



ECSCA

European Community Shipowners' Associations

Setting sail for 2017: a new boost for European shipping policy

Proposals of the European Community
Shipowners' Associations (ECSCA)
for the European Commission's review
of EU shipping policy

Setting sail for 2017: a new boost for European shipping policy

16 policy proposals + 1 checklist for better regulation

The European Commission's plan to review and possibly revise European shipping policy by 2017 forms a unique opportunity to give a new boost to the EU policy framework for shipping. This paper, presented by the European Community Shipowners' Associations (ECSA), contains sixteen policy proposals grouped in four thematic areas. These proposals aim to enhance the competitiveness of European shipping and underline some of the immediate obstacles to growth that should be eliminated to help the shipping sector prepare for the future. The proposals are fully aligned with some of the core political priorities of the European Commission. They also include a concrete checklist for better and smarter shipping regulation. Most of the proposals can be described as 'quick wins' and can be implemented during the current mandate of the Commission.



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2. Secure access for EU shipping to markets overseas
3. Facilitate trusted partnerships in IMO and other international fora
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A checklist for better and smarter shipping regulation - p 16

The checklist contains an 'international subsidiarity test' to ensure that EU regulation for shipping has proven added value above what can be achieved at international level. The checklist further seeks alignment with the better regulation principles of IMO and includes recommendations on stakeholder consultation, impact assessments, availability of technology and implementation review.



Setting sail for 2017: a new boost for European shipping policy

Proposals of the European Community Shipowners' Associations (ECSCA) for the European Commission's review of EU shipping policy

8 December 2015

European shipping enables global and European trade and contributes significantly to the prosperity of the EU. It both supports and contributes to Europe's industrial, economic, social and environmental needs. The European Commission's plan to review and possibly revise European shipping policy by 2017 is a unique opportunity to give a new boost to the EU policy framework for shipping, thereby enabling further growth and sustainability within the sector. At the same time, it provides a very good occasion to improve awareness about the importance of shipping for the European Union.

This paper, presented by the European Community Shipowners' Associations (ECSCA), contains sixteen policy proposals grouped in four thematic areas. These proposals aim to enhance the competitiveness of European shipping so that it can better support the needs of other industries. It also underlines some of the immediate obstacles to European growth that should be eliminated to help the shipping sector prepare for the future. The proposals are fully aligned with some of the core political priorities of the European Commission, as included in President Juncker's agenda for growth and jobs. They also tie in with the overall goal of achieving better regulation and include a concrete checklist to help achieving that goal for shipping regulation. Most of the proposals can be described as 'quick wins' and can be implemented during the current mandate of the Commission.

It is essential that the European shipping industry remains a global leader, continuing a proud maritime tradition of excellence and innovation. This requires a successful and mutually beneficial shipping policy that is holistic and consistent across different areas of regulation. A mutually reinforcing partnership with EU policy-makers can make this happen. ECSCA is therefore keen to cooperate closely with the European Commission, the European Parliament and Member States.

European shipowners especially see a role for the EU Transport Commissioner to protect and enhance the performance of the European shipping industry, by promoting joined-up policy and regulation across the different directorate-generals of the European Commission. European shipowners furthermore recognise and support the valuable work of the European Maritime Safety Agency (EMSA), in providing technical assistance and support for the development and implementation of relevant EU legislation as well as operational tasks.

Contributing to EU goals

Shipping industry proposals

European Commission objectives

- Benchmark EU shipping clusters against successful global maritime centres
- Secure access for EU shipping to markets overseas
- Facilitate trusted partnerships in IMO and other international fora
- Stimulate early ratification of international conventions
- Identify all barriers that prevent the establishment of true Motorways of the Sea
- Complete the Single Market for shipping
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- Ensure market access to port services and guarantee free movement of goods
- Devise competition-neutral ways to financially stimulate short sea shipping
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- Strengthen support for social dialogue

EU as a stronger global actor

A deeper and fairer internal market

A resilient Energy Union with a forward-looking climate change policy

A new boost for jobs, growth and investment

Better regulation

A digital single market

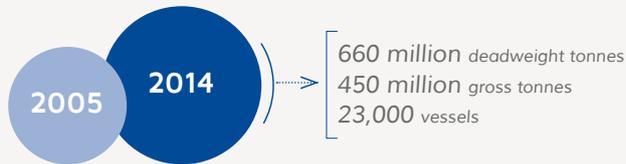
The European shipping industry at a glance

EU and Norwegian shipowners control today around 40% of the world's tonnage and can boast of the world's most innovative ships. Over the past ten years, the European-controlled fleet has expanded by nearly 75%. In 2013, the European shipping industry contributed 147 billion to EU GDP and provided 2.2 million Europeans with a job, 615,000 of whom are directly employed. For every €1 million of GDP that the European shipping industry creates, another €1.6 million is created elsewhere in the European economy. With 90% of everything we use or buy arriving by sea, shipping is the backbone of today's globalised economy. European shipping companies are heavily engaged in cross-trades, which brings added value for the EU with zero cost. Shipping furthermore carries 37% of intra-EU trade. The European shipping industry is characterised by a large presence of family-owned companies, which are often of a small and medium-sized nature.

Source: Oxford Economics and Eurostat (2015)

The EU controlled shipping fleet in numbers

70% growth in tonnage

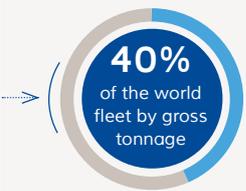


60% of world's container ships*

52% of world's multi-purpose vessels*

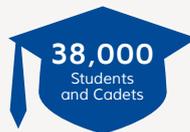
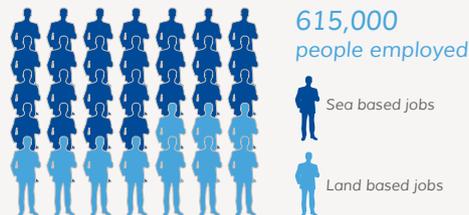
43% of world's oil tankers*

37% of the world's offshore vessels*



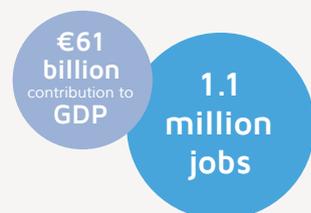
* By gross tonnage

Direct economic impact

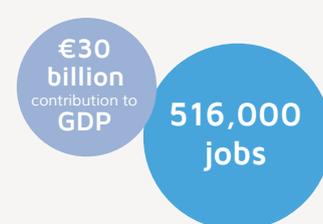


GDP per worker

Indirect impacts



Induced impacts



Total economic impact



For every €1 million of GDP the shipping industry creates, another €1.6 million is created elsewhere in the EU economy

50%

Amount by which the total economic contribution of the EU shipping industry could have been reduced in the absence of EU-approved state aid measures.¹

¹ Based on illustrative counter-factual scenarios for nine EU countries



European leadership for a global business

1. *Benchmark EU shipping clusters against successful global maritime centres*
2. *Secure access for EU shipping to markets overseas*
3. *Facilitate trusted partnerships in IMO and other international fora*
4. *Stimulate early ratification of international conventions*

European shipping policy must strive to complete the internal market and ensure the successful participation of Europe in global trade and transport markets. As a consequence of globalisation, the European shipping industry is facing mounting competition from third countries. The EU and the European shipping industry therefore share a strategic interest in advancing and promoting EU shipping clusters. At the same time, they should ensure that Europe is a trusted partner in international fora and a global leader in achieving a regulatory level playing field through the International Maritime Organisation (IMO).

1. Benchmark EU shipping clusters against successful global maritime centres

To succeed in global and fiercely competitive markets, European shipping companies must provide high-quality services at excellent value. Non-EU countries offer a very low or tax-free regime business climate for shipowners located in their countries. Most Member States have recognised this reality and have set in place shipping-friendly frameworks, such as tonnage tax regimes, which guarantee a competitive business climate. The EU State aid Guidelines to maritime transport, last revised in 2004 and continued in 2014, provide the framework for these indispensable arrangements. More specifically, these guidelines have promoted the use of European flags and maintained an overall competitive fleet in world markets. The State aid Guidelines therefore remain the cornerstone of EU shipping policy.

The economic value of a prosperous shipping sector is further evidenced by the effort countries such as Singapore, Hong Kong and others are making to establish themselves as shipping centres and to entice global shipping companies to re-locate there. These countries offer an attractive package of an open economy, political stability, a trusted and efficient legal jurisdiction, and a very low tax regime. EU Member States that wish to retain their existing shipping companies and attract new ones must be able to compete with the packages offered by these international shipping

centres. EU Member States should therefore be able to take the lead in the definition and development of highly attractive maritime hubs. This makes it all the more essential that the applicable EU framework continues to respond to international developments and trends in shipping.

As a first step, ECSA proposes to undertake, together with the European Commission, a benchmarking exercise, comparing EU maritime clusters with successful international shipping centres. The aim is to identify those factors that will enable the EU to remain in the global top league and devise an appropriate action plan for industry, Member States and the EU.

2. Secure access for EU shipping to markets overseas

Free trade and non-discrimination are at the core of EU policy and have been decisive for the unprecedented economic growth of the past decades. Access to some countries' shipping markets, however, remains restricted as a consequence of protectionism. Flag restrictions and ownership requirements indeed often prevent European shipping from doing business overseas. The EU should strive towards full reciprocity, both in multilateral fora and through bilateral agreements. By opening new markets for the shipping industry, free trade agreements also ensure greater prosperity in Europe.

The EU has established maritime dialogues with China, Brazil and India. The Brazilian and Indian dialogues have not yet delivered concrete results, while the Chinese dialogue has proven to be very useful and well-organised. The European Commission should envisage reviving the dialogues with Brazil and India. It should also initiate new maritime dialogues with key emerging markets for European shipping, in other parts of Asia and Latin America as well as in Africa. The ongoing revision of the maritime legal framework in both Kenya and South Africa could be a good starting point for the Commission to initiate such dialogues.

Finally, the Commission should ensure that shipping is included in any bilateral free trade agreement it negotiates. Structured maritime dialogues are a means to ensure that these bilateral agreements are properly implemented and must therefore be an integral part of European trade policy.



3. Facilitate trusted partnerships in IMO and other international fora

As a specialised agency of the United Nations, the International Maritime Organisation (IMO) is the global regulatory authority for the safety, security and environmental performance of international shipping. It is the only institution that can achieve a global level playing field on these matters.

To ensure that IMO continues delivering ambitious, realistic and, therefore, better regulation for shipping, EU Member States should have the ability to engage in trusted partnerships with other IMO States. Overall, the European Union should have a clear commitment to strengthen the role of IMO. Regional measures should be avoided as these create barriers to trade and can distort global competition. In rare cases where unilateral action becomes politically imperative, the EU should strive to bridge the gap and feed into the work of the IMO rather than undermine its process and/or adding extra requirements. The European Commission should also raise the level of understanding and appreciation for the IMO work, especially with the European Parliament.

A similar approach should be followed in other international fora relevant to shipping, such as the International Labour Organisation (ILO).

4. Stimulate early ratification of international conventions

The responsibility of ratifying international conventions especially lies with individual countries. To support the credibility and leadership of Europe in international fora such as the IMO, EU Member States should lead by example and ratify conventions at an early stage. Unfortunately, this is often not the case, as illustrated by the lack of European ratification of the Hong Kong convention on sustainable ship recycling and the HNS convention on pollution damage from hazardous and noxious substances carried by ships. The European Commission as well as Member States should stay committed to internationally negotiated conventions and make early ratification of IMO instruments a political priority.



A 'Short Sea 2.0' policy to enable true Motorways of the Sea

5. *Identify all barriers that prevent the establishment of true Motorways of the Sea*
6. *Complete the Single Market for shipping*
7. *Simplify procedures for regular short sea services with third countries*
8. *Ensure market access to port services and guarantee free movement of goods*
9. *Devise competition-neutral ways to financially stimulate short sea shipping*

The promotion of short sea shipping has been on the EU agenda since the early 1990s. Despite many good initiatives, a number of long-standing problems have not been resolved and the market share of short sea shipping has not grown. On the contrary, freight transport by short sea declined between 2005 and 2012 by 1.6%. However, short sea shipping can enable many cross-cutting synergies and have a positive impact on numerous EU priorities, not least because of its ability to reduce congestion, lower external costs and improve efficiency of logistic chains. With the proposals below, ECSA advocates the launch of a 'Short Sea 2.0' policy that will unleash the full potential of short sea shipping.

5. Identify all barriers that prevent the development of true Motorways of the Sea

Short sea shipping should primarily be seen as part of the supply chain's infrastructure, much in the same way as railroads or motorways. This is the true spirit of the EU's Motorways of the Sea concept. To get short sea shipping to the next level, both a cross-sectoral approach and higher political attention are needed.

The European Transport Commissioner is invited to set up an intra-Commission 'REFIT'-style task force solely dedicated to identifying and removing all barriers to short sea shipping in existing and upcoming legislation. This would also improve the understanding of short sea in EU policy-making.

The lack of a single market, cumbersome administrative procedures, market access restrictions for service providers in ports and other barriers not only make short sea shipping less competitive, but also less attractive than other transport modes. The European Commission should envisage an active campaign to inform shippers and road hauliers of the results achieved, promoting short sea shipping as a competitive and sustainable transport solution.

6. Complete the Single Market for shipping

The internal market is one of the most celebrated successes of the European Union. Its completion is a continuous exercise and a central element of the European growth agenda to address the current economic crisis. It is, however, clear that the single market remains incomplete and dysfunctional in some sectors. This is particularly true for shipping.

Although it was listed as one of the key priorities under the Single Market Act II, short sea shipping remains disadvantaged compared to other transport modes. In many cases, goods transported by short sea shipping between two EU seaports lose community status as soon as they leave port. This entails a heavy administrative burden, involving several authorities and intermediate parties. Procedures and requirements are not only complex but also repetitive, resulting in productivity losses and unnecessary workload and stress for ship crews.



The real-time tracking of the movement of every merchant ship via the Automatic Identification System (AIS) enables customs authorities and other officials to establish that a ship has arrived directly from another Member State, with exactly the same certainty as when they watch a truck or a train roll across an internal EU border. Goods carried on such ships could therefore be treated in the same way as those carried on land, and deemed to be Community goods unless identified otherwise. Short sea shipping has the full ability to be 'just like trucks', which should become its main selling point.

Many administrative formalities related to the arrival of the ship are outdated, unnecessary and repetitive. This applies both to cargo and crew-related documentation. They should be streamlined and rationalised to alleviate the administrative burden. Attention should also be given to better coordination of inspections on board.

For those formalities that pass the relevance test and are retained, a genuine European single window should be provided, based on the 'reporting once' principle and the use of a harmonised electronic cargo manifest.

The planned revision of the Reporting Formalities' Directive should rigorously go through the above steps and avoid being reduced to a mere upgrading of national single windows.

Taken together, these measures will eliminate all discriminatory procedures and at long last complete the Single Market for shipping.

7. Simplify procedures for regular short sea services with third countries

The current legal definition of short sea shipping also involves maritime services with some third countries, which can bring synergies with pure intra-EU services. Whilst the main priority should be the completion of the single market for intra-EU services, there is also considerable scope to simplify and rationalise administrative procedures for short sea services that also call at non-EU ports.

There is immediate prospect to extend the simplifications for intra-EU services to regular shipping services to members of the Common Transit Convention, which include Norway, Iceland and Turkey.

8. Ensure market access to port services and guarantee free movement of goods

EU shipping policy has so far not delivered on its promise to open market access to port services. This is particularly important for short sea shipping operators, who make frequent port calls and for whom financial and time losses add disproportionately to the total costs of transportation.

The ongoing legislative process on the latest port regulation proposal will not deliver the expected results as significant services are excluded, leaving only a limited number of services that have relatively much lower impact on port call costs. Alternative solutions must therefore be found, through individual case decisions and a more structured approach in the context of the Trans-European Transport Networks (TEN-T), as already envisaged in the European Commission's 2013 ports policy communication.

The Commission should in particular set up a common framework for Pilotage Exemption Certificates (PECs), allowing access to PECs in all EU ports, while taking into account local conditions and preserving present safety levels. Although such a framework would benefit shipping in general, it would especially be relevant for short sea services. For these services, pilotage fees often represent a large cost compared to the daily freight rate of the vessel. For regular short sea services, having a PEC system is even more obvious, as these services are currently often obliged to pay for pilotage services that they do not need, given the high number of calls made at the same ports.

Shipping companies are absolutely dependent on ports being open and operational in order to run their own services. Member States have a duty to keep their ports open to all traffic that wishes to use them. It is imperative that shipping services are afforded the same degree of protection against acts of sabotage and wilful obstruction as competing services in other modes. The blockade of the port of Calais last summer illustrates that this is not always given. Notwithstanding the fact that the maintenance of public order is a matter for Member States, the EU needs to act to protect short sea shipping and its customers through an effective implementation of the Regulation on the functioning of the internal market in relation to the free movement of goods.

No Single Market for shipping

Transport of a container from Nijmegen (The Netherlands) to Borås (Sweden) via:

Road transport

The driver issues a CMR letter

Short sea shipping

- 1 Transport to the port of loading – The driver issues a note
- 2 The consignor declares community status of goods
- 3 The shipping company enters the container in the port community system at the port of loading terminal
- 4 The shipping company submits a bill of lading to the terminal and declares community status of the goods
- 5 The port terminal checks the documentation of community status of the goods
- 6 The manifest of the ship is being updated by the shipping company including information about the status of the goods
- 7 The ship issues the required IMO FAL forms to the different Dutch authorities and the Port of Rotterdam before departure (Single Window not in place yet)
- 8 The ship submits data to the Swedish National Single Window before and after arrival to Gothenburg and at the time of departure
- 9 The shipping company enters the container in the Swedish customs system by submitting the manifest
- 10 The shipping company declares community status of the goods in the port system in Gothenburg
- 11 The port terminal checks the documentation of community status of the goods
- 12 Transport from the port of discharge – The driver issues a note



Source: Danish Shipowners' Association (2015)

9. Devise competition-neutral ways to financially stimulate short sea shipping

With the end of the Marco Polo programme, funding for short sea shipping is no longer set aside for the financing of specific new shipping routes. European shipowners support an alternative approach whereby funding focuses on infrastructure both ashore and on vessels, including qualified environmental upgrading and retrofitting, subject to agreed conditions and predefined criteria.

The development of innovative financing tools in the context of the European Sustainable Shipping Forum (ESSF) will enable easier access to grants and loans from financial institutions for environmental investments. The European Investment Bank (EIB) and the European Commission are elaborating a risk sharing instrument to re-attract commercial lenders to this market. The design of such a dedicated innovative financial instrument for the shipping sector is currently subject to pilot cases in some EU Member States with the final goal of establishing a scheme that can be deployed at European level.

Awaiting the completion of the internal market for shipping and taking into account the decline of the short sea market share, the European Commission should also assess the possibility of a European-wide initiative to provide financial incentives for the demand side of short sea shipping. It can draw from the experience of the Italian Ecobonus scheme as well as ongoing projects under the Connecting Europe Facility (CEF), taking into account that incentives should not only benefit liner services, but also vessels operating on the spot market.



Shipping as a sustainable transport solution

10. *Devise a holistic approach recognising the superior energy-efficiency of shipping*
11. *Establish simple, tailored and technology-neutral access to EU funding*

Shipping has significantly improved its environmental impact over the last years. Oil spills have reduced massively as a result of improved safety standards, sulphur emissions have been vastly decreased, energy efficiency has greatly improved, waste is disposed through the availability of reception facilities and sustainable recycling conditions are coming into effect. To further advance the positive role of shipping in sustainable transport, a holistic transport approach is needed that recognises the superior energy-efficiency of shipping and provides incentives for the take-up of new technologies.

10. Devise a holistic approach recognising the superior energy-efficiency of shipping

When it comes to reducing CO₂ emissions, shipping can be part of the solution, rather than the problem. Shipping emits far less per tonne-km than any other mode of transport. It carries 90% of the world's goods and is responsible for less than 2.2% of the world's yearly CO₂ emissions according to the 2014 IMO GHG study.

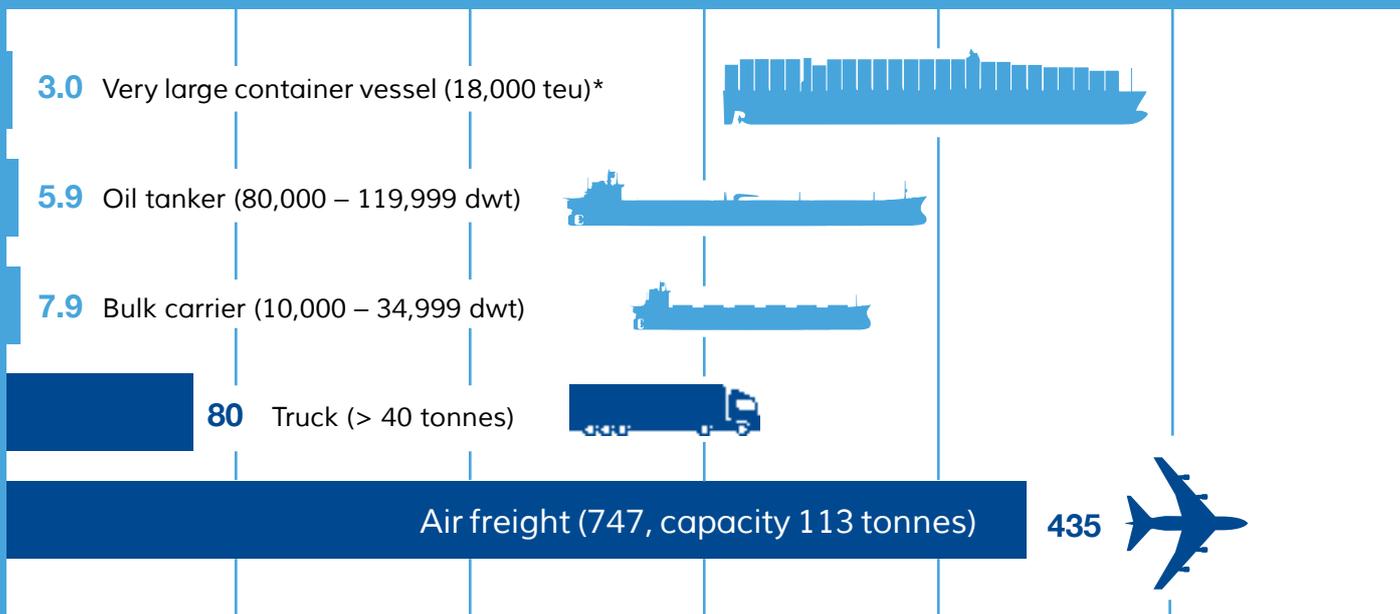
In Europe, shipping accounts for 37% of intra-EU trade, which leaves a substantial market potential. The EU should therefore rediscover the advantages of shifting cargo from other modes to waterborne transport (including inland waterways) by placing shipping at the heart of the wider EU transport system. The EU has a unique opportunity to make its transport system more sustainable and achieve its CO₂ goals through multimodality. By shifting more cargo and passengers to sea, the EU can exploit the superior energy-efficiency of shipping to reduce its global CO₂ emissions.

European shipowners are increasingly using alternatives to heavy fuel oil, including marine gasoil, LNG, biofuels and methanol. This requires large investments in vessels, but also in bunkering infrastructure and other facilities in ports. The EU can facilitate these investments, not just through financial support, but also through support of R&D projects and a timely and correct implementation of the Directive on the deployment of alternative fuels infrastructure.

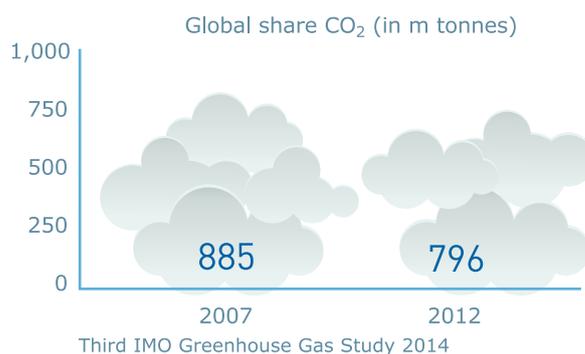
Reducing CO₂ emissions is both an environmental and economic priority

Improving fuel efficiency is the shipping industry's greatest economic priority, fuel being a ship operator's largest cost element. The shipping industry reduced its total CO₂ emissions by over 10% between 2007 and 2012, despite an increased demand for maritime transport by 19%. By 2020, the sector expects to further reduce its CO₂ emissions by 20%.

European shipping is a highly globalised industry, which is best served by a regulatory framework that covers the global fleet. IMO rules already require that all ships constructed from 2025 must be 30% more energy-efficient compared to the 2000s, with further improvements going forward. Mandatory measures on CO₂ emissions from ships have also been established in Europe just recently with the Regulation on Monitoring, Reporting and Verification of shipping emissions, which is expected to lead to further emission reductions. The shipping industry supports the early establishment of a mandatory global system of data collection from individual ships and urges the IMO to decide upon such a system by the end of 2016.



+19%



-10%



11. Establish simple, tailored and technology-neutral access to EU funding

Initiatives to improve the environmental performance of shipping should primarily focus on providing incentives to companies to invest in innovative concepts and technologies. Such initiatives should however avoid bias towards particular technologies. The EU can help European shipowners stay in the lead, by simplifying access to available EU funding, e.g. under the Connecting Europe Facility and Horizon 2020. Access to EU funding should be transparent, prevent distortion of competition and enable participation of smaller companies. The vademecum on EU funding that is currently drafted by the European Sustainable Shipping Forum (ESSF), could be an important tool in this respect, especially if it is web-based.

European support is notably sought for the financial instruments that are currently discussed in the ESSF. These instruments should be tailored to the needs of the shipping companies, which are often of smaller and medium size, enabling them to invest in sustainability. The proposed instruments include the aforementioned innovative financing tool, which takes the form of a risk-sharing mechanism.

Moreover, the ESSF has managed to focus and tailor EU funding to the specific R&D needs of the industry in view of existing and future legislation. It is, however, of the utmost importance that the European Commission ensures a better coordination and knowledge sharing of these funding initiatives. This will avoid situations whereby funding of technologies is not allowed pending compatibility with EU law. The case of open loop scrubbers is a telling example.

The ESSF: a good example of stakeholder and government cooperation

The European Sustainable Shipping Forum (ESSF) was set up in 2013 to facilitate the implementation of the EU Sulphur Directive. The forum proved to be a useful platform where various departments of the European Commission, national administrations, industry and NGOs meet to discuss both strategic and technical matters and work together on implementing legislation and preparing upcoming initiatives. The scope of the forum has meanwhile been enlarged to cover other sustainability issues. The mandate of the ESSF should be carried out in the spirit of consensus and be further extended and widened to include areas where isolated thinking prevails, such as trade facilitation.



Life-long careers in shipping, at sea and on land

12. *Support the training of seafarers and apprenticeships of cadets in Europe*
13. *Secure a specific programme for shipping under youth employment priorities*
14. *Establish an EU platform for best practices on promoting maritime careers*
15. *Increase attractiveness of working at sea by reducing the administrative burden*
16. *Strengthen support for social dialogue*

Shipping is the engine of the European maritime cluster, delivering quality employment at sea and ashore as well as providing a wide variety of career opportunities. Initiatives are needed to promote both the quality and added value of seafarers in order to attract young people into the maritime professions.

European seafarers form one of the main assets of the shipping sector, given their high level of training and skills. A key challenge is to ensure a critical mass of high-quality European seafarers who can compete with third country seafarers for jobs on board ships and, later on, progress to employment in the maritime clusters of the Member States. Being unable to compete on cost – as salary levels for seafarers from countries in other parts of the world are often considerably lower – it is necessary to continue to invest in high quality training. This will give European seafarers a competitive edge and increase their added value through improved productivity and safety. Against this background, support for the successful European maritime social dialogue must be strengthened.

12. Support the training of seafarers and apprenticeships of cadets in Europe

ECSCA and the European Transport Workers' Federation (ETF) will, in the course of 2016, issue a study which maps EU funding resources that can be used by maritime academies, shipping companies and others to reduce the cost for education and training. The European Commission and Member States will be invited to act upon the recommendations of the study, facilitating access to funding for training of seafarers and apprenticeships for cadets and new entrant ratings.

The EU should also consider Erasmus-type exchanges of students between Member States' maritime academies. Cooperation between these institutes should be promoted to upgrade seafarers' competences in line with current and future requirements of the shipping industry and maritime clusters.

13. Secure a specific programme for shipping under youth employment priorities

Several youth employment initiatives already exist at European level, including the Youth Guarantee programme, the European Alliance for Apprenticeships and the Youth Employment Initiative. By tailoring some of the calls under these programmes to shipping, the European Commission will be able to concretely address youth unemployment and increase young people's knowledge of career possibilities in the maritime sector.



14. Establish an EU platform for best practices on promoting maritime careers

Campaigns to attract young people to maritime careers generally work best at national level as they can be tailored to national specificities. The EU could nevertheless help ensuring that successful campaigns are initiated across Europe. A platform involving all stakeholders could be set up for exchange of best practices. Such a platform should also explore the use of EU funding for such campaigns.

15. Increase attractiveness of working at sea by reducing the administrative burden

Ship crews are increasingly confronted with paperwork, required by a plethora of regulations that ship, cargo and personnel have to comply with. A survey carried out by the University of Cardiff has demonstrated that the administrative workload is one of the most important reasons why people leave seafaring professions. Next to better regulation, better and smarter administrative requirements are needed to increase the attractiveness of a career at sea. DG MOVE is invited to set up a task force that looks at concrete proposals to reduce the administrative burden and to propose ways to effectively implement these measures.

16. Strengthen support for social dialogue

The Sectoral Social Dialogue Committee (SSDC) for Maritime Transport is possibly the most successful platform of its kind. The maritime social partners have notably concluded formal agreements on working time for seafarers and the ILO Maritime Labour Convention, which were brought into law by the European Council. Recently, they made an agreement to enhance seafarer's right to information, consultation and protection in the event of transfers of undertakings and collective redundancies. Furthermore, social partners completed several joint projects aimed at advancing maritime careers and improving working conditions on board ships.

The European Commission should promote the work of social partners more actively and, in order to foster their positive agenda, strengthen resources for the social dialogue.

Social partners transpose “seafarers’ bill of rights” in EU law

The 2006 International Labour Organisation's Maritime Labour Convention (ILO MLC) draws together a set of provisions aimed at guaranteeing decent living and working conditions on board vessels engaged in international trade. It is unique to shipping as no other transport sector has managed to agree globally on a similar convention securing high protection for transport workers. European social partners, represented by ECSA and the European Transport Workers' Federation (ETF), reached an agreement end of 2007 to incorporate the relevant provisions of the ILO MLC into community law. The agreement applies to seafarers on board ships registered in a Member State and/or flying the flag of a Member State. This is compelling proof of the effectiveness of the European social dialogue for maritime transport. ECSA and ETF are currently in the process of negotiating an agreement on the 2014 amendments to the ILO MLC, which cover financial security in case of abandonment, shipowners' liability and treatment of contractual clauses.

In April 2015, the social partners established a joint position on the review of the EU Maritime Transport Strategy, which contains a number of additional recommendations on seafarer recruitment and employment, seafarer training, living and working conditions onboard ships and implementation of relevant international and European legislation. These recommendations form an integral part of ECSA's contribution to the Shipping Package.

[Download the Position Paper here](#)



A checklist for better and smarter shipping regulation

European shipowners fully subscribe to the 'better regulation' agenda of the European Commission. As global players, European shipping companies first and foremost need global rules to maintain their competitive edge. Environmental and safety regulations as well as legal matters should therefore remain the prerogative of the International Maritime Organisation (IMO). By building trusted partnerships, the EU can enhance its role in the IMO. The EU should also contribute to the IMO's own objective of better regulation and fewer administrative burdens, for the benefit of seafarers, shipowners and administrations alike.

This checklist aims to achieve both better and smarter EU regulation for shipping:

- ✓ *EU regulation for shipping should comply with an international subsidiarity test: it must have proven added value beyond what can be achieved at international level and it cannot endanger the global level playing field that shipping needs.*
- ✓ *EU regulation for shipping should comply with the principles of better regulation set out by the IMO: necessity, consistency, proportionality, fitness for purpose, resilience and clarity. Regulations should be goal-based and less prescriptive.*
- ✓ *Legislative processes should be transparent, involving stakeholders at all stages, especially where executive powers reside with the European Commission. The latter have become more relevant since the entry into force of the Lisbon Treaty, which introduced and reinforced the use of delegated and implementing acts.*
- ✓ *Impact assessments should occur both at the start and the end of a legislative process, bearing in mind that online surveys cannot replace qualitative input.*
- ✓ *Impact assessments must distinguish between impacts for different segments of the shipping sector, paying particular attention to the impact on short sea shipping as well as smaller and medium-sized companies.*
- ✓ *Impact assessments must consider the impact of regulation on the working conditions of ship crews, especially in terms of administrative burden, a factor which influences the overall effectiveness of regulation.*
- ✓ *Regulation must be technology-neutral and enforceable. Technology must be proven and available prior to the entry into force of new regulations.*
- ✓ *Existing regulation should be systematically reviewed after a sufficiently long period following entry into force (e.g. through REFIT) and appropriate follow-up actions must be envisaged.*



ECSCA

European Community Shipowners' Associations

The European Community Shipowners' Associations (ECSCA), founded in 1965, is the trade association representing the national shipowners' associations of the EU and Norway with close to 99% of the EEA fleet or about 20% of the world fleet.

Our aim is to promote the interests of European shipping so that the industry can best serve European and international trade and commerce in a competitive free enterprise environment to the benefit of shippers and consumers and help formulate EU policy on critical maritime transport-related issues.

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