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THE NEW HORIZON



THE FEDERATION OF NATIONAL ASSOCIATIONS
OF SHIP BROKERS AND AGENTS
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Special points of interest:

- IMO Consultative Status Confirmed
- Peruvian Association joins FONASBA

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IMO CONSULTATIVE STATUS CONFIRMED

THE decision taken at IMO's 97th Council Meeting in November 2006 to award FONASBA conditional consultative status (as reported in issue 23) was fully endorsed by the 25th meeting of the Assembly on November 27th and so FONASBA's Non-Governmental Organisation (NGO) status is fully confirmed.

FONASBA President Mario J.L. Froio, said that the grant of status was a considerable honour for the Federation. It allows FONASBA to represent the views of its members at the very highest level of maritime policy making and at the same time recognises the important role played by the broking and agency professions in the efficient movement of goods by sea.

Furthermore, FONASBA will have the facility to make available to IMO the considerable breadth and depth of knowledge

present within its membership and by so doing to make a positive contribution to the Organisation's work programme.

The Council decision of November 2006 allowed FONASBA to attend IMO meetings and to participate in the work of the committees but this was always subject to the ratification of the Assembly.

Whilst FONASBA will continue to attend the important committee meetings, such as Council, Assembly, and MEPC, it is expected the main activity will be to work within the various correspondence and technical groups on issues that have an impact on our members, such as waste disposal, the IMO-FAL regime and port security.

During the past year FONASBA attended the 15th meeting of the Flag State Implementation Committee (FSI), Coun-

cil 98 and the 56th meeting of the Marine Environmental Protection Committee (MEPC), as well as taking a active role in the work of the Port Reception Facilities working group (PRF), which is developing standardised reporting and receipt forms for ship generated waste disposal. Earlier this year, FONASBA was asked by the Committee, led by Tim Wilkins of INTERTANKO, to act as liaison with the European Commission in an effort to develop a standard, internationally acceptable delivery notification form that also incorporates the requirements of the European Commission's Directive 2000/59/EC.

Following the Assembly decision, FONASBA now joins other industry NGOs including BIMCO, INTERTANKO, Intercargo and the International Chamber of Shipping.

Peruvian Association Joins FONASBA

ONE of the highlights of the 2007 Annual Meeting in Buenos Aires (*see page 3*) was the approval of a membership application from Asociacion Peruana de Agentes Maritimos (APAM), the Peruvian Association of Shipping Agents, based in Lima.

APAM have been active members of CIANAM for some years and earlier this year hosted the Annual Meeting of that association.

APAM Board Member Jorge Contreras attended the Buenos Aires meeting as an observer and

whilst there made a formal application on behalf of his association for full membership of FONASBA.

Accordingly a ballot was held during the Council Meeting on October 12th and the application was unanimously endorsed.

Receiving the news of APAM's election to membership, the President, Mr. Ricardo De Guezala De La Flor, said that APAM was very proud to be a member of the Federation and was looking forward to playing a full part in its activi-

ties. He also paid tribute to the members of CIANAM for their support and encouragement.

Details:

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FONASBA Quality Standard Launched

THE Buenos Aires meeting also saw the formal publication of the FONASBA Quality Standard for Ship Brokers and Agents.

The decision to develop such a standard was primarily driven by growing concerns that:

- in an increasingly regulated maritime industry there are no appropriate/relevant quality criteria for either sector
- anyone, whether they are qualified, experienced or not, can establish themselves as a broker or agent
- previous attempts to develop quality systems were too complex, too time consuming, too expensive and not directly relevant to the needs, liabilities and requirement of the industry, and...
- if an appropriate standard was not developed by the sectors themselves, another, less suitable

standards would in time be imposed from outside.

Over the two-year period to October 2007, the standard was developed by reference to existing national quality criteria, such as that implemented in 2006 by ASBA in the USA, the quality related pre-existing membership criteria of major FONASBA member associations such as the Institute of Chartered Shipbrokers in the UK and FEDERAGENTI in Italy, and with due consideration being given to the liabilities, responsibilities and requirements specific to the broking and agency sectors.

In order to ensure that the requirements of the standard were appropriate to the needs of the FONASBA membership, draft versions were reviewed by members of the Port and Tramp Agency Working Group

Finally, minor amendments were made as a result of detailed dis-

cussions during the Liner & Port Agency Plenary Meeting in Buenos Aires in October 2007 and the draft was subsequently approved by Council the same week. Member associations have now been asked to encourage their members to start working towards gaining the standard.

The Quality Standard is now available in a "glossy" version, with explanatory notes, and this is now being circulated to major international industry bodies for review and, it is hoped, their endorsement.

Further information is available from the Secretariat.



2007 Annual Meeting Report

Over 100 delegates and partners travelled to Buenos Aires in October for the 2007 Annual Meeting, hosted by Centro de Navegacion.

The business programme started with the ECASBA Advisory Panel and Executive Committee meetings, both held on Tuesday, October 9th, and the following day the plenary programme started, as is now traditional, with the ECASBA Plenary meeting.

That meeting opened with the customary presentation of the issues currently under consideration by the European Commission, given by ECASBA Brussels representative Diego Teurelinx. For the first time this was supplemented by an overview of ECASBA action over the past twelve months. This new item was particularly welcomed by those FONASBA members based outside the European Union.

Next on the agenda were brief presentations by the coordinators of the ECASBA Working Groups, covering Customs & Transit, Education & Training, Marine Safety & Environment, Port Policy, Short Sea Shipping & Intermodalism and Young Members.

The Chartering & Documentary Plenary Meeting opened with reports on the dry cargo, tanker and container markets.

Delegates then discussed the current issues relating to the payment of commissions to parties outside the scope of the primary contract, the implications of releasing bills of lading against telexed (or e-mailed) instructions prior to receipt of the original bills and also briefly noted recent developments in the on-going efforts to develop

an electronic bill of lading.

The agenda finished with presentations on recent activity by the Documentary Committees of INTERTANKO and BIMCO, with BIMCO Documentary Committee Chairman John Tsatsas giving a detailed update on the Standard Newbuilding Contract project.

On Thursday October 11th meetings of the CIANAM and MABSA range committees and association secretaries took place in the morning with the Liner & Port Agency Plenary in the afternoon.

The Secretaries meeting focussed once again on communication between associations and members and the need to engage member companies in the activities of the associations, and through them into FONASBA.

The Liner & Port Agency Committee meeting opened with reports from the range committees and Port & Tramp Agency and Liner Working Groups before moving on to detailed discussions on the FONASBA Quality Standard (*see page 2*), a revision of the Standard Port Agency Conditions document and on FONASBA's contribution to INTERTANKO's Poseidon Challenge.

The General Manager then made a presentation on FONASBA's role in developing standardised port waste notification and receipt forms and in particular the actions in bringing IMO and the European Commission together to develop a single set of forms.

The meeting ended with a wide-ranging discussion on increasing agent's remuneration.

Two excellent presentations on Argentina's economy and cultural heritage on Friday October 12th preceded the Council Meeting.

During the Council Meeting, approval was given to the FONASBA Quality Standard and the revised Standard Port Agency Agreement. Council also received a report on FONASBA's relations with external organisations such as IMO, BIMCO and INTERTANKO.

As reported on page 2, the Peruvian association APAM was admitted to membership, and Cape Town was formally declared as the host city for the 2009 Annual Meeting.

As usual, a full social programme ran parallel to the meetings and this year featured a spectacular tango show, a visit to a major Latin American trade fair (moved to coincide with the Annual Meeting) and an excellent Gala Dinner that featured local musical talent. The meeting finished on the Saturday with a visit to a gaucho ranch.

Copies of all the meeting presentations are available from the member's area of the FONASBA website: www.fonasba.com

Once again our colleagues at Centro de Navegacion should be congratulated on hosting another extremely successful and enjoyable event.

We now look forward to our next meeting in Opatija, Croatia in October 2008.

2007 Annual Meeting Photographs

A small selection of photographs from the Buenos Aires meeting



Centro President Rodolfo García Piñiero introduces guests at the Welcome Reception



The Delegates from Mexico and Peru



President Mario Froio makes a point during the ECASBA Plenary Meeting



Delegates at the Council Meeting

Recent Membership Detail Changes

A number of members have changed contact details over recent months and these are listed as below:

Bulgaria — The Secretary and contact person is now: Mr. I Demirov

Croatia — the e-mail address is: info@asbac.hr

France — the e-mail address is: contact.amcf@club-internet.fr

Hungary — the e-mail address

is: hunasba@mail.datanet.hu

Ireland — the association's new website address is: www.irishshipagents.com

Japan — the association's new website address is: www.jafsa.jp

Mauritius — MSC Coraline Ship Agency has changed its name to MSCL Coraline Ship Agency and its e-mail address is now : mscl@coraline.intnet.mu

Netherlands — the Amsterdam

association's full title has now changed to: ORAM, Amsterdam Regional Business Association, Sector Shipagents

Turkey — the e-mail address is: murat.tuncer@chamber-of-shipping.org.tr

All these changes have been incorporated into a revised membership list (dated December 2007) and uploaded to the website.



ECASBA NEWSFLASH

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COMMISSION PUBLISHES COMMUNICATIONS ON LOGISTICS, MARITIME AND PORT POLICY

FOLLOWING an extensive, year-long, consultation with industry and Member States, this October saw the European Commission publish its Communications on future logistics, maritime and port policy.

ECASBA contributed written responses to all three communications and also engaged in direct discussions with the relevant Commission units during the consultation process and it is pleasing to note that a number of ECASBA's concerns have been addressed, to a greater or lesser extent, in the communications.

Detailed commentaries on the logistics and port communications have been sent to ECASBA member associations but the main points of all three are summarised as follows:

LOGISTICS COMMUNICATION

Most of the actions proposed have been discussed extensively in the past and many will remain as concepts until the technology is sufficiently developed to allow for implementation.

In terms of proposals that can be taken forward, the Commission is

continuing to work on its bottlenecks exercise and this has so far identified more than 500 instances where efficient cargo flows are held up through lack of capacity, infrastructure deficiencies, administrative procedures and similar.

The communication fully supports the introduction of the European Maritime Space without Barriers (EMSwB) project (the new name for the Common European Maritime Space) aimed at removing the need for intra-European maritime cargo movements to be classed as international movements and thereby allowing such cargo to be moved internally with the same level of administrative compliance as for road and rail movements. This is something that ECASBA has been promoting for many years and although there continues to be resistance from the customs authorities of some Member States, the fact that this project appears in all three communications is an encouraging sign of the level of support from within the Commission. ECASBA is contributing to a technical study aimed at defining, at ground level, the main issues that need to be addressed before the project can come to

fruition.

Improved training for the logistics industry is another major policy area and ECASBA is continuing to work with the institute of Chartered Shipbrokers to develop its Logistics and Multimodal Diploma for senior operational and management staff.

The Commission is also undertaking the collection of valid, useful statistical data and establishing benchmarks across all modes with the aim of assisting in decision-making and promoting best practice throughout the logistics chain.

In terms of concepts, the Commission continues to place considerable faith in the development of e-Freight and "intelligent transport systems" in order to deliver seamless information exchange across the Community.

It also proposes the development of common user "Green transport corridors" between major hubs where advanced concepts in transportation, bio

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fuels and intelligent transport systems will be tested.

Unfortunately, there remain a number of issues that ECASBA would rather not see taken forward and these include the proposal to develop a European multimodal liability regime. ECASBA and other industry bodies have regularly cited the need to seek international solutions to such issues and also reminded the Commission that the UNCITRAL/CMI project is now nearing completion, rendering any European action unnecessary.

The Commission is also continuing to promote, on paper at least, the European Intermodal Loading Unit. ECASBA has regularly expressed its opposition to this project, primarily on the grounds that the industry should take commercial decisions, not the Commission, but we understand that it remains on the agenda mainly for political reasons and any progress on this project will be extremely slow.

MARITIME POLICY

As befits a wide-ranging, multi-sectoral policy that aims to cover all aspects of Europe's relationship with the sea, the communication and its accompanying action plan run to more than 50 pages.

Many of the proposals relate to coordinating and harmonising actions by Member States to develop an integrated, consistent Europe-wide approach to maritime policy making. These include the development of an integrated network of surveillance systems, the development of

maritime spatial planning and the establishment of a marine observation and data interchange network to provide accurate information for use in maritime decision-making.

The action plan is not as skewed towards the environmental lobby as ECASBA and some other industry bodies had expected, but environmental protection measures, such as reducing air pollution from ships and action on "green" recycling of ships (both within the EU and elsewhere) do feature prominently in the action plan. The debate over port development versus environmental protection is only hinted at, however, with guidelines on the application of current environmental legislation being developed for 2008 as part of the port policy actions.

PORT POLICY

The port policy communication has found broad favour with industry groups, particularly those representing the port industry, for its emphasis on the use of "soft" law, that is the use of guidelines and the appropriate application of existing laws and regulations, instead of developing new legislation. That it also recognised the overall efficiency of the European port industry and quite clearly states that the Commission has no intention of harmonising or regulating port management systems no doubt helped!

Importantly for all sectors, the communication included a commitment to develop state aid guidelines in 2008, another development that ECASBA has called for on a regular basis.

Furthermore, whilst acknowl-

edging that a significant improvement in hinterland connections is warranted, the Commission limits its proposed activity to evaluating the current state of hinterland connections and looking at future needs, whilst responsibility for development will be left in the hands of regional, national and local authorities and the market.

Action is also expected within the next year to enhance the delivery of shipboard waste through a thorough review of Directive 2000/59 and the communication also makes reference to effective management of the sea-land interface, and so tying back into the Maritime Policy area.

The Commission is also committed to developing the "social dialogue" concept, originally proposed by our colleagues at FE-PORT, which entails potential employment disputes being discussed at an early stage by the involved parties, with the aim of preventing the issue escalating into industrial action.

There are a number of issues which are not supported by ECASBA and these include continued action to develop the MarNIS project, including the requirement from ship masters to pass commercial information between the ship and shore, and the proposal for cooperation between ports, which could fall foul of EU competition law.

In the coming months ECASBA will continue to discuss with the Commission those issues of relevance to the membership and to ensure that our views are acted upon as and where relevant.

Visit to Brussels November 2007

ECASBA Chairman Gunnar J. Heinonen and General Manager Jonathan Williams visited Brussels on November 21/22 for discussions with Commission officials on relevant issues.

The first meeting was with Bernard van Houtte and Bern Schnittger, respectively Head of Unit and Policy Officer at Unit G3, Logistics, innovation, intelligent transport and comodality, at DG-TREN.

In addition to discussing ECASBA's views on the Logistics Communication (*see pages 5 and 6*), the opportunity was taken to introduce the organisation and to emphasise the role of our members in the transport chain.

Our colleague association ESPO (the European Sea Ports Organisation) hosts a luncheon event around its November Annual Meeting and this year ECASBA was able to be present. The event was extremely well attended by representatives of the European Parliament, the Commission, other industry organisations and port authorities.

The main speaker was Fotis Karamitsos, Director of Unit G, Logistics, innovation, comodality and maritime transport at DG-TREN. As expected, his speech was a brief summary of the port policy communication, in which he sought once again to reassure the port industry of the Commission's intention only to apply a "light touch", leaving the detailed actions to Member States and the industry.

Interestingly he also stated quite clearly that the port policy com-

munication is part of the overall freight transport logistics action plan, which neatly clarifies who currently stands where in the Commission packing order.

Following the announcement of plans to scan 100% of all US-bound containers prior to loading, (*see issue 24*) the Commission announced it would be making high-level representations to the US Government supporting calls from industry for the proposals to be withdrawn.

Given the pivotal role of FONASBA port agent members in the liner trades, ECASBA wrote to Commissioner Kovács of DG-TAXUD to support the stand Europe was taking on the issue.

Whilst in Brussels, therefore, the opportunity was taken of meeting with Commissioner Kovács to discuss further action, as well as introducing ECASBA to him and his staff. The Commissioner reiterated that the Commission will maintain pressure on the US Government (the US Department of Homeland Security (DHS) and the freight industry are also opposed) to abandon the proposals and will use every opportunity to make its case.

In an interesting development, the DHS has asked the Commission to contribute to its report to the US Government into the impact of the scheme and, in a significant boost to ECASBA's profile in Brussels, our members have been invited to provide information on the current trial at Southampton and also on the likely impact on a port where a significant majority of contain-

ers arrive by modes other than road. Clearly being able, as at Southampton, to scan all boxes as they arrive by road is simple and causes minimal disruption to the port operation. The necessity, however, to move them from a barge, for example, to the scanning area and then to the stack will entail rather more time, cost and with it an increased risk of disruption.

ECASBA has accepted this invitation and will be gathering the required information over the coming months.

The final meeting was with Jean Trestour, Head of Unit G2, Maritime policy, internal market, ports, short sea shipping and inland waterways at DG-TREN. He was accompanied at the meeting by his policy officers Jose Fernandez-Garcia and Giovanni Mendola.

ECASBA is in regular contact with Trestour and on this occasion, as would be expected, the discussion concentrated on the port policy communication. ECASBA's broad support for the policy objectives was expressed but concerns relating to the MarNIS programme as it relates to the role of the agent and the apparent desire to break the link between the city and the port were also put forward.

Maritime policy was not discussed on this occasion as ECASBA will be back in Brussels in late January 2008 for a meeting with Commissioner Borg and his team, at which time the relevant issues will be discussed in detail.

ECASBA Brussels Seminar 2008

ECASBA's 2008 Seminar will take place on Wednesday May 21st and Thursday May 22nd and the location, as previously, will be the Hotel Silken Berlaymont, Brussels. Once again the event will start with lunch on 21st and end with lunch the following day.

For this event, we are looking at a new format which we hope will allow more time for interaction with our Commission guests, something that has been missing from previous events.

The programme will therefore be divided into two main sections, one on customs issues and the second on logistics, port and maritime policy. Each section will start with an introduction by the relevant ECASBA Working Group coordinator, during which the main points of ECASBA's views on the subject will be voiced. Following this, our invited speakers will make a presentation on the view from the Commission and the section will finish with a panel discussion, the members of the panel being the Commission speakers plus the

Working Group coordinator. It is hoped that this format will both allow the Commission to hear our views and also involve them in a debate with delegates.

These sections will be preceded by the usual overview of current ECASBA actions and future issues for consideration — similar to that at the ECASBA Plenary Meeting in Buenos Aires — and end with a private discussion forum for delegates only, during which the issues can be discussed in an open and, we hope, constructive manner.

A dinner at L'Atelier will round out day one and we hope that as in previous years our speakers and invited guests will attend.

At this early stage we cannot confirm the speakers from the Commission but we hope that as in previous years they will be Heads of Unit or an equivalent level. Given the importance attached by the Commission to the Maritime Policy project we will be extending an invitation to Commissioner Borg, Fisheries and Maritime Pol-

icy Commissioner, to deliver the keynote address at the dinner.

From the viewpoint of raising ECASBA's profile in Brussels and enhancing communication with the Commission, the previous two seminars have been a considerable success. The only downside, however, has been the lower than expected attendance by member associations.

As we have stated previously, this is the ideal opportunity for ECASBA members to discuss, in the coffee breaks and at dinner, local issues directly with the Commission whilst at the same gaining an excellent update on the big issues.

Accordingly, therefore, ECASBA Chairman Gunnar J. Heinonen is once encouraging all ECASBA associations to participate in the 2008 event.

Further details will follow in the coming months. Online booking will again be available through the website.

AND FINALLY...

**AS 2007 COMES TO AN END
MAY WE ONCE AGAIN WISH
ALL FONASBA MEMBERS,
THEIR FAMILIES AND FRIENDS
EVERY GOOD WISH FOR THE FESTIVE SEASON
AND FOR A HAPPY AND PROSPEROUS 2008**