



ECSCA
European Community Shipowners' Associations



Ms. Ursula von der Leyen
President
European Commission
CC
Ms. Ilze Juhansone
Secretary General
European Commission

Brussels, 14-04-2020

Public consultations and Impact Assessments should be put on hold

Dear Ms. Von der Leyen,

We, the maritime sector partners, would like to collectively express our concern regarding the quality and soundness of the legislative process for initiatives already undertaken by the European Commission, due to the specific situation created by the COVID-19 outbreak.

The shipping industry is a very diverse industry. The cruise industry and the ferry industry face an immediate and dramatic impact, with cruise companies having suspended operations since middle March and until roughly the end of May. Ferry services for half a billion EU citizens on an annualized basis throughout the EU have been almost entirely suspended by Governmental decrees and freight ferries - providing life-line services and securing distribution of foods and medicines - are running at a continuous commercial loss. Other market segments will face the impact of the slowdown of the European and global economy in the months and years to come.

This unprecedented situation has an effect on the ability of our associations to provide accurate and timely feedback on ongoing consultations. Input from the shipowners themselves is a prerequisite for meaningful feedback. The lack of direct input from shipowners to their national shipowners associations negatively affects the ability of the European Commission's departments to accurately assess the impact of the proposed legislative options through Impact Assessment processes which are due in the near future.

Our membership throughout Europe is heavily focusing on maintaining operations¹ where possible, whereas as already mentioned on several occasions operations have come to a complete halt. Under these circumstances, collecting information

¹ Flow of goods, flow of passengers, nautical services, dredging, port operations and maintenance at sea of offshore energy production facilities etc.



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in order to provide the Commission Services with comprehensive, meaningful and accurate submissions to the various public consultations is gradually becoming a nearly impossible task. Of course the maritime industry associations and its members will stand ready to assist the Commission in all possible ways discussing and preparing measures needed to rescue the EU shipping industry and to help the industry on the pathway to recovery.

The Commission Services will also struggle with the quality of soon to start Impact Assessments for various pieces of legislation. Impact Assessments are usually based on data from the previous year – in this case 2019. The landscape in Europe from a financial, business, social and employment point of view will severely change in the coming months, when the impact of the COVID-19 pandemic becomes more clearly visible. By the end of the year, the situation in Europe on all accounts will be completely different from what we know so far.

In addition, we also note that the suspension of activities by the European Parliament, the Committee of the Regions and the European Economic and Social Council does not allow for the previously given, and absolutely necessary, democratic scrutiny of the Commission's activities, as those are provided by the Treaties.

We, the maritime sector partners, do believe that the Commission agenda – inter alia in achieving the Climate Change goals – should go forward. Nevertheless, as the world around us is changing, we also believe that the pre-legislative process in the form of public consultations and Impact Assessments should freeze for at least a period of 6 months. The resumption of those procedures would thus coincide with the planned, full resumption of activities in the European Parliament, due for September 2020.

In specific reference to the Green Deal and the Climate Crisis, we have universally supported an pro-active and positive role of the EU at the meetings of the environment committee of the International Maritime Organization, the UN body that regulates the global shipping industry on environmental and safety issues. Given the current suspension of all IMO meetings, we implore on the EU Commission and other European Institutions to publicly announce that any time



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schedule pre-dating Covid-19 will be suspended until further notice and align it with the IMO schedule.

The maritime industries need decisive response on the COVID crisis and we are highly appreciative on the measures taken by the EU institutions and the many EU guidelines published. Consultations on how to restart the economy post-COVID or on which legislation or protocol are missing to properly address the next pandemic (lessons learned) will receive massive response and interest from our associations.

We would like to thank you in advance for your understanding while we remain at your disposal should you wish to have a discussion on the matter.

Sincerely,

Martin Dorsman
Secretary General ECSA

Tom Boardley
Secretary General CLIA Europe

Mike Corrigan
CEO Interferry

Alan Lievens
EuDa Chairman