

## International Chamber of Shipping

12 Carthusian Street London EC1M 6EZ

Tel +44 20 7417 8844

Fax +44 20 7417 8877

[ics@marisec.org](mailto:ics@marisec.org) [www.marisec.org](http://www.marisec.org) [www.shippingfacts.com](http://www.shippingfacts.com)



19 July 2005

Mr. John Richardson  
The European Commission  
Directorate-General for Fisheries and Maritime Affairs  
J-99 07/12  
B-1049 Brussels  
Belgium

Email : [ec-maritime-policy-task-force@cec.eu.int](mailto:ec-maritime-policy-task-force@cec.eu.int)

Dear Mr Richardson,

### **TOWARDS A FUTURE MARITIME POLICY FOR THE UNION - A EUROPEAN VISION FOR OCEANS AND SEAS**

The International Chamber of Shipping (ICS) is the international trade association for the shipping industry representing all sectors and trades based inside and outside the EU. ICS membership comprises national shipowners' associations from 36 countries including most of the EU states engaged in maritime trade.

ICS wishes to emphasise that it is very interested in the scope of the EU Maritime Policy Review, which it is hoped will underline the economic and strategic importance of the shipping industry, responsible for the carriage of about 90% of world trade. ICS also wishes to associate itself with the initial comments submitted by the European Community Shipowners' Associations (ECSA), most of whose member national shipowners' associations also belong to ICS.

ICS looks forward to commenting on any detailed proposals that may be included in the 'Green Paper', which we understand is likely to be published in early 2006. In the meantime, we hope that these initial comments are helpful as the Commission begins to develop its ideas.

ICS recognises that the EU is a positive force for maritime safety and pollution prevention. This is particularly the case when the EU encourages, if necessary by EU legislation, the adoption and implementation of international maritime regulations by its member states, especially those adopted by the International Maritime Organization (IMO).

In this context, ICS is confident that the Review will be conducted diligently, taking full account of its potential impact on the shipping industry, in particular its consequences for the European position on basic conditions of international shipping. If such expectations are met the Review should lead to positive results which both benefit the shipping industry and respond to general political demands, thereby reconciling and balancing the objectives.

ICS understands that the EU Review may look at the position which the EU might adopt towards the future of the United Nations Convention on the Law of the Sea (UNCLOS), a matter which of course would have implications in other policy areas such as economic exploitation rights, fisheries and defence, in addition to shipping. UNCLOS is in effect a 'constitution of the seas', balancing different political, economic, and environmental interests, and generally accepted worldwide. UNCLOS is thus an essential backcloth to the functioning of global trade, as indispensable in Europe as in the rest of the world. Reviewing UNCLOS is therefore a highly sensitive matter and ICS earnestly believes that these broader issues must be given due weight in the Review.

ICS finds it constantly necessary to emphasise that shipping is a global industry requiring **global regulation**. If a ship is sailing from Barcelona to Buenos Aires, or Antwerp to Auckland, the rules applying to matters such as construction or crewing requirements must be the same at each end of the voyage. The alternative would be a chaotic plethora of differing national or regional rules resulting in administrative inefficiencies and market distortions, interfering with the smooth flow of international trade.

The global characteristics of shipping mean that it has always been subject to a special global approach. Moreover, the success of IMO regulation in reducing the number of maritime incidents involving loss of life or environmental damage **(see data at foot of this letter)** has been substantially due to the fact that its regulations have invariably been based on the outcome of extensive technical argument. As a consequence IMO rules— such as the SOLAS and MARPOL Conventions - reflect international consensus and have therefore been widely implemented and enforced on a worldwide basis.

In this connection, ICS is concerned about the wisdom of the Commission's ambitions to speak at IMO on behalf of its member states, reducing the scope for independent intervention by national experts who are currently free to debate the details of new international rules on the basis of their technical merits. Over a period of time the industry has seen an increase in the politicisation of debate at

IMO, and we fear that the emphasis on strict co-ordination of European positions will both exacerbate this trend and damage the technical quality of IMO decision making. Both the industry and society at large would be the losers as a result. We will be happy to elaborate on these views at a later stage.

We hope that these very preliminary remarks will be felt helpful, and we look forward to providing detailed comments at appropriate stages of the EU Review as definitive proposals emerge.

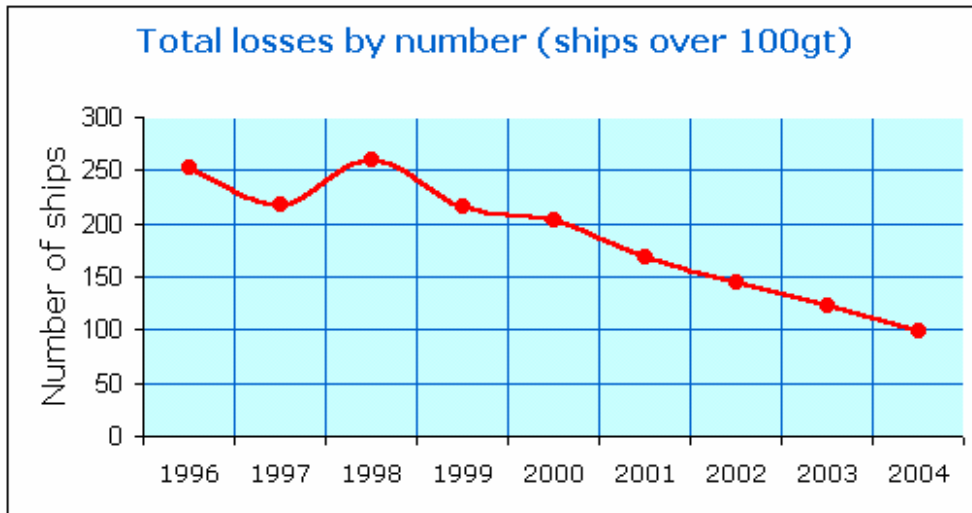
In the meantime, we also **enclose** a copy of our latest Annual Review of maritime regulatory developments which may help the Commission to identify those issues, including the influence of the European Union, which are currently of interest to the shipping industry globally.

Yours sincerely

J C S Horrocks  
Secretary General

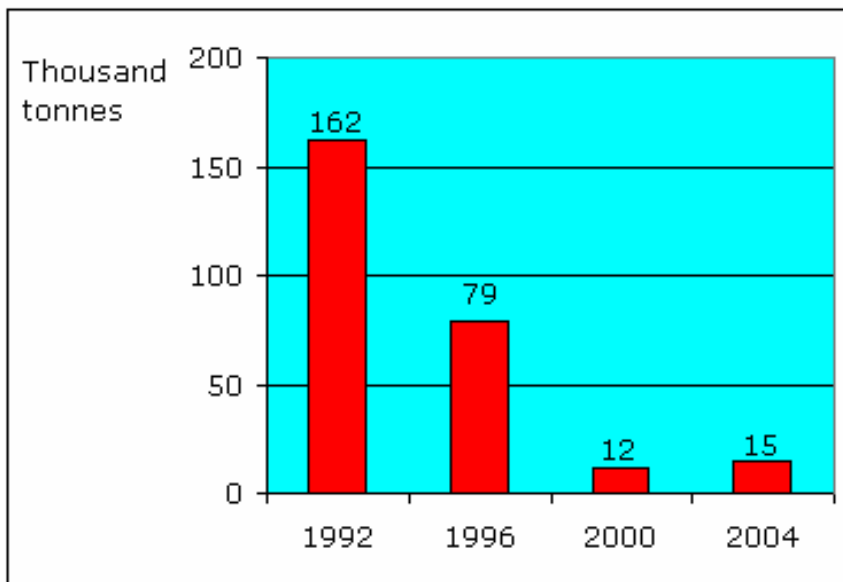
Attached: summary data on improving performance of shipping  
Enclosed: ICS/ISF Annual Review 2005

## The improving performance of shipping



Source: Lloyds Register/Fairplay

## Quantity of oil spilled



Source: ITOPF