

Ministers sink EU safety laws

Justin Stares, Brussels - Tuesday 8 April 2008



Barrot: Council does not seem to realise the size of what's at stake.

EUROPEAN Union ministers have rejected two Brussels maritime safety laws by a large majority.

The proposed directives on flag state control and civil liability for shipowners received the support of fewer than seven of the 27 EU member states at a council of ministers meeting in Luxembourg, stranding them in the Brussels bureaucracy and possibly condemning them to a slow drawn-out demise.

The Slovenian EU presidency, which was chairing the live internet debate, said political support for the flag state directive was so poor there was no point continuing to work on the European commission's text. The civil liability directive was also short of the qualified majority needed to pass legislation, the presidency said.

The flag state directive seeks to make obligatory IMO flag state rules. The European commission claimed it has the support of the International Maritime Organization, but national governments said it was an unnecessary sovereignty grab.

The civil liability directive aims to increase liability for shipowners and "harmonize" compensation payments. Governments said it was unnecessary and confusing.

On flag state control, the Slovenian minister said: "This remains on the table but the Slovenian presidency did not get enough political support to be able to work on the basis of the original commission proposal in the future." The commission would have to re-write its proposal, he said.

In a high-spirited intervention, EU transport commissioner Jacques Barrot contradicted the presidency. "I can't let you get away with saying that the commission will give up on a proposal agreed by the [European] parliament," he said, adding that the commission was open to discussion but would not re-write the directive.

France, another key supporter and holder of the EU presidency in from July, also reacted with gusto: "the political implications" of the Slovenian minister's summing up were "very grave," the French minister said. "We don't want to see this directive shelved ad-infinitum." He also implied that the European parliament might veto other laws if ministers were seen to be inflexible.

France warned the presidency not to give out such a strong negative signal on the civil liability directive, a warning which seemed to hit home as the Slovenian minister added that in his "personal" opinion there was no qualified majority there either.

According to calculations made by one diplomat, six countries supported the flag state directive and five the civil liability directive. The commission managed to convince Belgium and Finland to join core supporters Italy, Bulgaria, France and Ireland, though at least 15 countries were vocally opposed. The Danish minister made his position clear in a [letter to Lloyd's List](#), published today.

Mr Barrot criticised the debate, saying: "The Council does not yet seem to have realised the size of what's at stake or the necessary urgency to act."

Supporters said international conventions were not enough to bring in maritime safety measures. They also pointed out that the EU had previously set global standards in both the maritime and aviation industries without waiting for the rest of the world. These proposals could do the same, it was argued.

France is expected to have another go at mustering agreement in the second half of this year, though barring a minor diplomatic miracle or a major rewrite most diplomats believe there will never be a council majority in favour of the two texts. Slovenian attempts to create consensus around a revised text also failed.

"The commission has managed to get two member states to move. Given several months more who knows what they and the French might achieve, though I have never seen a majority like this overturned before," said one diplomat.

The European parliament is now expected to start work on the five proposals in the package of maritime safety which have already been agreed by ministers.

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