

Opinion of the European Economic and Social Committee on the Communication from the Commission to the Council, the European Parliament, the European Economic and Social Committee and the Committee of the Regions — Towards a future Maritime Policy for the Union: A European vision for the oceans and seas

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On 7 June 2006, the European Commission decided to consult the European Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the above-mentioned proposal.

The Section for Transport, Energy, Infrastructure and the Information Society, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 22 March 2007. The rapporteur was Dr Bredima Savopoulou and co-rapporteurs Mr Chagas and Mr Nilsson.

At its 435th plenary session, held on 25 and 26 April 2007 (meeting of 26 April), the European Economic and Social Committee adopted the following opinion by 157 votes with two abstentions.

1. Conclusions and recommendations

1.1 The Green Paper creates a new understanding of the sea in the EU, which should be welcomed. It is the first time that the land based mentality of EU policies is reversed. The symbolic message of the Green Paper that Europe is and has been above all a maritime nation turns a new page in the EU regarding the seas.

1.2 The Green Paper promotes a holistic, cross sectoral, strategic approach vis-à-vis the oceans. The rationale of replacing fragmentation by a broad vision deserves widespread support.

1.3 The positive elements of the Green Paper outnumber by far the potential negative ones. The EESC endorses most of the proposals contained in the Green Paper (on fisheries, ports, shipbuilding, maritime transport, coastal regions, offshore energy, R&D, environment, tourism, blue biotechnology) subject to specific comments.

1.4 The EESC endorses the essential role acknowledged for EU maritime services and ports in a globalised economy. It welcomes the recognition in the Green Paper that shipping is international requiring global rules. Positive action is required by the EU to reverse the negative public image of shipping and the lack of appreciation for the contribution of ships and seafarers to society. The EESC shares the view that Member States should promptly ratify key international maritime Conventions (IMO/ILO) and ensure that they are properly enforced.

1.5 Maritime clusters should occupy a central position in the future EU maritime policy. The EESC believes that the EU should commission a study in order to define them and compare them to maritime clusters of other areas. Maritime clusters will be instrumental in maintaining the maritime know-how in the EU.

1.6 An integrated maritime policy must have at its heart an increase in investment in maritime education and training to underpin the delivery of safe, efficient and high-quality services. The potential scarcity of skilled seafarers presents alarming consequences for the EU's marine safety infrastructure and will increase without concerted efforts by the EU and governments to address it. Without such a supply, Europe will increasingly lack the knowledge and experience required for key safety-critical maritime activities (ship inspection, surveying, law, insurance, vessel traffic services, salvage, coastguards and pilotage). Moreover, entire maritime clusters may fragment or relocate to other regions.

1.7 The EESC notes the exclusion of fishermen and seafarers from European social legislation on a number of issues (e.g. the Directive on collective redundancies ⁽¹⁾, on transfer of undertakings ⁽²⁾, on information/consultation ⁽³⁾ and for posting of workers in the framework of the provision of services ⁽⁴⁾). Irrespective of the reasons behind these exclusions, it is important to put an end to that discrimination where appropriate. It, therefore, invites the Commission to reassess these exclusions in close cooperation with the social partners.

1.8 Global warming and the consequent climate change entails scenarios whereby islands might disappear, coastal areas be flooded, fish stocks be depleted, marine micro-organisms be extinguished with an impact on the food chain, and the seawater level might rise by 7 metres by 2050. The EESC urges the Commission to address the overall issue in the context of international organisations. The Commission itself should lose no time in taking on board an integrated environmental approach in all of its actions — not only in those which concern maritime issues, but also in all of the proposals which it submits to the Parliament and the Council.

⁽¹⁾ Council Directive 98/59/EC of 20 July 1998 relating to collective redundancies OJ L 225, 12.8.1998, p. 0016-0021.

⁽²⁾ Directive 2001/23/EC relating to the safeguarding of employees' rights in the event of transfers of undertakings, businesses or parts of undertakings or businesses.

⁽³⁾ Directive 2002/14/EC establishing a general framework for informing and consulting employees in the European Community [Official Journal L 80, 23.3.2002].

⁽⁴⁾ Directive 96/71/EC of the European Parliament and of the Council of 16 December 1996. OJ L 18, 21.1.1997, p. 0001-0006.

1.9 The EESC maintains that the tackling of air emissions may create unintended consequences and inconsistencies between policies. Air pollution is a complex issue and reducing one pollutant may have a negative effect on other pollutants such as green house gases (GHGs). A holistic international approach to find an overall environmental benefit for the long term is the preferred solution.

1.10 The EESC notes that the shipping industry burns as bunkers the lower end of oil due to non availability of better quality of bunkers by refineries. It invites the Commission to address the quality for bunkers in order to make a breakthrough in the issue of air emissions from ships.

1.11 The EESC understands that the idea of 'common European maritime space' refers only to a virtual maritime space in which there will be a simplification of administrative and customs formalities for intra EU maritime services giving them a similar regime as transport by truck or train within the internal market. Following clarifications of the Commission, expressing this clearly in the Communication, the concept can be supported by the EESC provided that it respects in international waters (High Sea) the UNCLOS and IMO Conventions including the 'freedom of navigation' and 'right of innocent passage' within the Exclusive Economic Zone (EEZ).

1.12 The EESC strongly advocates the establishment of 'quality coastal' states which are the missing link in the quality chain. 'Quality' coastal states should deliver essential services to ships: adequate waste reception facilities, places of refuge for ships in distress, innocent passage, fair treatment of seafarers, and aids to navigation. This concept should be raised by the EU in IMO in order to develop appropriate measurable criteria of coastal state performance.

1.13 The EESC welcomes recognition in the Green Paper of the role it can play in the implementation of maritime policy-making including spatial planning. It can also be instrumental in promoting the EU maritime identity and maritime cultural heritage and to sensitize the public opinion on global warming.

1.14 The Green Paper is the first attempt in the EU policy-making shifting emphasis from land to sea. The EESC wishes to congratulate the Commission for this restoration of balance and to respond by paraphrasing the saying of Themistocles 'Europe will have a future as long as it has ships and seas' ('we will have a land and homeland as long as we have ships and seas').

1.15 The EESC requests the Commission to be consulted on its future Action Plan on the Green Paper.

2. Introduction

2.1 Over a life span of fifty years, the EU has developed several policies involving the seas: maritime transport, ports, shipbuilding, fisheries, marine environment, coastal regions, offshore energy. However, these policies have developed sepa-

ately without capitalising on their synergies. The time has come to bring all these elements together and forge a new broad vision for the future.

2.2 On 7 June 2006 the European Commission published a Green Paper entitled 'Towards a future Maritime Policy for the Union: A European vision for the oceans and seas'. The initiative of President Barroso should be seen in the context of the Strategic Objectives of the European Commission (2005-2009) which noted the need for an all-embracing maritime policy aimed at developing a thriving maritime economy and the full potential of sea-based activity in an environmentally sustainable manner. Commissioner Borg was entrusted to steer a Maritime Policy Task Force of Commissioners to this effect.

2.3 The Green Paper raises crucial questions in a variety of areas using an integrated holistic approach which allows inter-linkages between sectors. Already the result of a consultation process with stakeholders, the Green Paper launched one of the largest consultation exercises in the EU history asking citizens how they want to deal with oceans and seas.

2.4 Since the early eighties, the EESC has followed closely the EU's path in establishing these sectoral policies and has contributed with its consistent opinions in their shaping up. It now shares the Commission's assessment that there is need for a new strategic vision for the future.

3. General comments

3.1 Context

3.1.1 The Green Paper creates a new understanding of the sea in the EU, which should be welcomed. 'How inappropriate to call our planet Earth, when in essence it is an ocean'. The subtitle of the Green Paper is significant and indicative of the intentions of the Commission in launching the Green Paper. It is the first time that the land based mentality of EU policies is reversed. The symbolic message of the Green Paper initiative is the most important: Europe is above all a maritime nation. The EU has a rich maritime culture which should not be overlooked. Since antiquity we have witnessed the emergence of several seafaring nations having their cradle in Europe: Greeks, Italians, Spanish, British, Portuguese, Scandinavian nations (Vikings), Germans (Hanseatic League), Dutch. Nowadays, Greece, Cyprus and Malta are in the top ten list of ship registers worldwide.

3.1.2 The Green Paper comes at a time of profound structural changes in the movement of world trade by sea: Giant ships, giant ports and terminals, modern logistics, paperless trade, continued development of cellular containerships, but increased formalities for crews to be expedited in record time in ports, modern piracy/terrorism on the increase and mounting pressures on corporate social responsibility. Globalisation with all its ramifications (positive and negative) is evident in this sector.

3.1.3 The Green Paper must also be seen against the background of emergence of new trading powers (BRICs — Brazil, Russia, India, China), the collapse of WTO talks, the ownership of 40 % of the world fleet by Pacific rim countries and another 40 % by Europeans. The whole debate comes at a time of surging oil prices, continuous talk about security of energy supplies, alternative sources of energy and fears of global warming.

3.1.4 There are multiple aspects and human activities related to the sea (fisheries, environment, transport, R&D, sea bed exploration, energy, shipbuilding, ports, tourism). The Green Paper examines the complicated interrelationship between marine and maritime activities and advocates a more integrated form of policy making.

3.2 *Economic aspects*

3.2.1 The EESC welcomes the increasing importance of the maritime dimension of Europe in the Green Paper, which turns a new page in the EU regarding the sea. The Communication stresses the essential role that shipping services have for the European economy and for the daily life and wealth of EU citizens often ignored by them. The EESC supports the assertion regarding the international competitiveness of shipping and ports in a globalised environment and the need for an international level playing field in a global market. Maritime transport and ports are recognised as key elements in the logistic chains which link the single market to the world economy. Indeed, they are world leaders and not sunset industries. Both are identified as key elements of the Lisbon Policy making Europe the most competitive trading entity in the world. The EESC notes that recently EU shipbuilding has become a success story in specialized categories of ships.

3.2.2 The Green Paper will also have positive ramifications for the image of shipping and the development of maritime clusters which are the biggest in the world. Maritime clusters should occupy a central position in the future EU maritime policy. The EESC believes that the EU should commission a study in order to define them and compare them to maritime clusters of other areas. Maritime clusters will be instrumental in maintaining the maritime know-how in the EU.

3.2.3 The EU should stimulate initiatives aimed at creating a positive image of shipping and ports with the general public. Congestion in ports and other bottlenecks that hinder efficient services should be taken care of. Investments in ports and in hinterland connections should be made giving Europe efficient and seamless logistic chains. The growth of short sea shipping during the last decade should be further enhanced in an integrated European transport system.

3.2.4 Although it is recognised that nearly 90 % of the EU external trade is seaborne, that the percentage of intra-Community trade is higher than 40 % and that European residents control more than 40 % of the world's merchant fleet, emphasis in the Green Paper is given only to the short sea shipping and to the concept of 'Motorways of the Sea'. However, the increased participation of the EU shipping in cross-trading activities between third countries and other continents should not be underestimated.

3.3 *Social aspects*

3.3.1 Globalisation presents particular challenges in the area of maritime employment. The EESC fully recognises the importance of maintaining European maritime know how; it is essential for both the industry itself and for the maintenance of the maritime clusters that are vital to the economic and social interests of the Community. There are a number of actions being pursued both at national, EU and international level which can usefully be built upon; and there is an important role for the social partners in this regard. Together, they can make a significant contribution to enhancing European maritime know how and the employment opportunities of EU seafarers. The EESC urges the Commission to join forces with Member States with a view to raising awareness and improve the profile of the industry and of its workers.

3.3.2 An integrated maritime policy must have at its heart an increase in investment in marine education and training to underpin the delivery of safe, efficient and high-quality services. The potential scarcity of skilled seafarers presents alarming consequences for the EU's marine safety infrastructure and will increase without concerted efforts by the EU, governments and the industry to address it. Without such a supply, Europe will increasingly lack the knowledge and experience required for key safety-critical maritime activities (ship inspection, surveying, law, insurance, vessel traffic services, salvage, coastguards and pilotage). Without such a supply, entire maritime clusters may fragment or relocate to other regions.

3.3.3 The possibilities of shore-side employment for former seafarers is an important factor in attracting persons into a seafaring career. The European Community Shipowners Association's (ECSA) and the European Transport Workers Federation (ETF) Career Mapping project would be helpful in demonstrating the possible career planning opportunities for European seafarers in order to make shipping an attractive career option. The concept should be promoted and used nationally.

3.3.4 An appropriate EU framework promoting European maritime know-how and training, will have positive effects for

the entire maritime cluster ⁽⁵⁾. Action is required to provide further support to encourage the training of ratings that wish to become officers and investment in nautical colleges (Maritime Education & Training) throughout the EU, to ensure the delivery of 'best practice' training and skill sets that match technological development (e.g. 'e-navigation').

3.3.5 The ILO Maritime Labour Standards Convention 2006 (MLC) ⁽⁶⁾ adopted unanimously and replacing 30 key ILO Conventions, will provide a solid, comprehensive and global basis for seafarer labour standards. The EESC supports the ongoing negotiations between the EU social partners with a view to having EU legislation transposing the MLC via a Social Partners Agreement taking into account the non-regression clause included in the ILO Convention. Future EU maritime policy should require Member States to ratify and implement the MLC, the Bill of Rights of Seafarers. Similarly, the Commission is encouraged to develop all possible contacts in order to ensure the adoption in 2007 of the ILO Convention on working conditions on board fishing vessels which failed to be adopted in 2005.

3.3.6 The EESC believes that there is scope for improving the general perception of shipping and seafarers profession by appropriate campaigns tailored to meet the national circumstances. The EESC can be instrumental in promoting the EU maritime identity and cultural heritage. On the occasion of the European Year of Intercultural Dialogue ⁽⁷⁾, the creation of a European Maritime Day or European Day of the Oceans could contribute to a better awareness of Europeans regarding the importance of this sector.

3.3.7 The idea of having the different parties in maritime clusters financing the creation of training schemes in order to ensure the maintenance of an adequate offer of European maritime know-how which can later be employed in related activities ashore should be further explored.

3.3.8 The EESC regrets the absence in the Green Paper of the social aspects concerning workers employed in various marine activities, apart from transport and fisheries. It urges the Commission to address social aspects of other marine activities (e.g. shipbuilding, pilotage, ports, energy, sea bed explorations).

3.4 Environmental aspects

3.4.1 The EESC shares the view in the Green Paper that the preservation of Europe's marine resources is vital for improving its competitiveness and employment. It expresses its concern

that the maritime environment is under increasing threat from human activities and natural disasters. Its protection is a *sine qua non* for the long term sustainability of our planet. The EESC believes that an integrated cross sectoral approach could be an important tool for all stakeholders to handle the environmental management in a sustainable way and maximize synergies between sub-sectors.

3.4.2 The biological diversity in maritime environment must be safeguarded by coherent EU policies, which provide responsibilities for all stakeholders, the responsibility chain. The Commission is invited to undertake a research to provide scientific knowledge on how the maritime environment and biological diversity could better contribute to human life. A holistic international approach to find an overall environmental benefit for the long term is the preferred solution.

3.4.3 In the context of the holistic approach, the EESC invites the Commission to address maritime pollution from land based sources (industrial, urban, rural activities) which account for 80 % of the overall pollution of the seas. Moreover, the Green Paper seems to ignore the important share of pollution of the seas due to leisure crafts. This should be urgently addressed. The EESC considers that there is a need to establish an EU policy to combat the trafficking of toxic waste by sea (exported to third countries). Implementation of the HNS Convention, the ship monitoring Directive and the proposed Directive for protection of the environment through criminal law go in this direction

3.4.4 One of the unintended consequences and inconsistencies between policies relates to the tackling of air emissions. The G8 identified (July 2006) the air emissions from transport as a priority area for urgent action in order to address global warming. The recent Communication on Limiting Global Climate change ⁽⁸⁾ provides specifically limiting transport emissions and other greenhouse gas emissions. Air pollution is a complex issue and reducing one pollutant may have a negative effect on other pollutants such as green house gases (GHGs). The EESC supports reductions in CO₂ emissions by ships. However, their impact will be of little consequence unless equivalent reductions are achieved in shore-based activities, which are by far the greatest contributor to global warming. According to the recently released UK Stern Report ⁽⁹⁾, transport accounts only for 14 % of green house gas emissions, out of which maritime and rail transport equate 1.75 % of world emissions.

⁽⁵⁾ According to a BIMCO/ISF (BIMCO: Baltic and International Maritime Conference/ISF: International Shipping Federation) study, the age profile of officers in traditional maritime nations is continuing to rise even though there is no evidence to suggest that demand for their services will decline.

⁽⁶⁾ <http://www.ilo.org/public/english/standards/norm/mlc2006/index.htm>.

⁽⁷⁾ UK Presidency paper (December 2005), there are many innovative initiatives being taken throughout the EU, and a greater emphasis on the exchange of best practices would be worthwhile.

⁽⁸⁾ (COM(2007)2 (10.1.2007). NAT/310: Opinion on the challenges of climate change — The role of civil society (27.9.2006). NAT/276: Opinion on Sustainable development in agriculture, forestry and fisheries and the challenges of climate change (27.1.2006).

⁽⁹⁾ http://www.hm-treasury.gov.uk/independent_reviews/stern_review_economics_climate_change/stern_review_report.cfm. The Stern Review estimates that the cost of inaction amounts to 5-20 % of the global GDP.

3.4.5 In a string of past opinions, the EESC has stressed that EU Member States should promptly ratify international Conventions on maritime safety and environmental protection and ensure that they are properly enforced. Although maritime transport is the most energy efficient and environmentally friendly mode of transport, the EESC supports the view prevailing internationally for lower limits of air emissions than those recently made mandatory by MARPOL Convention⁽¹⁰⁾ Annex VI. Measures to reduce maritime emissions must be cost-effective and not result in a modal shift in Europe from waterborne transport to a less environmentally credible mode of transport. The EU — after consultation with the social partners — should encourage a policy of establishing dismantling yards for ships (both merchant and military) that have reached the end of their lives.

3.4.6 The EESC supports the objective of the Thematic Strategy on the Protection and Conservation of the Marine Environment. From an environmental point of view, it may be sensible to subdivide the overall marine area of EU into regions in order to establish what is required for each region (marine spatial planning), acknowledging that what is necessary or best in one region may not be necessary in another region. The EESC welcomes recognition in the Green Paper of its role as a forum of exchange of views regarding implementation of general principles of maritime policymaking including spatial planning.

4. Specific comments

4.1 Better regulation

4.1.1 The recognition of the need for better regulation in order to avoid inconsistencies among common policies (e.g. transport/environment, transport/competition) and the intention to work for an international level playing field in the regulatory and enforcement sphere are commendable. Moreover, the idea of self-regulation as a supplement to legislation should be supported.

4.1.2 The EESC fully endorses the approach of the Green Paper that action at EU level should be undertaken only when it contributes value-added. The EU has been criticised for the tendency to Europeanise several issues which can be dealt with adequately nationally or internationally. This criticism should be taken seriously into account when thinking of future policies in the context of 'better regulation'.

4.2 External relations

4.2.1 Regarding the proposal for future participation of the EU in international maritime organizations as an entity in

parallel to its Member States, the expertise input of EU member states in international organizations (such as IMO, ILO) is of high repute and this should not be undermined but rather enhanced. At present, there is scope for an enforced cooperation/coordination of EU Member States in the context of international organizations. The EESC supports the goal of exercising the EC clout vis-à-vis third countries with a view to encourage them to enforce and ratify major international maritime Conventions (e.g. Bunkers Convention, HNS Convention, LLMC 1996 Convention).

4.2.2 An efficient and effective EU maritime external relations policy should safeguard a good working international framework for shipping services. The WTO negotiations on services (GATS) have been important to guarantee market access. Though the Doha Round negotiations have been suspended, the maritime standstill agreement (preventing new protectionist measures by WTO member states) should remain in force. The maritime bilateral agreement with China has established a good working framework for constructive relations with China and a similar one with India should be agreed upon.

4.2.3 The Green Paper maintains that the legal system based on the UN Convention on the Law of the Sea (UNCLOS)⁽¹¹⁾ needs to be further developed to face new challenges. The EESC believes that the UNCLOS Convention is the request of a delicate balance of interests which should not be upset, in particular the concepts of 'freedom of navigation' and 'right of innocent passage' within the Exclusive Economic Zone (EEZ). Other coastal states could follow suit and override 'freedom of navigation' for less benign motives. This could have serious consequences for maritime trade in some of the world's major strategic waterways.

4.3 Common European Maritime Space

4.3.1 The idea of considering the EU as one country for customs/administrative purposes only can be welcomed, provided that it respects in international waters (High Seas) the UNCLOS and IMO Conventions including the 'freedom of navigation' and the 'right of innocent passage' within the Exclusive Economic Zone (EEZ). The EESC understands that the idea of 'common European maritime space' refers only to a virtual maritime space in which there will be a simplification of administrative and customs formalities for intra EU maritime services giving them a similar regime as transport by truck, train or inland navigation in the internal market. Following clarifications of the Commission, expressing this clearly in the Communication the idea can be supported by the EESC⁽¹²⁾.

⁽¹⁰⁾ International Convention for the Prevention of Pollution from Ships, 1973, as modified by the Protocol of 1978 relating thereto (MARPOL 73/78) see: http://www.imo.org/Conventions/contents.asp?doc_id=678&topic_id=258.

⁽¹¹⁾ http://www.un.org/Depts/los/convention_agreements/convention_overview_convention.htm.

⁽¹²⁾ Cf. TEN/258, Opinion on European Seaport Policy (OJ C 325, 30.12.2006).

4.4 *Marine environment*

4.4.1 Regional and local air quality should be addressed through the mechanisms provided by the MARPOL Convention via the possible creation of additional Sulphur Emission Control Areas (SECA). Low sulphur fuel requires additional investment in refineries and energy to remove sulphur which may increase CO₂ emissions and contribute to global warming. Moreover, it is unsustainable to apply a myriad of differing levels of emission control in different areas and ports around the world.

4.4.2 Regarding air pollution from vessels the assertion that 'NOx air emissions from vessels will be higher compared to all land-based activities together in 2020' is questionable. The EESC invites the Commission to take into account the repercussions from climate change to navigation and examine the routing of vessels in the Arctic.

4.4.3 Protecting the marine environment and biodiversity in waters beyond national jurisdiction has become an important priority for the international community. In this context, the relationship between UNCLOS and the Convention on Biological Diversity needs clarification. The EU and its Member States should participate actively in developing the UN global marine assessment.

4.4.4 The European Commission has proposed a long-term environmental strategy for cleaning up and protecting the Mediterranean Sea. This unique ecosystem is deteriorating as environmental pressures increase threatening the health of people and economic activities depending on the sea. Similarly, the Baltic Sea and the Black Sea, virtually closed seas, merit special attention in view of the large quantities of Russian oil transported through them, an overall increase of traffic and eutrophication from land based sources and rivers. There is also a sensitive debate regarding the environmental impact of the proposed pipeline in the Baltic Sea (Russia/Germany). The above problems are exacerbated by the activities of military vessels — escaping from the scope of EU rules — which are increasingly detrimental to the environment and tourism.

4.5 *Fisheries*

4.5.1 The fisheries sector⁽¹³⁾ is deeply depending on a sustainable maritime environment and its future should be an optimal functioning maritime eco-system, from the biologic, economic and social point of view.

4.5.2 The 'Code of Conduct for Responsible Fisheries' (FAO) could serve as a background for all fisheries administrations. The fisheries sector must develop better tools (e.g. equipments, fishing gears) to increase selectivity and reduce damage to the seabed. In the context of an integrated approach, there is need to establish maritime protected areas to save biotope threats from unregulated and illegal fishing, and have better statistics on the catch of fisheries. A better spatial planning could

develop sea tourism, safeguard fisheries and create regional development and higher employment within the maritime sector in rural areas.

4.6 *European Coast Guard*

4.6.1 The EESC wonders about the added value in promoting at this stage the idea of a European Coast Guard. The feasibility study that will be presented soon will provide valuable information about the Commission's thinking in this respect. Taking into account the existing differences as to the structure, functions and responsibilities of the different national bodies of Member States, the EESC believes that the desired objectives can equally be obtained by an enhanced cooperation of the appropriate authorities of Member States in particular regarding security, illegal immigration, trafficking and joint investigation of accidents.

4.7 *European register*

4.7.1 The proposal for a complementary and optional European register (e.g. EUROS) is a matter of concern. Whilst attractive as a symbol of European unity and excellence, the EU flag is a premature move when the economic, tax and social policies of the Member States are not harmonised. Such a proposal could be envisaged as the capping stone of a general EU harmonisation in the remote future, which currently is not yet visible. In addition, the use of the word 'complementary European register' is confusing, begging the question what additional advantages such a register might provide beyond the national register through the EC Guidelines to shipping. Positive measures and other incentives may be streamlined through the Guidelines and may be available to all national registers. In any event, the creation of a specific European register would need to be accompanied by a recognition and strengthening of European social legislation applicable to this new register.

4.8 *'Quality' Coastal State*

4.8.1 The EESC strongly advocates the establishment of 'quality' coastal states which are the missing link in the quality chain. 'Quality' coastal states should deliver essential services to ships. For instance, a 'quality' coastal state: fulfils its international obligations by ratifying and implementing internationally agreed conventions, follows the IMO/ILO Guidelines on the fair treatment of seafarers, provides adequate waste reception facilities, maintains its aids to navigation and nautical charts, provides ships in distress with a place of refuge (rather than risking environmental disaster by denying it), ensures that all steps are taken to facilitate the safe innocent passage of ships through its waters and gives incentives to quality ships calling at its ports or navigating within its waters. Unfortunately, there seems to be a general lack of commitment to this important role by some coastal states.

⁽¹³⁾ NAT/333: Opinion: Sustainability in EU fisheries. NAT/316: Opinion (25.9.2006): Improving the economic situation in the fishing industry. NAT/280: Opinion (16.12.2005): The Common Fisheries Policy and Law of the Sea. OJ C 318, 23.12.2006 and OJ C 65, 17.3.2005.

4.8.2 The Green Paper offers the opportunity to develop measurable criteria and 'best practice' for coastal states. This concept should be raised by the EU Member States in IMO with a view to developing appropriate measurable criteria in evaluating coastal state performance.

4.8.3 The EESC supports the proposal of the Committee of Regions ⁽¹⁴⁾ to establish a European Coastal and Island Fund encompassing several maritime activities.

4.9 Coastal tourism

4.9.1 The EESC notes that Europe is the first tourist destination in the world. It supports the idea of developing alternative quality tourism in coastal areas. The Green Paper acknowledges that sustainable tourism will differentiate tourist services with the goal of decongesting the sea shores, provide alternative sources of income to fishermen and develop activities maintaining the cultural heritage. The EESC cannot but subscribe to the above initiatives.

4.10 Social affairs

4.10.1 The EESC notes the exclusion of fishermen and seafarers from European social legislation on the following

directives: on collective redundancies, on transfer of undertakings, on information/consultation on posting of workers). Such an exclusion was originally justified due to the fact that the social legislation was primarily designed for land based industries rather than the particularities of the employment at sea. The EESC, invites the Commission to reassess these exclusions in close cooperation with the social partners.

4.11 Ship boarding agreements

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

Brussels, 26 April 2007.

The President
of the European Economic and Social Committee
Dimitris DIMITRIADIS

⁽¹⁴⁾ CoR opinion 258/2006 (13-14.2.2007).