

## Meeting: 9<sup>th</sup> SSN / LRIT Group Meeting

**Place and date: Videoconference, 25 May 2021**

**Agenda item: Impact of Brexit on SSN**

**Document number: SSN/LRIT 9.5.3**

**Submitted by EMSA**

Summary	This document provides information on the impact of Brexit on SSN.
Action to be taken	As per paragraph 3.
Related documents	n.a.

## 1 Background

The withdrawal of the United Kingdom (UK) from the European Union took place on 31 December 2020 and has reduced the number of maritime related information exchanged between Member States (MS) and EFTA countries in the SSN system. This decrease is noted for the UK ports (including Gibraltar) as from 1 January 2021 in the following reporting obligations: Pre-Arrival notification, HAZMAT, Waste, Security, Exemption, Incidents and Ship reports (MRS and AIS).

The impact of Brexit for the SSN community is described below per reporting obligation. It should be noted that due to the worldwide pandemic, most of the analysis was done for the years 2019 (typical year without COVID-19 pandemic) and 2020.

## 2 Impact of Brexit on SSN

### 2.1 Port calls

#### Port calls

In accordance with Article 4 of Directive 2002/59/EC (as amended) “*The operator, agent or master of a ship bound for a port of a Member State shall notify the information to the port authority*”.

In the previous two years (2019 and 2020) the number of Pre-Arrival notifications reported by the UK was 109,514 in 2019 and 93,694 in 2020. This corresponds to 10.3% of the total number of information reported to SSN system in these years. The following table presents the detailed statistics:

	Pre-Arrival 2019	Pre-Arrival 2020	Total	% of Total
Member States	926,111	846,654	1,772,765	89.7%
United Kingdom	109,514	93,694	203,208	<b>10.3%</b>
Total	1,035,625	940,348	1,975,973	100%

The Pre-Arrival information was provided by the UK for 144 ports.

Since 1 January 2021, the information about port calls to the UK is not anymore available in the system. The Pre-Arrival notification includes also the number of Persons on Board.

## 2.2 HAZMAT

In accordance with Article 13.1 of Directive 2002/59/EC (as amended) “*The operator, agent or master of a ship, irrespective of its size, carrying dangerous or polluting goods and leaving a port of a Member State shall, at the latest at the moment of departure, notify the information indicated in Annex I(3) to the competent authority designated by that Member State*”.

In the previous two years, the number of HAZMAT departure notifications reported by the UK was 24,400 in 2019 and 22,993 in 2020. This corresponds to 9.6% of the total number of information exchanged within SSN system in these years. The table below presents the detailed statistics:

	HAZMAT on departure 2019	HAZMAT on departure 2020	Total	% of Total
Member States	220,252	224,801	445,053	90.4%
United Kingdom	24,400	22,993	47,393	<b>9.6%</b>
Total	244,652	247,794	492,446	100%

The UK was reporting Hazmat Departure information declaring Next Port location in another MS in 31% of its ship calls – mostly Ireland (40%); the Netherlands (15%); Belgium (12%); and France (10%). As a consequence of Brexit, the dangerous or polluting goods carried from ships departing from the UK and bounding to European Union ports should be declared as HAZMAT non-EU Departure. Therefore, the reporting of HAZMAT non-EU departure will increase for all Member States. This will represent an increase of HAZMAT non-EU departure at national level of 1,874% for Ireland, 124% for Iceland; 106% for Belgium, 75% for Sweden; 57% for Germany and 47% for Denmark.

In addition, in accordance with Article 13.2 of Directive 2002/59/EC (as amended) “*The operator, agent or master of a ship, irrespective of its size, carrying dangerous or polluting goods coming from a port located outside the Community and bound for a port of a Member State or an anchorage located in a Member State's territorial waters shall, at the latest upon departure from the loading port or as soon as the port of destination or the location of the anchorage is known, if this information is unavailable at the moment of departure, notify the information indicated in Annex I(3) to the competent authority of the Member State in which the first port of destination or anchorage is located*”.

In the previous two years, the number of HAZMAT notifications at arrival for vessels coming from non-EU ports reported by the UK was 5,336 in 2019 and 5,561 in 2020. This corresponds to 9.0% of the total number of information exchanged within the SSN system in these years. The following table presents the detailed statistics:

	HAZMAT on arrival 2019	HAZMAT on arrival 2020	Total	% of Total
Member States	54,424	55,884	110,308	91.0%
United Kingdom	5,336	5,561	10,897	<b>9.0%</b>
Total	59,760	61,445	121,205	100%

The main impact of Brexit on HAZMAT issues, is that vessels carrying dangerous or polluting cargoes to or from the UK and that arrived from non-EU ports or leave to non-EU ports will be transiting European waters and no information will be available to other MS.

## 2.3 Waste

In accordance with the Reporting Formalities Directive (Directive 2010/65/EU), notification of waste and residues as required by Article 6 of Directive 2000/59/EC on port reception facilities for ship-generated waste and cargo residues, shall be exchanged via SSN.

In the previous two years, the number of Waste notifications reported by the UK was 48,844 in 2019 and 41,310 in 2020. This corresponds to 9.6% of the total number of information exchanged within SSN system in these years.

	Waste 2019	Waste 2020	Total	% of Total
Member States	392,771	458,670	851,441	90.4%
United Kingdom	48,844	41,310	90,154	<b>9.6%</b>
Total	441,615	499,989	941,604	100%

The main impact is that information on waste and cargo residues for the ships heading to the UK ports is no longer available to Member States via SSN system.

## 2.4 Security

In accordance with the Reporting Formalities Directive (Directive 2010/65/EU), notification of security information as required by Article 6 of Regulation (EC) No 725/2004 on enhancing ship and port facility security, shall be exchanged via SSN.

In the previous two years, the number of Security notifications reported by the UK was 30,426 in 2019 and 25,933 in 2020. This corresponds to 8.6% of the total number of information exchanged within SSN system in these years. The table below includes the detailed statistics:

	Security 2019	Security 2020	Total	% of Total
Member States	306,833	294,994	601,827	91.4%
United Kingdom	30,426	25,933	56,359	<b>8.6%</b>
Total	337,259	320,927	658,186	100%

The main impact is that information concerning the Ship Pre-Arrival Security information for the ships heading to the UK ports is no longer available to Member States via SSN system.

## 2.5 Exemptions

For information provided in SSN, MSs can grant four types of exemptions: port notifications (Article 15 of Directive 2002/59/EC), HAZMAT notifications (Article 15 of Directive 2002/59/EC), Security notifications (Article 7 of Regulation (EC) No 725/2004) and Waste notifications (Article 9 of Directive 2000/59/EC). The central SSN system includes a functionality whereby MSs may report these exemptions.

There are 560 exemptions registered in SSN exempting from reporting ships navigating on the routes including the UK ports. These exemptions were mainly granted by the United Kingdom (31%), the Netherlands (31%), Belgium (12%), Lithuania (10%), France (6%), Germany (3%) and Finland (3%).

## 2.6 Incident Reports

In accordance with Article 16.2 of Directive 2002/59/EC (as amended) “*Coastal stations holding relevant information on the ships referred to in paragraph 1 shall communicate it to the coastal stations concerned in the other Member States located along the planned route of the ship.*”

In the previous two years (2019 and 2020) the number of Incident Reports reported by the UK was 104 in 2019 and 107 in 2020. This corresponds to 4.7% of the total number of information exchanged within the SSN system in these years. The table below presents the detailed statistics:

	IR 2019	IR 2020	Total	% of Total
Member States	2,358	1,956	4,314	95.3%
United Kingdom	104	107	211	<b>4.7%</b>
Total	2,462	2,063	4,525	100%

In terms of Incident reports, the main impact is that in case of incidents or accident occurring at the UK waters this information is not anymore shared via SSN system with other MSs.

The UK as a 3<sup>rd</sup> country may request the HLSG for access to SSN to exchange POLREP information. Such request has not been sent by the UK authorities to the HLSG.

## 2.7 Ship positions (MRS)

In accordance with Article 5 of Directive 2002/59/EC (as amended) “*The Member State concerned shall monitor and take all necessary and appropriate measures to ensure that all ships entering the area of a mandatory ship reporting system, adopted by the IMO according to Regulation 11 Chapter V of the SOLAS Convention and operated by one or more States, of which at least one is a Member State, in accordance with the relevant guidelines and criteria developed by the IMO, comply with that system in reporting the information required without prejudice to additional information required by a Member State in accordance with IMO Resolution A.851(20).*”

In the area of the UK there are two mandatory ship reporting systems (MRS) adopted by the IMO; the CALDOVREP system in Dover Strait/Pas de Calais and WETREP system in the Western European Particularly Sensitive Sea Area for oil tankers over 600 tonnes deadweight and carrying heavy crude oil, heavy fuel oil or bitumen.

Only data from the WETREP system was provided to SSN while the CALDOVREP implementation was never concluded.

In the previous two years (2019 and 2020) the number of MRS reports provided by the UK was 184 in 2019 and 137 in 2020. This corresponds to 0.03% of the total number of information exchanged within the SSN system in these years. The table below presents the detailed statistics:

	MRS 2019	MRS 2020	Total	% of Total
Member States	558,062	481,679	1,039,741	99.97%
United Kingdom	184	137	321	<b>0.03%</b>
Total	558,246	481,816	1,040,062	100%

The impact can be considered low.

## 2.8 Ship positions (AIS)

In accordance with Article 9.1 of Directive 2002/59/EC (as amended) “*Member States shall take all necessary and appropriate measures to provide themselves gradually, on a time-schedule compatible with the timetable set out in Annex II(I), with appropriate equipment and shore-based installations for receiving and utilising the AIS information taking into account a necessary range for transmission of the reports.*” and in accordance with Article 9.2 of the same Directive “*The process of building up all necessary equipment and shore- based installations for implementing this Directive shall be completed by the end of 2007. Member States shall ensure that the appropriate equipment for relaying the information to, and exchanging it between, the national systems of Member States shall be operational at the latest one year thereafter.*”

The number of AIS positions provided by the UK to SSN via Regional AIS server was 389,102,434 which corresponded to 8.46% of the positions available in SSN.

	AIS 2019	% of Total
Member States	42,10,636,719	91.54%
United Kingdom	389,102,434	<b>8.46%</b>
Total	4,599,739,153	100%

The UK still provides AIS positions to SSN via the North Atlantic Regional Server. It should be noted that AIS data is shared based on regional agreements which remain into force. Thus, EMSA expects to receive a clarification of UK on this matter and until a reply is received UK AIS positions will continue to be displayed in the EMSA systems and shared with EU Member States.

It should be noted that the EU VTMISS AIS network overlaps most of the English Channel, Irish and North Seas (around 40% of vessels identified are also detected by other data providers). Also, the volume of Satellite AIS data (Sat-AIS) increased significantly with the new Sat-AIS data feed integrated as from January 2020.

## 3 Actions required

Member States are invited to take note of the information provided.