

Mr José Manuel Barroso
President
European Commission
Rue de la Loi 200
BE-1049 Brussels

Mr Siim Kallas
Vice President and Commissioner for Transport
European Commission
Rue de la Loi 200
BE-1049 Brussels

Mr Janez Potočnik
Commissioner for Environment
European Commission
Rue de la Loi 200
BE-1049 Brussels

12 May 2010

Dear President Barroso, Commissioner Kallas and Commissioner Potočnik,

The signatories of this letter would like to express their concern regarding the revision of the sulphur directive.

The International Maritime Organization, IMO, adopted new sulphur limits for shipping in October 2008. The Industry-Group supports the global part of the IMO decision which calls for an overall reduction of sulphur oxides. However, we find the rules applicable in the Emission Control Areas (ECAs) i.e. Baltic, North Sea and English Channel unacceptable due to the reasons explained in this letter.

The Industry-Group consists of European companies and enterprise confederations representing industry manufacturers as transport buyers, freight transport providers and ports. The Industry-Group was established in order to join together various industry sectors in different countries having the same aim to eliminate or reduce the negative consequences in connection with the new ECAs emission regulations for International Shipping in North Europe.

The Industry-Group believes that both the shipping industry and the users should take on a responsibility to proactively invest in reducing emissions. Many of the signatories of this letter have a long and highly recognized tradition of taking their environmental responsibility, either on their own initiatives or through voluntary agreements with regulating governments. By doing so, an acceptable balance has been achieved between commercial realities and environmental policy.

The new sulphur limits for the ECAs were adopted without any prior impact assessment that addressed shippers and short sea shipping in the ECAs. Impact assessments, that have been conducted afterwards, indicate that the cost increase in particular in the European ECAs is very dramatic and will have a negative impact on the competitiveness of industries in the effected EU countries. The impact assessments also show that the decision will lead to a modal back-shift from sea to road and that the environmental benefits are questionable and might even be negative. Trade off effects are for example increased CO₂ emissions and sulphur leakage. These trade-off effects are clearly contradicting Commission policy such as climate policy and decreasing congestion by using short sea shipping.

Since the Commission is reviewing the Sulphur Directive during 2010/2011 we urge the Commission to take into account the new information about the unforeseen consequences of the sulphur limits in the ECAs and to conduct proper and overall impact assessments.

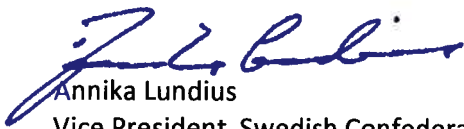
Due to the fact that the EU has competence on sulphur emissions and that Member States therefore are obliged to follow the outcome of the EU coordination, we urge the Commission based on various impact assessments to facilitate and coordinate with Member States to amend the IMO decision for the ECA.

The Industry-Group seeks to establish a dialogue with the Commission to find an alternative way forward. Studies commissioned by the European Commission, ECSA and Member States on the consequences for the modal back shift and external costs can be the starting point for the dialogue and evaluation of solutions. The Industry-Group currently examines different options for the existing ECAs (Baltic, North Sea and English Channel) for an alternative solution and would like to explore them in due time together with your services.

We believe there is a need to take action on sulphur emission but we urge for measures that will lead to limited trade-off effects.

On behalf of the signatories of this letter

Yours sincerely,



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Supporting organisations

Confederations of Enterprises



Germany



France



Sweden



Spain



Finland



Belgium



Confederation of Danish Industry

Denmark



SAMTÖK ATVINNULÍFSINS
CONFEDERATION OF ICELANDIC EMPLOYERS

Iceland

Lewiatan 



Employers' Confederation of Latvia



TÖÖANDJATE KESKKLIIT
ESTONIAN EMPLOYERS' CONFEDERATION

Poland

Lithuania

Latvia

Estonia

European organisations



ESC - European Shippers Council



ECSA – European Community Shipowner's Association



ESPO – European Sea Ports Organisation



FEPORT – European federation of maritime terminal operators



Confederation of European Paper Industries



CEI-Bois -European Confederation of woodworking industries



Eurometaux – European Association of Metals



European Mines

Chambers of Commerce



Arbeitsgemeinschaft Norddeutscher Industrie- und Handelskammern

Germany - Northern



Finland



Sweden



Sweden – South Sweden



Sweden – West coast

Transport buyers – transport users

National Shippers Organisations



France



Netherlands



UK

Finnish Shippers' Council

Finland

Näringslivets Transportråd
- för transportköpare

Sweden

National Steel Industry Associations



Wirtschftsvereinigung Stahl

Germany

METALLINJALOSTAJAT
Association of Finnish Steel and Metal Producers

Finland

JERNKONTORET

Sweden

National Forest Industries Federations



Sweden



Finland



Estonia

National Mining Industry Federations

SveMin

Sweden



Finland

Other National Associations



Sweden

The Federation of Finnish
**Technology
& Industries**

Finland

National Ship-owners Associations



Germany



Sweden



Netherlands



Suomen Varustamot
Rederierna i Finland
Finnish Shipowners' Association

Finland



Estonia



Lithuania

Ports and port operators



Baltic Ports Organization



Sweden



Finland



Denmark

Other sea related organisations



Estonia



Germany



Sweden

Cc: Mr Johannes Laitenberger, HoC President European Commission

Mr Henrik Hololei, HoC Commissioner for Transport

Mr Matthias Ruete, Director General Transport

Mr Kurt Vandenberghe, HoC Commissioner for Environment

Mr Karl Falkenberg, Director General Environment