

Opinion of the European Economic and Social Committee on the ‘Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — An Integrated Maritime Policy for the European Union’

COM(2007) 575 final

(2008/C 211/07)

On 10 October 2007 the European Commission decided to consult the European Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — An Integrated Maritime Policy for the European Union.

The Section for Transport, Energy, Infrastructure and the Information Society, which was responsible for preparing the Committee’s work on the subject, adopted its opinion on 4 April 2008. The rapporteur was Dr Bredima, the co-rapporteur was Mr Chagas.

At its 444th plenary session, held on 22 and 23 April 2008 (meeting of 22 April), the European Economic and Social Committee adopted the following opinion by 152 votes in favour with four abstentions.

1. Conclusions and Recommendations

1.1 The EESC appreciates the unique consultation process that has taken place on the Green Paper on *A Future Maritime Policy for the Union: a European Vision of the Oceans and Seas* and has actively contributed to it with its relevant opinion and participation in two conferences ⁽¹⁾.

1.2 The Communication stresses the importance of the human factor within the maritime cluster. The EESC is pleased with the agreement reached between the social partners (ETF and ECSA ⁽²⁾) to incorporate provisions of the ILO ⁽³⁾ Maritime Labour Convention (2006) into Community law. It wishes the worldwide implementation of maritime labour standards ensuring a level playing field for all seafarers in accordance with the Convention as soon as possible. Equally important is that Member States ratify international instruments concerning the fishing sector including the ILO Work in Fishing Convention 2007.

1.3 The EESC endorses the review of exclusions affecting seafarers/fishermen from EU labour legislation in close cooperation with the social partners, and requires clarifications regarding the certificate of Maritime Excellence. Consideration should be given regarding the feasibility of a certificate of maritime excellence for seafarers compulsory in intra EU ferry services and voluntary for other services.

1.4 The floating University provides a seaborne experience to students participating to its voyage. The idea of an ocean-going floating campus fits into wider trends and should be further explored by the Commission in the context of attracting quality students to pursue a maritime career ⁽⁴⁾. The lifestyle of seafarers should be urgently addressed and investigated by the EU social partners.

1.5 In dealing with maritime accidents, future EU policy should be driven by the following considerations:

— Coastal states should bear their share in the responsibility chain for maritime safety and environmental protection. This will require a tightening of ship registers rules, a functional vigilance and assistance network helped by satellite tracking and well-equipped sea and air patrols.

— The prevention of serious maritime accidents should not be biased against the human factor, by placing upon seafarers undue responsibilities. It should be based on an integrated system reducing the possibility of human errors (of the captain and the crew) through modern safety electronic devices and a search for improved design and equipment on board. Furthermore, a maritime legal system should distribute fairly and clearly the responsibilities between the seafaring professions, coastal surveillance, ship owners, shipping registers and maritime authorities.

1.6 The EESC reiterates that the shipping industry burns as bunkers the lower end of oil due to non availability of better quality of bunkers by refineries. It supports initiatives on a global basis to address the quality of bunkers in order to make a breakthrough in the issue of air emissions from ships.

1.7 The Communication and the Action Plan ignore the important share of pollution of the seas by oil due to pleasure craft activities, especially given the sensitivity of the coastal states where these craft most commonly operate ⁽⁵⁾. Moreover, the marine environmental pollution problem is exacerbated by the activities of military vessels — escaping from the scope of EU rules.

⁽¹⁾ OJ C 168, 20.7.2007, p. 50-56.

⁽²⁾ ETF: European Transport Workers Federation, ECSA: European Community Shipowners’ Associations.

⁽³⁾ ILO: International Labour Organisation.

⁽⁴⁾ The Economist, 1.9.2007.

⁽⁵⁾ IMO/FAO/UNESCO-IOC/WMO/WHO/IAEA/UN/UNEP Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection — GESAMP.

1.8 Contamination of rivers and the seas (the Baltic and the Black Sea) from land based sources) is an issue where EU efforts should be stepped up. For reasons of political expediency, problems should be addressed at a multilateral rather than bilateral level.

1.9 The EU should play a leading role internationally regarding the tackling of environmental issues. There is scope for re-enforced cooperation and coordination of EU Member States positions in the context of international organisations without jeopardising their individual participation. The expertise input of EU Member States in international organisations is of high repute and this should not be undermined but rather enhanced.

1.10 Concerning the 'European Space for Maritime Transport without barriers', the EESC acknowledges the advantage that it has been affirmed as a virtual maritime area. In line with the EESC views the Communication stresses that the concept is only meant to be concerned with simplification of administrative and customs formalities and trade facilitation in the context of the single EU market.

1.11 The EESC endorses the symbolic message of the Communication that Europe is and has been a maritime nation. Nevertheless, it is still awaiting concrete measures to put it into action.

1.12 The EESC reiterates the role it can play in the implementation of maritime policymaking including spatial planning, in promoting the EU maritime identity and maritime cultural heritage and in sensitising the European public opinion on global warming.

1.13 The EESC endorses the proposals regarding the European network for maritime surveillance and the improved cooperation between Member States coast guards. Such measures will promote maritime safety and security, fisheries control and control of external borders and protect the marine environment.

The EESC reiterates that a coordinated approach regarding bilateral ship boarding agreements with third countries is desirable to meet enhanced security considerations. It also urges EU action concerning the proliferation of incidents of armed robbery and piracy at sea against merchant vessels in South East Asia and Africa.

2. Introduction

2.1 The present Communication on an Integrated Maritime Policy for the EU and the attached Action Plan, providing the

future elaboration of 29 specific actions, take into account the opinions expressed by the EU institutions as well as the stakeholders on the relevant Green Paper.

2.2 The unprecedented round of consultations launched under the Green Paper, ended in a wide consensus over the need for a holistic, integrated, cross sectoral, strategic approach vis-à-vis the oceans. The rationale of replacing fragmentation leading sometimes to unintended consequences by a broad vision deserves support.

2.3 The EESC endorses the symbolic message of the Communication that Europe is and has been a maritime nation. The 29 measures of the Action Plan are all endorsed (subject to specific comments) but are not sufficient.

3. General observations

3.1 Environmental Aspects

3.1.1 The EESC attaches great importance in maintaining the integrity of the marine environment and ensuring that the whole range of human activities that affect it do not result in its progressive degradation.

3.1.2 The EESC welcomes the Commission's plans to focus on making international co-operation more effective, improving policy integration, implementing existing legislation and encouraging environmental technologies (Sixth Community Environment Action Programme — 6EAP). Emphasis should be given to the implementation of the Convention for the Prevention of Marine Pollution from Land based Sources ⁽⁶⁾.

3.1.3 The accumulation of CO₂ and other greenhouse gases in the atmosphere arising from excessive emissions is already leading to greater absorption of CO₂ into the oceans, and this process is expected to continue. The resulting acidity of the oceans is likely to cause increasing stress to the marine environment. Research into these marine impacts needs to be further expanded along with research into the development of environmentally friendly methods for the re-absorption of CO₂. Moreover, marine energy resources will be important in the diversification of Europe's energy supply.

3.1.4 The Communication ignores the important share of pollution of the seas and rivers by oil due to pleasure craft activities, especially given the sensitivity of the coastal states where these craft most commonly operate ⁽⁷⁾. Furthermore, the marine environmental pollution problem is exacerbated by the activities of military vessels — escaping from the scope of EU rules — which are increasingly detrimental to the environment and tourism.

⁽⁶⁾ Paris, 4.6.1974 as amended by the Protocol of 26.3.1986. This convention has been replaced by the Convention for the Protection of the Marine Environment of the North East Atlantic (OSPAR), which was adopted in Paris in September 1992 and entered into force in March 1998.

⁽⁷⁾ IMO/FAO/UNESCO-IOC/WMO/WHO/IAEA/UN/UNEP Joint Group of Experts on the Scientific Aspects of Marine Environmental Protection — GESAMP.

3.1.5 The EESC reiterates that the shipping industry burns as bunkers the lower end of oil due to non availability of better quality of bunkers by refineries. It supports initiatives on a global basis to address the quality of bunkers ⁽⁸⁾ in order to make a breakthrough in the issue of air emissions from ships.

3.1.6 Sea and air pollution from all sources deteriorate the marine environment with health, social and economic repercussions. Sufficient measures to control and mitigate marine pollution from ships, including penalties to polluters, are in place and should be enforced rigorously. However, a similar framework is not in place to tackle pollution of the seas and rivers from other sources (e.g. industrial, urban, agricultural activities, pesticides). The EESC is concerned that if comprehensive and effective action is not taken, the health of coastal and marine tourism, Europe's biggest sea related industry, will be at stake. Such action would also help in maintaining the size and diversity of the life within the marine environment, including fish stocks.

3.1.7 The EESC stresses the need to negotiate a bilateral agreement between the EU and South Mediterranean countries under the Annual Action Plans of the Neighbourhood Policy. The agreement will ensure that the third countries concerned will share the responsibility with EU Member States of maintaining clean seas by controlling air emissions and waste discharges into their rivers (e.g. the Nile Delta). The ultimate purpose would be to preserve the common heritage of the Mediterranean Sea.

3.2 Social Aspects

3.2.1 The Communication stresses the importance of the human factor within the maritime cluster. In the search for the right balance between economic, social and environmental dimensions of a sustainable maritime policy in the Action Plan due care should be given to the social dimension.

3.2.2 The EESC is pleased with the agreement between the social partners (ETF and ECSA) to incorporate certain provisions of the ILO Maritime Labour Convention (2006) into Community law. It wishes the worldwide implementation of maritime labour standards ensuring a level playing field for all seafarers with the Convention as soon as possible. Equally important is that Member States ratify relevant international instruments concerning the fishing sector including the ILO Work in Fishing Convention 2007.

3.2.3 Regarding the development of an Action Plan on the qualification of EU seafarers, the EESC draws attention to the review of the IMO STCW ⁽⁹⁾ Convention governing global

training and certification standards. Any EU proposal should be consistent with the IMO/ILO regime.

3.2.4 The EESC endorses the review of exclusions affecting seafarers and fishermen from EU labour legislation in close cooperation with the social partners and requires clarifications regarding the certificate of Maritime Excellence. Consideration should be given regarding the feasibility of a certificate of maritime excellence for seafarers compulsory in intra EU ferry services and voluntary for other services.

3.2.5 The promotion of EU seafaring careers can only be effective if resources are put into higher quality standards, thus enhancing EU seafarers' competitive advantages on a quality basis rather than on costs.

3.2.6 The global increasing scarcity of skilled seafarers presents alarming consequences for the EU's marine safety infrastructure and will increase without concerted efforts by the EU and Member States to address it. Without such a supply, Europe will lack the knowledge and experience required for key safety-critical maritime activities (ship inspection, surveying, law, insurance, vessel traffic services, salvage, coastguards and pilotage). Moreover, maritime clusters may relocate to other regions. Ongoing actions have proven not to be sufficient and the EESC deplores that the Commission has no intention to address the issue before the end of 2009.

3.2.7 The EESC is alarmed at the high drop rates from nautical colleges in some Member States and the early abandonment of a seafaring career by those already in the profession. The maritime vocation of the EU could be seriously jeopardised unless immediate attention is given to the present crisis; solutions in the context of a holistic strategy should be devised to make the seafaring profession more attractive. The career mapping opportunities exercise already conducted by the social partners (ECSA and ETF) should be further developed. 'Attraction' to the seafarers' profession should be coupled with measures for their 'retention'.

3.2.8 The floating University provides a seaborne experience to students participating to its voyage. The idea of an ocean-going floating campus merits to be explored by the European Commission in the context of attracting quality students to pursue a maritime career. In the same way, schools of the 'Harbor School' ⁽¹⁰⁾ type could be set up in large European ports to teach children in primary — and possibly secondary — schools all the subjects by referring them to knowledge of the marine aquatic environment and boats, and the bases of navigation; this would be done on land, which is easier, but close to the sea.

⁽⁸⁾ Opinion of the European Economic and Social Committee on 'Energy mix in Transport' (TEN 305), CESE 269/2008, 13.2.2008.

⁽⁹⁾ IMO: International Maritime Organisation STCW: Standards of Training Certification and Watchkeeping of Seafarers.

⁽¹⁰⁾ See: 'New York Harbor School', <http://www.newyorkharborschool.org>.

3.2.9 The EESC requests the Commission to examine existing best practices in Member States at secondary education level concerning the attraction of future careers at sea.

3.2.10 In dealing with maritime accidents, future policy should be driven by the following considerations:

- Coastal states should bear their share in the responsibility chain for maritime safety and environmental protection. This will require a tightening of ship registers rules, a functional vigilance and assistance network helped by satellite tracking and well-equipped sea and air patrols.
- The prevention of accidents at sea should not be biased against the human factor, by placing upon seafarers undue responsibilities. It should be based on an integrated system reducing the possibility of human errors (of the captain and the crew) through modern safety electronic devices and a search for improved design and equipment on board. The maritime legal system should distribute fairly and clearly the responsibilities between the seafaring professions, coastal surveillance, ship owners, shipping registers and maritime authorities.

3.2.11 Seafarers may undertake acts that go well beyond the scope of their normal duties under extremely hazardous weather conditions. As IMO Secretary General said 'The elemental nature of the working environment occasionally places professional seafarers in the sorts of situation for which there can be little or no adequate preparation. How they respond is a test of true courage — that deserves to be acknowledged and recognised' ⁽¹⁾. The Commission is invited to take the above considerations into account when proposing future measures to deal with maritime accidents.

3.3 Economic Issues

3.3.1 The future Communication on the EU Maritime Transport Policy (2008-2018) should create an appropriate framework attracting investments in shipping and contributing to enhance the global leadership of European shipping and its catalyst role for the maritime cluster.

3.3.2 The EESC welcomes the Commission's recognition of the necessity of global rules for a global industry, the importance of international maritime regulation and the support for finding solutions to regulatory challenges at international bodies (such as IMO). Indeed, the global character of shipping, the global labour market in which shipping operates and the

competitive position of European shipping in the global market are themes that should be taken into account.

3.3.3 The need for improving the efficiency of existing port capacity and services and for more port capacity and better hinterland connections has to be reiterated.

3.3.4 The EESC notes that its suggestions have been taken on board regarding the enhancement of ratification of IMO Conventions by EU Member States as well as internationally, and suggestions regarding port development, reducing the levels of air pollution from ships, the formation of multi-sectoral clusters and of a European network of maritime clusters. The vital role of European shipping for European and international trade and for the daily life of European citizens has also been recognised.

3.3.5 Concerning the 'European Space for Maritime Transport without barriers' in line with the EESC ⁽¹²⁾ views, the Communication stresses that the concept is only meant to be concerned with the creation of a virtual maritime space within which there will be a simplification of administrative and customs formalities and trade facilitation in the context of the single EU market. The EESC notes the consultation launched by the Commission with a view to decide on possible further proposals to efficiently implement the concept.

3.3.6 The EESC believes that there is scope for an enforced cooperation/coordination of EU Member States in international organisations without jeopardising their individual participation. The expertise input of EU Member States in international organisations is of high repute and should not be undermined but rather enhanced.

3.3.7 The EESC supports the goal of exercising the EU clout vis-à-vis third countries with a view to encouraging them to enforce and ratify major international maritime Conventions. European port state control should inspect both EU and third country vessels compliance with international environmental and social standards.

4. Specific Comments

4.1 Coastal Regions and Islands

4.1.1 It is gratifying that the EESC proposals on the promotion of coastal tourism and data base on EU funding for coastal regions are taken on board. Islands should be moved at the centre of the EU preoccupations by following measures:

- improve the island infrastructure to encourage sea tourism;

⁽¹²⁾ Opinion on a 'Green Paper towards a future Maritime Policy COM(2006) 275', OJ C 168, 20.7.2007, p. 50-56; Opinion on a 'Common EU ports policy', OJ C 168, 20.7.2007, p. 57-62; Opinion on a 'Motorways of the Sea in the Logistics chain', TEN 297, CESE 1204/2007, 18.12.2007.

⁽¹⁾ IMO Award for Exceptional Bravery at Sea, 19.11.2007.

- stretch the length of the touristic period for islands (through cultural activities and sport);
- improve the communication between islands/mainland by means of new technology supported by EU funds;
- provide desalination plants which respect the balance of the natural environment to face the water scarcity which will become one of the main challenges to be faced in the Mediterranean area due to climate change.

4.2 *The Arctic Ocean and Relations with Third Countries*

4.2.1 The EESC welcomes: proposals regarding increased cooperation in managing the Mediterranean and Black Seas, the enlargement and European Neighbourhood Policies and the Northern Dimension.

4.2.2 About 20 %-30 % of the world's undiscovered oil reserves lie beneath the Arctic Ocean. Due to climate change, Arctic shipping routes may open for much of the year by 2015. Opening the Arctic route is attractive for reasons of both distance and security: for instance, Shanghai to Rotterdam via the Arctic route is 1000 miles shorter than via Suez. Shorter shipping routes could significantly cut fuel consumption and emissions. The EESC notes that — in view of a host of legal and environmental problems involving several countries — a clarification of international law on sea ice will become imperative. In this context, it awaits with interest the announced report relating to the Arctic Ocean which will cover the geopolitical implications of climate change. The possible environmental impact of the use of new vessels routes through the Arctic should be studied in advance.

4.3 *Maritime Surveillance*

4.3.1 The EESC endorses the proposals regarding the European network for maritime surveillance and the improved cooperation between Member States coast guards. Such measures will promote maritime safety and security, fisheries control and control of external borders and protect the marine environment.

4.4 *Sea and River Contamination*

4.4.1 Contamination of rivers and the seas (the Baltic and the Black Sea) from land based sources is an issue where EU efforts should be stepped up in the Action Plan. For reasons of political expediency problems should be addressed at a multilateral rather than bilateral level.

4.5 *Fisheries*

4.5.1 Given the alarming diminution or disappearance of marine species, the EESC stresses the necessity to rationally exploit the fishing resources. Proposals on fisheries management are in the right direction. Fishing being one of the most dangerous professions, more should be done in order to increase a safety culture among professionals. In particular, there is the need to address safety measures for fishing vessels of less

than 24 meters length (this is a gap in existing international Conventions and EU Directives). The EESC points out that the necessary safeguarding of species has social consequences that should be treated as such: the commitment of fishermen to the sea is often in relation to their lack of resources and it is then that their life is on the line.

4.5.2 The physical and financial hazards of the fisherman's profession are serious and explain why so many are leaving the industry. EU projects and programmes are urgently required to develop the technology of fishing vessels. In the context of exchanging better practices on attractiveness of the fisherman's profession, the EESC commends a wide dissemination of the 'Handbook for the prevention of accidents at sea and the safety of fishermen' recently jointly published by the European social partners *Europêche* and *ETF*. Equally important is that Member States speed up the ratification process of the ILO Work in Fishing Convention, (June 2007). The ultimate purpose would be for fishing activities to become more sustainable and attractive.

4.6 *Ship Recycling*

4.6.1 In its recent opinion on a *Green Paper on Better Ship Dismantling* COM(2007) 269, the EESC has expressed concern over 'the serious worldwide shortage of dismantling facilities compatible with principles of environmental and social sustainability'. 'The situation is aggravated by the huge number of ships going out of service following the global phasing out of single hull oil tankers' ⁽¹³⁾. The improvement of the facilities and the working conditions in South Asia (where the vast majority of ship recycling is taking place) should be brought up to internationally acceptable standards.

4.6.2 The EESC supports the progress at international level on dismantling obsolete ships in an efficient, safe and environmentally sustainable manner. The priority is the conclusion of a mandatory Convention by 2008/2009 and in the meantime promotion of the IMO guidelines. This internationally agreed benchmark would set clear obligations on ship owners to provide details of potentially hazardous materials on their ships, and establish minimum standards for the recycling yards in terms of health and safety provisions and the management of hazardous materials.

4.7 *Ship Boarding Agreements and Security*

4.7.1 Enhanced security considerations have prompted several EU Member States to conclude bilateral ship boarding agreements with third countries. The EESC reiterates that a coordinated approach of EU Member States to such initiatives is desirable as well as a coordinated division of labour between Member States including their navies in the application of such rules. An alternative could be the early ratification of the *Suppression of Unlawful Acts (SUA) Protocols* by EU Member States which include safeguards to protect the legitimate commercial interests of shipping operators and the human rights of seafarers.

⁽¹³⁾ Opinion on a 'Green Paper on Better Ship Dismantling' COM(2007) 269, CESE 1701/2007 fin — 13.12.2007.

4.7.2 The EESC expresses concern regarding the escalation of attacks on merchant vessels and the proliferation of incidents of armed robbery and piracy at sea particularly in South East Asia and Africa. It urges EU action so that commercial vessels are escorted by naval forces in dangerous waters.

4.8 Shore Side Electricity

4.8.1 As a measure to reduce emissions of green house gases from ships at berth the Commission proposes the use of shore-side electricity (Action Plan). By using shore-side electricity ships

will not burn fuel and, thus, they will not emit pollutants (SO_x, NO_x, PM) and CO₂.

4.8.2 The EESC supports the above proposal; however, it draws the attention to the following concerns: a single solution may not be suitable for all types of ships; shore side electricity may be generated in power plants burning fuels and coal and, thus, producing additional CO₂ which may offset the benefit. That is why it prompts the Commission to take into account the above considerations in order to propose a sensible policy on a global basis.

Brussels, 22 April 2008.

The President
of the European Economic and Social Committee
Dimitris DIMITRIADIS

Opinion of the European Economic and Social Committee on the 'Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1172/98 on statistical returns in respect of the carriage of goods by road as regards the implementing powers conferred on the Commission'

COM(2007) 778 final — 2007/0269 (COD)

(2008/C 211/08)

On 27 February 2008 the Council decided to consult the European Economic and Social Committee, under Article 285(1) of the Treaty establishing the European Community, on the

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 1172/98 on statistical returns in respect of the carriage of goods by road as regards the implementing powers conferred on the Commission.

Since the Committee unreservedly endorses the content of the proposal and feels that it requires no comment on its part, it decided, at its 444th plenary session of 22 and 23 April 2008 (meeting of 22 April), by 145 votes and 2 abstentions, to issue an opinion ⁽¹⁾ endorsing the proposed text.

Brussels, 22 April 2008

The President
of the European Economic and Social Committee
Dimitris DIMITRIADIS

⁽¹⁾ The opinion of the Committee on the regulatory procedure with scrutiny is currently under preparation [COM(2007) 741 final, COM(2007) 822 final, COM(2007) 824 final and COM(2008) 71 final].