III

(Preparatory acts)

COMMITTEE OF THE REGIONS

80TH PLENARY SESSION 17 AND 18 JUNE 2009

Opinion of the Committee of the Regions on the maritime and coastal package

(2009/C 211/10)

THE COMMITTEE OF THE REGIONS

— considers that European maritime policy requires a holistic, cross-sectoral approach, based on maritime spatial planning to address the increasingly intensive use of the sea and foster harmonious coexistence of conflicting interests in a limited, fragile space;

— considers that this planning calls for an innovative governance tool, designed in a spirit of multi-level governance and compliance with subsidiarity. It thus points out the important role that local and regional authorities have to play with respect to maritime spatial planning, as funding authorities for certain projects and as the local bodies best placed to organise the harmonious coexistence of uses;

— welcomes the steps taken by the Commission in the area of maritime planning and its willingness to draw up common principles at European level. It considers that the role of the European Union could develop into a standard-setting one, in terms both of method and of principles, inter alia by drawing on the existing regional conventions;

— supports the Commission's wish to complete the single market so as to make sea transport more attractive and more competitive. However, it regrets that the concrete measures proposed are largely focused on economic aspects. It calls for the social and environmental aspects to be taken fully into consideration;

— reiterates its request for an appraisal to be made of the option of revising the EU financial system towards one single simplified system for all maritime issues within a European Coastal and Island Fund in the context of the discussions on the next financial framework 2014-2020;

— welcomes the clarification initiative regarding funding for the motorways of the sea, but would like to see a more ambitious, comprehensive assessment of the type of operations and investment eligible for European subsidies, given that the measures taken in recent years have not achieved the expected results, especially with regard to the short-term viability of services.

Rapporteur: Michel Delebarre, Mayor of Dunkirk (FR/PES)

Reference(s)

Roadmap for Maritime Spatial Planning: Achieving Common Principles in the EU COM(2008) 791 final. Commission Communication of 25.11.2008

Strategic goals and recommendations for the EU's maritime transport policy until 2018. COM(2009) 8 final. Commission Communication of 21.1.2009

Proposal for a Directive of the European Parliament and of the Council on reporting formalities for ships arriving in and/or departing from ports of the Member States of the Community and repealing Directive 2002/6/EC. COM(2009) 11 final. 21.1.2009

Communication and action plan with a view to establishing a European maritime transport space without barriers. COM(2009) 10 final. 21.1.2009

Communication from the Commission providing guidance on State aid complementary to Community funding for the launching of the motorways of the sea (2008/C 317/8)

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS,

1. recognises the significant advances made by the Commission and pays tribute to the effective implementation of the action plan and the integrated approach taken. It considers that European maritime policy requires a holistic cross-sectoral approach that 'covers all aspects of people's relationship with the oceans and seas' ([1]);

2. recalls that the European Union's coastal regions and towns are home to almost half of Europe's population ([2]) and contribute around 40 % to Europe's GDP. Local and regional authorities have a variety of competences in areas connected with maritime policy and are the appropriate level to foster coordination of the various sectoral policies on the ground. In addition, local and regional authorities in coastal areas have a special responsibility concerning spatial planning in those areas: they have to manage the tension resulting from usage conflicts on the coast and at sea, and aim for sustainable development and a level of employment that are compatible with the need to protect the marine environment. Consequently, they have developed expertise in integrated strategic planning in this type of territory, including policies as varied as transport, port development, security, urban development, maritime spatial planning, vocational training and Integrated Coastal Zone Management (ICZM);

3. considers that a form of governance that more directly involves local and regional players is necessary for the proper implementation of European maritime policy. Governance that is truly based on partnership for maritime policy, including every level of decision-making and civil society, will make it possible to detect any conflicts sufficiently early and to find locally appropriate solutions;

4. shares the view expressed by the Commission in the Communication on guidelines for maritime governance ([3]) that not only do coastal regions benefit from an integrated approach to maritime policy, they can also be adversely affected by the absence of this kind of approach;

5. believes that links need to be established between the territorial cohesion objective and development of the integrated maritime policy, in particular to ensure more coherent regional development in coastal and island areas, and also inland and towards inland ports; and that future funding of specific initiatives in these regions needs to be better coordinated;

6. repeats in this connection its request 'for an appraisal to be made of the option of revising the EU financial system towards one single simplified system for all or most of the maritime issues within a European Coastal and Island Fund' in the context of the discussions on the next financial framework 2014-2020 ([4]);

7. fully supports the Commission's initiative to create a database of projects in maritime regions which will include information on the beneficiaries of all Community funds, and feels that this is essential in order to ensure transparency in this field and promote exchange of good practice; it wishes to be involved in managing the database, which should become operational between now and 2010;

([1]) See CdR 22/2008, *An Integrated Maritime Policy for the European Union*, point 1.

([2]) Population living within 50 km of the sea or the ocean.

([3]) Guidelines for an Integrated Approach to Maritime Policy: Towards best practice in integrated maritime governance and stakeholder consultation. COM(2008)395 final.

([4]) See CdR 22/2008, point 14.

Maritime spatial planning ([5])

8. welcomes the road map and supports the Commission's proposals on the development of the ten planning principles, which could over time become shared principles that apply across all Member States;

9. approves of the European Commission's efforts for integrated policy-making with the Blue Book offering a clear way forward with regards to managing marine and coastal resources across Europe. Encourages the Commission to go further in that respect and clarify how Maritime Spatial Planning ties in with other actions launched by the European Union, particularly with regard to Directive 92/43/EEC on the conservation of natural habitats and of wild fauna and flora, the Water Framework Directive, the Marine Strategy Framework Directive or the European Parliament and Council Recommendation concerning Integrated Coastal Zone Management. Maritime Spatial Planning should contribute to increasing synergies between these pieces of legislation to avoid potential confusion or overlaps;

10. considers that strategic planning and the organisation of governance need to go before the detailed spatial arrangements for each area. Strategic planning is a key phase in the planning process in that it helps to reconcile the ends and the means and to guide planning. This stage of building together will enable the principles and guidelines to be sketched out and the priorities for planning, and the arbitration this process implies, to be determined;

11. considers that the implementation of an innovative governance tool, designed in a spirit of multi-level governance and compliance with subsidiarity, is essential to setting strategic guidelines for spatial planning. This must of necessity happen at several levels, from the maritime basin to the local level. Also points out that whilst the ecosystemic approach adopted by the Commission ([6]) is supported by a consensus, it does not necessarily suit all maritime activities. The CoR would therefore like the Commission to include in its future proposals the maritime basin or regional sea scale, which is large enough to avoid this trap;

12. stresses that the purpose of maritime spatial planning is to cover all the activities that take place in that space, going beyond national borders so as to fit better with the ecosystemic realities, and that it is therefore an essential instrument of integrated maritime policy. Considers that this measure is essential to address the increasingly intense use of the sea and foster harmonious coexistence of conflicting interests in a limited, fragile space. Notes however that sea transport must rise to the challenge of reconciling maritime spatial planning and the principle of freedom of the seas as enshrined in the conventions of the International Maritime Organisation;

13. accepts that maritime spatial planning is a useful tool for reconciling the requirements of each activity and making best use of the sea whilst guaranteeing sustainable protection of ecosystems. Clear rules known to all will foster long-term investment and thus help increase the contribution made by maritime activities to achieving the objectives of competitiveness and promoting growth and employment under the Lisbon strategy. In this context, would like the Commission to go as far as possible in determining the principles for arbitration so as to ensure the transparency of this process by means of predetermined rules established in close consultation with maritime regions and flexible enough to take account of the specifics of maritime basins;

14. welcomes the steps taken by the Commission in the area of maritime planning and its willingness to draw up common principles at European level. Considers that the European Union has a driving and coordinating role in this area and that the consultation process organised by the Commission in 2009 will make it possible to better understand the challenges and to propose guidelines that are likely to promote a common approach. With this in mind, suggests that the Commission draws up a White Paper following these consultations;

15. considers that the role of the European Union could develop into a standard-setting one, in terms both of method and of principles, so as to ensure genuine coordination of maritime planning in the relevant countries. In this connection, the CoR refers to the experiments already being carried out in certain regions, for example in the Mediterranean under the Barcelona Convention on the protection of the marine environment and, more specifically, the seventh protocol, under which the Member States involved have decided to jointly practice Integrated Coastal Zone Management (ICZM) for the Mediterranean, adopting binding instruments. Beyond encouraging a common approach to maritime spatial planning, the European Union could help the existing regional conventions in each maritime basin to sign up to the idea of integrated and sustainable maritime development in association with each maritime region concerned;

16. strongly encourages the Commission to support pilot projects in each maritime basin so as to test the validity of the proposed principles against the diversity of regional seas. Recalls that the outermost regions, which cover a significant proportion of the European maritime space, must be fully involved in this measure;

17. highlights the important role that local and regional authorities have to play with respect to maritime spatial planning, particularly as funding authorities for certain projects, but also as the local bodies best placed to organise the harmonious coexistence of uses. Established marine and coastal partnerships and maritime networks have a vital role to play to contribute to facilitate the development and implementation of maritime spatial planning in the Member States. Whilst Member States are usually responsible for administering territorial waters and EEZs ([7]), local authorities are involved by virtue of their

([5]) See COM(2008) 791 final.

([6]) For example in its Marine Strategy Framework Directive.

([7]) Exclusive Economic Zones.

competences and responsibilities for water management… and sometimes as managers of port authorities or protected areas. In general terms, they are responsible for fostering balanced, fair development, from which the maritime area cannot be separated;

18. also stresses the need to carry out maritime and terrestrial planning in a coordinated, coherent manner so as to properly manage the land-sea interface, especially along the coastline. In this connection, recalls the work carried out under ICZM;

19. recalls that Europe's regions and cities are already initiating cross-border and transnational cooperation, for example under the Interreg programmes, which enables them to carry out joint projects connected to maritime management. Further considers that EGTCs could be well placed to provide useful opportunities for regional cooperation;

20. welcomes the setting up by the Commission of a European Marine Observation and Data Network, which is expected to result in a prototype European Atlas of the Seas by the end of 2009 and hopes that this forthcoming Atlas can be cross-fertilised with the new *Google Ocean* tool, which was presented in February 2009;

21. regrets that the Commission does not sufficiently develop the issue of subsidiarity. As things stand, the Commission proposal is founded on a number of legal bases (including those relating to transport policy and sustainable development). However, spatial planning policies have hitherto been considered, on the basis of the Treaty of Nice, as an exclusive competence of the Member States. However, if the Lisbon Treaty were to enter into force in the future, and in line with the new objective of territorial cohesion, the question arises, for example, as to whether Article 352 of the Treaty on the Functioning of the European Union (which corresponds to Article 308 TEC [Treaty of Nice]) could provide a legal basis for future regulatory acts in the area of maritime spatial planning;

Sea transport

22. considers that whilst sea transport is a key part of the European economy, a source of revenue, employment, and human and technological know-how, and a factor of environmental performance and competitiveness, it does require certain precautions as regards maritime safety. The significance of this form of transport for a sustainable economy must continue to be enhanced by removing the impediments it faces compared to other transport modes and by imposing environmental requirements. Whilst sea transport is particularly exposed to the vagaries of the financial economy, this does not detract from the fact that it is the prime vector of the real economy. Moreover, once the latter begins to recover, Europe's ports will need to be in a position to meet the needs of the maritime industry in terms of facilities and services. Over the last decade, Europe's port facilities have not kept pace with most ports elsewhere in the world, particularly in Asia. Europe must therefore bring its port facilities up to speed, also in terms of sustainable development, so that it can meet the future challenges of world trade;

23. supports the wish to complete the single market so as to make sea transport more attractive and more competitive. Regrets, however, that the concrete measures are largely focused on this issue. Would, in particular, like to see the social and environmental aspects taken fully into consideration;

24. stresses that sea transport policy must be designed as a component of the logistical chain of which it is part. This presupposes that ports are considered as essential hubs between different modes of transport used by goods travelling from one point to another in Europe or elsewhere. Ports should not therefore be seen as merely a point of departure or a final destination, but rather as a determining factor in a door-to-door transport process;

25. emphasises the need to make ports into real points of reference in the virtual management of the transport chain, and thus make them capable of anticipating the management of flows of goods. This means that information systems that optimise transport and logistics services through real-time tracking of goods must not be interrupted during port transit. To this end, the interoperability of port operating systems with each other and with internal platforms needs to be researched or developed where it does not already exist;

26. welcomes the Commission's willingness to bring the level of administrative and customs constraints on sea transport into line with that faced by other modes of transport. For example, it is utterly unrealistic to call for the transfer of freight from road to sea in accordance with the motorways of the sea concept when the formalities relating to the loading or unloading of heavy goods vehicles onto ships put off potential users of this option. Regulations should therefore be reduced to a level that reflects the specific nature of sea transport (openness of the seas and thus the blurring of borders at ports, particular dangers to the marine environment in the event of accidents, etc.);

Maritime strategy 2018 ([8])

27. welcomes the recommendations made by the Commission in the key parts of the text, i.e.:

— supporting international sea trade in fair conditions through the observance of universal rules

— supporting the maritime professions (training, skills, professionalisation, etc.) and complying with the measures adopted by the ILO on the fair treatment of seafarers, their living conditions and remuneration

([8]) See COM(2009) 8 final.

— progressing towards zero-waste, zero-emission maritime transport and bringing it fully into line with the principle of sustainable of development

— ensuring the long-term safety and security of sea transport through compliance with the rules and the development of preventive actions;

28. wonders, however, about the European Union's ability to implement these given the breadth of the area they cover. Therefore suggests to the Commission that it prioritise the issues and set priorities with regard to actions to be undertaken, jointly drawing up a detailed road map with the Member States and all the stakeholders as soon as possible and in any case before the end of 2009;

29. regrets that the concrete proposals relate only to the liberalisation of commercial transactions with the aim of enhancing competitiveness and productivity. Notes that the preservation of the environment and guarantees of better social standards for seafarers appear only in the list of broad principles, and that no timetable nor concrete action is proposed;

30. stresses that sea transport is a sustainable means of transport that makes a key contribution to combating climate change and atmospheric pollution and, more generally, to the greening of transport. Considers the development of a more environment-friendly transport system to be a policy priority. The CoR considers that modal shift towards sea transport makes it possible to respond both to increasing demand for (passenger and freight) transport and to requirements connected with combating climate change. In particular, the CoR regrets that international sea transport is still excluded from the mechanisms of the Kyoto protocol and from the timetable for reducing greenhouse gases. Therefore encourages the IMO to propose, not least with a view to the UN climate conference in Copenhagen in December 2009, binding rules on greenhouse gas emissions that would apply to all vessels, regardless of their flag, with a view to their adoption in 2011. The European Commission should undertake to support uniform and transparent environmental certification for ships and ports, such as the ESI Environmental Ship Index, which is being developed by the World Ports Climate Initiative. However, in order to avoid, as far as possible, putting the European shipping industry at a competitive disadvantage, the European Union should make it a priority that any binding rules be adopted at international level. In addition, an assessment should be made of the potential effects of introducing differentiated port fees linked to pollution;

31. stresses that the aim of greening sea transport must also, beyond measures aimed at reducing the environmental footprint of ships, lead to the measurement and reduction of the environmental impact of port and logistical facilities. Notes in this respect that, whilst it is essential to speed up the procedures for port development in order to ensure the competitiveness of Europe's ports, this must not happen at the expense of the quality of environmental assessments, with due regard to the need to define specific legislation that is not open to different interpretations and, hence, to distortions in competition. Proper urban integration of maritime, port and logistical activities must be considered as a fully-fledged objective of European maritime policy;

32. considers that sea transport must be a leading sector in the greening of transport and, in this context, calls on the European Union to provide strong support for research and innovation to improve the environmental performance of ships and ports; for example, the issue of avoiding water pollution caused by ships should be taken into consideration;

33. points out that the implementation of the recommendations requires the provision of significant resources and calls on the Commission to evaluate the cost of the proposed measures, to specify how they might be funded, and to suggest how this might be divided up amongst the various stakeholders. Considers that sea transport, being more ecologically sustainable than, for example, road transport, should be supported by EU funding and calls upon the European Union to take all necessary steps to ensure that the Community economic resources needed are provided;

34. asks that the next revision of the Trans-European Transport Network should enable a higher priority to be given to port investment and to connecting ports with their hinterlands, under the EU budget: structural funds, TEN-T heading and Marco Polo. The compromises agreed between the Member States and the Commission have led to an imbalance to the detriment of the maritime and port element. The European port map must in future be better balanced between categories of ports (recognition of the value of small and medium ports so as to improve their accessibility) and between regions (centre/periphery), and the full set of Community financial instruments must contribute to this;

35. considers that the aim of maintaining rules of fair competition between the various modes of transport means internalising external (in particular environmental) costs and that, in the absence of such internalisation, the rules of the market cannot be left alone to regulate the flows of sea traffic;

36. also recalls the issue of differentiated support for island areas of the EU, which are highly dependent on this form of transport for their competitiveness and for their involvement in international and intra-EU trade. Restates its wish that 'the EU's island areas be connected to the motorways of the sea system in order to improve their access to the single market' ([9]);

37. supports the proposal of creating a Task Force in order to identify how to strike the right balance between the employment conditions of seafarers and the competitiveness of the European fleet. Proposes that its task be broadened to define a minimum social standard, with the aim of making the human factor a fully-fledged development factor, as it considers that training, professionalism, and living and working conditions of crews are the key to success for any measures aimed at ensuring the competitiveness of maritime services, maritime safety and security, and respect for the environment. In this connection, it

([9]) See CdR 119/2006: *Mid-term review of the transport White Paper*, point 4.4.

calls on the European Union to develop a specific mechanism for regulating and supervising job placement agencies (known as manning agencies) based on the ILO Conventions, similar to those introduced for training centres on the basis of the STCW Convention;

38. joins with the Commission in stressing the crucial nature of training issues for all maritime sectors and endorses the proposals made on this point. It welcomes, in particular, the proposal to set up an Erasmus-type system in the maritime sector, and calls on the Commission to fine-tune the proposal so that its terms and scope of application are clarified, in particular the issue of how to extend it beyond officer training to all young people undergoing maritime training;

39. considers that proposals concerning maritime human resources, skills and know-how must be aimed at the entire maritime sector, including its land-based extensions, i.e. port jobs or jobs connected with logistical and pre- or post-transport activities. It would therefore be desirable to establish, at European level, a general framework establishing a code of good practice that everyone will strive to achieve, but also setting a certain number of limits, thus doing away with — by way of example — the principle of self handling for transhipment operations. Such a framework can only be envisaged if it can be flexibly applied to each port. The rejection, on two occasions, of the directive on the liberalisation of port services is a reminder that any regulatory initiative, which will by definition be rigid, is doomed to failure;

40. calls on the Commission to specify how to avoid distortions in competition between ports in connection with the cost of security measures;

41. would ask the Commission to specify how to avoid distortions in competition between ports in respect of the requirements introduced by European directives, among other things in relation to security;

42. subscribes to the proposals on maritime safety and notes the significant progress made in harmonising these matters. Stresses that the recent adoption by the European Parliament of the Third Maritime Package (Erika III) demonstrates the ability to harmonise the rules on sea transport. It is concerned about new maritime transport risks, particularly those posed by accidents to container ships or chemical tankers, especially now that ships are getting larger, and calls on the Commission to specify the measures planned or already adopted to address this issue;

43. considers that the straits through which most worldwide traffic passes require a specific approach aimed at better coordinating the management of these spaces, which face significant risks that local actors are required to deal with directly. The economic and environmental impact of a shipping accident in a major strait such as that of Dover would be considerable, not only for the maritime regions concerned but also for Europe as a whole;

44. points out that national practices in the area of customs and veterinary inspection are likely to cause distortions in competition and would therefore like closer monitoring by the Commission of the transposition of directives so as to ensure that they are being properly interpreted;

45. stresses the importance of the external dimension of maritime policy, especially in the transport sector. Considers that harmonisation of the operating rules under the different European flags would make it possible to strengthen the European Union's position within the International Maritime Organisation and to take a further step towards worldwide harmonisation of the rules governing sea transport. In this connection, would like the EU to make its voice heard more effectively in international bodies (IMO, WTO and ILO) so that European sea transport can develop in a fairer, more transparent competitive environment. Encourages the Commission in its efforts to coordinate the positions of Member States at the IMO and calls for observer status to be granted to the European Union at that organisation;

46. has doubts about the timeframe chosen for this Maritime Strategy, namely 2009-2018. Calls for this to be brought in line (at a later date) with the timetable for the new Lisbon Strategy post-2010;

Maritime space without barriers

47. shares the aim of abolishing or simplifying some or all of the administrative procedures that are hindering the development of Short Sea Shipping within the European Union whilst ensuring a high standard of safety and environmental protection;

48. welcomes the Commission's willingness to set up a maritime transport space without barriers to enable the completion of the single market in the area of sea transport, but regrets that it does not refer to 'a common maritime space, going beyond the abolition of administrative and fiscal barriers for ships moving between European ports';

49. would like social aspects to be taken fully into consideration, and the European Union to do more to ensure compliance with international rules on employment law and environmental protection, so that fair competition is maintained at global level. It therefore believes that the measures proposed by the Commission are only the first stage in creating a genuine common maritime transport space. To this end, it welcomes the possible ways forward mentioned in the Commission Communication of 21 January 2009 and calls on the Commission to present the next steps in creating a common maritime transport space without delay;

50. welcomes the proposed guidelines on simplification, harmonisation, single windows and electronic transmission. Considers that ships registered under the flag of a Member State and travelling between two European Union ports should not be subject to more onerous paperwork requirements than other means of transport, provided that safety and security aspects specific to sea transport do not require otherwise;

51. highlights the efforts already made in the area of reporting formalities and dematerialisation. Welcomes the willingness to continue simplification and harmonisation of administrative (notably customs, veterinary and plant health) procedures among Member States;

52. regrets the Commission's unfortunate statement to the effect that 'pilotage services can be a serious problem'. It points out the importance of pilotage services for maritime safety in ports and port approaches. It therefore calls on the EU and the Member States to be very rigorous in defining the framework for issuing pilotage exemptions;

53. calls on the Commission to take all necessary steps to avoid distortions arising from differences in interpretation in the application of procedures that have already been harmonised;

54. welcomes the objective of a single window, but points out that this objective will require significant investment to equip all those involved in the sector. Considers that the European SafeSeaNet network is a priority with a view to rationalising and speeding up the exchange of documents between those involved in sea transport. Considers that support for equipping port communities is indispensable for ensuring the efficacy of document exchange systems and the success of that European network; similarly, it draws the Commission's attention to the effects of some of the proposed measures on small and medium-sized ports, and calls on it to take the necessary steps to ensure that these measures do not lead to distortion of competition which could upset the balance of the European port network;

State aid complementary to Community funding for the launching of the motorways of the sea ([10])

55. welcomes the clarification initiative undertaken by the Commission concerning the link between the various State aid measures that can complement Community funding for the launching of the motorways of the sea. Stresses the indispensable, determining role of public funding for the development of short sea shipping. Recalls that the aims of relieving congestion on the road network and reducing the impact of freight on the environment justifies strong support from the public authorities for projects connected with the motorways of the sea. With this in mind, the ability given to provide State aid at national, regional or local level must be welcomed, but must not be considered a satisfactory answer to the inadequacy of the European funding allocated to the motorways of the sea;

56. regrets that the criteria adopted by the Commission for evaluating projects relate mainly to the short-term viability of the service, whereas this is very difficult to achieve within a short time, firstly because of the significance of the initial investment required, and secondly because of the uncertainty concerning the occupancy of ships, as demonstrated by the experiment carried out between the ports of Toulon and Civitavecchia (Rome) from 2005 to 2008;

57. is concerned about the lack of a comprehensive assessment of the nature of operations and investment eligible for European subsidies, given that the measures taken in recent years have not achieved the expected results. Aside from their complexity, some aspects of the proposed funding mechanisms seem to be inappropriate or of very limited use with regard to the needs created by the launch of a motorways of the sea service;

58. suggests that ships built or acquired by a shipping operator and assigned to a motorway of the sea could — by way of derogation — be treated as infrastructure, despite their mobile nature. These ships could then be subsidised in the same way as certain road and railway investments. However, according to ECJ case law and in particular to the Ferring (case C-53/00) and the Altmark judgements (case C-280/00), this should not result in financial support for the operation of those ships which would go beyond financial compensation for public service obligations. The environmental stakes connected with the motorways of the sea concept are such that exceptional measures must be envisaged. The expected benefits of the modal shift from land to sea transport will only be achieved if that shift actually happens. With this in mind, the idea of transferring funding in anticipation of modal shift does not seem incongruous;

59. would like private operators (ship owners, logisticians, shipping operators) — who have a key role in the process of implementing the concept of motorways of the sea — to be fully involved and listened to in the context of an in-depth analysis of the obstacles to their decision-making concerning the launch of a motorways of the sea service;

60. to this end, calls for the offices set up by the Member States to promote short sea shipping (National Competence Centres) to be given greater recognition and have their remit expanded. This would require the human and financial resources made available to them to be revised upwards, for example through partnership agreements with regional authorities in maritime areas and private sector stakeholders in the transport chain: ship owners, logisticians, shippers, etc.;

61. considers that the system of State aid complementary to Community funding for the launching of the motorways of the sea could, for the sake of clarity, have been included in the document on the Community Guidelines for State aids for maritime transport;

62. more generally, calls on the Commission to look into aligning all the rules on state aid and Community funding for the development of the motorways of the sea;

63. agrees with the Commission that 'fixing a pre-determined amount of public funding that can be relied on is essential for potential bidders'. Points out, in this connection, that the repayment clauses may also constitute a brake on economic operators, who are faced with the threat of having to repay financial aid at the end of projects if the objectives have not been met. Agrees that State aid for motorways of the sea must be conditional on the achievement of specific objectives, but

([10]) See 2008/C 317/8.

suggests that the Commission should look into including graduated objectives in the implementation of projects relating to motorways of the sea, on which continued public funding would depend;

64. calls on the Commission to disseminate information very widely, beyond official publications, so as to raise awareness among operators of the soundness of its policy and, on this occasion, to make it clear that it is determined, whilst being careful not to generate flagrant distortions in competition, to address the major challenge of modal shift from road to sea through appropriate measures, fully in line with its stated ambitions in the area of sustainable development;

Reporting formalities applicable to ships arriving in or departing from ports of the Member States

65. recognises that the simplification of administrative procedures by making the electronic transmission of information and the rationalisation of reporting formalities standard will help to make sea transport more attractive;

66. points out that these measures also have a beneficial effect on environmental and maritime safety, as they free the crew from administrative tasks, allowing them to concentrate on keeping watch. Moreover, electronic data transmission enables the authorities to have real-time updates on the information necessary to respond appropriately in the event of an accident;

67. welcomes the choice of a process of gradual harmonisation, which ensures connection and consistency with the timetable of the International Maritime Organisation, which continues to be the relevant level. An illustration of this is the proposal of a transitional European form aimed at harmonising requests for security information whilst awaiting a harmonised form at international level. In this connection, the Committee of the Regions supports the request made to delegations of Member States of the European Union to FAL committee meetings to 'make an effort to ensure that the forms required under the FAL Convention and those required under existing Community legislation are in alignment';

68. supports the aim of making the use of the electronic data exchange system widespread by 15 February 2013, but points out that significant investments will need to be made to ensure that the entire maritime transport chain is equipped. The costs of developing information transmission systems are significant for small ports. Therefore calls on the Commission to specify what financial assistance might be given in this connection;

69. agrees with the Commission that the simplification and harmonisation of administrative formalities and documents play an important role in promoting short sea shipping, and therefore welcomes the exemption from FAL forms of ships travelling between European Union ports. Where possible, the ISPS code should be adapted with short sea shipping operators in mind;

70. regrets that the issue of combating illegal immigration, which significantly slows operating procedures and gives rise to considerable costs in some places, is not taken into consideration;

71. also calls for the adoption by all Member States of the full provisions of the International Convention on Maritime Search and Rescue (SAR) and the International Convention for the Safety of Life at Sea (SOLAS), which define, for the international community as a whole, common rules on rescue and first aid obligations — of Member States and with EU support — towards shipwreck victims and seafarers at risk of being shipwrecked, or who have been abandoned in the European maritime space. Considers, however, that the adoption of these rules must be accompanied by the EU-level establishment of appropriate solidarity-based mechanisms, since the management of illicit maritime migration cannot be left solely to those EU Member States that have a coastline vulnerable to migration. Would at the same time stress that efforts to improve search and rescue operations for migrants and refugees in distress at sea are only one facet of the response to the broader issue of illicit maritime migration.

Brussels, 17 June 2009

The President

of the Committee of the Regions

Luc VAN DEN BRANDE