

## 1.1 Background to VTMIS Directive

The reasons for Vessel Traffic Monitoring to be regulated in its current form and for the development of an Information System have their historical origins in the early 1990s. Information about hazardous goods carried on board vessels was first included in the HAZMAT Directive (93/75/EEC) as part of the Safe Seas Communication of 1993. However, it hinted at the ambition for the establishment of a system to exchange the information reported, making it a 'more complete' reporting system. This was achieved by the VTMIS Directive of 2002 (Directive 2002/59/EC, hereafter the VTMIS Directive), which replaced it, introducing a reporting obligation on the Ship (master, owner or agent). It ensured a more uniform implementation of the requirements at international level (in IMO) on vessels<sup>1</sup> to carry AIS transponders and on the coastal States to invest in receivers.

As maritime and maritime safety policy developed, several reporting systems in various EU Directives related to maritime safety, HAZMAT, port reception facilities, ship-source pollution, and port state control were however introduced or foreseen.

While the original purpose was that of realising improved information about, in particular, hazardous material on board in the situation of a maritime accident at sea, and therefore part of the EU maritime safety policy, it was realised at the same time that efforts had to be made to avoid creating multiple requirements for reporting in a uncoordinated way and also for avoiding the need to build multiple systems to handle the information. That would run the risk of creating duplication thereby increasing the consequent risk of causing additional administrative burden (confusion) and costs, for no added value.

Hence, after discussion with Member States and with the support of the European Parliament, it was decided to work towards one system capable of handling all relevant reporting requirements stemming from current or future Community legislation, also capable of interlinking those existing national systems thus creating interoperability, which could avoid the above risks.

That concept became the SafeSeaNet (SSN) system which, as the name indicates, has a strong connotation with safety at sea.

The process of setting up SSN started as a large scale project in 2003 and was launched as one of the core tasks for the European Maritime Safety Agency (EMSA), after its inception, in 2004. Together with the Commission and EU Member States (MS), EMSA then undertook the technological work in setting the

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<sup>1</sup> As it is based on the International requirements it also applies in the same way to commercial vessels above 300 GT.

system up. This involved substantial start-up investments, lasting until 2009 when the system became operational.

As progress was made, it was realised that the system had great potential in areas other than the core safety aspects. Attention was drawn towards trade and transport facilitation and it was recognised that SSN had the potential to be a platform for a wider range of maritime information exchanges. This led to the revision of the Directive in 2009, as part of the third maritime package, again with the strong backing of the European Parliament. In order to include, among other changes, more specific provisions relating to the feasibility and development of functionalities in the system that as far as possible would ensure that the data providers (masters, owners, agents, operators, shippers and relevant authorities) would only need to submit information once. For this to function, it then also needed to ensure that electronic messages exchanged in accordance with the VTMIS Directive would connect with relevant Community systems established by other Community legislation, and use SSN as the *distributeur*.

The Directive therefore introduced the requirement on Member States to develop and maintain the necessary interfaces for electronic data transmission to the SafeSeaNet. The SSN system was defined<sup>2</sup> as the Community maritime information and exchange system, to formally reflect these developments.

This is the background to the interlinking between the SSN and the National Single Windows in the Reporting Formalities Directive

So, while SSN is legally regulated in the VTMIS Directive it is not intended to be bound by that Directive alone. It also serves as the secure distributor of exchanged information within the maritime domain, meeting the needs arising from the implementation of other Union legislation.

The purpose of the Directive 2002/59/EC, as amended, is to establish a system to enhance (1) the safety of and (2) the efficiency of maritime transport and traffic. This system or tool supports Member States authorities involved in the maritime domain, in performing their tasks and obligations under national, EU and international law.

In short, it serves as the secure distributor sharing information within the maritime domain, meeting the needs arising from all end-users for the collection, sharing, storage, exchange and use of relevant information, as well as monitoring, surveillance, positioning and observation.

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<sup>2</sup> 'SafeSeaNet' means the Community maritime information exchange system developed by the Commission in cooperation with the Member States to ensure the implementation of Community legislation; (Article 3, VTMIS Directive)