



**ECASBA**  
**EUROPEAN SEMINAR 2023**

**BRUSSELS**

**20<sup>th</sup> JUNE 2023**

**EUROPEAN UPDATE**  
**JONATHAN C. WILLIAMS FICS: GENERAL MANAGER**

# ECASBA ACTIONS/ISSUES 2023



- Visit to Brussels (MT/JCW) March 2023
- Customs and VAT
- European Maritime Single Window environment (EMSWe)
- Schengen Visas/ETIAS/EES
- European Shipping Summit 2023

# ECASBA ACTIONS/ISSUES 2023



- Visit to Brussels (MT/JCW) March 2023
- Customs and VAT
- European Maritime Single Window environment (EMSWe)
- Schengen Visas/ETIAS/EES
- European Shipping Summit 2023

# Visit to Brussels (MT/JCW) March 2023 :



- Meeting dates: 27<sup>th</sup> – 29<sup>th</sup> March
- Meetings with:
  - ECSA: European Shipping Summit, ECASBA engagement on environmental issues
  - DG-TAXUD: ICS 2, Release 3/NCTS Phase 6, multiple filing (hierarchy of responsibility)
  - DG-TAXUD: Meeting with Director of Customs, general discussions, concerns over timelines and lack of enough qualified IT developers
  - DG-MOVE: EMSWe
  - DG-HOME: EES/ETIAS/Seafarer Visas/Cruise Passenger Formalities
  - CLIA Europe: EES/ETIAS/Cruise Passenger Formalities, European Shipping Summit
  - ECASBA Seminar Planning

# ECASBA ACTIONS/ISSUES 2023



- Visit to Brussels (MT/JCW) March 2023
- **Customs and VAT**
- European Maritime Single Window environment (EMSWe)
- Schengen Visas/ETIAS/EES
- European Shipping Summit 2023

# Customs & VAT:



- Frank Janssens will provide an update on recent customs developments immediately following this speaker
- The Wise Persons Report on Customs reform will be the subject of a discussion and breakout session after coffee
- Presentation on ICS 2, Release 3 this afternoon
- ECASBA continues to raise its concerns, in concert with other trade organisations, about the pace of customs system reform and the ability of Member States and trade to keep up
- EU Court of Justice case C-288/16, VAT on Transport Services: Jesper Sebbelin FICS and Bjarne Løf Henriksen (Danish Shipowners' Association) will present this afternoon

# ECASBA ACTIONS/ISSUES 2023



- Visit to Brussels (MT/JCW) March 2023
- Customs and VAT
- **European Maritime Single Window environment (EMSWe)**
- Schengen Visas/ETIAS/EES
- European Shipping Summit 2023

## EMSWe: European Maritime Single Window environment



- Intended to establish a single, consistent vessel reporting system across the EU (Regulation 2019/1239)
- Current Issues for the shipping industry:
  - Overall implementation timelines for development, testing and introduction of systems
  - Agreement on, and harmonisation of, datasets
  - Authority to make changes to datasets (DMR's): Comm., MS, Assns?
  - Training timelines for operators



# EMSWe: European Maritime Single Window environment



- Presentation by DG-MOVE this afternoon
- Current status:
  - Work on datasets now with EMSA, technical work with DG-DIGIT
  - MOVE now concentrating on governance, e.g., allocation of responsibility between MOVE, EMSA and MS, setting of timelines
  - Issues for agents:
    - Clarification of requirements for inputting ENS data
    - Lack of functional specifications for national systems
    - Ability of system operators to ensure systems in place and working before:
    - **Go-live date, currently scheduled for August 2025**

# EMSWe: European Maritime Single Window environment



- Follow Up Actions:

- ECASBA represented on DG-MOVE consulting groups by Jesper Sebbelin FICS (Denmark) and Capt. Peter Langbein and Bastian Güttner (Germany). Continue to monitor developments and raise our concerns
- Direct contact with DG-MOVE D.1.
- Working with, and supporting actions by, other industry bodies, e.g. ECSA, WSC, DCSA, IPCSA
- Encouraging ECASBA members to raise local concerns with national authorities (our letter March 2021) **Any issues reported in ECASBA MS? What progress is being made?**
- Issued Position Paper and ECASBA Declaration (February 2021)

# ECASBA ACTIONS/ISSUES 2023



- Visit to Brussels (MT/JCW) March 2023
- Customs and VAT
- European Maritime Single Window environment (EMSWe)
- Schengen Visas/ETIAS/EES
- European Shipping Summit 2023

# Schengen Visas/ETIAS/EES



- Schengen visa issue raised by the Netherlands, relating to the granting of exit stamps to incoming non-Schengen seafarers ahead of departure, primarily affecting crewmembers working on long-stay vessels
- DG-HOME advised in June 2022 that acceptance in principle had been reached to allow minimum three, maximum ten days validity. Notified to MS with the expectation that between seven and ten days would be adopted
- MT advises no formal confirmation of position from Dutch authorities, but no problems encountered so far. **Any advice from authorities or issues arising elsewhere in ECASBA?**

# Schengen Visas/ETIAS/EES



- ETIAS (European Travel Information and Authorisation System) is the pre-registration system for travellers from outside the Schengen region. EES (Entry Exit System) is the passport check system
- Introduction of both further postponed due to unspecified “technical difficulties”, EIS for EES now expected in early 2024 and about six months later for ETIAS
- Issues for Agents:
  - Seafarers do not use ETIAS, nor are SID’s checked through EES.
  - Concerns over cruise vessel passenger processing

# Schengen Visas/ETIAS/EES



- Seafarers do not use ETIAS, nor are SID's checked through EES:
  - HOME advised in March that guidance issued to national border guards in October 2022 to consider allowing seafarers to enter Schengen region using ILO Convention 108 (Non-biometric) or Convention 185 (Biometric) SID's. (Practical Handbook for Border Guards, section 5.3.1)
  - Seafarers not in possession of a Schengen region visa on arrival, may be granted one at the border for the sole purpose of travelling between the ship and airport, or vice versa. (Practical Handbook for Border Guards, section 5.3.2)
  - **Neither are binding on national authorities but powerful incentive to do so.**

# Schengen Visas/ETIAS/EES



- Concerns over cruise vessel passenger processing:
- Primarily related to processing obligations and space, time and resources in cruise terminals to process
  - Cruise vessel reporting obligations covered under Section IV, Part 2
  - Confirm that checks will only be made at first port of entry and not required again unless vessel exits Schengen region during voyage
  - Discussed with CLIA Europe during March visit. Cruise lines modifying itineraries to keep vessels in Schengen waters for as long as possible
  - Also, lines in discussion with port authorities to ensure adequate processing space and resources

# Schengen Visas/ETIAS/EES



## ECASBA POSITION PAPER



### SCHENGEN AREA – BORDER VISAS FOR SEAFARERS/EES

#### BACKGROUND:

The issuing of border visas for arriving and departing seafarers, often at short notice, is paramount in ensuring that crew changes and repatriations do not avoid cause delay or disruption to the movement of ships and the efficient movement of cargo at European ports. In the Schengen Area there is significant variation in the interpretation of the applicable regulations and therefore the ability of ship agents to readily obtain transit visas for on- and off-signing crew. Proposals by DG-HOME to review the Annexes to Regulation 810/2009 that establish the rules for the issue of border visas, with the possibility that further restrictions could be placed on the issue of same, is also a matter of concern. The planned introduction in 2022 of the Entry-Exit System (EES), with its emphasis on electronic verification of passports and visas using biometric data, may also impact on crew changes and on non-EU seafarers travelling on International Labour Organisation-approved Seafarer Identity Documents.

#### ECASBA POSITION:

Given the vital role played by the ship agent in overseeing and coordinating the arrival and repatriation of ship's crew, ECASBA and its members should be consulted whenever any new developments in laws or procedures related to the issue of border visas are proposed.

The following issues are important for the agent:

- National immigration authorities and border force staff should recognise that international



# ECASBA ACTIONS/ISSUES 2023



- Visit to Brussels (MT/JCW) March 2023
- Customs and VAT
- European Maritime Single Window environment (EMSWe)
- Schengen Visas/ETIAS/EES
- **European Shipping Summit 2023**

# European Shipping Summit 2023



- Expect main themes around Green Deal, alternative fuels
- Agreed dates and Venue :
  - Workshops and Conference Dinner: 19<sup>th</sup> September 2023
  - Main Conference: 20<sup>th</sup> September 2023
  - Venue: Royal Museums of Fine Arts, Rue de la Régence 3, 1000 Bruxelles
- Registrations open now: [www.europeanshippingsummit.eu](http://www.europeanshippingsummit.eu)
  - Registration is free, but there is a charge for attending the dinner
- SG member workshops to be based on three themes
  - ECASBA considering participating in workshop on “Abuse of the Supply Chain”, focussing on criminal activities, in conjunction with WSC under the “People” theme