

**Question for written answer P-003430/2011
to the Commission**

Rule 117

Jean-Paul Basset (Verts/ALE)

Subject: ERIKA III package - Transposition of Directives 2009/16, 2009/17 and 2009/21 in France

The ERIKA III maritime safety package includes Directive 2009/16 on port State control, the transposition period for which expired on 1 January 2011. That directive makes it mandatory to inspect all ships and to ban ships flying flags blacklisted or greylisted by the Paris Memorandum of Understanding (Article 16). The package also includes Directive 2009/17, known as the Traffic Monitoring Directive, the transposition period for which expired on 30 November 2010; making it mandatory to fit automatic identification systems on ships flying EU Member State flags and to establish, and draw up plans for, places of refuge notified and equipped accordingly. The package is rounded off by the Flag State Requirements Directive, 2009/21, making it mandatory to comply with the International Ship and Port Facility Security Code of the International Maritime Organisation (IMO), the transposition period for which expires on 17 June 2011. That directive was accompanied by a statement on the ratification of IMO conventions.

However, the French Parliament has only just passed an enabling act with a view to adopting a draft transposition order within 18 months. France - the casualty of the 'Erika' shipwreck - is therefore lagging behind on transposing some of these texts. Furthermore, the Flag State Requirements Directive has clearly been omitted from the enabling act.

Accordingly, is France discharging its transposition obligations, and what action will the Commission take on these shortcomings?