

**MINUTES OF THE
ECASBA PLENARY MEETING HELD AT
THE JW MARRIOTT HOTEL
LIMA, PERU
AT 9.00 a.m. ON TUESDAY, 22nd OCTOBER 2013**

Present:

Mr. A. Belmar da Costa Chairman
Mrs. M. Collins President FONASBA

In Attendance:

Mr. J.C. Williams FICS General Manager

Mr. J. Dulce	Argentina	Mr. B. Szalma	Hungary
Mrs. M. Lachmann	Brazil	Mr. V. Totorizzo	Italy
Mr. P. Alves	Brazil	Mr. F. Carlini FICS	Italy
Mr. A. Zanin	Brazil	Ms. G. Reghellin FICS	Italy
Mr. G. Gordon Findlay	Brazil	Ms. L. Tropa	Italy
Mr. W. Rocha Jnr.	Brazil	Mr. C. Bennet Lira	Mexico
Mr. J. Pantoja jnr.	Brazil	Mr. M. Andrade Gomez	Mexico
Mr. M. Dos Santos	Brazil	Mr. V. Banovic	Montenegro
Capt. N. Hristov	Bulgaria	Mr. A. Mantrach	Morocco
Capt. J. Karmelić	Croatia	Sñr. J. Contreras	Peru
Mr. C. P. Papavassiliou	Cyprus	Sñr. T. Carnero Albergia	Peru
Mr. T.D. Paulsen	Denmark	Mr. E. Bandelj	Slovenia
Mr. G.J. Heinonen	Finland	Sñr. J. Fernandez	Spain
Mr. C. Bele	France	Mrs. B. Blomqvist	Sweden
Mr. A. Gourdon	France	Mr. W. Stewart	USA
Dr. A. Geisler	Germany	Mrs. J. Cardona	USA
Mr. J. A. Foord FICS	Great Britain	Mr. A. Jamieson	ITIC
Mr. N. Ingle	Great Britain	Mr. G. Wramfelt MICS	Shipbrokers' Register

Item

Action

1. President's Welcome, Chairman's Opening Address

The **President** welcomed all those present to Lima and to this first Plenary meeting of the 2013 Annual Meeting. She thanked the team from APAM for having organised the meeting and also extended a particular welcome to those delegates attending for the first time.

The **Chairman** also welcomed delegates to the meeting, making particular mention of those representing associations from outside Europe.

2. Minutes of the Last Meeting held Venice, 9th October 2012

With no comments having been received, the minutes **were approved.**

3. Matters Arising

There were no matters arising that were not otherwise covered in the agendum.

4. European Policy Update

The **General Manager** made a presentation to the meeting on the current status of the various EU policy actions in the maritime sector. A copy of the presentation (and indeed all those given during this and other Plenary Meetings) is available from the Members' Area of the FONASBA website, www.fonasba.com, but in précis the presentation covered:

- Port Policy
- E-Maritime/Single Windows/e-Manifest
- Pilotage Exemption Certificates
- Environmental Issues (Emissions Control Areas/Ship Recycling)
- Customs Issues (Union Customs Code implementation, Changes to the Regular

Shipping Service regime, Liability of Agents for the Accuracy of Information Provided, Recognition of Customs Agents)

Delegates then raised a number of questions and these were discussed in detail.

5. Working Group Presentations

The **Chairman** invited messrs. **Foord** and **Totorizzo** to report on the activities of their Groups during the past year.

Mr. **Foord** (Short Sea & Environment) provided a presentation on new opportunities for agents and brokers, a copy of which is available for download from the website. The **Chairman** then reported on current developments in the European Short Sea Network (ESN), A copy of the report is attached to these minutes. He said that the ongoing issue of funding for the Network continued and reiterated that it remained important that ECASBA member associations do their utmost to support both SSS in general and the local centres specifically.

Mr. **Totorizzo** then gave a short report on the current status of European customs policy initiatives (copy attached) and the decision by the Trade Contact Group to issue a joint letter to DG-TAXUD calling for closer consultation between the Commission and trade on customs issues. He advised that ECASBA had been invited to add its name to the joint letter and after a short discussion the meeting agreed to it doing so. (*Done*). He then provided further and more detailed information on the customs issues mentioned in the **General Manager's** report, in particular the e-Manifest project, changes to the Regular Shipping Services (RSS) regime and the decision to seek official recognition of customs brokers. As this latter subject was now under discussion, the **Chairman** agreed to bring forward agenda item 9, **Statutory Licensing of**

- 9. Customs Brokers**, which related directly to this discussion. One of the aims of the licensing scheme for customs brokers was to ensure that as far as possible customs entries were both accurate and lodged with the authorities at the right time. In this respect the **General Manager** referred to a report provided by the UK customs authorities to the World Customs Organisation which cited the significant number of errors and inaccuracies in customs reporting and the impact on world trade, copy attached. During the discussion, the involvement of DG-TAXUD in the licensing of customs agents led to the question of whether DG-MOVE could be encouraged to do likewise with ship agents. The **General Manager** reminded the meeting that this question has arisen in Venice during the question and answer session with Dimitrios Theologitis and he had confirmed that such a move was not possible under current EU competition law. This had resulted in ECASBA's ongoing actions to secure recognition/licensing from individual Member States before presenting a *fait accompli* to the Commission. The current status of that project would be presented by Mr. **Karmelic** in his report.

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The **Chairman** then advised that in order to give sufficient time for detailed discussions, the ECASBA 2020 and licensing and recognition reports would be presented immediately after the lunch break. For the same reasons, it had been agreed with the **President**, **C&D Chairman** and Mr. **Karmelic** that the section of the latter's report dealing with education (agenda item 8) was of interest to both FONASBA and ECASBA members so would be presented during the C&D Plenary Meeting.

6. Future of ECASBA Seminars

The **Chairman** reminded the meeting of the reasons for holding the 2013 ECASBA seminar in Hamburg instead of Brussels, including the opportunity to bring a local association into the seminar programme, to spend time discussing the impact of European issues at a local level and also the hope that a change of venue might increase attendance by member associations.

Although the latter objective had once again not been met, he said the Hamburg meeting had been a significant success, primarily because of the enthusiastic support of the German association, ZVDS. He said that those associations not present had missed an excellent opportunity to network with colleagues (and in particular those from ZVDS), a very good presentation on e-Maritime from Jukka Savo of the European Commission, a high level of debate during the seminar sessions and an excellent social programme.

Although the decision to alternate meetings between Brussels and another Member State would indicate a return to Brussels for 2014, he said that the European and Commission elections being held in late May would result in very little support from Commission staff for the seminar and as this was one of the prime factors in the seminar being held there, it had been agreed by the Advisory Panel that exceptionally the 2014 seminar would be held elsewhere and return to Brussels in 2015.

The meeting supported the proposal to hold the 2014 seminar elsewhere in Europe and accordingly the **Chairman** invite national associations to volunteer to do so. He said that Italy had already offered to act as host, proposing that the meeting be held in conjunction with the 2014 Naples Shipping Week, and whilst this offer was gratefully received, it was agreed that in the interests of transparency the **General Manager** would contact the full ECASBA membership after the meeting to ascertain if any other association also wished to volunteer to act as host (*Done*). It was also agreed that as in Hamburg, the event would also include the meetings of the ECASBA Advisory Panel and FONASBA Executive Committee. Mr. **Carlini** suggested that were the meeting to be held in Naples, short sea shipping could, by virtue of its importance in Italy, be one of the agenda foci. Agreeing with that suggestion, the **President** also reiterated the benefits to members of attending the ECASBA seminars. She said that those associations not present missed out on the information provided during the seminar itself, the opportunities to discuss the issues and to network with colleagues, senior European Commission staff and members of the host association and to enjoy the social programme that was offered as part of the package. The **Chairman** and **General Manager** fully concurred, adding that whilst all associations should commit to sending at least three delegates, the seminars were open to any bona fide member of an ECASBA member that wished to attend. (*Post meeting note: the offer was circulated as requested but after one month no other offers had been received. As a result, FEDERAGENTI have been confirmed as hosts for the 2014 seminar, to take place during Naples Shipping Week, the week commencing 23rd June 2014. The dates of the seminar, ECASBA Advisory Panel and FONASBA Executive Committee meetings will be notified in due course*).

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In view of the decision to leave the afternoon session free for the ECASBA 2020 and licensing/recognition discussions, the **Chairman** now moved on to item 10.

10. **The Agent and Port Community Systems**

Given their selection by the European Commission as the nominated point of entry for e-Maritime and single windows, the **General Manager** introduced the short survey carried out to survey the prevalence of Port Community Systems (PCS) within membership. Before circulation, the survey had also been expanded to seek additional information on the presence and role of customs agents across Europe and their relationship with ship agents vis-à-vis customs entries (see item 9 above). Thirteen associations had responded, and the results (attached) were interesting, especially in relation to the number of EU Member States that either do not have PCS's or where these were independent entities, operating at individual ports. ECASBA's concern that Europe is still some way from having the Community-wide integrated and interoperable system of PCS's that is an integral part of the e-Maritime concept, therefore seems vindicated.

After the lunch break the meeting moved to agenda item 7.

7. **ECASBA 2020**

Introducing this as possibly the most important survey undertaken by ECASBA for a number of years, the **Chairman** presented the results. In doing so he said that the survey had been designed to provide an overview of the way ECASBA operated and to ensure that remedial action was taken as soon as possible in those areas where individual members, or indeed the membership as a whole, had expressed dissatisfaction with aspects of ECASBA's current modus operandi. He also thanked the 18 associations that had replied for their input. The presentation of the results of the survey is available for download from the website.

Each of the slides, or sets of slides, was discussed individually and the delegates were given full

opportunity to express their views on each one. The responses are summarised as follows:

1: Are the mission and scope of ECASBA well known by:

a) the member associations?

One association that answered no said that it did so because although the actions were fully reported to the board of the association, that information was not then being passed to the individual member companies. **Action point:** to reiterate to all members the need to distribute information from ECASBA to the member companies

b: EU policy and decision makers?

Action point: to better report to the membership the level and frequency of contact with the Commission and EU institutions and the outcome of those contacts

c: Other professional maritime organisations?

Action point: to enhance reporting of contacts, cooperation and other actions with colleague associations to the membership

2: Is ECASBA at present considered a full spokesperson by the EU policy makers?

Perhaps a difficult question for the member associations to answer.

Action point: See question 1b.

3: Are national organisations (associations) sufficiently and thoroughly questioned by ECASBA before taking a position towards the EU policy and decision makers?

Action point: Ensure that all associations are surveyed prior to position papers. At the same time, however, **national associations must be prepared to provide detailed answers in the relatively short time frames available for ECASBA to respond**

4: Is the position taken by ECASBA with regard to a certain issue put forward to the EU policy and decision makers in a sufficiently formal way?

Action point: Discuss with the dissatisfied associations to ascertain their views as to how ECASBA's position should be better put forward

5: Is there consequent follow-up and sufficient reporting to the members by ECASBA on European issues and policy developments that are of importance to them?

Action point: Enhance reporting of main policy issues of interest and concern to ECASBA members and increase reporting of general maritime policy issues. For country specific issues, see question 6 below

6: Do you report to ECASBA such issues that in the opinion of local members may be of interest to/need monitoring by ECASBA?

Action point: National associations must ensure such issues are brought to the attention of ECASBA. If ECASBA is unaware of any issue, action cannot be taken. Also **member associations need to work with ECASBA, following up on issues locally, lobbying national representatives, authorities etc.**

6a: If affirmative, do you receive timely feedback?

Action point: See question 6 above

7: Is there sufficient cooperation between ECASBA and other European professional and trade organisations in the maritime industry with possible similar or identical interests?

Action point: Expand industry contacts but also increase reporting of contacts, meetings etc.,

8: Has ECASBA to develop more and/or other lobby strategies and/or channels than the present ones?

Action point: Request input from dissatisfied associations as to alternative strategies or methods of working

9/9a/10/11: Do you feel that the present set up of ECASBA is adequate for the purposes of defending the European community agents and brokers interests in the future? / If negative should ECASBA become a separate legal entity with its own identity? / Is the present ECASBA fee adequate for its current needs? / If not, would you be prepared to pay more?

Action point: Taking into account the answers to these four questions, and those provided previously, ECASBA as a whole needs to review its entire strategy and method of operation. The ECASBA 2020 Working Group will consider the options and report back to the 2014 Annual Meeting.

12: Should FONASBA account for ECASBA expenditure and provide a separate breakdown and detail thereof to the ECASBA members, both budget-wise and results wise?

Action point: The views expressed have been noted but the accounting policies of FONASBA are a matter for the Executive Committee and it will determine if any changes require to be made.

Following completion of the presentation, the results were discussed further in open forum. With regard to ECASBA's representation, the overall view was that a Brussels office was desirable but recognising the present financial constraints it was agreed that having ECASBA represent itself in Europe was positive. There was little support for entering into another arrangement whereby ECASBA was represented by another organisation as it was felt ECASBA's identity and standing with the European institutions would once more be lost within the host association. There was support, however, for the exploration of a possible monitoring and information sharing agreement to enable ECASBA to remain fully up to date with issues and developments. The **Chairman** said that he hoped to have such an agreement in place in the next few months.

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It was also suggested that as a result of the loosening of the requirement that only exclusively European organisations can discuss issues with the Commission (e.g. BIMCO, INTERTANKO now regularly meet with the Commission), perhaps ECASBA should cease to be a distinct association within FONASBA and therefore European, as well as international matters, would be promoted by FONASBA. (ECASBA would however continue to be a committee of FONASBA). The proposal was welcomed and the **Chairman** said the Executive Committee and ECASBA Advisory Panel would consider it further and report back to the membership.

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Summing up the discussions, the **Chairman** said that ECASBA will make efforts to increase awareness within member associations of European issues in general and of the actions it is taking, through the issuing of a regular information bulletin. At the same time he reminded all associations of their obligation to keep ECASBA updated on issues of concern to its members, whilst at the same time supporting ECASBA's European actions by active local follow up, ensuring that national governments and authorities, as well as the national representative offices in Brussels and MEPs, were fully aware of the actions being taken. He also said that he supported the proposal to make all representations in the name of FONASBA as this would avoid confusion and send an unequivocal message to the European authorities and governments of the global nature of the shipping sector and the worldwide impact their measures would have. He also added that it remained an aspiration of FONASBA/ECASBA to have its own office in Brussels. Until such time as the resources allowed it however, the present arrangement, hopefully supplemented by an agreement to liaise and exchange information with a Brussels-based maritime sector organisation, would seem to be the best compromise.

He closed the discussion by thanking Eugène Vanfleteren and Xavier van Engelen of NAVES for having put the survey together and all those associations that had replied to it. He said the results showed that ECASBA's present direction was generally seen as being positive but clearly there were issues that needed to be taken forward and developed. He committed himself, the ECASBA Advisory Panel and the FONASBA Secretariat to taking those issues forward and looked forward to be able to report positive progress at the 2014 meeting.

8. Recognition and Licensing of the Ship Agent

Capt. **Karmelic** presented the results of the recent survey into recognition and licensing of ship agents in Europe. A copy of the presentation is available for download from the Members' Area

of the FONASBA website.

Although Mr. Duci, coordinator of the ECASBA Recognition and Licensing Working Group was unable to be present at the Lima meeting, his report on the current status of recognition and licensing was tabled by Ms. **Tropia**. A copy of the report is attached to these minutes.

The **Chairman** thanked both Capt. **Karmelic** and Mr. Duci for their efforts in producing such detailed reports. He said that the task for Mr. Duci and his Recognition/Licensing Working Group was to contact each of the ECASBA member associations individually in order to follow up and expand on the data provided by Capt. **Karmelic** and to request that each association appoints a coordinator for the project. This individual would act both as point of contact for ECASBA and with the national authorities with whom the association would need to work in order to achieve national recognition/licensing as appropriate.

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Assns.**

11. Any Other Business

None

12. Date and Place of Next Meeting

The **Chairman** thanked all those present for their contributions to an excellent and productive meeting. He then advised that the next Plenary Meeting of ECASBA would take place in October 2014 in Gothenburg, with the date to be confirmed in due course.

There being no further business to discuss, the Chairman brought the meeting to a close.

JCW/12.2013