



# ECSCA Newsletter

European Community Shipowners' Associations

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## **MARNIX VAN OVERKLIFT** *New ECSCA President*

At the General Assembly held in Paris on 26 June, Mr Marnix van Overklift has been appointed President of ECSCA for a period of two years, succeeding Philippe Louis-Dreyfus.



Marnix van Overklift

Marnix van Overklift has a long career in shipping coming from a coaster shipowning family and since 1973 with Seatrade a company established in Groningen in 1951. He served on the Board of the Seatrade Group of companies operating a large fleet of refrigerated vessels. He has different other mandates notably Vice Chairman of the Royal Association of Netherlands Shipowners, member of Lloyds Register Benelux Committee, board member of Skuld and has previously been Vice President of ICS (International Chamber of Shipping) and the International Shipping Federation (ISF).

The General Assembly also appointed Mr Juan Riva Francos CEO of all companies part of the Suardiaz Group and having many other mandates including the Presidency of the Spanish Shipowners Association ANAVE, as Vice President/President elect of ECSCA for a period of two years.

## **INAUGURATION OF EMSA NEW OFFICES**

### *Large participation of maritime stakeholders and personalities*

In a well attended inauguration ceremony EMSA opened its doors of the new headquarters in Lisbon on 16 June 2009. EMSA's magnificent conference centre is named in memory of Loyola de Palacio y des Valle-Lersundi, previous Vice

President of the Commission and Commissioner in charge of transport who died sadly at the age of 56 in December 2006. She was at the basis of the creation of EMSA and of the now approved Maritime Safety Package III.

In an interesting panel Workshop on maritime surveillance the ECSCA President Philippe Louis-Dreyfus stressed the important role of EMSA in making sure that the rules and regulations are properly applied and in providing technical expertise to the European Institutions in the decision making process.



Willem de Ruiter – Director of EMSA

The Agency was also commended with professional approach on oil pollution recovery and the excellent cooperation with the industry supplying the oil recovery vessels.

## **The FUTURE OF TRANSPORT** *Commission Communication and launching of consultation process*



Antonio Tajani

The Commission issued on 17 June a Communication on "A sustainable future for transport: Towards an integrated, technology-lead and user friendly system".

The Communication is a follow up to the 2001 White Paper on Transport Policy that

was updated in 2006. It covers a reflection process involving stakeholders and transport experts. It prepares a new White Paper on transport policy for the next decennium that will be issued in 2010.

ECSA participated in the Focus Groups and in the high level stakeholders' conference that preceded the publication of the Communication.

With regard to maritime transport the Communication refers in its stocktaking to the considerable reduction of marine pollution and maritime accidents and to the most advanced regulatory framework for safety and pollution prevention lastly with the Maritime Safety Package III. Attention is also drawn to the important role of EMSA in this respect.

The Communication describes trends in the main transport drivers up to the middle of the century and the related challenges: ageing, migration and internal mobility, environmental challenges, increasing scarcity of fossil fuels, urbanisation, and global trends affecting European transport policy.

In its policy objectives it is stressed that the most immediate priorities appear to be the better integration of different modes of transport as a way to improve the overall efficiency of the system and the acceleration of the development and deployment of innovative technologies. In practical terms seven broad policy objectives are brought forward for consideration: Quality transport that is safe and secure, a well maintained and fully integrated network, more environmentally sustainable transport, keeping the EU at the forefront of transport services and technologies, protecting and developing the human capital, smart prices as traffic signals and planning with an eye to transport: improving accessibility.

In the chapter with suggestions on available policy instruments to reach the goals reference is made to further developing co-modality and improving the infrastructure and the efficiency of nodal points. On maritime reference is made to

the maritime sector as a valuable alternative to land transport, the full implementation of the maritime transport space without barriers, the maritime strategy paper 2009-2018 and motorways of the sea.

Furthermore attention is drawn to including externalities in the users' costs and to the transport sector becoming increasingly self financing also in relation to infrastructure. The international role of the EU for global industries such as maritime and aviation is also stressed.

The Communication concludes with inviting interested parties to contribute to the consultation exercise on the future of transport by 30 September 2009. ECSA is preparing a submission contributing to the consultation process.

### **ROTTERDAM RULES**

Between 2002 and 2008, a new international Convention on the Carriage of Goods (wholly or partly) by sea was negotiated within the United Nations Commission on International Trade Law (UNCITRAL). This Convention is open for signature by States at a ceremony in Rotterdam on 23 September 2009, following which it will be referred to as the "Rotterdam rules".

ECSA fully supports the Rotterdam rules as they provide for the necessary legal certainty and uniformity on cargo liability at international level. With about 90% of world trade being transported over sea on some 50.000 merchant ships, shipping is truly international and requires international rules.

The Rotterdam rules provide for a well-balanced regime, which takes into account the interests of both shipowners and shippers, modernize today's liability regimes on the carriage of goods by sea, address gaps that presently exist and regulate the multimodal carriage of goods that involve a sea leg. It follows that the Rotterdam rules will greatly facilitate international and European trade.

ECSA is also convinced that a status-quo, i.e. a continuing application of the current cargo liability regime for shipping as laid down in either the Hague-Visby or the Hamburg Rules, will not be maintained. Indeed, the US has made it repeatedly clear that they would proceed with their own national legislation on cargo liability if the Rotterdam rules would not become applicable. Also the European Commission has indicated in their Freight Transport Logistics Action Plan a willingness to take legislative initiatives in the field of multimodal liability. Against this background, ECSA believes that the Rotterdam rules clearly represent a last attempt to have a harmonized cargo liability regime at international level providing for modern rules and for legal certainty and uniformity,

ECSA appreciates the support of the US shippers – Nitleague – who have contributed to the development of the Rotterdam rules. It is regretted that the European Shippers' Councils – ESC – have taken a different view.

ECSA urges States, including all EU Member States, to sign up to the Rotterdam rules on 23 September 2009 and to ratify these rules soonest.

### **EU PROPOSAL FOR A STRATEGY FOR THE BALTIC SEA REGION**

On 10<sup>th</sup> June, the European Commission (EC) adopted an EU Strategy for the Baltic Sea Region consisting of a Communication and a detailed Action plan.

This Strategy is seen by the EC as a first step towards the regional implementation of the EU integrated Maritime Policy. The Strategy aims at coordinating and financing actions in many policy areas. The four thematic pillars of the strategy are: a sustainable environment, to enhance the region's prosperity, to increase accessibility and attractiveness, and to ensure safety and security in the region. Within these four pillars, 15 priority areas are identified, and covered by

some 80 Flagship projects which will be reviewed on a regular basis.

The initiative has been introduced to coincide with the 6-month Swedish Presidency as from 1<sup>st</sup> of July and following the usual EU discussion process; the proposal is expected to be adopted by the end of 2009.

More information:

[http://ec.europa.eu/regional\\_policy/cooperation/baltic/](http://ec.europa.eu/regional_policy/cooperation/baltic/)

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