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COMMISSION STAFF WORKING DOCUMENT

EXECUTIVE SUMMARY

**Evaluation of the Directive 2010/65/EU on reporting formalities for ships arriving in
and/or departing from ports of the Member States**

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1. INTRODUCTION

Maritime transport is important for trade, jobs and growth in the EU. Removing unnecessary administrative burden from maritime transport would help improve competitiveness and efficiency of the sector.

One tool to achieve these objectives is Directive 2010/65/EU on reporting formalities for ships (RFD). This directive was adopted to harmonise, simplify and digitalise the ways shipping companies could send the information requested by various authorities when calling a port. The main measure was the establishment of *National Single Windows*, national entry points for digitalised reporting formalities. An expert group developed voluntary guidelines for setting up the National Single Windows. There are however no mandatory standards for the reporting format, data sets or interfaces.

2. EVALUATION PURPOSE AND SCOPE

The evaluation of RFD was done as part of the overall fitness check of maritime policy, launched in 2016. The evaluation of the RFD covered questions on effectiveness, efficiency, relevance, coherence and EU added value. It focuses on the functioning of the RFD and whether the measures of the directive had the intended results so far.

This was done by looking at whether reporting is harmonised, at national and at EU level. Levels of simplification and digitalisation were also analysed. The evaluation is based on information from a number of studies, consultations and analyses.

3. EVALUATION RESULTS

On *effectiveness*, the evaluation concludes that simplification and reduction of administrative burden have only been partly achieved. Implementation of the directive has been slow and incomplete. One reason for this is the lack of binding specifications, giving little support for Member States on how to implement the directive in an efficient and harmonised way.

The reporting has been digitalised to some extent and the use of electronic data transmission is rapidly increasing but reporting is still done partially or fully on paper in many ports.

Redundant reporting requirements have been cleaned out in most Member States. However, only a part of the analysed ports offered reporting via a single entry point for all formalities. It is still common that some information must be sent per e-mail, in parallel to the submissions to the National Single Windows. Shipping operators must often report the same information again to several different authorities in the same port. One reason is that only some of all reporting obligations are covered by the current RFD scope.

Even within Member States, harmonisation is often not achieved. There are not always common national standards and procedures in place. The situation is even more different at EU level, with a wide range of diverse National Single Window solutions and reporting formats for ships to adapt to. This is partly linked to insufficient implementation of the directive, partly to the lack of mandatory standards in the directive. Another barrier often mentioned is unclear interpretation of existing rules linked to data sharing and data re-use.

On *efficiency*, the national authorities had costs for implementation, updating and maintaining the reporting systems. There have also been costs for other authorities and port operators to

establish systems to connect to the National Single Windows. The benefits have been a somewhat reduced administrative burden for the shipping companies in the Member States where the National Single Windows function well; at least for operators in traffic within a single Member State. There are also benefits in improved data flows and data management for the authorities involved. The full benefits that were expected have nevertheless not materialised and the lack of EU-level harmonisation means that shipping companies still have high costs and high administrative burden and especially for ships in cross-border traffic.

On *relevance*, harmonisation and simplification remain very relevant objectives and the single entry point for ship reporting a relevant tool to meet these objectives. It is concluded however that the usefulness of the single window is not maximised since some reporting obligations are outside the scope of the RFD so that several reporting entry points remain in parallel.

With regard to *coherence*, the evaluation finds that the RFD objectives and measures are still in line with Commission wider priorities on reduction of administrative burden, on promotion of eGovernance, etc. The directive also complements other EU legislation such as the directive on vessel traffic monitoring and information systems, as the National Single Windows should provide a tool for ships to meet the reporting requirements for vessel traffic monitoring and a number of other reporting obligations under EU and international law, by submitting the information only once and to a single entry point.

On *EU added value*, the RFD has contributed to more digital reporting and more harmonised standards within Member States. Without the directive, the situation would likely have been even more diverse. Still, since the RFD is not fully implemented and the directive does not provide detailed specification in support of harmonisation, the objectives are not fully reached. There is no added value in terms of harmonisation at EU level.

4. CONCLUSIONS AND RECOMMENDATIONS

The conclusion is that reporting could still be made simpler and that the burden on ships could be further reduced. The framework and systems currently in place provide a starting point, but the real European added value is still missing. The problem is, on the one hand, incomplete implementation of the RFD, on the other hand a lack of mandatory technical specifications to make sure the National Single Windows use harmonised interfaces, procedures and data formats/data sets. The lack of specifications is also in turn an explanation to the slow implementation.

Since all reporting obligations are not falling under the RFD scope, the true single entry point for reporting is also not achieved. Some questions on data protection, data privacy and data liability may need to be clarified for better data sharing.

Impacts of the possible options for solving these issues – for example a “European Maritime Single Window environment” either by centralisation or by harmonisation of the current National Single Windows – will need to be further assessed in next steps.