

Measure 31: Maritime safety: European Maritime Safety Agency, rules and standards for passengers ships

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<p><i>Policy package:</i> 4D: Safety, quality and the environment</p>
<p><i>Measure 31:</i> European Maritime Safety Agency and safety rules and standards: establishing the European Maritime Safety Agency and safety rules and standards for passengers ships</p>
<p><i>What is the problem being addressed ?</i> Under this heading two separate actions are described that are not directly related but have the similar purpose of enhancing maritime safety:</p> <ul style="list-style-type: none">• The first action establishes the European Maritime Safety Agency (EMSA), established in 2002, contributes to the enhancement of the overall maritime safety system in the Community. Its goals are, through its tasks, to reduce the risk of maritime accidents, pollution from ships and the loss of human lives at sea. In general terms, the Agency will provide technical and scientific advice to the Commission in the field of maritime safety and prevention of pollution by ships developing new legislation, monitoring its implementation and evaluating the effectiveness of the measures in place. Agency officials will closely cooperate with Member States maritime services.• The second action consists of determining safety standards for passenger ships in general and ro/ro passenger ships in particular. The aim being of course to make the fleet of passenger ships more safe and in this way hopefully to reduce the number of accidents in this type of transport.
<p><i>Measure's costs and/or benefits:</i></p> <ul style="list-style-type: none">• EMSA's budget for 2003 amounted to €4,500,000 and is allocated from the EU budget. The Agency's 2004 budget will amount to €12,600,000 and, in addition, a further budget line for pollution response tasks, which would be independent of the EMSA general budget, has been proposed (estimated to be an additional €20,000,000, according to the Communities budget proposal).• Since the proposed measures regarding passenger ships involve possibly technical adaptations the shipping industry will experience a cost increase. The size of this is unknown.
<p><i>Legislative implementation at the EU level:</i></p> <ul style="list-style-type: none">• The EMSA was established by Regulation (EC) N° 1406/2002. This is the European Maritime Safety Agency's legal basis, and establishes the objectives and tasks, the internal structure and functioning and the financial requirements. New tasks (in particular creation of an oil pollution response capability within EMSA, as well as new training and security tasks) were assigned to agency by Regulation (EC) N° 1644/2003 of the European Parliament and of the Council of 22 July 2003 amends Regulation (EC) N° 1406/2002 establishing a European Maritime Safety Agency. Regulation (EC) N° 724/2004 Amending Regulation (EC) N° 1406/2002 Regulation (EC) N° 724/2004 of the European Parliament and of the Council of 31 March 2004 amends Regulation (EC) N° 1406/2002 establishing a European Maritime Safety Agency.• With respect to safety rules and standards for passenger ships in 2003 Directive 2003/24/ EC of the European Parliament and of the Council of 14 April 2003 amending Council Directive 98/18/EC has been adopted as well as a specific Directive for ro/ro ships Directive 2003/25/EC of the European Parliament and of the Council of 14 April 2003 on specific stability requirements for ro-ro passenger ships. The safety standards with regard to passenger ships have to be implemented by Member States by the end of 2004.
<p><i>What are the objectives ?</i></p> <ul style="list-style-type: none">• The EMSA should ensure a more efficient and harmonized implementation of the substantial packages of legislation that have been adopted following high-profile accidents in the last years as well as the events of 9/11. Given these vast packages of legislation there certainly is a need for some kind of an intermediary between Member States and the Commission, and a need for a more structured approach to the problem of maritime safety (many of the legislation was triggered by the mentioned high-profile accidents). However it is too early to conclude that the establishment of the EMSA will be the right

answer.

- Since the measures with regard to passenger transport have to a large extent an obligatory character (e.g. requirement of vessels to comply with specified standards) achievement of the objective to get less accident prone fleet is very likely.

Interactions with other WP measures:

This measure is positively related to most of the other measures aiming to improve Marine safety and security and the environmental impacts of maritime transport. During negotiations on Measure 41 (marine fuel sulphur proposal) it has been politically agreed that EMSA should have a specific role in assisting Member States with implementation of this Directive.

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Output indicators:

EMSA:

Of course the output is achieved as soon as the EMSA actually is fully operational and capable to carry out the tasks required of the agency (indicator: allocated budget actually spend and fully manned with personnel). Since the agency should in particular smoothen the interface between different policy levels, first indicators to measure the impact may be:

- Reduction in time to implement legislation in member states and define new legislation at the EU level (not standard available)
- Reduction in policy response time to incidents (not standard available)

Passenger safety standards:

Share of the fleet of passenger ships complying with requirements.

Outcome indicators: intermediate impacts on transport markets

- No direct market indicators for EMSA.
- Higher cost and prices in maritime passenger transport because of the new safety standards (data must be collected from the market, or estimated by cost models)

Outcome indicators: final impacts on transport users and non users

EMSA:

- Number of accidents in EU maritime transport in general (statistics available);
- Loss of lives and number of injuries at sea and in ports (statistics available);
- Loss of lives and number of injuries more in particular in maritime transport of people (statistics available)
- Accidental oil spills from marine shipping (EEA-TERM; see also Measure 32)
- Illegal discharges of oil at sea (EEA-TERM; see also Measure 32)

Passenger ship safety standards

- Various accident statistics with respect to passenger ship

It must be remarked that the outcome indicators of this measure will overlap with those of other measures. So isolating the impact will be difficult.