing a 5% increase in the proportion of female staff working at EMSA in the same period (33% to 38%).

A third field of activity for the Human Resources sector is the development of internal administrative procedures necessary for the proper implementation of the Staff Regulations for Officials of the European Communities. In view of the aforementioned priorities, this activity had to be put on hold for a while. Nevertheless the necessary implementing rules were prepared in good co-operation with the Commission services and adopted by the Administrative Board at the end of 2006. Further work in this field is ongoing since the regulatory environment of staff matters is continuously evolving.

Also, in accordance with a request from the European Parliament, a Multi-Annual Staff Policy Plan was developed in 2006. This provides detailed information on the estimated evolution of the number of staff over the next three years, as well as an overview of existing policies in the field of human resources.

5.3. STAFF TRAINING

Efforts in the area of training new and existing staff continued during the year and, by October 2006, the Agency had signed a service level agreement for training services with the European Commission. This agreement gives full access to Commission training courses and, as a consequence, the Agency has been able to offer broader training opportunities to its staff. Also, in the area of language training, the necessary tenders to assure the continuity of training actions for staff and their families in Lisbon were launched.

5.4. EXTERNAL COMMUNICATIONS

As might be expected with a growth in operational tasks, stakeholder interest increased, as demonstrated by things such as the number of hits on the website, requests for information and attendance at an increasing number of international meetings. To respond to this rise in interest, the Agency has passed a number of information and communications milestones during 2006, some of which were related to the transfer of operations from Brussels to Lisbon.

The most visible event of the year was the inauguration ceremony for the new headquarters, held on 14th September, at which time European Commission President Barroso, Vice President Barrot, Portuguese Prime Minister Socrates and the Secretary-General of the IMO, Mr. Mitropoulos made speeches.

In total 422 participants and 34 journalists were present from all around the globe, including many representatives of the EU maritime sector. During this event, participants were informed about the activities of EMSA and had the opportunity to visit one of the anti-pollution vessels chartered by EMSA that had been moored in Lisbon for a common exercise with the Portuguese Navy.

In 2006 a general brochure giving an overview of the Agency's main activities was published in all 20 EU languages. The brochure, the newsletter, and many other new publications, were distributed to the Agency's growing list of stakeholders in the public and private sectors, as well as being put on the website for the widest possible access.

Another important feature of the information and communication work is the operation of an early warning system on maritime incidents so that EU decision makers are informed of relevant maritime accidents

and incidents as soon as possible after their occurrence. This is complimented by an information system which also provides staff in the EU Institutions with daily information on accidents, incidents and policy related matters of EU interest. Both of these systems were subject to regular updates during 2006.

5.5. WEBSITE

The website is attracting more and more attention as EMSA's activities grow. In 2006, its appearance and structure were improved and the amount of information presented substantially increased. Work also began on developing a new content management system which will provide much greater flexibility in design and information management.

- In 2006, the EMSA website was migrated successfully to the new top level domain ".eu" on 9th May and all external links have been migrated under the new "europa.eu" structure. In line with broader European promotional campaigns a new banner reserved area has been introduced in the homepage. A search engine allows the users to retrieve easily pages and/or documents using a "free text" search form;
- The design and menu structure of the EMSA home page has been revamped using a new colour code spectrum and new images to improve ease of orientation. Furthermore, the entire navigation structure has been re-implemented including new hierarchical sections and dropdown menus to access the various areas of the website easier and faster. Each major section includes now a "related activities box" on the right hand containing the list of related items: legislation, activities, and documents (if any);
- Last but not least, web domains for several major maritime web initiatives of the Agency, like SafeSeaNet and CleanSeaNet

have been registered and are being populated with information about these services for the general public, while parts of this new web services will be available for authorised users only.

5.6. ADMINISTRATIVE SYSTEMS – CONTRACTUAL MANAGEMENT

The extension of the tasks of EMSA and the relocation of the agency to Lisbon led to a greater need for procurement for external contract. A total of 114 calls for tender were launched, an increase of 55% compared to 2005.

In this context, additional efforts were made to ensure the compliance of the procurement documentation with the Financial Regulation and Implementing Rules, to provide ex-ante legal verification of procurement procedures and to perform legal verification of contracts and other legal commitments. Moreover legal advice in procurement and contract related issues was provided before the launch of tenders.

In order to facilitate the procurement process for the operational units, the following initiatives were taken:

- Preparation of an EMSA Procurement Procedures Manual together with all relevant templates;
- Preparation of a Draft Decision of the Administrative Board amending the EMSA Implementing Rules on procurement in line with the latest amendments to the Commission Implementing Rules;
- Preparation of a new call for tender registration database, operational as from January 2007.

5.7. FINANCE AND ACCOUNTING

In line with the adoption of the new International Public Service Accounting

Standards (IPSAS) and in order to comply with new regulatory requirements, the Agency implemented a new financial system, ABAC Workflow.

This system, made available to the Agency by the European Commission, became fully operational and replaced the old system, SI2, in April 2006. When implementing this new system, special attention was given to provide the necessary training to assure all financial actors got acquainted with the demands of this system.

As in the past, the finance sector of the Agency has continued to introduce new or further develop internal procedures and administrative systems in order to improve efficiency.

5.8. ADMINISTRATIVE SYSTEMS - ICT

The development of business tools was mainly focused on the further development of the existing systems in the areas of human resources and financial and contractual management, and on adapting them to the growing needs of the Agency, whilst keeping them straightforward and efficient.

ICT tasks in 2006 revolved around the specification, design, implementation and migration of the ICT Infrastructure for the interim HQ of EMSA in Lisbon. In this context the plan and the tender for networking services and leases lines as well as connectivity in Lisbon via major Internet Service Providers were established. In order to support the phased move of the Agency, a virtual private network had been established between the offices in Brussels and Lisbon, providing seamless connectivity to phone systems, office applications and data. Last but not least, the services and infrastructure in Brussels have been phased out. This approach minimised the interruption of ICT Services to the various users and units

of EMSA, in turn maximised the availability of EMSA to the outside world.

Despite an already high workload, most systems have been upgraded in 2006 to the latest operating system release. Furthermore, the network infrastructure to link EMSA to the new financial system (ABAC) of the European Commission was implemented. In view of the various priorities, the documentation of systems could not always be given the attention it deserves. Efforts are now being made to rectify this issue.

5.9. EVENTS SERVICE

In 2006, a total of 59 events were organised. These events vary in nature from meetings of the Administrative Board, to technical workshops, coordination meetings, training seminars, etc. The common point of these gatherings is that they bring together representatives from the Member States and other concerned countries. In this framework, EMSA welcomed close to 1,600 participants (excluding the inauguration of the headquarters). Although it may seem a detail, the reimbursement of travel expenses of this growing number of participants is a labour intensive process. The strengthening of relevant procedures is currently a point of attention.

5.10. SUMMARY AND VISION

Despite the large number of ongoing technical tasks and despite the fact that some key staff had to be replaced, since they could not follow the Agency to its new location, the establishment of the Agency in its interim offices went smoothly. The end of this process was celebrated by a successful Inauguration Event in September 2006. The impact of these changes were widespread, but despite this, targets to recruit staff

were in line with the establishment plan, the ICT systems continued to operate without interruption and the needs of staff have been addressed, both for professional and private reasons.

It can be safely stated that the Agency has hit cruising speed after a rapid acceleration that occurred between 2003 and the end of 2006, the last phase in the setting up of EMSA. By the end of 2006, finalising the implementation of the protocol agreement signed between the Portuguese Government and the Agency were still ongoing.

Looking ahead, the experience of the move of infrastructure and ICT systems from Brussels to Lisbon will serve well when the EMSA offices are moved to their final location at Cais do Sodré in the centre of the city. This is due to happen late in 2007 or early 2008. There will be a lesser impact on staff, but the logistics of moving a larger amount of people and more sophisticated IT and telephony systems cannot be underestimated.

The move into the final headquarters will signal the end of the build up phase of the European Maritime Safety Agency in line with its present mandate.



Lisbon, 6 July 2007

Ref: DIR/2007/1047

Declaration of the Executive Director

I, the undersigned Willem de Ruiter, Executive Director of the European Maritime Safety Agency,

In my capacity as Authorising Officer,

Declare that the information contained in this report gives a true and fair view.

State that I have reasonable assurance that the resources assigned to the activities described in this report have been used for their intended purposes and in accordance with the principles of sound financial management, and that the control procedures put in place give the necessary guarantees concerning the legality and regularity of the underlying transactions.

This reasonable assurance is based on my own judgement and on the information at my disposal, such as the results of the ex-ante controls, the ex-post controls, the work of the verifying capability, the lessons learnt from the Court of Auditors for the year prior to the year of this declaration and the report on the discharge to the European Maritime Safety Agency for the financial year 2006 by the European Parliament.

Confirm that I am not aware of anything not reported here which could harm the interest of the Agency or the European Institutions.


Willem de Ruiter

Annex 1

Implementation of the budget for the financial year 2006

(1 000 euro)

REVENUE			EXPENDITURE								
Origin of revenue	Revenue entered in the final budget for the financial year	Revenue received	Allocation of expenditure	Final budget appropriations for the financial year					Appropriations carried over from the previous Financial Year		
				entered	committed	paid	carried over	cancelled	entered	paid	cancelled
Community subsidies	44,738	32,030	Title I Staff (NDA)	13,459	12,705	10,387	664	2,408	161	62	99
			Title II Administration (NDA)	2,972	2,550	1,944	606	422	333	248	85
Other income	0	362	Title III Operating activities (DA)								
			- CA	28,308	19,033	0	0	9,275	0	0	0
			- PA	28,308	0.00	11,638	0	16,669	0	0	0
Total	44,738	32,392	Total CA	44,738	34,287	0	1,270	12,105	0	0	0
			Total PA	44,738	0	23,969	1,270	19,499	494	310	184

NDA: non differentiated appropriations (commitment appropriations equal payment appropriations).

DA: differentiated appropriations (commitment and payment appropriations may differ).

CA: commitment appropriations in a system of differentiated appropriations.

CP: payment appropriations in a system of differentiated appropriations.

Source: data supplied by the Agency. This table summarises the data provided by the Agency in its annual accounts. Revenue collected and payments are estimated on a cash basis.

Annex 2

Economic outturn account for the financial years 2006 and 2005

(1 000 euro)

	2006	2005
OPERATING REVENUE		
Community subsidies	24,716	15,666
Other subsidies	678	0
Total (a)	25,394	15,666
OPERATING EXPENDITURE		
Staff expenditure	9,616	6,099
Fixed asset related expenditure	236	151
Other administrative expenditure	3,548	2,042
Operational expenditure ⁽¹⁾	14,151	2,925
Total (b)	27,551	11,217
SURPLUS /(DEFICIT) FROM OPERATING ACTIVITIES (c = a-b)	- 2 157	4,439
Financial operations revenue (e)	0	0
Financial operations expenditure (f)	0	3
SURPLUS /(DEFICIT) FROM NON-OPERATING ACTIVITIES (g = e - f)	0	-3
ECONOMIC RESULT FOR THE YEAR (h = c+g)	- 2 157	4,435
⁽¹⁾ Signature of new contracts for tankers.		
Source: data supplied by the Agency. This table summarises the data provided by the Agency in its annual accounts: these accounts are drawn up on an accrual basis.		

Annex 3

Balance sheet at 31 December 2006 and 2005

(1 000 euro)

	2006	2005
NON-CURRENT ASSETS		
Intangible fixed assets	55	69
Tangible fixed assets	523	455
CURRENT ASSETS		
Short-term pre-financing	4,849	5,351
Short-term receivables	270	105
Cash and cash equivalents	11,633	8,866
Total assets	17,330	14,847
CURRENT LIABILITIES		
Provisions for risks and charges	191	107
Accounts payable	12,111	7,555
Total liabilities	12,301	7,661
NET ASSETS		
Accumulated surplus/deficit	7,185	2,750
Economic result for the year	-2,157	4,435
Total net assets	5,028	7,185
Total liabilities and net assets	17,330	14,847

Source: data supplied by the Agency. This table summarises the data provided by the Agency in its annual accounts: these accounts are drawn up on an accrual basis.

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CONTSHIP: 3

CMA-CGM: 8

Spanish PSC: 14, 20, 25

French Navy: 21, 33

European Space Agency: 40, 42

US Navy: 43



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