



**COUNCIL OF
THE EUROPEAN UNION**

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REPORT

From:	General Secretariat of the Council
To:	COREPER/Council
No prev. doc.:	16145/10 TRANS 321 MAR 117
Subject:	Draft Council conclusions on full integration of waterborne transport into the EU transport and logistics chains

1. On 15 and 16 September 2010, the Presidency organised an informal meeting of the Transport Ministers on the theme “Towards full integration of waterborne transport into the EU transport and logistics chains”. After the meeting, Presidency conclusions were adopted¹.
2. On the basis of the above-mentioned Presidency conclusions, the Presidency prepared draft Council Conclusions on the same subject, and submitted them for examination to the Shipping Working Party.

¹ Doc. 13971/10 TRANS 245 MAR 87.

3. The Shipping Working Party examined the draft Council conclusions at four meetings (21 October, 3 November, 11 November and 18 November).
4. At the last meeting, agreement was reached on a final compromise text.
5. Following the above, Coreper is invited to examine and endorse the draft Council conclusions as set out in the Annex, and submit them for adoption by the TTE Council on 2 December 2010.

**DRAFT COUNCIL CONCLUSIONS ON
FULL INTEGRATION OF WATERBORNE TRANSPORT INTO
THE EU TRANSPORT AND LOGISTICS CHAINS**

The Council of the European Union

HAVING REGARD TO

- the European Council Conclusions of 17 June 2010 concerning "Europe 2020" Strategy for smart, sustainable and inclusive growth;
- the Commission Communication and the Council conclusions on the strategic goals and recommendations for the EU's maritime transport policy until 2018²;
- the Commission Communication and action plan and the Council conclusions on establishing a European maritime transport space without barriers³;
- the Commission Communication on a European Ports Policy⁴;
- the Commission Communication on Freight Transport Logistics Action Plan⁵;
- the Commission Communication on the first progress report on the implementation of the NAIADES Action programme for the promotion of inland waterway transport⁶;
- the IMO Marine Environment Protection Committee (MEPC) Resolution 176(58) of 10 October 2008 regarding the revised MARPOL Annex VI;

² Doc. COM(2009) 8 final and Council conclusions of 30 March 2009 (doc. 7866/09).

³ Doc COM(2009) 10 final and Council conclusions of 30 March 2009 (doc. 8079/09).

⁴ Doc. COM(2007) 616 final.

⁵ Doc. COM(2007) 607 final.

⁶ Doc. COM(2007) 770 final.

- the “Guidelines for the EU position on international climate finance” of the 29/30 October 2009 European Council⁷;
- the Council conclusions on integration of maritime surveillance of 17 November 2009⁸;
- the Council conclusions on Integrated Maritime Policy of 14 June 2010⁹;
- the Council conclusions on promotion of sea transport and the seafaring profession of 5 June 2003 and the Council conclusions on boosting employment prospects in the Community maritime sector and attracting young people to the seafaring profession of 14 October 2005;

CONSIDERING that sustainable economic growth relies on sustainable mobility as a key component of the economy at the same level as access to energy, commodities and production systems and that the development of an efficient and in all aspects sustainable EU transport and logistics network is therefore vital for the future of the European Union;

ACKNOWLEDGING that the further capacity growth of the transport and logistics network is very much hampered by the saturation of the road transport component and for that reason it is of prime importance to bring the general policy that aims for an optimal use of the different available modes road, rail, inland navigation, air and indeed maritime transport into effect; that so far this optimal use of different transport modes has not yet been achieved and that this is in particular the case for Short Sea Shipping and inland waterway transport;

⁷ Doc. 15265/1/09 REV 1.

⁸ Doc. 15176/2/09.

⁹ Doc. 10300/10.

RECOGNISING that Short Sea Shipping has a great potential, but that further action is needed to promote it and achieve its full potential;

ACKNOWLEDGING that full integration of Short Sea Shipping in the transport and logistics chains should have the effect that maritime transport carries a substantially bigger share in the intra EU transport in order to safeguard the sustainable development of mobility, and to support the growth of the economy bearing in mind that the seas still have enormous transport capacity that is immediately available;

CONSIDERING that it is furthermore unthinkable to develop sustainable mobility based on a better integration of Short Sea Shipping without strengthening in particular the link with rail and inland waterway transport and also developing those modes to be better geared for co-modality with intra EU maritime transport;

CONSIDERING that in order to release the full potential of Short Sea Shipping and inland waterway transport and to optimise the European transport system as such, without prejudice to the protection of internal order and security and the enforcement of customs, fiscal, immigration, environmental or sanitary laws, it is necessary to optimise ports as key modal interfaces and work towards better co-modal logistic chains;

REAFFIRMING the need to develop an integrated maritime transport strategy including a European maritime transport space without barriers;

STRESSING the need to continue improving coordination at both EU and national level as well as between the relevant EU bodies and Member States authorities, in order to facilitate transport and reduce administrative burdens on the waterborne transport industry, as well as on public administrations;

RECOGNISING that the limits already agreed by IMO for sulphur emissions entail possible distortions in the logistics chain and modal backshift resulting from expected higher costs for Short Sea Shipping generated by the use of low sulphur bunker fuels in order to meet the limits for sulphur emissions as from 2015, in particular in the Emission Control Areas (ECAs);

RECALLING the “Guidelines for the EU position on international climate finance” of the 29/30 October 2009 European Council, stressing the strong need for an appropriate global regulation of otherwise unregulated emissions from international maritime transport¹⁰;

STRESSING the need to improve environmental performance of maritime transport and Short Sea Shipping in particular;

RECALLING the useful discussions of the informal meeting of Transport Ministers “Towards full integration of waterborne transport into the EU transport and logistics chains” on 16 September 2010;

1. WELCOMES the progress made in relation to the "European maritime transport space without barriers", notably the new Customs Regulation¹¹ and port formalities Directive¹²; STRESSES its importance and the need for its further implementation in line with the priorities given by the Council Conclusions of 30 March 2009;

¹⁰ Doc. 15265/1/09 REV 1.

¹¹ OJ L 145, 4.6.2008, p. 1.

¹² Directive 2010/65/EU of the European Parliament and of the Council of 20 October 2010 on reporting formalities for ships arriving in and/or departing from ports of the Member States and repealing Directive 2002/6/EC, OJ L 283 of 29.10.2010, p. 1.

2. RECOGNISES the importance of the “Blue Belt” concept, which aims at using technology, integrated maritime transport monitoring capabilities, notably SafeSeaNet, and best practices to facilitate intra-EU waterborne transport and to integrate it in seamless EU logistics chains. In the “Blue Belt” ships, irrespective of their flag, can operate freely within the internal market with a minimum of administrative formalities; RECOGNISES the importance of the “Blue Lane” concept which means administrative, technological, and/or physical facilitations granted by ports and customs authorities with a view to ensuring a swift port transit of goods originating from the EU and STRESSES the need to further refine it;
3. SUPPORTS the idea of the Commission to initiate a pilot project based on the existing SafeSeaNet technology to validate and further refine the "Blue Belt" concept and to closely examine all relevant aspects of customs and port procedures and controls, in cooperation with the competent authorities of the Member States and the Commission. The pilot project should be consistent with all relevant legal obligations, including confidentiality, and should take due consideration of relevant international developments, including in the IMO;
4. INVITES the Commission to define as early as possible, with the involvement of Member States experts, the technical specifications of the project and its organisational and financial implications, including a regular follow-up during the implementation, and report to the Council and to the High Level Steering Group; and REQUESTS the Commission to enable the adequate funding for the development of the pilot project within the current financial framework of the EU budget;

5. SUPPORTS the intention of the Commission to develop and implement the “Blue Belt” pilot project, in close cooperation with the European Maritime Safety Agency (EMSA), within the Agency's present tasks and financial and organisational framework, as well as the relevant customs and other competent authorities of the Member States; RECOMMENDS that the public and private stakeholders participate in the pilot project;
6. INVITES the Commission to closely monitor Short Sea Shipping costs developments and to propose and evaluate possible responses aiming at avoiding possible distortions in the logistics chain and modal backshift from sea to land resulting from possible expected initial higher costs for Short Sea Shipping generated by the use of low sulphur bunker fuels. Such responses could be based, inter alia, on increasing efficiency, including ports efficiency, and innovation. Advanced technical solutions should be assessed and promoted; NOTES in this context the establishment at IMO MEPC 61 of a Correspondence Group on the Assessment of Availability of Fuel Oil under Annex VI to MARPOL;
7. EXPRESSES its satisfaction with the actions taken by the Member States and the Commission within IMO with reference to a worldwide reduction in the maximum authorised sulphur content of marine fuels and TAKES NOTE of the further examination of Emission Control Areas, within the IMO, in accordance with Annex VI to MARPOL.

8. SUPPORTS the development in IMO of an effective global policy framework for the reduction of CO₂ emissions from international shipping in a manner that ensures a level playing field and that does not lead to competitive distortions or carbon leakage, in accordance with the principles and customary practices of IMO; STRESSES the need to coordinate and maximize outreach efforts from EU Member States to alleviate concerns from developing countries within IMO and to obtain the adoption of technical and operational measures for the reduction of CO₂ emissions from shipping at MEPC 62 and to continue the development of internationally agreed market-based measures; LOOKS FORWARD to progress in the intersessional meeting of the IMO in the spring of 2011;
9. EMPHASISES the need for a comprehensive approach to address the intra EU waterborne transport environmental issues and therefore CALLS upon the Commission to propose a “sustainable waterborne transport toolbox”, i.e. a multi-dimensional action approach which could assist the sector to improve its environmental performance while maintaining its competitive position. It should comprise the following components: alternative fuels such as Liquefied Natural Gas, green technology, adequate infrastructure, possible economic and funding instruments, where appropriate, such as the Ecobonus scheme and research and innovation, working at the international level wherever possible;
10. AGREES that the aim of the co-modality principle is to attain an optimal and sustainable utilisation of resources; ACKNOWLEDGES that the United Nations Convention on Contracts for the International Carriage of Goods Wholly or Partly by Sea (the “Rotterdam Rules”) addresses aspects of specific co-modal arrangements; INVITES the Member States to explore such aspects of the Rotterdam Rules;

11. WELCOMES the Commission's intention to revise the Motorways of the Sea (MoS) concept – as envisaged in the framework of the revised TEN-T policy; INVITES the Commission to seize this opportunity to better align MoS with the emerging integrated European co-modal transport system and to fully exploit the synergies between MoS and the various modal transport policies; RECALLS that allocation of funds must be clearly prioritised on the basis of achieving maximum benefits from available limited resources;

12. STRESSES the importance of avoiding distortion of competition against the common interest and of removal of barriers to the free flow of commerce and shipping ensuring open and non-discriminatory access to ports and to intermodal hubs; MoS should be line neutral and therefore include ports as key nodal points, well connected to their markets through the necessary hinterland connections. Ports development with involvement of the private sector should be a key element of the revision of the TEN-T network. In this context, special attention should be given to the situation of peripheral geographic areas and island Member States;

13. STRESSES the contribution of Short Sea Shipping to peripheral geographical areas as well as to Member States dependent on maritime transport by constituting an effective far more environmentally friendly way of enhancing connections. Therefore, the revision of the TEN-T network should take account of the need to enhance alternative modes of transport for passengers as well as freight;

14. UNDERLINES the need to refocus structures and tools relating to transport policy, with a view to improving the EU multidisciplinary approach and co-modality as well as shifting transport to more environmentally-friendly modes, where appropriate. Particular attention should be paid to ensuring the interoperability of Intelligent Transport Systems, notably between SafeSeaNet, River Information Services, e-Maritime, e-Freight, and e-Customs, providing continuity of management and information services and supporting logistics operations. An in-depth analysis of the requirements for cross-linking the maritime systems with the River Information Services system¹³ facilitating the interface between Short Sea Shipping and inland waterway transport should also be carried out in the context of the “Blue Belt” pilot project;
15. INVITES the Commission to present, as soon as possible, guidelines on the application of the Union environmental legislation to port development and guidelines on State aid to ports, given the vital role of both sea and inland ports for the EU transport network, in order to ensure a level playing field between EU ports and ports in neighbouring countries; AGREES that port development must be looked at, wherever possible, from a business perspective, with a proper return on all investments;
16. STRESSES that, within a sustainable European transport system, inland waterway transport is a key contributor to seamless hinterland connections and ENCOURAGES the continuation of the present efforts for promoting inland navigation and a more proactive policy including a concrete action program for increasing its use. The financing of common actions at EU level within agreed current and future resources, as well as the modernisation of the fleet and infrastructure are important elements for the development of inland waterway transport;

¹³ Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community, OJ L 255, 30.9.2005, p. 152.

17. LOOKS FORWARD TO the Commission's initiative to develop, in close co-operation with all relevant stakeholders, including the waterborne transport industry and the Member States, a comprehensive social agenda for waterborne transport and to both promote and better integrate education, training and careers related to the maritime and inland waterways sectors, without prejudice to the requirements of the STCW Convention, thus helping to create further employment and quality jobs in Europe and encouraging intra-waterborne transport labour mobility.
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