



2<sup>nd</sup> Workshop on Marine Casualty Investigation  
in Brussels on 15/16 Nov 2005

### Agenda item No. 6

#### EMCIP participation and working agreement Submitted by EMSA

<i>Executive summary</i>	This document presents draft elements for the voluntary administrative working arrangements framing EMCIP's database of marine casualties, incidents and occupational accidents.
<i>Action to be taken</i>	To progress towards agreement on the voluntary working arrangements to be followed until such time as a mandatory procedure may enter into force.
<i>Related documents</i>	

### 1. Background

EMSA is presently developing a European Marine Casualty Information Platform (EMCIP). At the European level the purpose of EMCIP is to enable EMSA to provide the European Commission and the Member States with objective, reliable and comparable information on maritime safety as well as to facilitate cooperation and analysis as provided for in Regulation (EC)1406/2002. At the national level EMCIP shall facilitate the creation of statistics and any other data analysis needs of the Member States in the field of marine casualties and may, in future development, facilitate the fulfilment of obligations of the Member States to report investigation findings for certain casualties to IMO.

EMCIP will be a common European platform which, as core elements, contains a database and a network of data providers. The database is designed, provided and managed by EMSA and the data providers are the competent national authorities. The network will be based on the world wide web. The competent national authorities of the Member States and EMSA will have access to the stored data and will use it for safety related purposes only. Pre-installed search, analysis and information creating tools will facilitate the formulation of annual reports, statistics and safety studies.

The test phase having started in October 2005, EMCIP is targeted to become operational in the first quarter of 2006. To assure the correct use of the system and the quality of data as well as to clarify the role of the participating parties it is recommendable to agree on a common understanding which frames the environment and arrangements for the EMCIP database and network. Parallel to the technical-operational development of the database, EMSA has drafted elements for such a common frame for EMCIP. Delegates are invited to consider and comment on these elements.

## **2. EMSA PROPOSALS**

The following elements could be agreed by the competent national authorities and EMSA:

### **2.1 Objective**

The storage, exchange and analysis of casualty and incident data in a common European database will add value to marine casualty or incident safety investigation and the analysis of the results of such investigations as well as to general risk identification and casualty and incident prevention at national, European and global level.

### **2.2 Culture of no blame, no liability and personal data protection**

All actions under this Agreement shall be carried out within a culture of no blame, no liability and personal data protection:

Any EMCIP data shall serve purely safety related purposes only. There shall be no exchange or processing of, or access to, EMCIP data for purposes related to identifying individual persons or apportioning blame or liability.

Personal data protection for EMCIP will be arranged by EMSA in accordance with Regulation (EC)45/2001, and in response to particular requests by the participating parties.

### **2.3 Actions**

EMSA will

- provide EMCIP as well as procedures and cost-free training for its use,
- review the received data for compliance with the database procedures and its schema/taxonomy,
- produce and distribute statistics and studies on the basis of the EMCIP data.

The competent national authorities will

- inform EMSA on particular national data protection requirements,
- send database operators/investigators to the training,
- send casualty data to EMSA for storage in EMCIP,
- provide EMSA with any studies carried out on the basis of EMCIP data.

The competent national authorities and EMSA will have automatic direct access to all EMCIP data that are not barred by special arrangement and may use them for any purely safety related purpose that does not conflict with the culture of no blame, no liability and personal data protection.

## **2.4 Access to particular data**

There will be only one “super-user” for each EMCIP participant having direct access to EMCIP. The super-user may, within the limits of the culture of no blame, no liability and personal data protection, designate a limited number of sub-users within or under the control of the competent national authority. These will be notified to EMSA for information of all EMCIP participants.

Certain sensitive data may be barred, by special arrangement, from access by other participants and be accessible only by the sending competent national authority and EMSA. Access to this data by EMSA will only serve verification and technical management of such data.

## **2.5 Procedures; Data control / ownership**

Any exchange or processing of, or access to, EMCIP data shall be according to the EMCIP procedures.

The accuracy of data and compliance with the EMCIP procedures remain solely the responsibility of the sending party.

EMSA will control the sent data, but the sending party will retain ownership of the data.

EMSA will provide the correct technical functioning and security of EMCIP. EMSA will arrange back-up storage of the EMCIP data.

## **2.6 Focal points; Working group**

EMSA and each competent national authority will designate focal points dealing with the technical-operational working arrangements of EMCIP and any possible future improvements.

A permanent working group, consisting of representatives of the competent national authorities and EMSA, will be established for EMCIP. It will be hosted, assisted and funded by EMSA.

In the frame of that working group EMSA and the competent national authorities will inform each other on their findings and recommendations for possible improvements to the operation of EMCIP.