

## **European Maritime Transport Space without Barriers**

The Commission launched on 18 October 2007 until 20 January 2008 an open consultation on a "European maritime space without Barriers" reinforcing the internal market for intra-European maritime transport.

A consultation questionnaire has been put online on the European Commission website, gathering the views of stakeholders with regard to the measures to be taken.

This questionnaire was structured around 3 different parts:

- The first part intended to find out the opinion of the stakeholders on the consequences of administrative procedures applied to EU or EU-cleared goods (type of documentary controls and inspections, frequency of inspections, location of the administration responsible for those administrative procedures, delays for arrival/departure due to controls...).
- The second part aimed at knowing possible solutions and other suggestions to face up the negative consequences of the administrative procedures applied to EU or EU-cleared goods (improvement of facilities already existent, new technologies, possibility of reducing, simplifying or even eliminating procedures...).
- The third part was an open question where the stakeholders could express any commentary on the concept of European Maritime Space without Barriers.

### **1. Categories of respondents**

The overall number of stakeholders that participated in the consultation was 52, of which 50 organisations and 2 citizens. 45 stakeholders were from EU countries, 4 from non-EU European countries and 3 from outside Europe. 7 contributions came from national administrations (of which 3 national governments (Polish Border Guard, Dutch Ministry of Transport, Greek Ministry of Mercantile Marine), 16 came from ports and port services (of which 13 port authorities, ESPO, UPACCIM and a stevedoring organisation), 9 from ship owners (7 shipping lines, ECSA and EUROCAG) and 5 contributions from shipping agents (ECASBA and 4 agents).

The following table shows the topics of the questionnaire and the main results of the online consultation.

Questionnaire topics	Percentage of answers	Questionnaire topics	Percentage of answers
1. Administrative procedures	62.7%	2. Delay to departure due to controls	52.9%
3. Type of documentary controls and inspections	58.8%	4. Estimation of overall delay	43.1%
5. Frequency of inspections	41.2%	6. Possible changes to current procedures	64.7%
7. Location of the administration	52.9%	8. Facilitations already available	74.5%
9. Delay to arrival due to controls	52.9%	10. Dedicated berths	29.4%

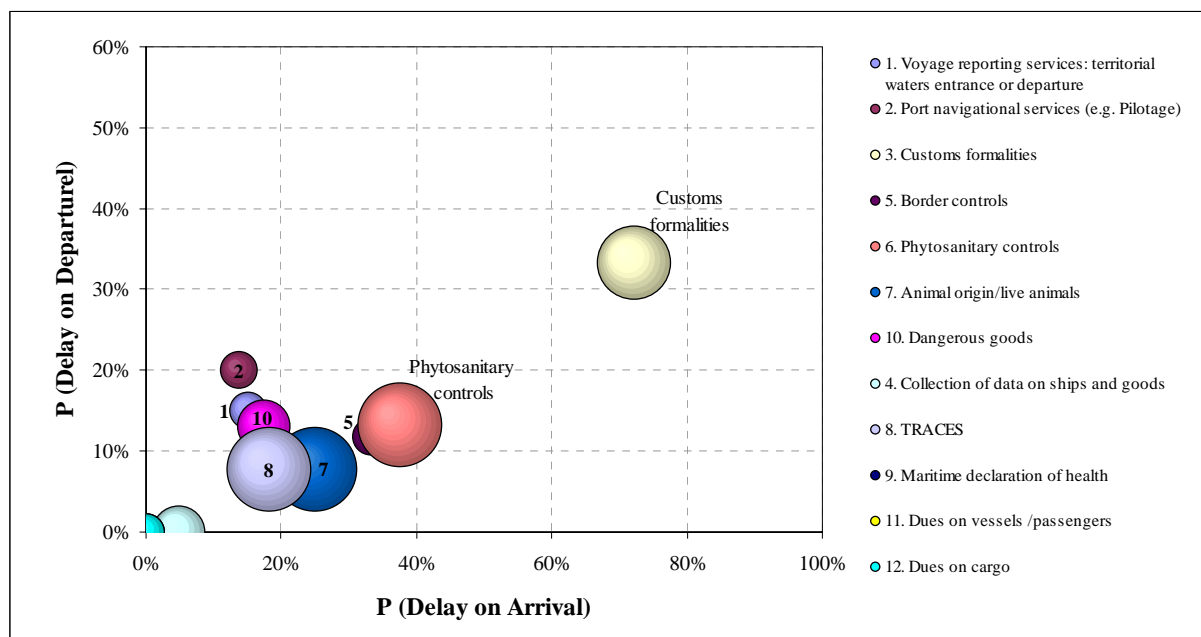
## 2. Analysis of the responses

### 2.1. Qualitative results

As regards delays on vessels and goods induced by administrative procedures, there are many differences between ports and between procedures, not only in terms of magnitude of the delay but also in terms of probability of delay on arrival or departure. Thus it is difficult to deduct from the results of the consultation an estimate for the average overall delay.

In particular, the following figure maps the different procedures against the probability of delay (on arrival and departure) and in relation to the magnitude of the delay (represented by the size the sphere, from “less than 1 hour” to “more than 24 h”).

1 – Mapping of the general delay on arrival and on departure



The following table shows the different values of overall delay, on arrivals and departures.

2 – General delay on arrival and on departure

	<i>Time Range</i>					
	= 1	1-6	6-12	12-24	>24	P (Delay)
Average time	0.5	3	9	18	48	
Customs formalities	41%	9%	5%	9%	0%	<b>2.52</b>
Standard Goods	48%	3%	0%	1%	1%	<b>0.77</b>
Dangerous Goods	55%	14%	0%	0%	0%	<b>0.68</b>
Phytosanitary	32%	5%	0%	5%	5%	<b>3.30</b>
Animal origin	18%	5%	0%	0%	5%	<b>2.41</b>

The table below refers to the type of controls and inspections required by each procedure. Percentages are calculated on the total number of respondents who answered the questions.

3 - Procedures and types of controls/inspections required

	Administrative procedures			Type of control and inspection				Frequency of inspection			
	Document request	Documentary control	Inspections	Physical inspections	Control of paper doc.	Control of elect. doc.	X-ray control	Seldom	> 1 control per A/D	1 control per A/D	< 1 control per A/D
8. System of import control procedures for animals and animal products	34%	28%	22%	30%	30%	10%	3%	14%	5%	5%	5%
7. Products of animal origin and live animals	38%	31%	25%	33%	33%	10%	7%	14%	5%	5%	5%
9. Maritime declaration of health	44%	34%	25%	17%	30%	7%	3%	19%	0%	14%	10%
2. Port navigational services	47%	38%	28%	23%	43%	40%	0%	19%	5%	29%	14%
6. Phytosanitary controls	44%	38%	38%	37%	40%	10%	7%	10%	5%	10%	14%
5. Border controls	44%	38%	22%	27%	37%	20%	10%	5%	5%	14%	24%
1. Voyage reporting services: territorial waters entrance or departure	53%	53%	25%	23%	60%	60%	3%	14%	0%	33%	10%
3. Customs formalities	56%	47%	34%	43%	47%	40%	37%	10%	14%	29%	10%
12. Collection of port dues on cargo	59%	50%	25%	17%	57%	43%	0%	14%	5%	33%	5%
11. Collection of port dues on vessels or passengers	63%	59%	25%	17%	53%	47%	0%	10%	10%	33%	10%
4. Collection of data on ships and goods	69%	59%	34%	20%	57%	57%	0%	10%	5%	33%	24%
10. Dangerous goods	72%	75%	47%	30%	70%	57%	0%	5%	14%	43%	19%

With regard to delays to arrivals determined by each procedure, customs formalities generate a delay to arrivals in 72% of cases, followed by phytosanitary controls on goods (38%) and border controls (32%). By contrast, procedures such as the maritime declaration of health and collection of port dues do not generate a delay. With regards to the delays to departure generated by controls, they are less relevant than for arrival. Customs formalities produce a delay to departure only for 33% of the stakeholders.

Another question of the questionnaire concerned overall delays associated with each procedure. According to the majority of stakeholders that answered this question, most

procedures generate an average delay of one hour or less. However, some procedures, such as customs formalities, phytosanitary controls and procedures on live animals and product of animal origin can generate higher delays. Moreover, dangerous goods procedures, for 14% of the stakeholders, determine a delay of between 1 and 6 hours.

## **2.2. Qualitative results**

From the answers provided by the stakeholders to the Consultation, a number of issues emerged, highlighting the presence of several bottlenecks to intra-EU short sea shipping.

### *High delays in order to carry out procedures in port and delay on vessel and/or on goods due to the controls.*

Most procedures require around one control per arrival/departure: according to several stakeholders, dangerous goods procedures require more than one control per arrival/departure. Customs procedures generate a consistent delay to arrival/departure due to controls.

Another pattern that emerged is that delays caused by procedures to departing vessels are lower than those to arriving vessels. Customs procedures and dangerous goods procedures are relevant for departing vessels.

### *Low degree of competitiveness of maritime transport against road transport*

Many stakeholders complained about the poor competitiveness of sea transport against road transport, due to much more complex administrative procedures (especially for the transport of dangerous goods).

### *Dangerous goods*

All the stakeholders agree that the controls performed in ports do depend on the nature of the transported goods and on their origin. They highlight that dangerous goods are subject to stricter regulations.

Procedures associated with dangerous goods require the highest number of controls (document request, documentary control, inspections). Most stakeholders underline that these procedures depend on the nature of goods transported.

### *Individual interpretation of EU regulations*

With regard to the inspections in port, the intensity and scope of checks tend to depend on the risk analysis (which depends on the ship's port of departure, type of cargo, composition of the crew). It is also acknowledged that the number of physical inspections in many Member States "is declining due to the increased use of risk assessment-based sampling". Despite this, in some other Member States authorities do continue to board all vessels.

Concerning the type of documentary controls and inspections, it is reported that "the same data is constantly being reported to different organisations in different formats". Yet, it is also reported that many authorities operate risk assessment-based inspection regimes, where the decision whether to inspect is taken upon review of the documentation. Moreover, electronic lodgement / review of documentation are also widespread.

### Electronic manifests not universally accepted

The facilitations most widely used are electronic data transmission and simplified procedures.

Regarding the new technologies proposed, the answers received supported the further use of electronic data transmission (either through EDI or through a web-based solution); new detection systems for checking containers; electronic document registrations and single window systems; a trans-European Port Information Network to exchange information about vessels and goods. Furthermore, it was proposed for Customs authorities to simply accept the declaration of reputable agents on the EU origin of goods.

### “Regular Liner Service Licences” linked to vessels

Half of the respondents benefit from the status of “Authorised regular shipping service”, but many stakeholders complained about the fact that such licences are linked to specific vessels and not to routes or operators. One Member State’s Authority suggested the extension of this status to tramp vessels. In particular, it was proposed to link the simplification of customs procedures with the Community status of cargoes, irrespective of the company responsible for the carriage, or the ship and its route.

### Other bottlenecks and suggested solutions

Administrations premises tend not to be located in port areas. This is the case especially for port navigational services, dangerous goods and collection of port dues.

When the administration is not located in the port area, the consequences are high costs for organising transport to the control locations, with a negative effect on intermodal transport (e.g. phytosanitary controls in Rotterdam). In the UK, it is reported that in some ports many reporting functions are concentrated in regional centres, often located some distance from the port.

The vast majority of stakeholders do not believe that dedicated berths are the only solution to allow transfer of EU (cleared) goods between EU ports free of administrative controls.

Concerning the proposal of dedicated areas in ports for EU goods – separating EU cargoes from non-EU cargoes – many stakeholders agree in principle, but they point out logistical problems in many ports due to the lack of space, which would make it not always possible.

Most respondents call for a simplification of all administrative procedures, especially for customs formalities and dangerous goods procedures. For customs procedures, a consistent share of stakeholders proposes their elimination for Internal Market goods.

When asked if a reduction/simplification/abolition of administrative procedures would increase the use of maritime transport, the answers received were mixed. Some stakeholders said that it would not increase but it would enable them to reduce their costs, thus generating more business. Some others said that it would have an important impact, because it would make sea transport more competitive against road transport.

According to the comments on possible facilitations, such facilitations should have two different objectives: cost reductions and fewer procedures, hence less time spent for carrying out procedures. The use of electronic data transmission and the single window concept would speed up data transmission, improving efficiency and avoiding duplication of work. It was also proposed a standardisation of formats for national e-portals. In addition, it was suggested to bring forward the co-ordination between the authorities that board the ship for inspections, so that they do them simultaneously. Furthermore, it was suggested to abolish declarations of empty units on regular shipping between EU countries (which would save money and time). Finally, it was highlighted that the status of “Authorised Regular Shipping Service” should not be route-and vessel-related.

Negative impacts might however arise while eliminating or reducing the administrative procedures. For instance, no risk should be taken for human health. Some stakeholders pointed out that some procedures (such as the ones for Dangerous Goods) should not be reduced too much. Moreover, the reduction of border controls may impose security risks (drugs, smuggling, arms, etc.). It was also highlighted that the development of a European Maritime Transport Space without Barriers would enhance the development of trade and intermodal maritime transport.

The stakeholders made also some concrete proposals of actions to be taken at EU level. It was suggested to make uniform rules and regulations across Member States; to make the required documentation more similar to road transport; to automatise the recognition and transit of EU goods in deep-sea ports; to link the Licence for Authorised Regular Shipping Service with operators and not with vessels. Finally, it was proposed to address the “infected vessel” issue by allowing ships under Authorised Regular Shipping Service to call at ports outside the EU customs territory.