



2023/2895

22.12.2023

COMMISSION IMPLEMENTING DECISION (EU) 2023/2895

of 19 December 2023

laying down the list of islands and ports referred to in Article 12(3-d) of Directive 2003/87/EC of the European Parliament and of the Council and the list of transnational public service contracts or transnational public service obligations referred to in Article 12(3-c) of that Directive

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC ⁽¹⁾, and in particular Article 12(3-d) and (3-c) thereof,

Whereas:

- (1) Directive 2003/87/EC was amended most recently by Directive (EU) 2023/959 of the European Parliament and of the Council ⁽²⁾ to include maritime transport emissions within the system for greenhouse gas emission allowance trading within the Union (the 'EU ETS').
- (2) In order to ensure the connectivity of certain islands, the EU ETS provides for two types of temporary derogations from the obligation to surrender allowances pursuant to Article 12(3-d) and (3-c) of Directive 2003/87/EC. As those temporary derogations both concern connectivity, the list of islands and ports and the list of transnational public service contracts and transnational public service obligations should be laid down in the same act.
- (3) In accordance with Article 12(3-d), first subparagraph, of Directive 2003/87/EC, a port to be identified as a port concerned by the temporary derogation has to be located on an island with no road or rail link with the mainland and with a population of fewer than 200 000 permanent residents. Following the requests by Denmark, Greece, Spain, Croatia, Italy, Malta and Sweden, several ports should therefore be identified as ports concerned by the temporary derogation pursuant to Article 12(3-d) of Directive 2003/87/EC.
- (4) In accordance with Article 12(3-c) of Directive 2003/87/EC, transnational public service contracts or transnational public service obligations have to connect two Member States, one of which does not have a land border with another Member State and the other Member State is the geographically closest Member State to that Member State without land border. Cyprus has no land border with another Member State and Greece is the geographically closest Member State to Cyprus. Following the joint request by Cyprus and Greece, the public service contract connecting Cyprus and Greece should therefore be identified as a transnational public service contract within the meaning of Article 12(3-c) of Directive 2003/87/EC.
- (5) To ensure the effective functioning of the EU ETS, which is to include emissions from maritime transport released from 1 January 2024, this Decision should apply from that date,

⁽¹⁾ OJ L 275, 25.10.2003, p. 32, ELI: <http://data.europa.eu/eli/dir/2003/87/oj>.

⁽²⁾ Directive (EU) 2023/959 of the European Parliament and of the Council of 10 May 2023 amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union and Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading system (OJ L 130, 16.5.2023, p. 134, ELI: <http://data.europa.eu/eli/dir/2023/959/oj>).

HAS ADOPTED THIS DECISION:

Article 1

Member States shall consider the requirements set out in Article 12(3), first subparagraph, point (c), and Article 16, of Directive 2003/87/EC to be satisfied and shall take no action against shipping companies in respect of emissions released until 31 December 2030 from:

- (a) voyages performed by passenger ships, other than cruise passenger ships, and by ro-pax ships, between a port of an island as listed in Annex I to this Decision and a port under the jurisdiction of the same Member State, or from the activities, within a port, of such ships in relation to such voyages;
- (b) voyages performed by passenger or ro-pax ships in the framework of a transnational public service contract or a transnational public service obligation connecting two Member States, as listed in Annex II to this Decision, or from the activities, within a port, of such ships in relation to such voyages.

Article 2

This Decision shall enter into force on the third day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2024.

Done at Brussels, 19 December 2023.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX I

List of islands and ports as referred to in Article 12(3-d), first subparagraph, of Directive 2003/87/EC

STATE	NAME OF ISLAND	NAME OF PORT
DENMARK	BORNHOLM	ROENNE
GREECE	AEGINA	AEGINA
		AGIA MARINA, AEGINA
	AGATHONISI	AGATHONISI
	AGIOS EFSTRATIOS	AGIOS EFSTRATIOS
	ALONNISOS	ALONNISOS
	AMORGOS	AGIALI
		KATAPOLA
	ANAFI	ANAFI
	ANDROS	GAVRIO
	ANGISTRI	ANGISTRI
	ANTIKYTHIRA	POTAMOS, ANTIKYTHIRA
	ANTIPAROS	ANTIPAROS
	ARKI	ARKI
	ASTYPALAIA	ASTYPALAIA
	CHIOS	CHIOS
		MESTA
	DONOUSA	DONOUSA
	EREIKOUSA	EREIKOUSA
	FOLEGANDROS	FOLEGANDROS
	FOURNI KORSEON	FOURNI KORSEON
	GAVDOS	GAVDOS
	HALKI	HALKI
	IKARIA	EVDILOS / AGIOS KYRIKOS
	INOUSSES	INOUSSES
	IOS	IOS
IRAKLEIA	IRAKLEIA	
ITHAKI	FRIKES	
	PISAETOS	
KALAMOS	KALAMOS	
KALYMNOS	KALYMNOS	
KARPATOS	KARPATOS	

STATE	NAME OF ISLAND	NAME OF PORT
	KASOS	KASOS
	KASTOS	KASTOS
	KEA	KEA
	KEFALLONIA	ARGOSTOLI
		POROS, KEFALLONIA
		SAMI
	KERKYRA	LEFKIMI
	KIMOLOS	KIMOLOS
	KOS	KOS
		MASTICHARI
	KOUFONISI	KOUFONISIA, CYCLADES
	KYTHIRA	AGIA PELAGIA
		DIAKOFTI
	KYTHNOS	KYTHNOS
	LEROS	AGIA MARINA, LEROS
		LAKKI, LEROS
	LESVOS	MYTILINI
	LIMNOS	MYRINA
	LIPSI	LIPSI
	MATHRAKI	MATHRAKI
	MEGANISI	MEGANISI
	MEGISTI	KASTELORIZO
	MILOS	ADAMANTAS
	MYKONOS	MYKONOS
	NAXOS	NAXOS
	NISYROS	NISYROS
	OTHONI	OTHONI
	PAROS	PAROS
	PATMOS	PATMOS
	PAXI	PAXI
	POROS	POROS, TRIZINIA
	PSARA	PSARA
	RHODES	RHODES
		SKALA KAMIROU, RHODES
	SALAMINA	FANEROMENI
		PALOUKIA

STATE	NAME OF ISLAND	NAME OF PORT
	SAMOS	VATHY
		KARLOVASI
		PYTHAGOREIO
	SAMOTHRAKI	SAMOTHRAKI
	SCHINOUSSA	SCHINOUSSA
	SERIFOS	SERIFOS
	SIFNOS	KAMARES, SIFNOS
	SIKINOS	SIKINOS
	SKIATHOS	SKIATHOS
	SKOPELOS	GLOSSA/AGNONTAS
	SKYROS	LINARIA
	SPETSES	SPETSES
	SYMI	SYMI
	SYROS	ERMOUPOLI
	THASOS	PRINOS
		THASOS
	THIRA	THIRA
	THYMAINA	THYMAINA
	TILOS	TILOS
	TINOS	TINOS
YDRA	YDRA	
ZAKYNTHOS	ZAKYNTHOS	
SPAIN	FORMENTERA	LA SAVINA
	IBIZA	EIVISSA
		SANT ANTONI DE PORTMANY
	MENORCA	CIUDADELA
MAÓ		
CROATIA	BIŠEVO	MEZUPORAT
		PORAT
		SALBUNARA
	BRAČ	BOL
		MILNA
		SUMARTIN
		SUPETAR
		SUTIVAN

STATE	NAME OF ISLAND	NAME OF PORT
	CRES	CRES
		MARTINŠĆICA
		MERAG
		POROZINA
	DRVENIK MALI	DRVENIK MALI
	DRVENIK VELI	DRVENIK VELIKI
	DUGI OTOK	BOŽAVA
		BRBINJ
		ZAGLAV
	HVAR	HVAR
		JELSA
		STARI GRAD
		SUĆURAJ
	ILOVIK	ILOVIK
	IST	KOSIRAČA
		ŠIROKA
	IŽ	BRŠANJ
		VELI IŽ
		MALI IŽ
	KAPRIJE	KAPRIJE
	KOLOČEP	DONJE ČELO
	KORČULA	DOMINČE
		KORČULA
		PRIGRADICA
		VELA LUKA
	KRAPANJ	KRAPANJ
	LASTOVO	UBLI
LOPUD	LOPUD	
LOŠINJ	MALI LOŠINJ	
	MRTVAŠKA	
MLJET	POLAČE	
	SOBRA	
MOLAT	BRGULJE	
	MOLAT (LUČINA)	
	ZAPUNTEL	

STATE	NAME OF ISLAND	NAME OF PORT
	OBONJAN	OBONJAN
	OLIB	OLIB
	OŠLJAK	OŠLJAK
	PAŠMAN	TKON
	PREMUDA	KRIJAL
	PRVIĆ	PRVIĆ LUKA
		ŠEPURINE
	RAB	LOPAR
		MIŠNJAK
		RAB
	RAVA	MALA RAVA
		RAVA
	RIVANJ	RIVANJ
	SESTRUNJ	SESTRUNJ
	SILBA	ŽALIĆ
	ŠIPAN	ŠIPANSKA LUKA
		SUĐURAĐ
	ŠOLTA	ROGAČ
	SUSAK	SUSAK
	UGLJAN	PREKO
	UNIJE	UNIJE
	VELE SRAKANE	SRAKANE V.
	VIS	KOMIŽA
		VIS
	VRGADA	VRGADA
	ŽIRJE	MUNA
	ZLARIN	ZLARIN
	ZVERINAC	ZVERINAC
ITALY	ALICUDI	ALICUDI
	CAPRAIA	CAPRAIA
	CAPRI	CAPRI
		MARINA GRANDE
	FAVIGNANA	FAVIGNANA
	FILICUDI	FILICUDI
	GIANNUTRI	GIANNUTRI

STATE	NAME OF ISLAND	NAME OF PORT
	GORGONA	GORGONA
	ISOLA ASINARA	ISOLA ASINARA
	ISOLA D'ELBA	CAVO
		MARCIANA MARINA
		MARINA DI CAMPO
		PORTO AZZURRO
		PORTOFERRAIO
		RIO MARINA
	ISOLA DEL GIGLIO	ISOLA DEL GIGLIO
	ISOLA DI ISCHIA	CASAMICCIOLA TERME
		FORIO
		ISCHIA
		LACCO AMENO
		PORTO D'ISCHIA
	ISOLA DI SAN PIETRO	CARLOFORTE
	ISOLA SANTO STEFANO	ISOLA SANTO STEFANO
	ISOLE TREMITI	ISOLE TREMITI
	ISOLOTTO FORMICA	ISOLOTTO FORMICA
	LA MADDALENA	LA MADDALENA
	LAMPEDUSA	LAMPEDUSA
	LEVANZO	LEVANZO
	LINOSA	LINOSA
	LIPARI	LIPARI
	MARETTIMO	MARETTIMO
	PANAREA	PANAREA
	PANTELLERIA	PANTELLERIA
		SCAURI
	PIANOSA	PIANOSA
	PONZA	PONZA
	PROCIDA	PROCIDA
	SALINA	RINELLA
		SANTA MARINA SALINA
	STROMBOLI	STROMBOLI
	USTICA	USTICA
	VENTOTENE	VENTOTENE
	VULCANO	VULCANO
MALTA	GOZO	MGARR
SWEDEN	GOTLAND	VISBY

ANNEX II

List of transnational public service contracts or transnational public service obligations as referred to in Article 12(3-c) of Directive 2003/87/EC

- Public service contract for the establishment of a passenger maritime link between Cyprus and Greece connecting the ports of Piraeus (Greece), Larnaca (Cyprus) and Limassol (Cyprus).
