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Maritime safety: the Commission requires proper implementation of port state control rules by Poland and Spain

The European Commission decided today to send reasoned opinions – the last step before lodging a case to the Court of Justice – to Poland and Spain for failure to respect EU legislation on port state control of shipping.

Poland and Spain have not yet implemented properly a 1995 Directive¹, amending following the *Erika* accident, which aims to reduce substandard shipping in Community waters. The Directive promotes compliance with international and European legislation on maritime safety, establishes common criteria for control of ships by the port state and harmonizes procedures on inspection and detention.

The Commission action was launched on the basis of the findings by European Maritime Safety Agency teams during inspection visits to Member States. These visits are part of a monitoring programme by the Commission designed to assess how the Directive is implemented in practice in each Member State.

In the case of Poland, irregularities concern failure by Polish authorities to apply sanctions for breaching the national implementing measures. As for Spain, the Commission voiced its concern over the lack of appropriate qualifications of several port state control inspectors.

¹ Council Directive 95/21/EC of 19 June 1995 on port State control of shipping (OJ L 157, 7.7.1995, p. 1) as last amended by Directive 2002/84/EC.