

ANAVE – Circular de Régimen Interior

Madrid, 1 de abril de 2020

Ref.: UE 3/2020/MC

Asunto: Importancia de mantener la actividad del transporte marítimo. Carta de Renew Europe a la Comisión Europea. Puertos internacionales para relevos de tripulaciones.

Muy Srs. nuestros:

Como Uds. bien conocen, una de las principales preocupaciones de las empresas navieras en el ámbito internacional son las crecientes dificultades para el relevo de los tripulantes, a medida que muchos puertos los están prohibiendo o dificultando con medidas sanitarias muy restrictivas.

Desde ICS, BIMCO y otras organizaciones marítimas se viene trabajando en este asunto y un primer fruto fue la Circular de la OMI dirigida a los gobiernos: “Recomendaciones para facilitar el comercio marítimo” que adjuntábamos a nuestra circular de fecha 31 de marzo y ref. [Varios 9/2020/AB](#).

En una línea muy similar, los miembros del comité de Transportes (TRAN) del Parlamento Europeo pertenecientes al Grupo Parlamentario Renew Europe (centristas) ha enviado a la Comisión Europea la carta que adjuntamos. El coordinador de este grupo del TRAN es el español D. José Ramón Bauzá (Ciudadanos), que es quien ha liderado esta iniciativa. Desde ANAVE mantenemos un contacto frecuente con él desde hace algunos meses. Del texto de esta carta, que nos parece muy completo y adecuado, con referencias a posibles ayudas y al TMCD, queremos extraer los siguientes párrafos sobre el problema de las tripulaciones:

“On seafarers:

- *to ensure that all health and safety measures taken for the transport workers are also applied to seafarers, to afford them a special consideration, providing the necessary **assistance and flexibility in order to ensure the free movement of ships’ crews across borders as well as during change of shift**, thereby ensuring a free flow of all goods and in particular the supply chain of essential products;*
- *to ensure that seafarers are **recognised as key workers** and afforded the same flexibilities currently given to aircrew and health workers in boarding and leaving ships, **as some 100.000 shipping crew members need to change shift worldwide every month**;*
- *to take effective measures at EU and international level, in order to ensure the **extension of the validity of the current seafarers’ certificates by at least 6 months**, as seafarers may be forced to spend longer time on board than usual, if they are not allowed to leave the vessels, and this would prevent”*

De este modo, se pone igual énfasis en la necesidad de posibilitar los relevos de tripulaciones como en facilitar la prolongación de sus embarques, en función de las necesidades de cada caso.

Sobre este mismo asunto, ICS viene organizando reuniones por videoconferencia, 2 veces por semana, en las que se está centrando la idea de conseguir que un número suficiente de puertos de todo el mundo, en las principales rutas de navegación, acepte regular de una forma pragmática el relevo de tripulaciones, sobre la base de la anteriormente indicada circular de la OMI.

A raíz de la carta de Renew Europe, hemos sugerido a este grupo parlamentario que propongan que la UE encabece una iniciativa diplomática con una serie de Estados marítimos para hacer realidad este proyecto de ICS. Esta iniciativa se podría canalizar a través del Alto Representante de Política Exterior y de Seguridad Común de la UE, D. José Borrell.

Les tendremos al corriente de cualquier novedad de interés en relación con este asunto. Por el momento, agradeceríamos a aquellas empresas que operen buques en tráficos internacionales que nos indicasen entre 6 y 10 puertos que, en su criterio, podrían ser especialmente adecuados para ser incluidos en esta lista de puertos internacionales de relevos de tripulantes. Rogamos hagan llegar esta información a mheras@anave.es

Muy cordialmente

Manuel Carlier
Director General

Ms. Adina Vălean

Brussels, 30 March 2020

European Commissioner for Transport

Ms. Margrethe Vestager

Executive Vice President of the European Commission, in charge of competition policy

Subject: COVID-19: Maritime rescue and recovery action plan

Dear Commissioner,
Dear Executive Vice-President,

The COVID-19 outbreak has developed into a catastrophic event affecting many countries and their citizens around the globe. The maritime sector, responsible for almost 90% of EU's external freight trade and 32% of the intra EU transport of goods is at stake. The EU's internal market, citizens and industries need the smooth and timely transportation of essential goods, food, medicines and a vast range of products of first necessity. Mitigating the economic impact of the crisis and ensuring the continuity of industry and supply chains is of utmost importance for EU citizens and our European Single market. The expected transport of volumes for all good flows are already lagging behind the original forecasts, with a particularly negative effect on container transport. Moreover, the slowdown of the Global and European economy will have an effect of which we cannot yet determine the magnitude.

Firstly, we would like to thank you and the entire Commission for recognising transport as one the most affected sectors by the COVID-19 crisis. In this regard, we also welcome the measures you have taken so far to compensate the economic damages, to guide Member States across the Union when it comes to the border management and the accompanying implementation guidelines.

However, the sea and inland ports and the shipping industry urgently need a **sector-specific rescue and recovery action plan** in order to ensure the continuity of seaborne trade to and from the EU, as well as intra -EU, and to ensure the health and the safety of transport workers in the sector.

In particular, in light of the increasing amount of disruptions caused by the COVID-19 outbreak to the sector, we call on you to take the following initiatives and actions:

- **On sea and inland ports:**
 - to recognise the **critical and essential role ports are playing** in the supply of essential goods and equipment and give adequate support where needed;
 - to actively **support all workers in the port, industry and logistics sector** for their active contribution in overcoming this crisis;
 - to ensure that **goods coming in and out European seaports can smoothly reach the hinterland** through an effective implementation and monitoring of the "Green Lanes" and monitoring of the continuity of road, rail and inland waterway services;
 - to **recognise the framework set up in European ports** to protect the workers and critical staff in ports and ensure that ports can have access to the material needed to ensure this protection;
 - to effectively **coordinate national crisis measures directed at ports** and to give adequate support where needed, in order to maintain their roles and contributions, without imposing unnecessary restrictions causing disruptions to the supply chains, taking into account that ports function as external borders of EU Member States;

- to **ensure sufficient trucking/towing capacity**, including drivers, in ports to guard against disruptions in the flow of essential goods, and to safeguard against congestion, in this regard rail-capacity and inland waterways can also be brought into use;
- to ensure, in coordination with national governments, that dock workers, as well as all other workers that are of vital importance to port operations and the logistics chain, are **well supplied with protective equipment**;
- to take effective measures at EU and international level, in order to ensure the **extension of the validity of the current ship certificates by at least 3 months** in order to enable ships to dry dock, knowing that dry docking became severely limited due to the precautionary measures;
- to urgently provide for a **clear guidelines for the cruise sector**, as many EU countries continue to adopt unilateral measures when it comes to the entering harbours, berthing and disembarking of passengers and crew;
- to **ensure that sufficient personnel for port related operations is available** by declaring not only port traffic management and shipping as vital processes, but also transshipment and hinterland transport (including but not limited to: nautical service providers, terminals, logistics (drivers, skippers), distribution centres and employees) in planning departments and Process Control; furthermore, to ensure that the staff working in ports can access the port notwithstanding the confinement measures, and to give them priority in case they have to pass a border control;
- to prioritise the strategic interests of the EU in the continuous performance of **short sea shipping** ensuring that EU shipping industry remains able to perform its crucial function in the supply chains for the European economy and its citizens

➤ **On seafarers:**

- to ensure that all health and safety measures taken for the transport workers are also applied to seafarers, to afford them a special consideration, providing the necessary **assistance and flexibility in order to ensure the free movement of ships' crews across borders as well as during change of shift**, thereby ensuring a free flow of all goods and in particular the supply chain of essential products;
- to ensure that seafarers are recognised as key workers and afforded the same flexibilities currently given to aircrew and health workers in boarding and leaving ships, as some 100.000 shipping crew members need to change shift worldwide every month;
- to take effective measures at EU and international level, in order to ensure the **extension of the validity of the current seafarers' certificates by at least 6 months**, as seafarers may be forced to spend longer time on board than usual, if they are not allowed to leave the vessels, and this would prevent them from taking the necessary training required for an extension of their certificate;
- to ensure the necessary assistance and funding for Member States in implementing **social protection and special assistance measures for seafarers**, based on best practices already put in place by some countries;
- to ensure that inland shipping personnel - that have no COVID-19 symptoms - is not stopped at internal borders, by including **professional travel related to inland waterway transport** in the EU guidelines for border management measures. Professional travel should be enabled to ensure transport of goods and services not only for transport workers, including truck and train drivers, pilots and aircrew, but also inland waterway skippers and inland shipping personnel;

➤ **On passengers rights:**

- to ensure the proper implementation of maritime and inland waterway passenger rights (Regulation 1177/2010), in line with the "Interpretative Guidelines on EU passenger rights regulations in the context of the developing situation with COVID-19";

- **On State aid measures for the sector:**
- to provide for **sector-specific guidelines concerning the “Temporary Framework”** enabling Member States to use national compensation schemes, aiming to tackle the financial damages of the COVID-19 pandemic, as the sector is highly dependent on charter contracts - without unduly distorting competition in the EU internal market;
 - to give the maritime sector a central role in a **comprehensive EU recovery plan** and action plan, and to pay special attention for the negative effects small- and medium sized enterprises endure;
 - to provide for sufficient **financial support and liquidity to the European cruise industry** to ensure its continuity and its operational capacity as a key driver of the European tourism sector;
 - to provide EU banks for a fit regulatory framework at EU level in order to **solve the imminent liquidity issues** of ship owners;
 - to ensure that European **logistics companies are eligible for potential national support schemes**. Given the expected sharp fall in volumes, the worsened financial position of companies (for all modalities, but certainly for hinterland transport such as inland shipping and rail) is a major threat to the continuity of the logistics chain;
 - to **support the naval industrial sector** as a strategic sector that includes shipyards, machinery and engine manufacturers as well as its auxiliary industries that are suffering the consequences of this global crisis, reducing their sales in highly innovative products and leading technology. Protection and measures must reach the larger number of jobs in this sector;
 - to prioritise the strategic interests of the EU in the continuous performance of **short sea shipping** ensuring that EU shipping industry remains able to perform its crucial function in the supply chains for the European economy and its citizens;

Last but not least, we urge you to establish a clear action plan and effective mechanism of crisis-management cooperation between Member States in order to re-establish full connectivity and continuity of maritime and inland waterway transport within the EU sea and inland ports.

As Renew Europe Group’s Members in the Committee of Transport and Tourism, we call on the Commission, we call on you, to swiftly implement all these measures, having regards to the urgency of the situation and within a framework that allows Member States to act in a coordinated way.

Sincerely Yours,

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