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**ANNUAL MEETING
GOTHENBURG 2014
ECASBA PLENARY MEETING
EUROPEAN UPDATE**

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ECASBA – CURRENT ISSUES

- Port Policy
- E-Maritime/Single Windows/e-Manifest
- Environment
 - SECA's Update
- European Parliament and Commission 2014 – 2019
 - Composition of new Parliament
 - Committee Rapporteurs
 - New Commission
 - Reorganisation of DG's
 - Possible Policy Direction

Port Policy/1

- Background:
 - Commission's fourth attempt at a Europe-wide port policy followed the failure of the previous "soft law" approach to generate any meaningful changes in port governance and operation
 - Intended primarily to open up the provision of port services and increase transparency in port financing, charging etc.
 - Avoided a number of contentious issues such as dock labour, self-handling or port use concessions
 - Only applied to 319 TEN-T core and comprehensive network ports
 - Intended to be introduced as a Regulation, not a Directive, to ensure consistent application across all MS

Port Policy/2

- Reception by stakeholders/1:
 - Shipowners (ECSA) initially supported the proposed measures as provided scope for increasing choice amongst service providers, reducing charges for services and use of port facilities
 - Ports/terminal operators (ESPO/FEPORT) saw some benefits: ability to provide own services/limit on number of providers/right to vet providers, but were concerned about some aspects of the transparency and governance rules as well as the involvement of service providers, port users and others on port consultative bodies
 - Also concerned about the role the consultative bodies would have in setting charges and on other operational issues

Port Policy/3

- Reception by stakeholders/2:
 - Some port service providers e.g. ETF, (tugs) welcomed the ability to operate Europe-wide and the clear rules regarding the number of providers allowed
 - Concerns were expressed by others, especially EMPA, (pilots) over inclusion in port service provider category and concerns over safety, competition etc., and began action to have themselves left out of the scope of the Regulation
 - Agents (ECASBA) supported the overall concept of the Regulation but appreciated that even this, much less prescriptive, proposal was going to face criticism from all sides

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Port Policy/4

- Reception by stakeholders/3:
 - A number of major Member States, primarily France, Germany and the UK, expressed concerns about a number of aspects of the Regulation
 - Recognising the gradual dilution of the Regulation by vested interests, ECASBA joined with ECSA, ESC (shippers) and CLECAT (freight forwarders) in January 2014 to issue the “empty box” letter to the European Parliament Transport (TRAN) Committee, urging them to support the original intentions of the Regulation and ensure that the Regulation continued to offer meaningful proposals.

Port Policy/5



Brussels, 21 January 2014.

Port users urge Members of the European Parliament Transport Committee to vote for a Ports Regulation which covers all port services, respects market functioning and ensures correct implementation of the basic Treaty principles. Many of the tabled amendments will make the proposal superfluous and should therefore not be supported.

Dear Member of the European Parliament,

In view of the upcoming vote in the Committee on Transport and Tourism (TRAN) of the European Parliament on the proposal for a Regulation establishing a framework on market access to port services and financial transparency of ports, the undersigned associations, representing users and customers of European seaports and port services, would like to underline the need to **keep a meaningful proposal.**

Port Policy/6

- Current Status:
 - Regrettably, the TRAN Committee did not support the views expressed in the “empty box” letter and, under pressure from Member States, industry organisations and others, the Parliament agreed to support a significantly weakened proposal put forward by the Italian Presidency
 - As we speak, the Transport Council is discussing the Regulation proposal and it is expected that it will endorse the decision of Parliament
 - So whilst we will at last have a Port Regulation, it will certainly not bring about the changes required to improve and enhance port service provision, transparency and make Europe’s ports more efficient

e-Maritime

- Ship Reporting Formalities
- e-Manifest Proposals

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e-Maritime/1

Ship Reporting Facilities

- Reporting Formalities Directive (2010/65/EC) was adopted in June 2014 and set to become effective from 01.06.2015
- Requires all statutory information to be provided electronically via a national single window
- Regrettably the project, as the Commission revealed at the end of June, is presently behind schedule and, in some respects, off course. Why?
 - A lack of common definitions and
 - Failure of coordination between parties
 - Widely differing approaches by Member States
 - Too many projects vying for attention
 - Consultative groups losing sight of original intentions of Directive

e-Maritime/2

- A Lack of Common Definitions
 - No clear leadership from the Commission on the overall direction of the project, leading to...
 - Significantly varying views amongst Member States on the scope and coverage of their own national single windows
 - A lack of EU-wide common technical standards for interoperability and data exchange
 - Uncertainty as to the legal difficulties regarding the exchange of sensitive or commercial data

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e-Maritime/3

- Widely Differing Approaches by Member States
 - Absent any clear direction from the Commission, Member States are going their own way in developing their National Single Windows
 - Some are doing very little in terms of infrastructure development, citing the lack of agreed technical standards as a reason not to start work
 - Others are upgrading their existing systems to meet the Directive requirements
 - There is no common agreement as to the coverage of the Directive and the reporting requirements so the number of authorities involved varies widely amongst Member States
 - Many (most?) MS lack the funds to fully implement the project

e-Maritime/4

- Too Many Projects Vying for Attention
 - There are two “official” Commission-supported projects, AnNA and the IMP Demonstrator project
 - AnNA seeks to “support the effective and sustainable development of national single windows” and is directly supported by 14 MS with 6 more as observers. 10 industry organisations (ECASBA included) are also associated with AnNA
 - The IMP Demonstrator project is developing software and service components to aid the introduction of National Single Windows. The first prototype operated in 2013 and data exchange with SAFESEANET began testing in 2014
 - There are also a large number of other projects, many funded by EU grants in existence

e-Maritime/5

- Consultative Groups Losing Sight of the Original Intentions of the Directive
 - The Commission Expert Group eMS, was established to support Member States in implementing the Directive in a coordinated manner
 - The eMS group consists of eight sub-groups:

General Maritime	Customs
• Waste	Security
• Health	Border Control
• Data mapping	Single Window and Data Flow definition
 - Overlap between the groups, unresolved technical issues and the demands of some MS to maintain freedom to collect country specific information outside the scope of the Directive, has caused significant delays to progress

e-Maritime/6

- Outlook:
 - The various issues outlined previously indicate it is likely that the Directive will not come into force as originally planned on 1st June 2015.
 - If it does, it is anticipated that the lack of coordination in terms of vessel reporting will place additional and unacceptable costs on the shipping industry
 - Both ECSA and WSC have gone on record as stating that if the EU and Commission go ahead with implementation of the project as currently planned, it will be without the support of the shipping industry.

ECSA WSC

e-Manifest/1

What a Difference a Year Makes!

- European Update Report 2013:
 - Objective: to provide multi-port, easily updatable electronic shipping document that quickly identifies Community and non-Community goods and allows for fast, simple customs clearance of Community goods on arrival
 - Vessel provides electronic list of cargo on board, Community and non-Community, to Customs at first port of arrival,
 - Customs at first port pass same on to all other ports via SafeSeaNet
 - Customs then handle cargo according to status
 - List is then updated as cargo is loaded, discharged and remains on board and is lodged with Customs at next, and all subsequent, ports
 - Provides advance notification of cargo and real-time updating of changes - and all in place by 1st June 2015!
 - Reduces documentary burden for intra-Community cargo moving by sea
 - Excellent, what we have been waiting for... isn't it?!

e-Manifest/2

What a Difference a Year Makes!

- European Update Report 2014:
 - Commission Report on the Functioning of Directive 2010/65/EU, page 5: “The eManifest is still under discussion”
 - And there it sits. Probably not quite dead (nothing ever is in Europe) but certainly in need of significant life support!
 - The original proposals from ECSCA/WSC, whilst somewhat complicated and skewed towards the needs of the major carriers, were workable and based on actual operational practice
 - Unfortunately they were taken over by DG-TAXUD and Member States and “improved”, requiring carriers to provide more information! Following heated discussions ECSCA and WSC withdrew their support for the project.
 - Further developments are awaited with interest!!!

Emission Control Areas

- 0.1% Sulphur Emissions for N. Sea and Baltic ECA's on 1st January 2015 – 85 days from now
 - No further movement on delaying implementation or mitigation measures
 - Recent studies by shipowners have indicated considerable costs involved with compliance
 - Lack of any guarantees from individual Member States that scrubbers currently fitted will be acceptable
 - No clear guidance on monitoring or enforcement measures
- More on this from Jan under agenda item 11!!

European Parliament 2014 - 2019

- Composition:
 - 751 MEP's, 371 are new to Parliament
 - Represent all 28 Member States
 - Number of MEP's broadly reflects the national population
 - Germany largest with 96, Cyprus, Estonia, Luxembourg and Malta only have six each
 - Christian Democrats are the largest party with 221 MEPs (down from 274 in 2009 – 2014)
 - Socialists second (191 MEP's, down from 196)
 - European Freedom Group (EFD Group) increased number of seats to 48

European Parliament 2014 - 2019



Parliament Committee Rapporteurs 2014 – 2019

- Committees relevant to ECASBA:
 - TRAN (Transport and Tourism): Michael Cramer, Germany (Greens)
 - ENVI (Environment, Public Health and Food Safety): Giovanni La Via, Italy (Christian Democrats)
 - ITRE (Industry, Research and Energy): Jerzy Buzek, Poland (Christian Democrats)
 - IMCO (Internal Market and Consumer Protection): Vicky Ford, Great Britain (Conservatives)

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European Commission 2014 – 2019/1

- Composition:

- Commission President:
Jean Claude Juncker
(Luxembourg)



- Has nominated his first round draft team of Commissioners to the European Parliament for scrutiny. If Parliament rejects one or more of the candidates, the whole team has to be reviewed and a completely new proposal put together
- This procedure can significantly delay the appointment of the new Commission and thus impact detrimentally on the functioning of the Commission
- Parliament interviews started on 1st October

European Commission 2014 – 2019/2

- Composition:
 - Commission President
 - One First Vice President *
 - Five Vice Presidents
 - One High Representative of the Union for Foreign Policy and Security
 - Twenty Commissioners
- * A new post, Commissioner for Better Regulation, the Rule of Law & Charter of Fundamental Rights. responsible for overseeing policy development, has a veto on any new policy proposals. Candidate Frans Timmermans (Netherlands)

European Commission 2014 – 2019/3

- Commissions relevant to ECASBA:
 - MOVE becomes Transport and Space and is no longer a Vice President role. Candidate Maroš Šefčovič (Slovakia)
 - TAXUD loses its separate identity and moves into Economic and Financial Affairs, Customs & Taxation. Candidate Pierre Moscovici (France)
 - MARE merges with Environment to form Environment, Maritime Affairs and Fisheries. Candidate Karmenu Vella (Malta)
 - SANCO now becomes Health and Food Safety. Candidate Vytenis Andriukaitis (Lithuania)
 - CLIMA becomes part of Climate Action and Energy under Miguel Arias Cañete of Spain
 - COMP remains unchanged, other than with a new candidate Commissioner, Margarethe Vestager of Denmark

Possible Policy Direction ??

- Many commentators consider that this Parliament will be much more interventionist than the previous one, holding the Commission to account on a wide range of policy issues
- Given the surge in support for nationalist parties such as UKIP, FN and others, it is anticipated that progress towards further European integration will slow
- In the Commission, the appointment of Timmermans as Supreme Policy Overlord could result in less controversial policy initiatives getting the go-ahead
- The downgrading of the Transport, Customs and maritime Affairs DG's could see some current policy issues relegated to the back burner.
- The next five years could be very interesting indeed!



THE END
THANK YOU

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