

THE REPORTING FORMALITIES DIRECTIVE AND A EUROPEAN MARITIME SINGLE WINDOW ENVIRONMENT

European shipowners stress the urgency to find a solution to the administrative burden as exists today, which is truly untenable. They call upon the European Commission, Member States and the European Parliament to put in place an ambitious system, a true European Maritime Single Window environment based on strong principles.

European shipowners want a real European single market for shipping and a true reduction of the administrative burden it is facing.

Unfortunately the objectives of the Reporting Formalities Directive (RFD, 2010/65) of harmonisation, simplification and rationalisation of reporting obligations were not reached. To the contrary, the administrative burden on the shipping sector increased due to the Directive that entered into force 1st of June 2015. The issue of administrative burden and workload also features high on the joint agenda of European Sectoral Social dialogue for Maritime Transport. It is highly detrimental to the job satisfaction and became an important reason to leave the job at sea.

ECSA stresses the urgency to correct the failure of the Reporting Formalities Directive through an ambitious and thorough revision.

The review should go much beyond the scope and ambitions of the Reporting Formalities Directive and create a European Maritime Single Window environment (EMSWe) that meets the following principles:

- Harmonisation of data formats and EU, national and local requirements: It is critically important to have a single set of data, valid in any port across the EU. All must agree that these data – and no additional ones – are the ones needed when calling any EU port. Also the way these data must be delivered must be harmonised throughout the EU. It can no longer be that the same information has to be sent in different formats to authorities within the EU, as is today more than ever the case. This harmonised data set must allow as much as possible recuperation of earlier submissions.
- Simplification: The EMWSe should be based on the principle that only the information that is absolutely necessary must be reported. A “nice to know” can never be a reason to ask for information. A thorough assessment of EU requirements, as well as reporting requirements at national and local level is needed. As a principle, additional requirements at national and port level must be reduced to the absolute minimum.

The system should also be ‘simple’ in the sense of a user friendly, straightforward system. It should accommodate several reporting solutions and methods (system-to-system, web portals, uploading of spreadsheets, etc).

- EU-wide re-use of information: There should be no double reporting of the same information. The EMSWe should allow authorities to retrieve the already reported information for use in multiple Member States. Existing data-rich sources, such as the Entry Summary Declaration (ENSA), must be exploited.
- Single points of submission and an absolute harmonisation of the interface: Information is to be sent to one single point of access at EU level, from there it should automatically end up with the relevant authorities in the different Member States. For security and data protection reasons



ECSA is a trade association representing the national shipowners' associations of the EU and Norway. The European shipowners control 40% of the global commercial fleet. ECSA promotes the interests of European shipping so that the industry can best serve European and international trade in a competitive free business environment to the benefit of shippers and consumers.

it must be assessed whether the actual hosting is best done centrally or in every Member State. In fact, what happens “behind” the one, unique EU model or interface, and whether this “back-end” is developed and maintained at EU level or at national level, is indifferent for shipowners, as long as they can submit the data to one, EU harmonised model or interface.

- Conveyance and cargo data: The above principles should apply for both conveyance and cargo reporting. This means customs reporting formalities must be added. ECSA stresses that only the cargo information the shipowner is in possession of can be asked and no new obligations can be created that would require the shipowner to provide, and be liable for, information he does not have access to today.

ECSA is of the view that the best legal instrument to meet the above principles and reach the objectives is a Regulation. This will avoid differences in national implementation, one of the weak points of the RFD.

European shipowners underline that the EMSWe can only be a success if all parties, especially all authorities at national, regional and port level, are fully committed to making a success out of this. Their information requirements, strictly limited to data where there is a need to know, must all be covered in the one, single EU model. There should be no room, nor need, for any party to ask anything beyond what is in the one, single model or interface. Above all, all relevant authorities and competent bodies at national and EU level must guarantee acceptance of data from the EMSWe.

ECSA stresses that the created model should be flexible enough to allow adaption to future developments and needs. It should allow for regular assessment of reporting requirements, always with the clear ambition of bringing these to the absolute minimum.

The EMSWe will need a clear governance structure that allows for regular updates and adaptation. European shipowners should be part of that governance structure.

The solution should furthermore take state of the art technology into account and be a practical solution that does not create a disproportionate burden in terms of investments by the shipping companies.

Shipowners must have the right to choose between the EMSWe and National Single Windows until the moment the National Single Window is integrated into the EMSWe.

