

SEVENTH FRAMEWORK PROGRAMME
SST-2007-TREN-1 SST.2007.2.2.4. Maritime and logistics co-ordination
platform
SKEMA Coordination Action
“Sustainable Knowledge Platform for the European Maritime and Logistics
Industry”



SKEMA Consolidation Study

Title: EU Transport Policy Analysis: strengths and weaknesses

Task T2: Regulatory and Policy Framework

Sub-Task: T.2.1.9

SKEMA Subject Index: SE2.3

Responsible partner: GPI

Contributing partner: AUEB

Planned submission date: 31/12/2008

Actual submission date: 15/12/2008

Distribution group: Consortium

Dissemination level: PU (Public)

Contract Number: 218565

Project Start Date: 16th June 2008

End Date: 15th May 2011

Co-ordinator: Athens University of Economics and Business

Document summary information

Version	Authors	Description	Date
0.1.	V Bojkova GPI I. Koliouisis AUEB	Initial Draft	27/08/08
0.2	V Bojkova GPI	Revised Version	11/09/08
0.3	V Bojkova GPI, I Koliouisis AUEB	Final Draft	03/12/08
0.4	V Bojkova GPI	Final Version	15/12/08
0.5	V Bojkova GPI	Revision	06/02/09

Quality Control

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Checked by Quality Manager		
Approved by Project Manager	Takis Katsoulakos	15/02/2009

Acknowledgment:

Henning Meyer, Global Policy Institute, Head of European Programme

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“EU Transport Policy Analysis: strengths and weaknesses”

INTRODUCTION

Any national or regional economic growth is strengthened by a competitive and progressive transportation system - system that is geared to the needs of customers and operated as a sustainable network offering high quality and affordable services. To achieve such a system, policies of all levels have to be coordinated and harmonised. This harmonisation supports not only the economic development and trade but also avoids extra costs to the transport system, and improves the capital and labour productivity within the Union.

To accomplish such an economic success, the policy-making plays an essential role. Certainly there are stimuli to policy development that provide the legal base upon which much policy activity occurs. EU “core” policies are the Common Agricultural Policy, the Common Commercial Policy and the Competition Policy that have their roots in the EC Treaty. Nonetheless, it is difficult to say that there is a “standard” EU policy-making process that guarantees the policy development will occur. The EU policy processes are variable to such a level that the nature of the roles and responsibilities may differ considerably according to circumstances¹.

Objectives and target stakeholders

Thus the objective of this study is to review the EU Transport Policy and its channels for policy-making. This includes a summary of progress on existing transport policy documents and policy objectives. We begin the analysis with the White Book’s achievements and finish with the Blue Book’s ones. By doing this, the study focuses on the consistency of policy objectives with all policy instruments, and how they contribute to the development of the EU transportation system. The report concludes with a case study and will be of interest to:

- Policy makers and analysts
- PR companies and media; campaign organisations
- Transport Administration on a national and EU level
- Transportation professional organisations such as research institutes, universities and other public bodies
- Think tanks

¹ Nugent Neill, “The Government and Politics of the European Union”, Sixth Edition 2006

The EU's responsibility for policy-making varies enormously across its range of policy interests. In some spheres arrangements are well established, and effective policy instruments – legal and financial – are usually available. In other spheres, EU involvement is marginal, policy processes may be confined to little more than occasional exchanges of ideas and information². (Table 1 provides an indication of the varying extent of EU involvement in different policy areas.)

The European Transport Policy, *itself*, is a mixture of legal regulation and inter-state cooperation. It has been based on the development of policy documents such as White Paper (2001), Mid-term review of the White Paper (2005), Green Paper (2006), Blue Book (2007), Action plans and programmes as well as Directives and Regulations. The Green Paper has suggested for the first time steps in building an integrated maritime policy. The Blue Book has developed this concept further.

Table 1: The extent of EU policy involvement

<i>Extensive involvement</i>	<i>Considerable involvement</i>	<i>Policy responsibility shared between the EU and the member states</i>	<i>Limited involvement</i>	<i>Virtually no involvement</i>
Trade	Market regulation	Regional	Health	Housing
Agriculture	Monetary	Competition	Education	Civil liberties
Fishing		Industrial	Defence	Domestic crime
		Foreign	Social welfare	
		Environmental		
		Equal opportunities		
		Working conditions		
		Consumer protection		
		Movement across external borders		
		Macroeconomic		
		Energy		
		Transport		
		Cross-border crime		

Source: Nugent Neill, "The Government and Politics of the European Union", Sixth Edition 2006

² John McCormick, "Understanding the European Union", Third Edition 2005

Glossary terms

Policy objective – a desirable change defined in a policy document

Policy actions (Action programmes) – desirable actions defined in a policy paper

Decisions – have a legal role and are applicable only to the addressed state

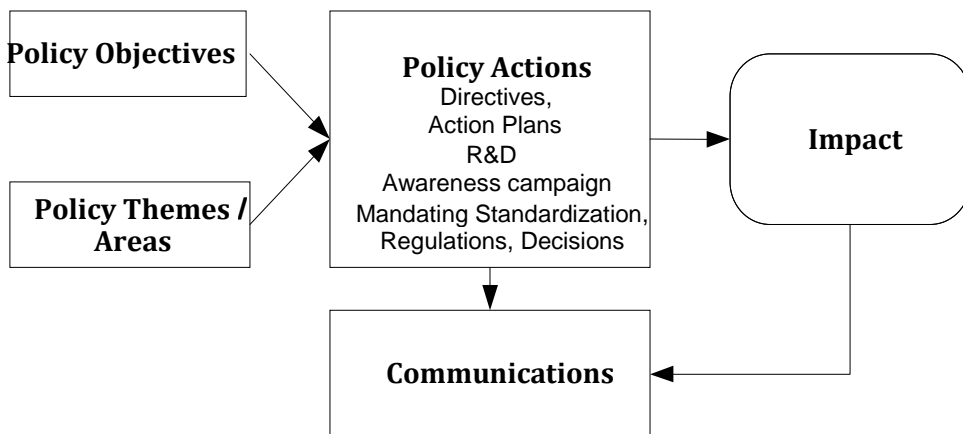
Regulations – have broader meaning and are applicable in all member states

Directives – have a specific regulatory role, applicable only to the member state to whom they are addressed

Approach

The study applies the established SKEMA Policy Index as a framework of the analysis. The diagram below illustrates this framework as the objectives and the themes are input to the policy actions. The policy actions, *per se*, consist of action plans and programmes, directives, R&D initiatives, consultations, regulations, and others. These actions are measurable and they have a significant impact upon the transport system.

Fig. 1: EU Transport Policy-Making Process



Then, by reviewing the policy documents and objectives, the analysis defines the strengths and weaknesses of the EU Transport Policy. The policy development is placed in the context of a long-standing aim to create the European integrated market. Finally, the study makes recommendations for further development and presents the case of Canada.

EU TRANSPORT POLICY AND ITS INSTRUMENTS

The main aim of all EU policies is to create an integrated market, not only to dismantle internal barriers and provide conditions for fair trade, but also to give it many of the characteristics of an economic and monetary union.

The EU's main policy responsibilities could be divided into five major groups: establishing the Single European Market; macroeconomic and financial policies; functional policies; sectoral policies and external policies. Functional policies have a well-defined functional purpose and more specific nature than the macroeconomic policies. The best known functional policies are the justice and home affairs, cohesion, and research and technological development. Other policies are directed towards specific economic sectors – covering coal and steel, atomic energy, agriculture and transport. These sectoral policies were explicitly provided for in the Founding Treaties.

The EU transport policy is a component of this integration process. It does have a regulatory emphasis in the areas of working conditions and the environmental protection because of market implications. It also develops a framework for an integrated transport market not just finding solutions to internal barriers. It produces legal basis for the policy development of this area and cooperates with all member-states to implement EU regulations.

The White Papers

The Commission produced its first White Paper in 1992 on the future development of the common transport policy. Its target was the opening-up of the transport market. This objective was achieved until 2001, except in the rail sector. The second major policy document was the White Paper on European Transport policy produced by the Commission in 2001. This Paper identified some 60 specific measures to be taken to enable the completion of an integrated market in the following areas:

- competition;
- linking up all modes of transport;
- eliminating barriers;
- attracting private investors;
- protecting users of transportation;
- and managing the globalisation of transport.

These objectives and themes are the main policy input to all actions until 2010. In 2005 the Mid-term review concluded that these measures were still topical but the only change was the development of globalisation that changed the context in which the transport policy had to be defined. In general, the White Paper established the conditions in which transport market activities could be done as easily on a Community

basis as they could on a national basis. The hope is that by removing obstacles and barriers, the fragmentation of the market could be resolved. The second White Paper concluded that despite the opening-up of the transport market, there was a lack of fiscal and social harmonisation which led to distortions of competition. Thus the focus is now on rebalancing all modes of transport and reducing environmental impact of transportation. Having a balanced growth path of development is essential for the future. In order to facilitate this policy development towards rebalancing, the SKEMA Policy Index (see Appendix III) classifies the policy objectives into:

- economic – competition, liberalisation, quality of services, etc.;
- social – mobility, employment, quality of life, and others;
- and environmental sustainability – pollution, noise, climate change, energy/waste management and risk management;

Each of these themes contributes to the development of an integrated market in a sustainable way. Therefore the White Paper needs to be placed in the context of a long-standing aim to create a common transport market which had a limited success before the first Paper appeared in 1992. The integration helps tackling the environmental impact of transportation. The White Paper suggests a series of measures including transport pricing and investment in the trans-European network in order to allow a shift from 2010 onwards.

Mid-term Review

In the spirit of further policy development, the Mid-term review (2005) presents three more objectives for the future of the transport policy:

- develop
- protect
- and innovate

The goal is to develop the European single Sky, the progressive opening-up of the rail transport and “balanced” competition. The Review argues for more protection of the users of transport services and professionals as well as high standards for safety and security. Also the EU have to sustain its leading position in new transport technologies. The Union is a prime exporter of transport technology, for instance, GALILEO (satellite navigation), the ERMTS (interoperable railways) and SESAR (harmonised air traffic). Thus the transport policy has to encourage and create stimuli for innovative activities such as low-energy-cars and bio-fuels.

The Review focuses again on the sustainability as a key objective of the transport policy. The suggested actions are road pricing; integrating inland waterway into the logistic chains; increasing investments in trans-European projects; reducing carbon dioxide emissions. To promote short-sea shipping, it is necessary to improve the investment and legislative process in the Union. Encouraging the environmentally friendly alternatives to road is crucial for the sustainable development of EU transport

market. However, a few new activities were proposed in the Review which were not taken into consideration in the White Paper such as security and urban transport. In result of the increasing globalisation, the Review suggests a move towards global governance in certain sectors.

To achieve its policy objectives, the Commission take specific actions in different areas over a planned medium-term period. Such actions are the ongoing Action Programmes (see the table 2 below) that contribute to the policy development. The first four action programmes have already taken place. Two more were presented in the second half of 2008 and the rest are expected to be announced. Action programmes vary in nature, from the broad and general to the highly specific. General programmes usually include measures to improve the monitoring of existing legislation, new ideas to develop, and pilot schemes to establish. Specific action programmes are more specialised in their areas of concern.

Other policy instruments are directives, regulations and decisions. The Directives have specific regulatory roles as the ones regarding safety of the maritime sector are linked to IMO regulations³. In general, directives apply only to the member state to whom they are addressed and leave it to each state to achieve the objective by the means it regards most suitable. In contrast, EU Regulations have broader meaning and are directly applicable in all member states. Similarly Decisions are binding in their entirety but applicable only to the state to whom they are addressed⁴.

Table 2: Action Programmes

“Programme for the Promotion of Short Sea Shipping” COM(2003) 155
Ports Policy Action Programme 18 October 2007 COM(2007)616
Inland Waterway Action Programme – NAIADES, COM (2006) 6
Freight Transport Logistics Action Plan COM (2007) 607
Common Maritime space without barriers 2008 (Blue Book)
Regulatory Obstacles 2008 (Blue Book)
Strategy for EU Marine and Maritime Research COM(2008) 534
Guidelines for Integrated Governance COM(2008) 395
EU Action Plan for Maritime Observation and Data Network 2009 (Blue Book)
Career Opportunities 2009 (Blue Book)
e-Maritime 2009 (Blue Book)

Through the policy actions, the Commission has achieved a real impact on the transportation system. The policy contribution is significant in the following areas:

1. the rail sector has been already opened-up, research projects have already established a system for internalising the external effects of transport services;

³ See Appendix I

⁴ Schulz H., T. König, “Institutional Reform and Decision-Making Efficiency in the European Union”, *American Journal of Political Science*, 2000

2. three safety agencies in air, maritime and rail have been set up, and many other initiatives have been started off.

There is huge progress towards an integrated market and global governance. The White Papers laid down the basic principles of the EU transport policy development – an advantage in the context of the whole single market advancement.

The Green Paper

The Green Paper (2006) continues developing the EU Transport policy. It has built upon existed EU policies and initiatives from the Lisbon Strategy. It also tries to find the right balance between the economic, social and environmental dimensions of sustainable development.

It aims to launch a debate about the future Maritime Policy for the EU as the idea is to create the EU integrated market. The EU's approach to integration is emphasised by the industrial policy's target to bring new, high quality products and services to the world market for which customers are prepared to pay a premium. Also the Lisbon Strategy is to stimulate economic growth and investments in knowledge as a way to maintain competitiveness. To pursue this vision, the Commission has a strategic objective to develop a sustainable maritime economy that will facilitate the trade traffic.

The Green Paper defines the pillars of the Maritime policy:

- 1) competitive industry;
- 2) sustainable use of marine resources;
- 3) remain at the cutting edge of knowledge and technology;
- 4) innovation under changing circumstances;
- 5) develop Europe's maritime skills and expand employment;
- 6) clustering;
- 7) the regulatory framework;
- 8) maximise quality of life in coastal regions;
- 9) provide the tools to manage the relations with the oceans;
- 10) spatial planning for a growing maritime economy;
- 11) financial support for coastal regions;
- 12) policy-making within the EU;
- 13) offshore activities of governments;
- 14) international rules for global activities;
- 15) take account of geographical realities.

Some of those set-up principles are to be implemented through existing institutions such as the Economic and Social Committee and the Committee of the Regions. Also Sectoral Advisory bodies set up by the Council or the Commission will be supplemented by appropriate cross-sector-bodies. Certainly the legislation affecting the maritime sector and coastal regions will be reviewed and possible policy contradictions

will be identified. The Commission is planning to announce the Regulatory Obstacles Action Programme late 2008 or early 2009 to support the above-mentioned-principles.

The trends seem likewise to be towards a “Common EU maritime space” with a focus on safety, security and environmental protection. Member States have been already cooperating with each other in meeting certain EU or cross-border objectives. Some Member States have designated common coordination centres or attributed responsibility to a single authority. In France, a single authority that operates under the Prime Minister’s authority has overall responsibility for all government functions in a defined area of coastal waters. The Dutch Coastguard is a different type of integration, where one authority manages expensive assets necessary for the management of coastal waters and provides services to other authorities. No matter the differences in the structure of offices responsible for implementing the EU principles on common space, all member states try to cooperate and contribute to its further development.

The Green Paper addressed a broad range of issues. Some of the activities and policy areas had been treated separately before the appearance of the paper. So it is a novel approach that deals with all areas in an integrated way and requires cross-sector-expertise. The Green Paper launched a broad public debate both on the EU principles that adopted an overall approach to maritime policy and on the many other ideas for action - this is its overall strength in the context of developing the integration process.

The Blue Book

In the same way “The Blue Book” on an integrated maritime policy for the European Union emphasises the need for all related policies to develop in a joined-up way⁵. While the Green Paper only laid down the principles of this joined-up thinking, the Blue Book develops programme instruments for achieving it. This document came as a result of a consultation process with all stakeholders in 2007. The opinion of all stakeholders was that an integrated approach would enhance Europe’s capacity to face challenges of competitiveness and globalisation. The Book has two main goals:

- I. Change the way of making policy and taking decisions
- II. Develop and deliver a programme of work

It defines the following projects as of high importance to the integration:

- Common space without barriers
- Strategy for marine research
- Integrated maritime policies developed by all Member States
- Network for maritime surveillance
- Roadmap towards maritime spatial planning
- Strategy to mitigate the effects of Climate Change
- Reduction of CO2 emissions and pollution

⁵ COM(2007) 574 from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions

- Elimination of pirate fishing and destructive high seas bottom trawling
- European clusters
- Review of EU labour law exemptions for the shipping and fishing sectors

This Book lays the foundation for the governance framework and cross-sector tools necessary for an EU Integrated policy. It also identifies the upcoming Action Programmes (see Table 2) that will support achieving the objectives. Better regulation principles are necessary to guide the Commission's integrated approach. In this respect, the paper has a significant impact on the future policy development of the Maritime Policy since it identifies the major maritime-related initiatives.

The Book defines the main tools of integrated policy-making: A European network for maritime surveillance; Maritime Spatial planning and integrated coastal zone management; and Data&Information.

I. Maritime surveillance – these activities are carried out by Member States although most of them are transnational in nature, therefore, the Commission advocates the need for a higher degree of coordination among all appropriate agencies;

II. Maritime Spatial planning – the current planning system has a largely terrestrial focus and often do not address how the coastal development affects the sea. Thus the spatial planning is a fundamental tool for the sustainable development of marine areas and coastal regions, and for the restoration of Europe's seas to environmental health;

III. Data and Information – availability and access to a wide range of data is the basis for strategic decision-making, therefore, the establishment of an appropriate marine data and information infrastructure is of utmost importance.

It also defines the action areas: maximising the sustainable use of the oceans and seas; building a knowledge and innovation base for the maritime policy; delivering the highest quality of life in coastal regions and promoting Europe's leadership in international maritime affairs; and raising the visibility of the sector.

Summing up, the Book suggests an integrated and inter-sectoral approach to all sea-related policies. It defines the tools of the integrated policy-making and the specific actions in a range of key areas. It brings the Maritime policy to a new level – a major achievement for the last two decades. It has a real impact on the system where the new initiatives are interdisciplinary and ask for experts from different areas.

Moreover, the changes in the policy approach reflect in the Seven Framework Research programme as the calls for research require more and more cross-sector-expertise. The liberalisation of the EU transport market has brought new opportunities for improving all activities via the involvement of private companies. The Commission has progressively pursued different types of partnerships with the private sector. There has been huge development of the EU transport policy issues in recent years.

CONCLUSIONS

The EU transport policy has developed progressively towards an integrated policy-making mechanism. Since the first White Paper appeared in 1992, the general trend has been to facilitating the movements of goods and services within the single market. This process was based not only on dismantling internal barriers but also on integrating national markets. In due course this development led to separation of the maritime policy as an integrated policy with its own merits – an initiative encouraged by the Green paper and the Blue Book.

Nevertheless, the EU transport policy-making has its disadvantages. First, many changes in the legislation need to take place in order to enhance the recent shifts. Second, the structure of the agencies and authorities that implement this policy varies from country to country which leads to delays in its impact. Although the EU has shared responsibilities with the member-states in terms of transport policy instruments, the implementation mechanism seems to be vague.

Third, the White Paper formulates the need to attract private investments in the sector, however, neither of the policy documents or action programmes facilitates these expecting investment flows. There was some discussion on this issue and investment priorities in the Mid-term Review but without any recommendations for specific actions. Certainly some legislative changes will have to happen as well in order to stimulate the private investors.

In conclusion, the main recommendations tend to suggest a future development of the transport policy towards further integration, better implementation and an attractive investment mechanism.

Case Study of Canadian Transportation “SUSTAINABILITY”

Sustainability, as a policy objective, has been addressed in recent policy documents of various states. It relates to a wide range of issues such as climate change, balanced economic growth, corporate social responsibilities and much more. It asks for a new approach to tackle the complex relationships between the economy, society and the environment. The Canadian government is committed to contribute to this development.

Sustainability is a concept that promotes a balance of the economic, social and environmental dimensions of any sector. To strengthen our economic systems, national governments are to provide a framework that addresses these three elements. This understanding is embedded in the SKEMA Policy Index as the three dimensions are taken equally into consideration in order to offer a completed framework for policy issues. Therefore, for the future economic prosperity, it is important to deal with sustainable transportation on a micro-level since the quality of transport is a vital factor for improving the quality of life.

If we look at the Canadian strategy for sustainable development, it is understood that the government is committed to encourage better environmental performance from the transport sector. To accomplish this, the administration plans to⁶:

- enshrine commitment to environmental responsibility in the National Transportation Policy declaration set out in the *Canada Transportation Act* to signal the importance of environmental issues in Canada's transportation policies of the future;
- promote vehicles and fuels that produce fewer emissions;
- promote increased use of alternative modes of transportation;
- launch a national awareness campaign to help Canadians make more environmentally sustainable transportation choices;
- collaborate with industry, other governments and transportation experts to determine the full cost of transportation, including external costs in pricing.

From this perspective, the objective of this case study is to present Canadian transportation plans in terms of improving environmental performance from the transport sector, particularly the maritime sector. The conclusions will be useful for comparative analysis with the EU environmental regulations.

Transport Canada's “Sustainable Development Strategy 2007-2009” and “Straight Ahead: A Vision for Transportation in Canada” focus on areas where the national administration can make a real difference to achieving sustainable transportation. The primary goal is to present a result-based approach to achieving the policy-makers' long-term vision for sustainable transportation.

⁶ Transport Canada, “Sustainable Development Strategy 2007-2009

Transport activities are a significant source of CO₂ emissions, contributing to increased smog and pollution from airborne toxins. Canadian standards on particulate matter and ozone, as well as Canada-US agreements, also require reductions of smog precursors.

To accomplish all these reductions in emissions and solid waste as a result of implementing regulatory, economic and voluntary incentives, they will have to be coupled with more efficient vehicles and systems, cleaner fuels and the use of pollution-controlled technology.

The case study, itself, is based on the above mentioned documents - Transport Canada's "Sustainable Development Strategy 2007-2009" and "Straight Ahead: A Vision for Transportation in Canada". They define a framework that will address all aspects of developing an environmental programme for sustainable transportation. For instance, the new Canadian regulations on fuel consumption of road motor vehicles will be added to the existing the *Motor Vehicle Fuel Consumption Standards Act*. The initial schedule is for these new regulations to take effect in 2011.

In 2008 and 2009, the administration plans to advance the prospects of an environmental incentive programme in the marine sector by developing business cases for the key players, including any interested Canadian port. A number of issues in this field will be tackled, including the strategic partnerships that need to be strengthened further to help harmonise emission reduction efforts. One of the targets is to improve the fuel efficiency for freight shippers and forwarders by 2011.

To promote sustainable development, the administration will:

- (1) examine the sulphur emissions from ships;
- (2) assist in the development of shipboard treatment systems;
- (3) develop the legislative structure required to put a HNS (hazardous and noxious substances) regime in place together with the regulations;
- (4) improve the provision of ship waste management;
- (5) and continue to increase the effectiveness of the national Aerial Surveillance programme by increasing the frequency of patrols as well as expanding the surveillance to areas not normally patrolled, such as the Arctic.

Table 3 below demonstrates all specific actions that the Canadian government plans to undertake in the next couple of years:

Table 3: Pollution Control

<i>Commitments</i>	<i>Targets</i>	<i>Performance</i>
1. Sulphur Emission Control Areas (SECA)	Establishing SECA in selected areas of the country by 2009/2010	(1) Number of areas identified (2) Sulphur emission levels
2. Ballast water management	Developing and approving of shipboard treatment systems capable of meeting international performance standards by 2009	(1) Number of systems developed and approved
3. Hazardous and noxious substances (HNS)	1. Developing legislative structure to put a HNS regime in place; 2. Creating the required HNS response mechanism in order to provide a nationally consistent method; 3. Actions to permit Canada to accede to the OPRC-HNS Protocol starting in 2009/2010	(1) Number of regulations and standards developed (2) Effectiveness of national HNS incident response framework (3) IMO indication of Canada's accession to the OPRC-HNS Protocol.
4. Ship waste management	Finalising a programme to improve the provision of shore side waste reception in ports by 2009	(1) Improvements to waste management at ports
5. Aerial Surveillance	Improving the effectiveness of the Aerial Surveillance	(1) Number of pollution patrol hours (2) Number of ship source pollution incidents (3) Number of vessels visually observed and number identified by the aircraft's Automatic Identification System
6. Partnerships	Cooperation with Environment Canada, Fisheries and Oceans Canada, Canadian Coast Guard, private sector, associations, regulatory bodies, federal departments and other levels of government.	

Source: Sustainable Development Strategy 2007-2009, Transport Canada

To reorganise the sector such that the environmental management is incorporated into the normal business practise, it is important to delineate the future regulations as frameworks providing incentives to improve efficiency and risk management. In a long-term perspective there is a challenge with facilitating this adjustment not only for the national administrations but also for the sector. Companies that will respond flexibly to the regulatory and economic incentives will gain a competitive advantage. Governments that provide appropriate incentives for improving environmental

performance will reduce emissions from transportation sector significantly. Therefore promoting environmental management in order to reorganise the sector towards higher efficiency seems to be a priority not only to the Canadian government but also to many other policy-makers.

Moreover, the markets provide incentives for this adjustment too since environmental issues become more important and companies develop sophisticated corporate and socially-responsible strategies. There are now incentives provided by capital markets' indicators for social responsibility. Their function is to give the right signals to the market by highlighting those companies that meet the certain criteria⁷. Thus combining the governmental regulations with the market incentives offers various ways of tackling environmental issues.

⁷ Three socially responsible investment indices have already been established where companies are included if they meet the following criteria - environment, human rights, supply-chain labour standards and stakeholder policies - these are the FTSE4Good index, Dow Jones Sustainability Index and the Calvert Social Index. These indices represent a broadly constructed benchmark for measuring the performance of large, socially-responsible companies.

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Appendix I

Directives

I. Directives for Commercial Transportation

1. Directive 79/115/EEC

It is concerning the compulsory pilotage of vessels by deep-sea pilots in the North Sea and English Channel. For the reason of safety and preventing pollution, the vessels that use the services of pilots in the North Sea and English Channel be provided with adequately qualified deep-sea pilots in possession of a certificate. The Member states should promote the employment of such pilots.

2. Directive 95/21/EEC

It sets up common criteria for control of ships calling at Member States' ports. Council Directive of 19 June 1995 concerning the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control).

3. Directive 94/57/EEC

It is a Council Directive of 22 November 1994 on common rules and standards for ship inspection and survey organizations and for the relevant activities of maritime administrations

4. Directive 93/75/EC

Council Directive of 13 September 1993 concerning minimum requirements for vessels bound for or leaving Community ports and carrying dangerous or polluting goods. It recommends development of a better information system for the relevant authorities to take the necessary precautions with regard to vessels carrying dangerous or polluting goods.

5. Directive 96/98/EC

This Directive enhances safety at sea and the prevention of marine pollution through the uniform application of the relevant international instruments relating to equipment listed in the document. This equipment has to be placed on board ships for which safety certificates are issued by or on behalf of Member States pursuant to international conventions and to ensure the free movement of such equipment within the Community. It recommends testing standards and methods for such equipment.

6. Directive 2002/75/EC

It is amending the directive 96/98/EC on certified marine equipment. New rules regarding the equipment to be placed on board ships have been laid down and new testing standards have entered into force.

7. Directive 97/70/EC

Council Directive of 11 December 1997 sets up a harmonised safety regime for fishing vessels of 24 metres in length and over. This is done for the purposes of improving the common safety level within the Community.

8. Directive 2001/96

It established harmonised requirements and procedures for the safe loading and unloading of bulk carriers. The purpose of this Directive is to enhance the safety of bulk carriers calling at Member States' terminals in order to load or unload solid bulk cargoes, by reducing the risks of excessive stresses and physical damage to the ship's structure during loading or unloading.

9. Directive 2002/59/EC

It establishes a surveillance and information system to improve vessels monitoring in European waters. The purpose of this Directive is to establish a vessel traffic monitoring and information system with a view to enhancing the safety and efficiency of maritime traffic, improving the response of authorities to incidents, accidents or potentially dangerous situations at sea, including search and rescue operations, and contributing to a better prevention and detection of pollution by ships. Further, there is Proposal for a Directive of the European Parliament and the Council establishing the fundamental principles that govern the investigation of accidents, presented by COM/2005/0590 final of 23/11/2005; and vessel traffic monitoring presented by COM/2005/0589 final of 23/11/2005.

10. Directive 2001/105/EC

It strengthened the existing Directive 94/57/EC on classification societies which conduct structural safety checks on ships on behalf of flag States. These inspections and surveys are mandatory to carry out under the international conventions. Reports produced by Member States have also to be taken into consideration to assess the safety and pollution prevention performance records of the organisations.

11. Directive 2005/35/EC

It is an introduction of sanctions, even criminal sanctions for ship-source pollution. The purpose of this Directive is to incorporate international standards for ship-source pollution into Community law and to ensure that persons responsible for discharges are subject to adequate penalties as referred to in Article 8, in order to improve maritime safety and to enhance protection of the marine environment from pollution by ships.

12. Proposal (2008) for a Directive of the European Parliament and the Council amending Directive 2005/35/EC

This proposal aims to introduce a system of penalties to address the rare cases of pollution, where the behaviour of the operator is intolerable and must be punished with criminal penalties. In this respect, the quality operators will benefit since the system will make it possible effectively to hold responsible the small minority that does not follow the rules.

II. Directives for Passenger Transportation

13. Directive 98/18/EC

It is harmonising safety standards for all new and existing passenger vessels and high speed craft. The purpose of this Directive is to introduce a uniform level of safety of life and property on new and existing passenger ships and high speed passenger craft, when both categories of ships and craft are engaged on domestic voyages. It lays down procedures for negotiation at international level with a view to a harmonisation of the rules for passenger ships engaged on international voyages.

14. Directive 98/41/EC

It requires registration of persons on board passenger ships. The purpose of this Directive is to enhance the safety and possibilities of rescue of passengers and crew on board passenger ships operating to or from ports in Member States of the Community. Also it ensures the search and rescue and the aftermath of any accident which may occur and can be dealt with more effectively.

15. Directive 1999/35/EC

It establishes a system of mandatory surveys for passenger ships (regular Ro-Ro ferries) and high-speed passenger craft services, operating on regular international or domestic service to or from EU ports, regardless of their flag. It lays down a mandatory system that provides for the right of Member States to conduct, participate in or cooperate with any investigation of maritime casualties or incidents on these services.

16. Directive 2003/25/EC

This Directive lays down a uniform level of specific stability requirements for Ro-Ro passenger ships, which will improve the survivability of this type of vessel in case of collision damage and provide a high level of safety for the passengers and the crew. It is applied to all Ro-Ro passenger ships operating to or from a port of a Member State on a regular service, regardless of their flag, when engaged on international voyages.

17. Directive 2003/24/EC

It amends Directive 98/18/EC on safety rules and standards for passenger ships. It is necessary to take account of changes that have been made to relevant international instruments, such as the International Maritime Organisation (IMO) conventions, protocols, codes and resolutions, and to do so in a flexible and rapid manner.

18. Directive 2003/25/EC

This directive was modified in December 2004 under the Committee procedure on Safe Seas and the Prevention of Pollution from Ships (COSS). It was adopted to the new model test methods as defined in the Resolution 141(76) of IMO from December 2002.

III. Directives for Ports

19. Directive 95/21/EC

It concerns the enforcement, in respect of shipping using Community ports and sailing in the waters under the jurisdiction of the Member States, of international standards for ship safety, pollution prevention and shipboard living and working conditions (port State control). The control is strengthened with the adoption of Directive 2001/106/EC. Further, there is Proposal for a Directive of the European Parliament and the Council on the port State control announced via COM/2005/0588 final of 23/11/2005.

20. Directive 2000/59/EC

It concerns port reception facilities for ship-generated waste. For the purpose of protecting the marine environment, this Directive is to reduce the discharges of ship-generated waste and cargo residues into the sea, especially illegal discharges, from ships using ports in the Community. It requires improving the availability and use of port reception facilities for ship-generated waste and cargo residues as well as undertaking targeted inspections by the authorities.

21. Proposal for a Directive of the European Parliament and of the Council on Market Access to port services (presented by the Commission: COM (2004)654 final of 13/10/2004

In the interests of the consumers and of business alike, liberalisation in all transport sectors is explicitly included in the Lisbon Agenda. In fact, in the conclusions of the European Council of Lisbon of 28 March 2000, transport is among the areas where the Commission, the Council and the Member States were asked to "speed up liberalisation". The Commission believes that it is still necessary, in the interests of operators, authorities and consumers, to introduce specific and clear rules on access to the port services market which will take account of its unique features. This proposal establishes the framework for such competition.

22. Directive 2002/6/EC

It offers a simplification of reporting formalities for ships arriving in or departing from ports of the member states. The purpose of this Directive is to facilitate maritime transport by providing for standardisation of reporting formalities.

23. Directives 79/409/EEC

Wild Birds and Habitats Directive

The Directive provides maintenance of the favourable conservation status of all wild bird species across their distributional range with the encouragement of various activities to that end.

24. Directive 92/43/EEC

By this Directive, the Community meets its obligations as a signatory of the Convention on the Conservation of European Wildlife and Natural Habitats (Bern Convention). The Directive applies to the UK and to its overseas territory of Gibraltar. The provisions of the Directive require Member States to introduce a range of measures including the protection of species listed in the Annexes; to

undertake surveillance of habitats and species and produce a report every six years on the implementation of the Directive.

IV. Directives for Labour

24. Directive 1999/95/EC

It concerns the monitoring process of seafarers hours of work on board. The purpose of this Directive is to provide a mechanism for the verification and enforcement of compliance by ships calling at ports of Member States with Directive 1999/63/EC in order to improve maritime safety, working conditions and the health and safety of seafarers on board ships.

25. Directive 1999/63/EC

It relates to the working time of seafarers. The purpose of this Directive is to put into effect the Agreement on the organisation of working time of seafarers concluded on 30 September 1998 between the organisations representing management and labour in the maritime sector (ECSA and FST).

26. Council Directive 94/58/EC

It concerns the minimum level of training for seafarers. It provides that following the adoption of new instruments or protocols to the International Convention on Standards of Training, Certification and Watch-keeping for Seafarers (STCW Convention) the Council, shall decide on the detailed arrangements for ratifying those new instruments or protocols, while ensuring that they are applied uniformly and simultaneously in the Member States. Later Directive 98/35/EC amended Directive 94/58/EC on the minimum level of training.

27. Directive 2001/25/EC

This Directive is regarding the training and recognition certificates. Member states have to take the necessary measures to ensure that seafarers serving on ships are trained as a minimum in accordance with the requirements of the STCW Convention, and hold certificates as defined in Article 4.

28. Directive 89/391/EEC – Health&Safety at Work

This Directive is to introduce measures to encourage improvements in the safety and health of workers at work. It contains general principles that concern the prevention of occupational risk; the protection of safety and health; the elimination of risk and accident factors; the informing balanced participation in accordance with national laws and/or practices and training of workers and their representatives, as well as general guidelines for the implementation of the said principles.

Appendix II Action Programmes

I. Programme for the Promotion of Short Sea Shipping

The Promotional programme consists of 14 individual actions that cover legislative, technical and operational aspects. It came as a result of White Paper's objectives to increase the use of short sea shipping. The programme aimed to develop specific actions in key areas in order to integrate the short sea shipping into the logistics chain. In this respect, the industry needed to improve its image and introduce new advanced technological solutions.

A. Legislative actions

1. Implementation of the Directive on certain reporting formalities at a port (IMO-FAL)
2. Implementation of Marco Polo
3. Standardisation and harmonisation of intermodal loading units
4. Motorways of the Sea
5. Improving the environmental performance of Short sea shipping

B. Technical actions

1. Guide to customs procedures
2. Identification and elimination of obstacles
3. Approximation of national applications and computerisation of Community Customs procedures
4. Research and technological development

C. Operational actions

1. One-stop administrative shop
2. Ensuring the vital role of Short Sea shipping Focal Points
3. Ensuring good functioning of and guidance to Short sea promotion centres
4. Promote the image of Short sea shipping
5. Collection of statistical information

II. Ports Policy Action Programme

The consultation on the European Ports Policy has found out that in spite of decentralisation and increased financial autonomy, diverse approaches to port financing in Member States exist. Particularly – differing levels of financial autonomy and provision of public financing; lack of transparency in tariff setting – are the areas with the most varying tools applied. Therefore European ports face many challenges.

The objectives of this Action Programme are:

- 1) to ensure efficient port capacity;
- 2) to promote greater freedom of access for new port service providers;
- 3) to promote fair competition;
- 4) to promote more flexible employment patterns;
- 5) to raise environmental management standards in ports and to achieve a better balance between environment protection and economic growth

ACTIONS

I. Concessions For Terminals in Ports

II. Work in Ports

III. Technical-nautical Services

IV. Environmental Issues

V. Spatial Planning

VI. Financial autonomy, transparency and tariffs

VII. Image of Ports

This programme identifies actions at EU level for a coherent set of measures for different policy areas. One single solution can't deal with all port-related issues, thus a combination of measures are taken into consideration. A new Communication on a European Ports Policy will outline the actions the Commission will take between 2008 and 2009 regarding the different port-related policy fields.

III. Inland Waterway Action Programme – NAIADES

This programme consists of recommendations for actions to be taken between 2006-2013 to develop an integrated Inland Waterway Transport policy. It focuses on four areas: Market, Fleet, Jobs and skills, Image, Infrastructure. The actions can be classified in legislative, coordination and support measures.

In terms of markets, the aim is to attract new services as well as expand existing market niches – waste and recycling, dangerous goods, transport of vehicles and big indivisible loads. For this purpose, the Commission is committed to encourage entrepreneurship, to overcome start-up barriers and improve regulatory framework. Also continuous investments in modernisation and innovation are needed to maintain its standards. Research into commercially viable non-carbon fuels (hydrogen fuel cells and zero-emission engines) should also be pursued.

In terms of jobs, there is a need for improving the social and working conditions through a constructive dialogue at European level. Further investments in human capital have to be encouraged. Not only this but also one of the actions recommends improving the image of inland navigation and promoting it as a successful partner in business. For this purpose the infrastructure also needs to be improved so that this transport mode becomes competitive enough.

Moreover, on the basis of further discussions with all stakeholders, the Commission will offer a proposal for stimulating the process of modernising the organisational structure of inland waterway transport.

The Commission and the European Parliament monitor regularly the implementation progress of this programme.

IV. Freight Transport Logistics Action Plan

This action plan came as a result of the mid-term review of the White Book 2001 which stresses the key role of logistics in ensuring competitive and sustainable mobility in Europe. It is one of a series of policy initiatives jointly launched by the European Commission to improve the efficiency and sustainability of freight transport in Europe. It presents a number of short- to medium-term actions to help Europe address its current and future challenges.

Actions

1) e-Freight and Intelligent Transport Systems (ITS)

The Commission is preparing a major initiative on ITS for 2008, which will establish a detailed roadmap for ITS development and deployment in Europe, thereby also addressing the main technology applications relevant for freight logistics. Further actions on e-Freight will be announced in 2009.

2) Continuous bottleneck exercise

3) Personnel and training

The EU examines measures in close cooperation with social partners to enhance the attractiveness of logistics professions and to encourage mobility of staff across borders. There are shortages of key personnel in many areas of the industry.

4) Improving performance

Performance indicators will be developed to improve service quality.

5) Benchmarking intermodal terminals

The Commission plans to elaborate, together with industry, a set of generic (dynamic and static) benchmarks for terminals - starting from multimodal inland terminals - and incorporate them into a code of best practice or recommendation and disseminate information about them by 2010.

6) Promotion of best practice

7) Simplification of transport chains

The Commission will work on a “European Maritime Transport Space without Barriers” where both the ship’s journey and goods could be reliably and securely tracked, thereby decreasing the need for individual controls in transport operations between Community ports. This would contribute to short sea shipping being able to fully benefit from the internal market. Also it will be established a single window (single access point) and one stop-administrative shopping for administrative procedures in all modes by 2012.

8) Security

Security relates to the protection against and prevention from crime, banditry and unlawful intentional acts such as terrorism. Increasingly, security has become an intrinsic part of logistic quality and competitive performance. As far as the supply chain security for external trade is concerned, the Customs Code was revised and the concept of Authorised Economic Operator was introduced, also laying down minimum requirements for safety and security from 2008 onwards.

9) “Green” transport corridors for freight

Green transport corridors will reflect an integrated transport concept where short sea shipping, rail, inland waterways and road complement each other to enable the choice of environmentally friendly transport.

Along these corridors industry will be encouraged to rely on co-modality and on advanced technology. They will be equipped with adequate transshipment facilities at strategic locations (such as seaports, inland ports, marshalling yards and other relevant logistics terminals and installations) and with supply points for biofuels and, later, for other forms of green propulsion. Green corridors could be used to experiment with environmentally-friendly, innovative transport units, and with advanced ITS applications.

10) Urban freight transport logistics

The Commission will encourage the exchange of experiences of representatives of urban areas to help establish a set of recommendations, best practice, indicators or standards for urban transport logistics, including freight deliveries and delivery vehicles.

V. Common Maritime Space Without Barriers, 2008

To improve the efficiency of maritime transport in Europe and to ensure its long-term competitiveness, the Commission will:

- a) propose a European maritime space without barriers;
- b) prepare a comprehensive maritime transport strategy for 2008-2018.

At this level, the Commission has announced only the results from the consultation process on the common maritime space without barriers.

VI. Regulatory Obstacles, 2008

The Green Paper suggested regulatory simplification and streamlining as well as evaluation of impacts from sector-regulations. In this respect, the Commission will produce the first report with a list of regulatory obstacles by the end of 2008. This will lead to a consultation process in 2009.

VII. Strategy for EU Marine and Maritime Research, COM (2008) 534

The Commission is committed to build a knowledge and innovative base for its maritime policy. In September 2008 the Commission presented a comprehensive strategy for marine and maritime research. The aim is to support a creation of a European marine science partnership for a concerted dialogue between the scientific community, the industry and the policy makers. Therefore, joint cross-cutting calls under the 7th Research Framework programme will be launched. The strategy is to:

- address system complexity and interactions through enhanced integration of knowledge and research. It will try to link scientific subjects and industrial sectors, science and technology and policy-making;
- introduce new forms of governance in research that will seek consensus among all parties and establish a dialogue between scientists, policy-makers, industrialists and representatives from the society.

The strategy lists the major topics that require cross-thematic approach:

- 1) Climate change and the oceans
- 2) Impact of human activities on coastal and marine ecosystems and their management
- 3) Ecosystem approach to resource management and spatial planning
- 4) Marine biodiversity and biotechnology
- 5) Continental margins and deep sea
- 6) Operational oceanography and marine technology
- 7) Exploitation of marine renewable energy resources

The role of the European Commission is to:

- to make full use of all the Community instruments (incl. 7th FP) to achieve the strategy's objectives;
- to facilitate a coordinated approach between Member States;
- to oversee the implementation and adaptation of this strategy.

VIII. Guidelines for Integrated Governance, COM (2008) 395

An integrated policy requires a governance framework that applies the integrated approach at every level, including horizontal and cross-cutting policy tools. It also asks for a sound financial basis that takes into account the results of preparatory actions. The Commission will propose a set of guidelines for these national integrated maritime policies and report annually on EU and Member States' actions in this regard from 2009. The Guidelines recommend:

- 1) Member States should develop their own national integrated maritime policies;
- 2) Member States should consider creating internal coordinating structures for maritime affairs within their government frameworks;
- 3) Sub-national levels of decision-making (regional and local levels) – have a role to play;
- 4) Active participation by maritime stakeholders in integrated national, regional or local maritime policies is highly recommended;
- 5) More efficient links at regional sea basin level are needed.

This guide is a measure for achieving greater coherence between different policy areas and approaches. It tries to avoid duplication of regulatory powers of various national and regional authorities.

IX. EU Action Plan for Maritime Observation and Data Network, 2009

The Commission, with the support of a specially constituted advisory group, will prepare by 2009 an EU Action plan to make a progress in this direction. It will provide an overview of the main data and information service categories to be covered and some of their sources and uses. It will focus on the benefits and added value of better integration, and clarify how the data network will relate to other initiatives in the maritime transport sector. It will also propose a programme for the development of mutually compatible and multi-dimensional mapping of seas in Member States' waters.

The integrated socio-economic database aims to support the Integrated Maritime Policy actions.

X. Career Opportunities, 2009

The Commission aims to increase the number and quality of maritime jobs for European citizens. It will be proposed:

- a) reassessment of the EU labour legislation, particularly the one affecting the maritime sector;
- b) promotion of a Certificate of Maritime Excellence.

XI. e-Maritime, 2009

e-Maritime concept is to be developed complementarily to the e-Freight concept. It will be based on open standards for value-added broadband applications integrated with other on-board and land-based monitoring and communication systems. This will improve the integration of shipping in the various logistic chains.

Appendix III
SKEMA POLICY INDEX

Policy Elements	Related PEs
PE1	Sustainable EU Maritime Transport [Policy Objectives]
PE1.1	Economic Sustainability
PE1.1.1	Competition
PE1.1.1.1	Liberalisation
PE1.1.1.2	Internal market
PE1.1.1.3	State Aids
PE1.1.1.4	External relations
PE1.1.2	Efficiency and Quality of Services
PE1.1.2.1	User aspects
PE1.1.2.2	Externalities -Congestion / Accidents
PE1.1.2.3	Development of SSS
PE1.1.2.4	Safety and Security
PE1.1.2.5	Surveillance activities
PE1.1.2.6	Co-modality
PE1.1.3	Development of maritime transport 'human capital' social
PE1.1.3.1	Education and training
PE1.1.4	Building a knowledge and innovation base for the maritime policy
PE1.14.1	European Maritime Research
PE1.14.2	Maritime Research→ Networking Activities
PE1.1.5	Maritime Governance
PE1.1.5.1	Towards integration of Maritime Affairs across the EU
PE1.1.5.2	Promoting Europe's Leadership in International Maritime Affairs
PE1.1.5.3	Raising the Visibility of Maritime Europe
PE1.2	Social Sustainability
PE1.2.1	Mobility and Accessibility
PE1.2.1.1	Transport Options
PE1.2.1.2	Mobility barriers
PE1.2.1.3	Substitutes
PE1.2.2	Employment and working conditions
PE1.2.2.1	Equitable work standards
PE1.2.2.2	Promotion of employment Talent Attraction & Retention
PE1.2.3	Delivering the Highest Quality of Life in Coastal Regions
PE1.2.3.1	Community liveability [Degree to which transport activities support co-livability objectives (local environmental quality)]
PE1.2.3.2	Development of multi-sectoral clusters and regional centres of maritime excellence
PE1.2.3.3	Reducing the vulnerability of communities
PE1.2.3.4	Improving Socio-Economic Data for maritime sectors and maritime regions
PE1.3	Environmental Sustainability
PE1.3.1	Climate change
PE1.3.2	Air pollution /Noise

PE1.3.3	Sea/Water pollution
PE1.3.4	Hydrologic impacts
PE1.3.5	Energy / waste management / ship dismantling
PE1.3.6	Environmental Risk Management

PE2

Ongoing Action Programmes

PE2.1	“Programme for the Promotion of Short Sea Shipping” COM(2003) 155
PE2.2	Ports Policy Action Programme 18 October 2007.COM(2007)616
PE2.3	Inland Waterway Action Programme – NAIADES, COM (2006) 6
PE2.4	Freight Transport Logistics Action Plan COM (2007) 607
PE2.5	Common Maritime space without barriers 2008 (Blue Book)
PE2.6	Regulatory Obstacles 2008 (Blue Book)
PE2.7	Strategy for EU Maritime Research COM(2008) 534
PE2.8	Guidelines for Integrated Governance COM(2008) 395
PE2.9	EU Action Plan for Maritime Observation and Data Network - 2009 (Blue Book)
PE2.10	Career Opportunities 2009 (Blue Book)
PE2.11	e-Maritime 2009 (Blue Book)

PE3

Directives

PE3.1	Directives for Commercial Transportation
PE3.1.1	Directive 79/115/EEC – regulating the compulsory pilotage of vessels Directive 95/21/EEC – common criteria for control of ships calling at Member State ports
PE3.1.2	Directive 94/57/EEC – recognition of Classification Societies
PE3.1.3	Directive 93/75/EC – notification system for ships carrying dangerous or polluting goods
PE3.1.4	Directive 96/98/EC – international testing standards
PE3.1.5	Directive 2002/75/EC – certified equipment
PE3.1.6	Directive 97/70/EC – common safety requirements for seagoing fishing vessels
PE3.1.7	Directive 2001/96 – IMO Bulk loading and unloading code
PE3.1.8	Directive 2002/59/EC – a surveillance and information system to improve maritime safety monitoring in European waters
PE3.1.9	Directive 2001/105/EC – it strengthened the existing Directive 94/57/EC on classification societies which conduct structural safety checks on ships on behalf of flag States
PE3.1.10	Directive 2005/35/EC – introduction of sanctions, even criminal sanctions on polluting source
PE3.1.11	Pollution Proposal (2008) for a Directive of the European Parliament and the Council on the prevention of pollution from ships
PE3.1.12	Directive 2005/35/EC
PE3.2	Directives for Passenger Transportation
PE3.2.1	Directive 98/18/EC - harmonising safety standards for all new and existing passenger vessels and high speed craft engaged on domestic voyages
PE3.2.2	Directive 98/41/EC – registration of persons on board passenger ships

	Directive 1999/35/EC - establish a system of mandatory surveys for passengers and high-speed crafts operating on regular international or domestic service to ports, regardless of their flag	
PE3.2.3		
PE3.2.4	Directive 2003/25/EC – specific stability requirements for ro-ro ships	
	Directive 2003/25/EC amending Directive 98/18/EC on safety rules and standards for passenger ships	
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PE3.2.6	Directive 2003/25 – modification of stability requirements for Ro-Ro passenger ships	
PE3.3	Directives for Ports	
PE3.3.1	Directive 95/21/EC on port State control is strengthened with the adoption of Directive 2001/106/EC	
PE3.3.2	Directive 2000/59/EC – port reception facilities for ship-generated waste	
	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	
PE3.3.3	on market access to port services (presented by the Commission: COM(2004)654 final of 13/10/2004	
PE3.3.4	Directive 2002/6/EC – simplification of reporting formalities for ships arriving or departing from ports of the member states	
PE3.3.5	Directives 79/409/EEC & 92/43/EEC – Wild Birds & Habitats Directives.	
PE3.4	Directives for Labour	
PE3.4.1	Directive 1999/95/EC – monitoring the seafarers hours of work on board	
PE3.4.2	Directive 1999/63/EC – working time of seafarers	
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PE3.4.4	Council Directive 2001/25/EC – training and recognition (certificates)	
PE3.4.5	Council Directive 89/391/EEC – Health & Safety at Work	
PE4	Decisions and Regulations	
PE4.1	Community Financial Assistance	
	Marco Polo Programme and Motorways of the Sea	Regulation (EC) No 1717/2006
PE4.1.1	Trans-European Transport Network	Regulation (EC) No 1717/2006
PE4.1.2	Programme	Decision (EC) No 1600/2002