



Summary of maritime opinions



European Economic and Social Committee

Introduction

This publication provides an overall perspective of the key recommendations contained in the opinions adopted by the European Economic and Social Committee on maritime affairs over the last four years. EESC opinions express the views of organised civil society and, according to the Treaties, are published in the Official Journal of the EU and taken into consideration by the European Institutions involved in the legislative process (European Parliament, Council of the European Union and European Commission). The complete text of the opinions can be consulted online in all EU languages at <http://europa.eu/!ut67yC>.

1. Maritime security and surveillance

Integrating maritime surveillance

Opinion adopted on 10/12/2014

Rapporteur: Mr Polyzogopoulos



- Optimum information-sharing between maritime surveillance authorities is one of the strategic aims of the Integrated Maritime Policy. The EESC welcomes the Communication on maritime surveillance as the logical sequel to efforts to make maritime surveillance more effective and economically efficient.
- The EESC emphasises that enhanced information-sharing between maritime surveillance authorities is crucial to the protection, security, economy and environmental future of the EU and recognises the progress made at EU level and nationally since drawing up the roadmap in 2010. The EESC considers that when ranking information to be shared, priority should be given to effectively identifying risks, threats and vulnerabilities in each individual sector, both in maritime regions and overall.
- The EESC attaches particular importance to clarifying and securing governance structures and resources if the present exceptionally complex and ambitious project, involving some 400 bodies handling a vast amount of diverse information on maritime surveillance, is to be viable. These bodies include the authorities of the EU and European Economic Area (EEA) Member States and various EU agencies, such as

the European Fisheries Control Agency (EFCA), FRONTEX, the European Maritime Safety Agency (EMSA) and the European Defence Agency (EDA).

- Given the voluntary nature of the project and the significance of political commitments and of cultural barriers arising from entrenched mindsets, stereotypes, and working methods, the EESC urges the European Commission (EC) to focus on education and training measures and confidence building initiatives, drawing on existing successful experiences such as the North Atlantic Coast Guard Forum and the International Association of Marine Aids to Navigation and Lighthouse Authorities (IALA).
- The EESC points out that the very rapid pace of development of IT will inevitably expose a common information-sharing environment such as the common information sharing environment (CISE) to cyber-attacks, as well as terrorist attacks, with incalculable security implications for transport, trade, ports, ships, crews and cargoes. It urges the Commission to address the issue of cyber safety in maritime transport and draw up detailed measures for protecting CISE without delay.
- The EESC also exhorts the Commission to intensify its efforts in the area of research, development and innovation in order to tackle the considerable technical issues involved in the interoperability and architecture of applications, systems and services, e.g. variations in data quality between different software and systems, which have a significant impact on the effective implementation of the CISE and on its credibility.

"The exchange of information under the CISE proposal will expose the system to cyber-attacks and terrorist attacks with serious implications for ships, seafarers, cargoes and ports. Since it would impede the free flow of trade and passengers by sea, the Commission should address cyber security in maritime transport without delay."

Christos Polyzogopoulos, EESC Member

Maritime Security Strategy

Opinion adopted on 11/09/2014

Rapporteur: Dr Bredima



- The EESC welcomes the EU political will to place maritime security at the top of its political agenda and endorses its strategic cross-sectoral approach building on existing achievements without creating new structures. This approach will create jobs and make the maritime profession more attractive to seafarers.
- The EESC reiterates the need for closer cooperation with the International Maritime Organization (IMO) regarding implementation of its Conventions dealing with maritime security to provide the legal basis for prosecution.
- Implementation of the International Ship and Port Facility Security (ISPS) Code should be stepped up in EU ports and in ports of third countries (e.g. West Africa) as a way of preventing piracy, armed robbery and cargo theft incidents. ISPS compliance is required for the scanning of containers which can act as Trojan horses in ports.
- The EESC reiterates the need for more systematic tracking of the financial flows of piracy and of other illegal activities at sea in collaboration with the UN, NATO and the US.
- The EESC urges the EU institutions to exert political and diplomatic pressure in response to the escalation of piracy in West Africa. Nigeria should be offered assistance to upgrade its coastguard and be encouraged to allow other nations' armed guards to enter its waters.
- Internationally agreed standards for maritime security companies should be introduced. The ISOPAS 2807 standard will ensure a level playing field for private armed guard companies globally.
- The EESC notes that piracy prosecutions are failing to effectively deter due to the considerable variation in court sentences. A harmonised piracy law is required to face an international crime like piracy and put an end to impunity.

- The EESC welcomes the proposal to forge partnerships between all maritime security stakeholders at EU level and within the Member States, including industry, the social partners and civil society. Implementation of existing legislation in cooperation with the social partners should make for a more cost-effective approach to maritime security.
- The EESC believes that the fundamental human rights, principles and values enshrined in EU law should be taken into account when implementing the European Maritime Security Strategy and promoted in countries outside the EU.
- The EESC stresses the need to preserve the EU's biodiversity and maritime resources, be they fisheries or mineral resources in its territorial waters, from potential threats.

"The EESC proposes a balancing act between maritime security concerns and respect of fundamental human rights enshrined in EU law. Moreover, maritime operators should not be overburdened with the cost of compliance with maritime security legislation. A cost effective approach should be followed."

Dr. Anna Bredima, EESC Member

Maritime piracy: strengthening the EU response

Opinion adopted on 12/12/2012

Rapporteur: Dr Bredima



- The seriousness of the maritime piracy plague has not come to the full awareness of European civil society. The EESC wishes to raise the awareness of civil society and European public opinion in order to mobilise Member States and the EU institutions for concrete action aiming at eradicating piracy. Piracy starts as a maritime problem, evolving into a humanitarian, trade and global economic problem, affecting world consumers.

- Since the root causes of piracy require a long-term solution ashore, capacity building in Somalia is vital to terminate impunity and restore the rule of law. More commitment is required from EU flag states to ensure better coordination of naval forces and the prosecution of pirates. In this sense, the EESC supports the establishment of a Regional Maritime Capacity Building mission by the European External Action Service (EEAS). The "EUCAP NESTOR" will assist the Horn of Africa countries in creating a master plan to combat piracy, in drafting relevant legislation and supporting coast guard capacity.
- The EESC also asks for EU coordinated action to channel part of the development aid or other resources for training programmes of youngsters in the fisherman's profession, for promotion of sustainable agriculture and entrepreneurship. Decent living conditions for young Somalis could make piracy careers less appealing.
- The EESC believes that the key to solving the piracy problem lies in tracing and clamping down the involved financial flows. It welcomes targeting financiers and coordinating databases to increase the understanding of the pirate business model. A blacklist of financial institutions involved in piracy money laundering should be established in the EU. The work of Europol and Eurojust is commended in this respect.
- The EESC is opposed to restricting the payment of ransoms which would have counter productive effects and would put hostages to even greater risk. At the same time, it urges that such ransoms should be traced and confiscated so that piracy is no longer an attractive business.
- The EESC encourages shipping to apply the revised industry Best Management Practices (BMP 4) regarding self-protection measures on board ships. It calls on Member States considering allowing the use of qualified private armed guards for the protection of vulnerable ships to comply with the relevant guidance of the IMO and to draw up a strict legal framework that establishes the terms of the master of the ship's responsibility, particularly in the event of shots being fired.
- The EESC also urges the EU institutions to address escalation of armed robbery at sea and oil theft in West Africa and the Gulf of Guinea.

2. Social affairs

Proposal for a Directive on seafarers

Opinion adopted on 25/03/2014

Rapporteur: Mr Polyzogopoulos



Seafarers at work. © International Transport Workers' Federation, <http://bit.ly/19CKfBI> / CC BY-NC-SA 2.0

- Europe's maritime industry is a world leader, providing seafaring jobs for 345,455 people. Some 30% of merchant vessels are registered in EU Member States, whilst in terms of gross tonnage, the EU accounts for 19.2% of the global fleet. Fishing and the processing of fish products provide jobs for more than 350,000 people. However, globalisation, at the present time of crisis, has posed a serious challenge for jobs and competitiveness in the maritime sector, inevitably affecting various aspects of employment in terms of quality and quantity of jobs.
- The EESC endorses the proposal for a Directive aimed at improving the level of protection of rights enshrined in the EU Charter of Fundamental Rights and ensuring a level playing field for competition at EU level.
- The EESC thinks that the proposed Directive is a step in the right direction to encourage young people to take up professions in the maritime and fishery sectors and make seafaring careers viable, as it will make these sectors more attractive and, in terms of labour rights, place them on an equal footing with shore-based occupations.
- Nevertheless, the EESC notes that the proposed directive alone will not suffice to make the maritime sector more attractive. It will have to be accompanied by measures and initiatives already put forward by the EESC in the areas of training, education, research, health and safety promotion, entrepreneurship and innovation leading to the provision of safe, stable and competitive services of a high quality.
- The EESC points to the need to ensure a level playing field within the EU but also internationally, given the international nature of maritime activities and competition, and stresses the importance of actively discouraging social dumping and unfair competition.

Maritime Labour Convention / Flag and port State responsibilities

Opinion adopted on 11/07/2012

Rapporteur: Dr Bredima



- The Maritime Labour Convention (MLC) 2006, the “Seafarers’ Bill of Rights”, adopted by the International Labour Organization (ILO) aims at establishing a level playing field in the worldwide maritime industry by setting common minimum social standards for all flags and seafarers. Its enforcement and compliance system needs widespread international cooperation in order to be effective.
- The EESC welcomes the proposals aimed at establishing the necessary procedures to ensure the effective implementation of MLC by EU Member States acting both as flag States and port States. In this respect, the EESC calls EMSA and the Paris Memorandum of Understanding to boost the training of inspectors for MLC purposes.
- The EESC reiterates its earlier calls urging the EU to prompt the ratification efforts of the MLC by its Member States. Since several obligations under the Convention are directed to ship owners and flag states it is important that states with a strong maritime interest ratify the Convention.
- The EESC subscribes to the overarching policy that the EU regulations on labour conditions need to be in line with international regulations, such as the MLC, without prejudice to any higher standards that may exist in the EU.
- The EESC asks the European Commission to ensure that the enforcement in third countries of future EU legislation on Labour Supplying States will be consistent with the spirit and terms of the MLC.

3. Economic aspects

Innovation in the blue economy: realising the potential of our seas and oceans for jobs and growth

Opinion adopted on 15/10/2014

Rapporteur: Mr Boland

Co-rapporteur: Mr Lobo Xavier



- Between 3 and 5% of the EU's GDP comes from the overall maritime sector, which employs around 5.6 million people and generates EUR 495 billion for the European economy. Some 90% of foreign trade and 43% of intra-EU trade takes place via maritime routes. European shipbuilding and allied industries account for 10% of global production. Almost 100,000 boats are in operation around Europe, in fisheries or aquaculture with mineral extraction and wind farm activities, also developing.
- The EESC welcomes the EC document, which sets out to maximise the employment potential of seas and oceans through innovation, with specific emphasis on marine biotechnology, ocean energy and seabed mining.
- The EESC recommends that in tandem with the scientific approach of the document, there is a need to integrate coastal tourism strategies into the process in order not only to boost civil society's interest in the subject but also to benefit from integrated cooperation between the two visions of the process.
- The EESC recommends that coastal and island communities that are experiencing serious decline in the traditional industries, including fishing, should be fully included at all stages of the development of the blue economy so as to guarantee the correct balance between R&D and tourism activities that can create jobs and prosperity. The EESC would specify that all communities affected by the blue economy should be represented in a meaningful dialogue among all of the stakeholders. Furthermore, these communities, and more specifically islands, have clear potential here and

a specific contribution to make as regards innovation within the blue economy.

- The EESC is concerned by the lack of coordination of measures initiated by the private and public sectors and notes that similar tensions exist among Member States.
- The EESC notes that the lack of adequate data and data systems necessary for accurate information about our seas and their potential is impeding innovation development, despite efforts by several universities and knowledge institutes across the Member States.

Blue growth: opportunities for marine and maritime sustainable growth

Opinion adopted on 20/03/2013

Rapporteur: Mr Polyzogopoulos

- Coastlines, seas and oceans can help to address the stresses and problems of Europe and to achieve its economic recovery. The objective of blue growth will put the process of enhancing the blue economy on the agendas of the Member States, the regions, businesses and civil society. The EESC sees this opinion as a necessary continuation of efforts to implement an Integrated Maritime Policy in the EU.
- The EESC believes that blue growth must help to further social integration without generating exclusion, by providing opportunities for employment, training and full involvement above all for local and coastal populations, including remote and sparsely populated communities, with their particular characteristics and needs.
- At the same time, the EESC emphasises that seeing the blue economy as an inexhaustible source of unexploited resources and insistently invoking blue growth as a panacea for the problems Europe's economy faces might increase the many different types of stress already being placed on the EU's coasts and seas.
- The EESC underlines the central importance of research and innovation in establishing a strong competitive position for Europe, especially in new emerging sectors, with the emphasis on basic and advanced research geared towards leading-edge applications and optimum methods so as to support cooperation between industry and academia. Similarly, the EESC urges the Commission to design an appropriate innovative education framework for attracting highly-qualified students to a career path in the marine sector.
- The EESC recommends that the Commission be more vigilant regarding compliance with European environmental standards, and health and quality

standards, especially for aquaculture products imported from outside the EU, so as to protect EU consumers and shield companies in the sector from any unfair competition. Constant vigilance is needed to ensure that a balance is maintained between economic objectives and the principles of sustainable development.

Directive on marine equipment

Opinion adopted on 20/03/2013

Rapporteur: Dr Bredima

- The EESC welcomes the proposed Directive on marine equipment and endorses its overarching purposes, which will also enhance maritime safety and pollution prevention. The proposed Directive will significantly improve the implementation of IMO standards within the EU, reduce safety risks and facilitate the smooth functioning of the internal market for marine equipment by shortening and simplifying the procedures for transposition of amendments to those standards. In this way it will provide a boost for the EU marine equipment industry.
- The collective action of Member States to the IMO process will ensure that the objectives of the Directive are observed without the need to resort to EU unilateral interim standards for equipment that may not meet the IMO standards and may need to be replaced or "grandfathered". The persistence of regional standards based on a differing application of IMO standards may impair the competitiveness of the EU fleet and may lower safety and environmental protection levels.

4. Transport and ports

Blue Belt for short sea shipping

Opinion adopted on 16/10/2013

Rapporteur: Mr Simons

- The EU is dependent on maritime transport for its internal trade and its trade with the rest of the world: 74% of the goods imported or exported by the EU and 37% of goods traded within the EU pass through seaports. Maritime transport can have lower operating costs and less negative environmental impact per unit compared to other forms of transport. Yet, there is still no internal shipping market, despite the fact that the Treaty on the Functioning of the European Union specifically refers to the free movement of EU goods in article 28.
- The EESC welcomes the Commission's proposals set out in the communication, which aim to improve the

operation of the maritime transport market and reduce the administrative burden for the maritime transport sector, thus making it more competitive. Neither safety nor security, however, may be jeopardised.

- One of the preconditions for the success of the Commission's proposals – both those on regular shipping services and those on the eManifest – is that Member States' IT systems must be completely interoperable for the eManifest. The EESC would point out that experience has shown that this is not a foregone conclusion, even when building on existing systems.
- The EESC would also highlight the need to ensure that all stakeholders – and in particular customs authorities – are kept properly informed. There have been cases where the customs authorities were either unaware that operators were using paper manifests, as they are legally entitled to do, or refused to validate or accept them. Similarly, the EESC feels that regular consultations should be held with representatives of the shipping sector, freight forwarders and employees in order to consult them on and inform them about obstacles linked to the implementation of the proposals.

Framework for the future EU ports policy

Opinion adopted on 10/07/2013

Rapporteur: Mr Simons



- Since past "soft" law measures on ports have had virtually no effect on fair market access and transparency, there is now a proposal for a "hard" measure - a Regulation to enable EU ports to become an engine for growth and multimodal transport. The EESC endorses the combination of a "soft law"

approach with legislation wherever there is no better alternative.

- The EESC supports the Commission's approach of applying the proposals to all 319 Trans-European Transport Network (TEN-T) ports with Member States having the opportunity to apply the provisions of the Regulation to other ports in order to improve them and their hinterland connections.
- In terms of implementation, the EESC recommends that particular attention be paid to pilotage, mooring and towage, taking due account of their different impacts, so these can be exercised under independent judgement, free of any commercial pressure that could prejudice the safety, security and environmental protection of the port community and the general public.
- The EESC reiterates that further steps should be taken to ensure fair competition between EU and neighbouring non-EU ports.

EMSA funding in the field of pollution response

Opinion adopted on 10/07/2013

Rapporteur: Dr Bredima

- The EESC supports the budget increase of EMSA under the proposed Regulation from EUR 154 million to EUR 160.5 million for the period from 2014 to 2020. However, that financial envelope may prove insufficient to meet the actions required in the seven year period in view of the following challenges: increased traffic flows (more oil tankers and gas carriers at sea), increased drilling activities for oil and gas exploitation in the seas surrounding the EU, more coastal and island states have become EU Member States The limited emergency response capacity may result in increased external costs in case of major incidents.
- The EESC reiterates its support for the extension of competence of EMSA under Regulation 100/2013 to new "core" tasks to respond to pollution caused by oil and gas installations and extended EMSA's services to countries covered by the enlargement policy and by the European Neighbourhood Policy.
- The EESC invites EMSA action to trace down inadequate reception facilities for oil residues to EU ports as well as to ports of neighbouring states.



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