

Overview EU support measures for the shipping industry, trade, seafarers etc.

1. EU Guidelines for border management measures to protect health and ensure the availability of goods and essential services, C(2020)1753

The coronavirus crisis has highlighted the challenge of protecting the health of the population whilst avoiding disruptions to the free movement of persons, and the delivery of goods and essential services across Europe. The guidelines set out principles for an integrated approach to an effective border management to protect health while preserving the integrity of the Single Market.

Article 1, point 3 relates to the free movement of transport workers. Seafarers are not explicitly mentioned, creating uncertainty whether the guidelines are applicable to them. **ECSCA got written confirmation by DG MOVE that the guidelines are applicable to land and sea borders/ports and seafarers.**

2. Temporary Restriction on Non-Essential Travel to the EU COM(2020) 115

The temporary travel restriction should apply to all non-essential travel from third countries to the EU+ area. For such a temporary travel restriction to have the desired effect in terms of restricting the spread of the virus, exceptions need to be limited to travel for essential purposes.

The temporary travel restriction must exempt nationals of all EU Member States and Schengen Associated States, for the purposes of returning to their homes. This exemption must apply to:

- all EU citizens and citizens of the Schengen Associated States, and their family members;
- third-country nationals who are long-term residents under the Long-term Residence Directive and persons deriving their right to reside from other EU Directives or national law or who hold national long-term visas.

It should also not apply to other travellers with an essential function or need, including:

- Healthcare professionals, health researchers, and elderly care professionals;
- Frontier workers;
- **Transport personnel engaged in haulage of goods and other transport staff to the extent necessary;**
- Diplomats, staff of international organisations, military personnel and humanitarian aid workers in the exercise of their functions;
- Passengers in transit;
- Passengers travelling for imperative family reasons;
- Persons in need of international protection or for other humanitarian reasons.

Coordinated and reinforced health checks should be carried out for the individuals allowed to enter the EU+.

The Communication advocates a common approach across all MS and Schengen Associated Countries along the lines indicated in the text. The idea is for a maximum alignment to take place. This measure is entirely new and all MSs and SACs are confronted with the practical issues posed by its concrete implementation. It is expected that Guidelines for Border Authorities will be issued shortly to assist MS. Overall, it is not the intention to disrupt trading with the outside world and hamper the flow of goods to and from the EU.

By definition restrictions on entry should not affect those departing. This is without prejudice to exit health checks on individuals.

3. Export of personal protective equipment to ship supplies does not require the export authorisation defined in regulation (EU) 2020/402.

Official confirmation by DG MOVE

Quote

The justification is that regulation 2020/402 concerns specifically the export customs procedure, and ship supplies do not fall under this procedure by virtue of Article 269(2)(c) of the Union Customs Code (regulation (EU) No 2013/952): <http://data.europa.eu/eli/reg/2013/952/2020-01-01>

Article 269

Export of Union goods

1. Union goods to be taken out of the customs territory of the Union shall be placed under the export procedure.
2. Paragraph 1 shall not apply to any of the following Union goods:
 - (a) goods placed under the outward processing procedure;
 - (b) goods taken out of the customs territory of the Union after having been placed under the end-use procedure;
 - (c) goods delivered, VAT or excise duty exempted, as aircraft or ship supplies, regardless of the destination of the aircraft or ship, for which a proof of such supply is required;
 - (d) goods placed under the internal transit procedure;
 - (e) goods moved temporarily out of the customs territory of the Union in accordance with Article 155.
3. The formalities concerning the export customs declaration laid down in the customs legislation shall apply in the cases referred to in points (a), (b) and (c) of paragraph 2.

This means that the usual export formalities for ship supplies are not impacted by Regulation 2020/402. It is possible, however, that the national customs authorities decide to perform stricter controls on such declarations to ascertain that they are not attempts to circumvent the provisions of Regulation 2020/402.

Unquote

4. Coronavirus: Commission presents practical guidance to ensure continuous flow of goods across EU via GREEN LANES

Today, (23 March 2020), the Commission issued new practical advice on how to implement its Guidelines for border management, in order to keep freight moving across the EU during the current pandemic. To ensure that EU-wide supply chains continue to operate, Member States are requested to designate, without delay, all the relevant internal border-crossing points on the trans-European transport network (TEN-T) as 'green lane' border crossings. The green lane border crossings should be open to all freight vehicles, whatever goods they are carrying. Crossing the border, including any checks and health screening, should not take more than 15 minutes.

Commissioner for Transport Adina **Vălean** said: *"The EU's transport network connects the whole of the EU. Our guidance document is intended to protect the EU's supply chains in these difficult circumstances, and to make sure both goods and transport workers are able to travel to wherever they are needed – without delay. A collective and coordinated approach to cross-border transport is more important today than ever before. The green lanes are also specifically designed to protect transport workers at the frontline of this crisis. This set of recommendations will ease their already stressful mission and it will bring more safety and predictability to their work."*

Green lane border crossings

Procedures at green lane border crossings should be minimised and streamlined to what is strictly necessary. Checks and screening should be carried out without drivers having to leave their vehicles, and drivers themselves should undergo only minimal checks. Drivers of freight vehicles should not be asked to produce any document other than their identification and driving license and if necessary a letter from the employer. The electronic submission/display of documents should be accepted. No freight vehicle or driver should face discrimination, irrespective of origin and destination, the driver's nationality or the vehicle's country of registration. In light of the current situation, Member States are also urged to temporarily suspend all road access restrictions currently in place in their territory, such as weekend, night and sectoral bans.

The Commission encourages Member States to set up safe passage transit corridors to allow private drivers and their passengers, such as health and transport workers, as well as EU citizens being repatriated, regardless of their nationality, to directly pass with priority through the country in each necessary direction along the TEN-T Network. This should be done while staying strictly on the designated route and to take the necessary minimum rest breaks. Member States should ensure that they have at least one airport functional for repatriation and international relief flights.

Enhanced cooperation among EU Member States and beyond

Following the video-conference between EU Transport Ministers on 18 March, the Commission set up a network of national contact points and a [platform](#) to provide information on national transport measures taken by Member States in response to

the coronavirus. The national contact points should support the effective functioning of the green lane border crossing points. Neighbouring non-EU countries are invited to work closely with this network to ensure the flow of goods in all directions.

Application of rules for transport workers

To keep transport moving, the Commission recommends that Member States take action to ensure the free movement of all workers involved in international transport, whatever the transport mode. In particular, rules such as travel restrictions, and mandatory quarantine of transport workers not displaying symptoms, should be waived. For example, Member States should not require that transport workers carry a doctor's certificate to prove their good health. To ensure the safety of transport workers, enhanced hygiene and operational measures are also needed in airports, ports, railway stations and other land transport hubs. Today's note from the Commission includes a full list of recommendations to protect drivers from the coronavirus (Annex 2).

Internationally recognised certificates of professional competence should be considered sufficient to prove that a worker is active in international transport. In the absence of such certificates (not all international drivers have one), a letter signed by the employer (Annex 3) should be accepted.

All of these principles should also apply to third country nationals if they are essential to ensuring that cargo moves freely within and into the EU.

Background

The coronavirus pandemic is having a major disruptive impact on European transport and mobility. The European supply chain is maintained through an extensive network of freight transport services, including all modes of transport. Continued and uninterrupted land, waterborne and air cargo services are of crucial importance for the functioning of the EU's internal market and its effective response to the current public health crisis.

5. Executive Vice President Valdis Dombrovskis **Excerpts of Opening statement at the EPSCO videoconference** **Brussels, 19 March 2020**

Right now, there are three main priorities:

ensuring that health systems have all the resources they need, both financially and in terms of materials,

that affected companies have all the liquidity they need,

and that the jobs and incomes of affected workers as well as the self employed are protected.

As you mentioned, the European Commission adopted a Communication on Friday that includes **four instruments** to achieve this:

- (i) ensuring solidarity in **the single market**;
- (ii) mobilising the **EU budget** and the **European Investment Bank** Group; and
- (iii) **state aid**; and
- (iv) using the full flexibility of the **fiscal framework**.

On the single market, we are focusing our attention on ensuring the free movement of goods, which is essential in particular to ensure medical equipment arrives where it is most needed. Of course, EU citizens must be allowed to transit in order to return to their home countries. It must be said that in both areas, the situation is far from ideal, so the European Commission has also issued guidelines and is in close contact with Member States as regards to this.

On the **EU budget**: The main aim of the measures taken under the EU budget is to provide the economy with all the necessary liquidity. The Eurogroup confirmed this Monday (16 March) our proposal for a co-ordinated response. In particular:

The Commission proposed a €37 billion Corona Response Investment Initiative.

As part of this, together with the EIB Group, we will mobilise up to €8 billion of working capital lending to provide lending to at least 100,000 European firms. It will be backed by the EU budget; the EIB Group will catalyse €10 billion in additional investments in SMEs and midcaps for its own account and accelerate the deployment of another €10 billion backed by the EU budget;

The European Central Bank announced measures last week that will support bank lending to companies affected most by the spread of the virus, the so-called LTRO programme. And today ECB has announced a €750 billion Pandemic Emergency Purchase Programme. I would really underline this is a major step and it will indeed be very helpful in calming the uncertainty of the markets, keeping interest rates under control, and ensuring that Member States have access to necessary financing. So this is a very important and very major step that the ECB has announced.

On **State Aid**, many possibilities are already available to Member States: general measures to provide wage subsidies and suspend payments of taxes for all companies, or providing compensation to companies for damages suffered due to the

COVID-19 outbreak. Compensation can in particular be useful to support sectors that were hit particularly hard.

We are adopting today a new Temporary State Aid Framework, to complement existing possibilities and to enable Member States to use the full flexibility foreseen under State Aid rules to tackle this unprecedented situation.

There, we have two common goals: first, that businesses have the liquidity to keep operating, and that the support reaches the businesses that need it. Second, that support for businesses in one Member State is not undermining the single market.

Now on Member States' fiscal measures.

Our **fiscal framework** has all the necessary flexibility to cater for that and the Commission will apply the full flexibility in the Stability and Growth Pact at this time of need.

Member States should let automatic stabilisers play their role fully.

Moreover, countries are making funds available to carry out immediate containment measures and to provide medical equipment, increase hospital capacity, civil protection measures and information campaigns.

Spending should also be directed towards providing support to workers and the self-employed, and to companies that are most affected, especially SMEs, in sectors such as tourism, **transport**, retail and catering, but it is not limited to that. We need to avoid that productive capacity is lost. This the immediate priority.

6. Useful links to websites European institutes

EMSA website overview measures at national level

<http://emsa.europa.eu/news-a-press-centre/covid19.html>

EU Commission, DG MOVE

[Overview of national measures by country](#)

EU Commission, help and advice for consumers

https://ec.europa.eu/info/live-work-travel-eu/health/coronavirus-response/mobility_en

EU Commission proposals

[Communication on the economic aspects of the COVID-19 crisis](#)

A proposal [for a Regulation on COVID-19 Response Investment Initiative](#)

7. National measures, by country

7.1 Belgium

During the health crisis due to Covid-19 the Belgian Maritime Inspectorate remains strongly committed to guarantee maximum assistance and support, to its ability and within its statutory powers, to the shipowners, shipping companies and ship managers, operating ships under Belgian flag and ship's crew, ensuring the statutory compliance of ships and crew during the COVID-19 crisis. BMI has ceased its physical operations, however it remains accessible and active, providing assistance and service to each concerned party.

As announced, BMI is issuing general guidelines, measures and instructions and also takes appropriate actions on a case by case basis.

Today the [BMI Circular 2020-02](#) has been published [on our website](#). This BMI Circular wants to inform all concerned parties: shipowners and managing companies, Port State Control officials, ships' crews and all other stakeholders **on the operational measures concerning certification related to Covid-19.**

Reference is also made to [IMO Circular Letter No. 4204/Add.5](#) (17 March 2020) – Coronavirus (COVID-19) – Guidance relating to the certification of seafarer.

On board ships flying Belgian flag it is requested a copy of this BMI Circular shall be posted in a conspicuous place on board where it is available to the seafarers.

7.2 Norway

<https://www.sdir.no/en/news/news-from-the-nma/guidelines-regarding-seafarers-signing-on-and-off-ships-in-norwegian-ports/>

<https://www.sdir.no/en/news/news-from-the-nma/regarding-extension-of-statutory-inspections-and-issuanceendorsement-of-statutory-certificates-due-to-covid-19/>

<https://www.sdir.no/en/news/news-from-the-nma/extending-the-validity-of-personal-certificates/>