

Brussels, 6 May 2020
(OR. en)

7748/20

LIMITE

MAR 68
OMI 31
ENV 218
CLIMA 74
SOC 260
DIGIT 33
TRANS 190

OUTCOME OF PROCEEDINGS

From:	General Secretariat of the Council
To:	Delegations
No. prev. doc.:	7512/20
Subject:	EU Waterborne Transport Sector – Future outlook – Draft Council conclusions

BACKGROUND

On 3 April 2020, the Presidency distributed draft Council conclusions and launched a written consultation of the Shipping Working Party, inviting delegations to provide comments on the Presidency proposal by 16 April 2020.

Three delegations provided drafting suggestions (EL, FR and PL)¹. CY indicated support for the French, including the Greek, drafting suggestion. DE suggested that a reference to training be included in an appropriate place in the draft Council conclusions.

Two delegations communicated that they had no specific comments on the Presidency proposal (DK and SE).

On 17 April, the Presidency distributed a new compromise proposal and launched a second written consultation, inviting delegations to provide comments on the Presidency proposal by 22 April 2020.

¹ Cf. WK 3813/20 + ADD 1 and 2.

Four delegations (DE, DK, EL and IT) provided substantive comments and/or drafting suggestions².

On 27 April, the Presidency distributed a new compromise proposal and launched a third written consultation, inviting delegations to provide comments on the Presidency proposal by 30 April 2020.

IT provided a substantive comment sent by e-mail to delegations, asking for a reference to the fair treatment of seafarers to be included in the second recital.

The Presidency agreed to the importance of the issue brought up by the Italian delegation, but considered that the Italian proposal would fit better in the third recital, where there is already a reference to seafarers and inland navigation workers.

Therefore, a Presidency compromise text for this issue was distributed via e-mail to delegations. The Italian delegation could accept that compromise text and no delegation objected.

The Presidency therefore concludes that there is consensus on the text in the Annex.

The changes compared to the previous version are marked in **bold underline** (new text).

NEXT STEPS

The text of the draft Council conclusions will be translated. When that process is finalised, the draft Council conclusions will be submitted to Coreper and Council for adoption.

² Cf. WK 4032/20 + ADD 1-3.

COUNCIL CONCLUSIONS**on****"EU Waterborne Transport Sector – Future outlook:*****Towards a carbon-neutral, zero accidents, automated and competitive******EU Waterborne Transport Sector"***

THE COUNCIL OF THE EUROPEAN UNION,

HAVING REGARD TO

- the Council Conclusions of 5 June 2014 on the Mid-Term Review of the EU's Maritime Transport Policy until 2018 and Outlook to 2020³;
- the Council Conclusions of 8 June 2017 on "Priorities for the EU's maritime transport policy until 2020: Competitiveness, Decarbonisation, Digitalisation to ensure global connectivity, an efficient internal market and a world-class maritime cluster"⁴;
- the Council Conclusions of 3 December 2018 on "Inland waterway transport – See its potential and promote it!"⁵;
- the Commission report on the Implementation of the EU Maritime Transport Strategy 2009-2018⁶;
- the Commission mid-term progress report on the implementation of the NAIADES II action programme for the promotion of inland waterway transport⁷;

WELCOMING the successful Informal Maritime Ministerial Meeting organised by the Croatian Presidency in Opatija, Croatia, on 11 March 2020, setting out a vision for a carbon-neutral, zero accidents, automated and competitive waterborne transport sector, served by a workforce with up-to-date training and skills, which is crucial for the welfare of the European Union;

³ Document 10041/14.

⁴ Document 9976/17.

⁵ Document 15144/18.

⁶ Document 12829/16.

⁷ Document 12350/18.

RECALLING the vital and strategic importance of shipping, inland waterway transport and related services for the supply of essential goods and for the health, wellbeing and quality of life of European citizens;

STRESSING the crucial role of European shipping during the COVID-19 pandemic, ensuring the regular flow of trade by sea and operation of the supply chains, as smoothly as possible, for the uninterrupted availability of basic services, commodities and medicines to EU citizens and vital industries; NOTING that this role is paramount for the EU and RECALLING ONCE AGAIN, against this background, that the EU waterborne transport sector is of EU strategic interest for its integrity of supply; RECOGNISING the **crucial** role of seafarers and inland navigation workers, **including their right to fair treatment**, in this respect and the need to alleviate the negative socio-economic impact of the COVID-19 pandemic on the waterborne transport sector;

REITERATING the essential role of waterborne transport in providing jobs, strengthening European economic competitiveness and contributing substantially to the European Union GDP;

REAFFIRMING that the European waterborne transport sector faces significant challenges and that further action is needed to maintain and further develop attractive and sustainable, smart, safe and social quality waterborne transport;

EMPHASISING that the political priorities set out in the Opatija Declaration should be fully taken into account by the Commission, Member States and stakeholders when taking measures in support of waterborne transport;

THE COUNCIL THEREFORE

1. ENDORSES the content of the "Opatija Declaration" on "EU Waterborne Transport Sector – Future outlook: Towards a carbon-neutral, zero accidents, automated and competitive EU Waterborne Transport Sector " and RECOGNISES the Declaration as a substantial contribution to the EU's waterborne transport policy beyond 2020;
2. CALLS UPON the Commission and the Member States to work together, in close cooperation with other EU institutional bodies and agencies and with industry and social partners, to undertake appropriate initiatives and set milestones, taking the "Opatija Declaration" as a basis, to further develop and implement the EU's waterborne transport policy beyond 2020.

EU Waterborne Transport Sector – Future outlook
Towards a carbon-neutral, zero accidents, automated and competitive
EU Waterborne Transport Sector

We, Ministers responsible for waterborne transport policy, covering maritime transport and inland navigation, under the chairmanship of Oleg Butković, Minister of the Sea, Transport and Infrastructure of the Republic of Croatia and in the presence of Adina-Ioana Vălean, Commissioner for Mobility and Transport, on the occasion of the Informal Ministerial Meeting in Opatija, on 11 March 2020,

- **EMPHASIZING** the vital and strategic role of waterborne transport to the EU economy, global trade and connectivity, and its importance to the functioning of the internal market;
- **HIGHLIGHTING** EU's leading position in providing safe, sustainable and efficient waterborne transport services and operations with high working standards;
- **RECALLING** that clean, sustainable, safe and secure seas and oceans are of fundamental importance for global free trade, the EU's economy and its citizens;
- **RECOGNISING** the need for urgent action to address the major challenges of climate change and environmental sustainability, including the adaptation of ports and inland waterway infrastructure, its integration in the supply chain and to consider ways to further strengthen the competitiveness of the sector;
- **STRESSING** the importance of the digital transformation of the waterborne transport sector and its significance for further development of global trade and competitiveness of European Union in the world as well as strengthening of internal market, and recognising the need to define transparency, liability and accountability requirements for the functioning and operation of automated systems;
- **NOTING** the challenges that the waterborne transport sector is facing in relation to necessary introduction of new energy efficient technologies;

- **ACKNOWLEDGING** the importance of adequate education, training and lifelong learning of the seafarers and inland navigation workers in the rapidly changing waterborne transport environment;
- **REAFFIRMING** the objective of supporting the long-term competitiveness of European shipping in global maritime markets in the context of growing protectionist trends and restrictive measures;
- **RECOGNISING** that the policy goals of environmentally-friendly, safe and secure shipping can be achieved by an effective co-operation between regulators and industry and the latter's sufficient access to financial markets and appropriate funding;
- **TAKING INTO CONSIDERATION** the discussions at the High-Level Ministerial Maritime Conference held in Opatija on 10 March 2020;
- **RECALLING** the Council Conclusions on "Priorities for the EU's maritime transport policy until 2020: Competitiveness, Decarbonisation, Digitalisation to ensure global connectivity, and efficient internal market and a world-class maritime cluster" and on "Inland Waterway Transport – See its potential and promote it!";

HAVE AGREED TO WORK TOWARDS:

A carbon-neutral and zero pollution waterborne transport sector

- 1.1 **WELCOME** the Commission's Communication on the European Green Deal which aims to accelerate progress towards a fully sustainable EU waterborne transport sector within a fair and prosperous society, with a modern, resource-efficient and competitive economy where there are no net emissions of greenhouse gases in 2050 and where economic growth is decoupled from the use of resources; **WELCOME** all the existing national strategies and initiatives aiming to decarbonise the waterborne transport sector; **ENCOURAGE** synergies between international, European and national initiatives and efforts to accelerate the transition to a carbon neutral waterborne transport sector.
- 1.2 **NOTE** that the policy response to the European Green Deal should be used as an opportunity to further strengthen the competitiveness of the European waterborne sector and to contribute to European growth and prosperity; **UNDERLINE** that any measure towards carbon-neutrality must be flag neutral whilst ensuring a level playing field and avoiding carbon leakage.

- 1.3 **STRESS** that climate change mitigation action at a global level is of utmost importance for international shipping and should be prioritised, including a robust and effective enforcement at global level with the aim of maintaining a level playing field; **NOTE** the importance of further work within the IMO on achieving 2050 emission reduction objective coupled with a vision for complete decarbonisation; **SUPPORT** a timely and effective implementation of the Initial IMO Strategy on Reduction of GHG Emissions from Ships and its forthcoming review.
- 1.4 **STRESS** the commitment for maritime transport to effectively implement the global sulphur cap.
- 1.5 **ENCOURAGE** the research, development, funding and deployment of zero-emission vessels for short sea shipping and inland navigation in the near future.
- 1.6 **RECOGNISE** the need to support the development of different alternative fuels for use in all segments of waterborne transport and to ensure adequate funding in support of research and development through public, private and EU financial instruments and grants with the aim to make available clean alternative fuels, including LNG as a transitional fuel, and the associated infrastructure, innovative technologies and sustainable ship designs; **SUPPORT** the envisaged Partnership 'Zero-Emission Waterborne Transport' of the Horizon Europe facility to ensure the development and deployment of alternative propulsion systems and alternative fuel systems for the waterborne transport and to decarbonise the shipping sector.
- 1.7 **WELCOME** the Commission's proposal for the establishment of a Just Transition Mechanism which would also be able to support the transformation of territories facing the biggest social and economic challenges of the transition to a carbon-neutral economy in a fair and inclusive way, leaving no one behind;
- 1.8 **REITERATE SUPPORT** for the clear vision for green and carbon-neutral ports, including the use of LNG as a transitional fuel, the provision of onshore power supply, alternative fuels, adequate facilities for the reception of waste from ships and hinterland connections to rail and inland waterway transport, reducing pollution of air and water and safeguarding biodiversity, without compromising safety.

- 1.9 **EMPHASIZE** the need to develop carbon-neutral port activities through the promotion of green initiatives on port operations, vessels and energy industrial production.
- 1.10 **SUPPORT** the ongoing efforts of the Contracting Parties to the Barcelona Convention on the submission of a proposal at IMO level in 2022, for the designation of a sulphur emission control area across the Mediterranean Sea basin as a whole with participation of EU Member States and riparian third States to minimize shipping emissions and achieve significant health and environmental benefits; **CONSIDER** the possibilities of EU financial mechanisms supporting the creation of this area. **NOTE** the existing studies on other pollutants from maritime transport in the Mediterranean Sea basin for consideration of further work.
- 1.11 **RECALL** the need to launch a follow-up programme to NAIADES II by the end of 2020 at the latest to ensure the continuity of the measures and **SUPPORT** the Commission to develop such a programme to further enhance the environmental sustainability and the competitiveness of inland waterway transport and the related infrastructure to contribute to the objective of modal shift as set out in the Green Deal Communication.
- 1.12 **NOTE** the importance of climate proofing, resilience building, prevention and preparedness in relation to climate change adaptation of the waterborne sector.

Digital transformation

- 2.1 **ACKNOWLEDGE** the opportunities created by the digital transformation of the waterborne transport sector enabling seamless multimodal transport operations; **SUPPORT** the ongoing work at European and international level in relation to maritime high-level automation and autonomous ships and **ENCOURAGE** the work in IMO and in CESNI for the establishment of an appropriate goal-based and technology-neutral legal framework and relevant technical standards to enable safe and secure operation of autonomous ships, including initiatives to facilitate the parallel operation of non-autonomous and autonomous ships.
- 2.2 **SUPPORT** the development of a fully digital administrative environment for waterborne transport that will reduce costs for the operators and increase the efficiency and effectiveness of administrations, whilst ensuring the confidentiality of data and, when applicable, taking into account the "TEN-T corridor" approach.

- 2.3 **PROMOTE**, including through possible relevant legislative amendments, the uptake of digital services, electronic certificates for the registration of seagoing ships under EU Member States flags, the electronic verification of certificates for seagoing ships and seafarers as an option in the context of port State control procedures and **ENCOURAGE** the uptake of electronic crew and vessels documents and the deployment of digital services for inland navigation.
- 2.4 **HIGHLIGHT** that complete and timely implementation of the European Maritime Single Window environment Regulation will enable harmonized, fast and complete execution of reporting formalities by the declarants, including cargo information, thus opening up the perspective of a European Maritime Transport Space without Barriers and improvement of the efficiency and attractiveness of maritime transport and its smooth integration with other transport modes and increased interoperability of data exchange systems in the context of the whole logistic chain; **PROMOTE** similar initiatives at global level.
- 2.5 **SUPPORT** the digitalisation of reporting formalities in ports necessary for achieving full benefits of European Maritime Single Window environment.
- 2.6 **EMPHASIZE** the need to work towards a connected, cooperative and automated inland waterways transport, integrated into the digital transport ecosystem.
- 2.7 **RECOGNIZE** that the above steps should be taken with a view of maintaining and extending the policies of open source data and data sharing, single data delivery, accelerated innovation and standardization processes necessary for interoperability as well as data economy, whilst ensuring data security; **ENCOURAGE** data sharing with fair user rights in order to provide a more level playing field for all actors and to enable new innovations and new services based on efficient use of data.
- 2.8 **STRESS** the need to ensure a high level of cybersecurity in the waterborne transport sector; **SUPPORT** the work undertaken at EU and international level.

- 2.9 **CONSIDER** of utmost significance the development of a Waterborne Digital Roadmap by 2021 facilitating an integrated and harmonized approach towards digitalisation of waterborne transport; **CALL UPON** coherent actions and efforts of the Commission, Member States and the industry with the aim to facilitate the digital transformation.

Competence and training of the future seafarers and inland navigation workers

- 3.1 **CALL UPON** the Commission and Member States to intensify their efforts at IMO level for an ambitious review of the STCW Convention in response to the current challenges and increased technological demands and developments, whilst reflecting the deployment of the necessary skills for seafarers.
- 3.2 **REAFFIRM** the importance of the European Social Dialogue in maintaining attractive working conditions and adequate social protection for seafarers and inland navigation workers by effectively applying, amongst others, the Maritime Labour Convention and the relevant agreement with the social partners; **ENCOURAGE** measures to preserve the conditions for a social level playing field.
- 3.3 **SUPPORT** further development of CESNI standards to uphold the necessary skills for crewmembers on board inland navigation vessels.
- 3.4 **ENCOURAGE** the Commission and Member States to enhance cooperation between industry, education and training providers, also related to the on-board training, to ensure that European seafarers and inland navigation workers are equipped with the right skills for the rapidly changing waterborne transport environment; **SUPPORT** initiatives to promote and improve the image of the sector, to increase employment opportunities on-board and ashore, to develop measures for improving education, training and assessment to adjust to new technologies, as well as to promote the attractiveness of the professions in the waterborne sectors among young women and men.
- 3.5 **SUPPORT** initiatives to empower women in the waterborne transport sector.

- 3.6 **ACKNOWLEDGE** that the verification of certificates of competency and endorsements issued to seafarers is essential from the point of view of preventing unlawful practices associated with the issuance of such certificates as well as supporting port State control activities.
- 3.7 **STRESS** the importance of a secure waterborne transport sector, highlighting the serious threat that piracy and armed robbery at sea represent to the safety and wellbeing of seafarers, global trade, maritime transport and regional economic development and underlining the crucial role of international cooperation to counter such acts.

Zero accidents

- 4.1 **UNDERLINE** the importance of cultivating and promoting a maritime safety culture, based on "just culture", of zero accidents by 2050 and **CALL UPON** the Commission and Member States to exploit fully the synergies that will derive from the green and digital transformation of the waterborne sector.
- 4.2 **WELCOME** the conclusions and recommendations of the maritime transport fitness check and **ENCOURAGE** the Commission to consider, where necessary, follow-up actions with a view to improve the current safety level.
- 4.3 **ACKNOWLEDGE** EMSA's pivotal role in assisting the Commission and supporting Member States to effectively meet their obligations as flag, port and coastal States and **ENCOURAGE** the Commission to consider options for further enhancing EMSA's capability in performing its technical and operational tasks on safety, security and sustainability of EU shipping.
- 4.4 **UNDERLINE** that it would be useful to collect data on accidents on inland waterways at European level, in order to improve the rules and standards where necessary.
- 4.5 **RECOGNISE** CESNI's central role in supporting the EU and its Member States to provide standards for inland vessel's technical requirements, professional qualifications and information technology and **ADVISE** to draw on the expertise of CESNI for the collection of data on accidents on inland waterways at EU level, in order to improve the rules and standards, where necessary.

4.6 **UNDERLINE**, in terms of safety and protection of human life and the environment, the importance of ratification of international maritime conventions, such as the Cape Town Agreement of 2012 on the Implementation of the Provisions of the 1993 Protocol relating to the Torremolinos International Convention for the Safety of Fishing Vessels, 1977, the Protocol of 2010 to the International Convention on Liability and Compensation for Damage in Connection with the Carriage of Hazardous and Noxious Substances (the 2010 HNS Convention), the Hong Kong International Convention for the Safe and Environmentally Sound Recycling of Ships, and the Convention on Standards of Training, Certification and Watchkeeping for Fishing Vessel Personnel (STCW-F).

A world-leading waterborne transport sector in the EU

- 5.1 **ACKNOWLEDGE** that the EU faces unfair trade practices and limited market access in certain third countries and **STRESS** the need for coordinated action to safeguard EU maritime interests and collectively promote free and reciprocal access to international maritime services; **CALL UPON** the Commission and Member States to intensify efforts to maintain a global level playing field based on high international standards for safety, environment, skills and labour conditions, thereby creating the conditions for a thriving EU waterborne transport sector in an increasing international competitive environment; in this regard, **HIGHLIGHT** the importance of ambitious Free Trade Agreements and maritime transport agreements between the EU and third countries to promote a global level playing field for international maritime services.
- 5.2 **RECOGNISE** the added value and the role of EU State Aid Guidelines to Maritime Transport in maintaining the international competitiveness of the EU shipping sector, having in mind global developments, trends and challenges, with the objective to **FURTHER ENHANCE** the quality and attractiveness of flags of EU Member States and create the conditions in which shipping can increase its contribution to the EU economy.
- 5.3 **ACKNOWLEDGE** the EU waterborne transport sector, its infrastructure and its financial autonomy as being of EU strategic interest; **STRESS** the importance of ensuring access to finance for a sustainable EU waterborne transport sector.

- 5.4 **UNDERLINE** that efficient short sea shipping plays a key role to link up the different regions within the internal market of the Union and support the greening of transport.
- 5.5 **RECALL** the importance of promoting multilateral dialogue at a broad international level with a view to fostering a level playing field and therefore **CALL UPON** the Commission to continue to undertake all appropriate measures to ensure that international maritime services be covered by relevant global, multilateral instruments including Agreements under the auspices of the World Trade Organization (WTO).
-