



ECSCA Newsletter

European Community Shipowners' Associations

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BLUE PAPER ON A MARITIME POLICY FOR THE UNION

On 10 October, the European Commission issued a Blue Paper on a Future Maritime Policy, as a follow-up to the Green Paper, issued in June 2006. The Paper consists of Commission Communications on an integrated maritime policy including an action plan and conclusions from the consultation process. Separate Communications/papers will be issued by the relevant DGs on some of the action points.

ECSCA appreciates the unique consultation process that has taken place on the Green Paper on a Future Maritime Policy and has actively contributed to it through various submissions. The Blue Paper that has been presented on 10 October needs of course detailed analysis particularly taking into account the many action points that have been proposed.

One of the key action points for the shipping industry is the announced White Paper on Maritime Transport Policy 2008-2018. ECSCA appreciates this initiative since long term planning is essential for investments in shipping. It is evident that many of the views and suggestions brought forward by ECSCA in its submissions to the Green Paper are also valid for the White Paper on a Maritime Transport Policy.

In this respect the de facto global character of shipping is the main theme that should be taken into account on all fronts particularly on safety and environment issues, the global labour market in which shipping operates and the competitive position of European shipping in the global market. ECSCA appreciates that this philosophy has been acknowledged in the Blue Paper.

ECSCA will of course contribute to the development of the White Paper on Maritime Transport Policy and hopes that it will create an appropriate framework attracting further investments in shipping and contributing to further enhance the global leadership of European shipping and its catalyst role for the whole maritime cluster.

Whilst the different action points brought forward in the Blue Paper will need further analysis and discussion, ECSCA notes that some of its practical suggestions have been taken on board such as the enhancement of ratification of IMO Conventions by EU Member States as well as internationally. The vital role of European shipping for European and international trade has also been recognised. This should be a key theme in the further development of a sustainable overall maritime policy.

During the consultation process all stakeholders expressed support for an integrated approach to maritime policy. ECSCA believes that the Blue Paper offers the basis towards such a policy. It is also encouraging that the Lisbon Policy – making Europe the most competitive and knowledge based economy – has been taken into account in this process.

ECSCA wishes to reiterate the five underlying themes for a Future Maritime Policy that were brought forward in its first submission in 2005:

- Ensuring the potential for growth in Europe through adequate transport capacity.
- Ensuring a stable and competitive environment for EU shipping.
- Keeping regulation global.
- Supporting a positive development of shipping in the EU.
- Taking an environmental approach with a global perspective.

**TRANSPORT, TELECOMMUNICATIONS
AND ENERGY COUNCIL,
LUXEMBOURG, 1-2 OCTOBER 2007**

**European long-range identification and
tracking data centre – adoption of a
Council Resolution**

The Council of Transport Ministers adopted a resolution on the creation of a European Long-Range Identification and Tracking (LRIT) data centre. At its meeting of 6-8 June 2007, the Council already expressed broad support for the establishment in principle of a European LRIT data centre. The centre that should be operational by 31 December 2008 could be housed by EMSA in Lisbon. It would be responsible for receiving data on goods carried by each ship going to European ports, at a distance of 1,000 nautical miles.

The resolution presents the single EU position to be taken at the meeting of the International Maritime Organisation (IMO) Maritime Safety Committee, to take place 3-12 October 2007. In the resolution the Council stresses that the objectives of the EU LRIT data centre will include maritime security, search and rescue, maritime safety and protection of the marine environment.

The centre will also benefit from participation from Norway, Iceland and other European Economic Area (EEA) states. The EU27 call on the Commission and member states to define the technical, legal and political criteria of possible third country participation.

The Council stressed, however, that the data contained in the LRIT (such as the kind of goods carried) will remain the property of the flag states. The Commission, via EMSA, will be entrusted with covering the setting up, maintenance and operation of the LRIT. The funding of additional activities (such as reports from ships calling at ports of the member states or sailing off their coasts) should, the Council says, be covered by member states requesting additional reports, in the light of rules and modalities to be defined

at EU level. The Council stresses that the centre should also be able to store information from other identification systems such as the AIS (Automatic Identification System likely to provide information on the positioning and ownership of a vessel).

The UK asked for an EU ad-hoc technical committee to be established that would look in detail into the technical issues that would emerge linked to the EU LRIT data centre. The Commission and Member States representatives agreed.

It will be recalled that the IMO adopted in May 2006 amendments to the International Convention for the Safety of Life at Sea (SOLAS) introducing requirements for the long-range identification and tracking of ships, which will be operational by 31 December 2008. The objective of this system is the global identification and tracking of ships. Under the SOLAS Convention, each contracting party has to decide to which data centre (national, regional/cooperative or international) ships flying its flag shall send LRIT reports.

**DRAFT GUIDELINES ON EU
COMPETITION RULES FOR MARITIME
TRANSPORT**

On 13 September, the European Commission approved the draft Guidelines on the application of EU Competition Rules to maritime transport. The text of the draft Guidelines was published in the Official Journal of 14 September (C-215) but is also available on the following website:

<http://eur-lex.europa.eu/JOHtml.do?uri=OJ:C:2007:215:SOM:EN:HTML>

As regards liner shipping, the draft Guidelines provide more guidance as to when information exchanges are considered compatible with EU competition rules. For tramp shipping, the draft Guidelines consider that, given the variation in pools' characteristics in the diverse tramp shipping markets, no general statement can be made whether pools are in conformity with the EU

competition rules. Each pool must therefore be analyzed separately with the Guidelines providing guidance on how such analysis should be carried out.

The publication of the draft Guidelines marked the beginning of an eight-week consultation period allowing stakeholders to send comments on the draft Guidelines to the European Commission.

The consultation is an interim step in the preparation of the Guidelines, due to be finalised in 2008. The draft Guidelines follow the repeal of the block exemption for liner shipping conferences and the extension of the scope of the competition implementing rules to cabotage and tramp shipping services (Regulation 1/2003) decided by the Competitiveness Council on 25 September 2006.

ECSA is analyzing the details and consequences of the draft Guidelines allowing a submission to the Guidelines in due course.

TEN-T COORDINATOR FOR MOTORWAYS OF THE SEA

On 27 September, the European Commission appointed on a proposal from Vice-President Barrot two new European coordinators in the trans-European transport networks sector, notably Mrs Karla Peijs for "inland waterways" and Mr Luis Valente de Oliveira for the "motorways of the sea".

Mr Luis Valente de Oliveira has performed a number of roles in the Portuguese Government in recent years, having been, in particular, Minister for Regional Planning and Administration from 1985 to 1995 and Minister for Public Works, Transport and Housing from 2002 to 2003. Developing the "motorways of the sea", now to be his responsibility, is intended to ease the modal shift in goods transport from road to sea. It consists in setting up regular high-quality maritime connections between different European Union seaports, to form a fully-integrated multimodal chain which will overcome road transport bottlenecks while at the same

time better integrating the EU's outlying regions and islands.

Mrs Karla Peijs was the Dutch Minister of Transport from 2003 to 2006. Before that, between 1989 and 2003 she was a Member of the European Parliament. She is now going to be in charge, in particular, of priority projects 18 ("Rhine/Meuse-Main-Danube") and 30 ("Inland waterway Seine-Scheldt"). These two projects are essential to improving the cohesion of the trans-European inland waterway network and making this mode of transport more competitive. The first concerns the removal of several bottlenecks which are severely restricting the efficiency of the Rhine-Main-Danube route but at the same time are in sensitive natural environments. The second aims in particular to fill an important gap in the network by connecting the North Sea ports with the Paris Basin.

SECURITY - JOINT INDUSTRY LETTER ON THE US 100% SCANNING INITIATIVE

A joint industry letter was sent by 18 Brussels based trade associations to EU Commissioner Laszlo Kovacs, most of them belonging to the Maritime Industries Forum representing the European maritime cluster, commending him for the Commission's outspoken opposition to the 100 % container scanning legislation.

The trade associations stressed the disastrous effect of scanning of all EU export containers on the supply chain and on European trade and the poor added value of such a system for security. The trade associations insisted on the need to seriously discuss the US initiative both at the EU-US summit and the Trans Atlantic Business Dialogue with the aim to collectively review the US intentions towards a workable system with clear added value for security.

EU Commissioner Laszlo Kovacs has repeatedly stressed towards the US that the requirement of 100 % container scanning is unworkable.

It will be recalled that the US Congress enacted the 100% container scanning

initiative in July and that President Bush signed it on 3 August. According to the new law, which will become effective as from July 2012, all maritime cargo containers being imported into the United States must be “scanned” at foreign ports of loading or they will be denied entry into the country.

SECURITY/CUSTOMS - THIRD WORKSHOP ON IMPLEMENTING THE IMPORT CONTROL SYSTEM

On 12 September, the European Commission organised a third workshop with Member States and the industry to discuss outstanding issues with regard to the implementation of the Import Control System (ICS) into the EU in accordance with Regulation 1875/2006 of 18 December 2006 amending Regulation (EEC) No 2454/93 laying down provisions for the implementation of Council Regulation (EEC) No 2913/92 establishing the Community Customs Code.

The third and final workshop was expected to provide solutions for the outstanding issues related to the implementation of ICS by 1 July 2009 latest. Regrettably, the European Commission failed to provide the right basis to find appropriate solutions. Despite multiple previous meetings and workshops with Member States and/or with the industry, the European Commission could only conclude at this workshop that in the current context a discussion will be needed between the European Commission and the Member States within the so-called Customs Policy Committee in order to agree on a “political orientation”. Such orientation should then allow all relevant parties to find solutions allowing an implementation of the ICS system before the deadline of 1 July 2007. However, as long as there is no final agreement on the way forward or no agreed understanding on the basic legal framework established by Regulation 1875/2006, the industry and Member States are not in a possibility to implement ICS electronically within the required timeframe, i.e. before 1 July 2009.

EUROPEAN COMMISSION ENSURES THE FUTURE OF GALILEO

The European Commission adopted on 19 September a Communication to ensure that the European satellite radionavigation programmes (EGNOS and Galileo) continue, together with an amended Regulation on the funding of the programmes.

The proposal provides for the deployment phase of Galileo to be funded entirely from the Community budget. The failure of the concession contract negotiations for the deployment and commercial operation of Galileo, and the subsequent question mark raised over the plans for the programme, mean that changes are needed to the Commission's initial proposal for a Regulation on the funding of the European satellite radionavigation programmes.

The proposed Regulation provides for the responsibility for the deployment phase of Galileo to be fully assumed by the European Community acting on its own. The budgetary resources required for funding EGNOS and Galileo are therefore set at 3.4 billion Euros for the period from 1 January 2007 to 31 December 2013. The proposal also aims to improve the public governance of the programmes.

At the Transport Council of 1-2 October 2007, the Ministers of Transport took note of the Commission's proposal and confirmed the Council's intention to take an integrated decision on the European GNSS before the end of the year, based on the work carried out by all the relevant instances.

CALL FOR TENDER FOR EU MARITIME TRANSPORT POLICY OPTIONS

The Commission's Directorate-General for Energy and Transport has decided to conduct a study in view of formulating possible future EU policy options for maritime transport. This study will be prospective in nature and focus on trends and plausible shipping scenarios in the horizon 2008–2018.

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It will be divided in 4 parts:

- part A: geographical distribution and evolving patterns of sea-borne trade;
- part B: signals of future change in shipping (2008–2018);
- part C: European shipping: strengths, weaknesses,

opportunities, and threats analysis (SWOT);

- part D: shipping scenarios and strategic recommendations.

Time-limit for receipt of tenders is 16 November 2007.

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