

# COMMISSION OF THE EUROPEAN COMMUNITIES

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Draft

## COUNCIL DECISION

adopting a concerted action project for the European Economic Community in the field of shore based maritime navigation aid systems

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Recommendation

## COUNCIL DECISION

authorizing the Commission to negotiate an agreement for the implementation for a concerted action project on shore based maritime navigation aid systems between the Community and non-member states participating in European cooperation in the field of scientific and technical research (COST)

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(presented by the Commission to the Council)

Com 463

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PROPOSAL FOR A COUNCIL DECISION  
ADOPTING A CONCERTED ACTION PROJECT FOR THE EUROPEAN  
ECONOMIC COMMUNITY IN THE FIELD OF SHORE-BASED MARITIME  
NAVIGATION AID SYSTEMS

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FINANCIAL RECORD

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FINANCIAL RECORD

1. RELEVANT BUDGET HEADING : Chapter 73, Article 737, Item 7376
2. TITLE : IMPLEMENTATION OF A CONCERTED ACTION PROGRAMME "Shore-based maritime navigation aid systems".
3. LEGAL BASIS : Article 84.2
4. DESCRIPTION, AIM(S) AND JUSTIFICATION OF THE PROJECT :
  - 4.1. Description : Coordination of the most important research projects in the field of technical aids to navigation in coastal waters and existing port approaches or those scheduled by the Member States. The association of non-member European countries is also planned.
  - 4.2. Aims : Prevention of accidents by improving the safety of navigation and the efficiency of maritime traffic services in coastal areas and ports and prevention of pollution to the marine environment which can result from accidents.
  - 4.3. Justification : The proposed research programme forms part of the Community projects in shipping safety and is complementary project to the sectoral research programme in the field of environment (Council Decision of 3 march 1981).
5. OVERALL COST FOR THE WHOLE OF ITS EXPECTED DURATION (in EUA)

- Chargeable to the Community budget	2.100.000
- Chargeable to national budgets )	8.000.000
- Chargeable to other sectors at national level)	<u>          </u>
Total cost	10.100.000

5.0.0. Multiannual timetable

Appropriations for commitment in EUA

	1982	1983	1984
Staff	28.500	31.000	33.500
Administrative operation	171.500	159.000	166.500
Contracts	600.000	800.000	100.000
TOTAL	800.000	1.000.000	300.000

Appropriations for payment

	1982	1983	1984
Staff	28.500	31.000	33.500
Administrative operation	171.500	169.000	166.500
Contracts	400.000	700.000	400.000
TOTALS	600.000	900.000	600.000

5.0.1. Method of calculation

(a) Staff expenditure

Staffing needs have been evaluated on the basis of one category C official.

In addition to the staffing figures, the calculations take into account the rates of increase in the remunerations of Commission staff used to estimate the appropriations entered in the 1981 budget and, for subsequent years, apply a volume increase corresponding to the rate of increase in the general level of prices in the Community used to establish three-year forecasts, namely 8.1% per year.

(b) Administrative and/or technical operating expenditure

This heading covers expenditure connected with missions and the organization of meetings. It is estimated on the basis of an average of needs.

(c) Contract expenditure

This covers the Community's financial participation in studies and research work undertaken as part of contracts to be concluded with undertakings and laboratories in the Member States specializing in the field. Since the type of subject and the contractors' qualifications vary, it is not possible to establish a uniform method of calculation. Consequently, the estimation of needs takes the form of a hypothesis based on a number of contracts to be negotiated.

6. FINANCIAL IMPLICATIONS ON STAFF AND NORMAL OPERATING APPROPRIATIONS :

See under Section 5 above.

7. FINANCING.

7.4. The appropriations needed to cover the Community's participation in this project are to be entered in future budgets.

8. IMPLICATIONS IN RESPECT OF REVENUE

- Community tax on officials' salaries
- Officials' contributions to the pension scheme
- Contributions from non-member countries.

9. TYPE OF CONTROL TO BE APPLIED

- Administrative control by the Directorate-General for Financial Control as regards the implementation of the budget and the regularity and conformity of expenses and by DG XII's Administration of Contracts Division.
- Scientific control : COMAC  
Responsible officials in DG VII.

ADOPTING A COMMUNITY CONCERTED ACTION PROJECT  
IN THE FIELD OF SHORE-BASED MARITIME NAVIGATION AID SYSTEMS

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(Presented by the Commission to the Council)

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## 1. INTRODUCTION

This proposal for a concerted action project on "Maritime navigation aid systems" is designed to coordinate research already in progress or scheduled in this sector along the lines of Council Resolution of 14 January 1974 on an initial outline programme of the European Communities in the field of science and technology. It is planned to include non-member European countries affected.

The programme, which will be implemented in the form of a concerted action project, is an extension to the research programme on the environment adopted by the Council on 3 March 1981.

It corresponds in particular with the Final Declaration of the Conference on shipping safety which met in Paris on 1-2 December 1980 and was attended by all the maritime Member States of the Community. In this Declaration the participant countries requested in particular that "bodies responsible for international funds took an active part in the promotion of scientific research and the development of new equipment to prevent pollution."

The results of this concerted action project will play a major role in the protection of the coastlines of Community countries and of other European countries affected. By avoiding shipping accidents in coastal areas navigation aid systems will make for a considerable reduction in the risk of pollution following shipping accidents.

Being a research project designed to protect the environment by improving shipping safety, this concerted action project will establish the applicability of existing aid systems and the need to develop new techniques to meet the standards required in maritime traffic safety. These results could then be incorporated into a European information service for maritime traffic.

Proposed under COST (project 301) the programme of this concerted action project has been examined by CREST, where it was considered to be of interest to the Community.



2. DEFINITION OF THE PROBLEM

The considerable increase in the volume of marine traffic, due to the growth of both the size and speed of vessels, increasing number of cargos of a noxious or dangerous nature and the rising numbers of ships not complying with internationally agreed standards have made certain European coastal areas and port approaches potentially dangerous.

The most dangerous and undesirable consequences are collisions and groundings resulting in the loss of human lives and the spillage of noxious materials for the environment.

Such casualties no longer concern only the seamen involved in the them, but also the coastal populations subjected to them, and consequently they are of concern to governments.

Although much effort has been made in the past few years by both public powers and shipowners to prevent these casualties, if the number of accidents is to be reduced efforts must be redoubled through a safer and better organized flow of traffic in congested of otherwise dangerous areas, the philosophy being that prevention is better and often cheaper than cure.

To find the best ways of achieving this goal we must first learn more about the areas affected, marine traffic and the risks involved before setting up specific systems.

Consequently, any systems adopted must comply with the following points :

- 1. prediction of dangerous situations ;
- 2. timely and effective corrective action ;
- 3. reliable communication ;
- 4. readily accessible general navigation information.

In view of the above considerations special attention will be focused on the application of various shore-based systems of suitable marine traffic aid systems as a means of reducing maritime risk through better organization of the traffic flow.

### 3. STATE OF THE ART

Although there are examples of successful joint efforts most of the research work on maritime navigation has been at national level.

Of the seven topics covered by the proposed programme several European countries have already undertaken or are in the process of developing specialized studies, such as the pinpointing of ship positions from the shore, the definition of a specifically maritime operational language for communications, and the movement of ships in confined waters. So far, however, the practical effects of these studies have not generally been sufficient to make for a real improvement in shipping safety in European waters. This is explained to some extent by the fact that the application of these research results goes beyond the scope of individual countries.

In some sectors additional work, both in the laboratory and at sea, is necessary, especially where data are involved which must be based on common parameters and where topics cover equipment for which there is a problem of minimum standards and common specifications.

#### 4. PROGRAMME CONTENT

The programme was drawn up on the basis of the state of the art, as described above, along with its limits, and also took account of the fact that certain types of research project can be carried out better as part of a large-scale project, i.e. a Community concerted action project.

The aim of this programme is to study the problems of marine traffic close to coasts and at the entrance of ports and to develop navigation aid systems to improve the safety and efficiency of this traffic and, as a result, to reduce the risks of pollution to coastal waters.

The programme of seven studies will provide a solid basis in order to determine "whether measures will have to be taken and where for shore based aid system to help reduce the number of collisions and groundings in sensitive areas".

The general programme is subdivided into seven programmes designed to :

- develop knowledge of the precision of navigation in restricted areas ;
- develop criteria that can serve as a common denominator to define "risk" in maritime navigation with a view to establishing, on the basis of these criteria, current or foreseeable problem areas in European coastal waters ;
- take stock of existing shore based marine navigation aid systems with indication of the geographical area covered, the types of service supplied and their operating regulations ;
- develop vessel identification methods designed for traffic assistance by traffic centres ;
- define common standards and basic technical specifications for vessel pinpointing and tracking devices used by traffic centres ;
- develop methods of shore-to-ship and ship-to-ship communication and define data exchange systems between traffic centres and ships ;
- establish harmonized procedures incorporating traffic service information, guidance and piloting on the basis of existing procedures in European shipping.

The programme also puts limits on its scope inasfar as it is not intended to encroach on areas of maritime safety regulations already covered by international organizations.

The technical boundaries are determined by the various ship categories, priority being given to large vessels and vessels carrying hazardous and/or noxious cargoes.

The operating area must be limited to coastal areas, port entry, port areas and port approach areas, and through traffic areas in confined waters.

The field of application of aid systems would not extend beyond the "area of economic interest". Projects will very likely be developed along the lines of a division of European waters in the two regions, Atlantic and Mediterranean, in order to gain a better picture of their different characteristics.

Member States will include major research work in progress or planned in the concerted action project and will attempt to fill in any gaps likely to be identified.

Annex I contains a table showing the initial participation of the different countries in the areas of research.

5. DURATION

A period of three years is proposed for this concerted action project.

6. IMPLEMENTATION OF THE PROGRAMME

Being a concerted action project, the programme is, by its very nature and objectives, complementary to the research programme on the environment of the European Communities.

A steering Committee on Concerted Action will be set up, and Member States, non-member states involved and the Commission will be represented by one delegate each, possibly assisted by experts. The terms of reference of this Committee are laid out in Annex 2.

With the approval of the Committee the Commission will appoint a project leader who will assist the Community in the coordination.

7. DISSEMINATION OF KNOWLEDGE

The accent will be placed on rapid and efficient dissemination of knowledge with the organization of workshops and symposia, etc., and the publication of regular reports underlining, in particular, the application of results.

8. FINANCING AND STAFFING

The financing for national research by the Member States under this concerted action project is estimated at 8 million ECUs<sup>1</sup> for a period of three years.

The cost of coordination to be met by the Community budget is estimated at 2.1 million EUA<sup>1</sup> for the three-year period<sup>2</sup>. This amount comprises the salaries of the secretariat personnel<sup>2</sup> responsible for coordination, experts' expenses, the costs of organizing meetings and symposia and the publication of their results, and the financing of studies.

9. PARTICIPATION OF NON-MEMBER COST COUNTRIES

Several non-Community states participating in European cooperation in the field of scientific and technical research (COST) have already expressed their desire to be involved in the Community concerted action project under a Community/COST concertation agreement to be concluded with the Community. The provisions for this association are laid out in Article 6 of Annex I (Council Decision).

Draft terms of reference for the negotiation of an agreement with non-member states affected have been submitted to the Council at the same time.

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- (1) Amounts expressed in European Units of Account, applicable from 1978, the value differing from that of the former units of account.
  - (2) This concerted action project requires the posting of a Category C official.

DRAFT COUNCIL DECISION

adopting a concerted action programme for the European Economic Community in the field of shore-based maritime navigation aid systems

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 84(2) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas a concerted action programme for Community research in the field of maritime navigation aids would be an effective contribution to the reduction of the risk of accidents in coastal areas and ports, and, consequently, to the protection of human life, the safety of ships and their cargo, especially ships transporting pollutant or dangerous materials;

Whereas a sectoral research and development programme in the field of environment has been set up by Council Decision 81/213/EEC<sup>1</sup>;

Whereas a reduction in the number of collisions and groundings would help to prevent pollution on the shore and in coastal waters, and consequently, this programme is complementary to the said sectoral research programme,

Whereas a research programme in the field of maritime navigation aid systems was proposed in 1979 by the Finnish and French delegations within the framework of European cooperation in the field of scientific and technical research (COST) ; and whereas CREST acknowledged the Community's interest in the said programme on 8 April 1981 ;

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(1) OJ No L 101, 11.4.1981, p.1

Whereas in its Resolution of 14 January 1974 on an initial outline programme of the European Communities in the field of science and technology the Council emphasized that an appropriate approach should be adopted towards the whole range of available ways and means, including concerted action projects, and that whenever it proved necessary non-member countries, particularly European ones, should be associated in those projects;

Whereas the Member States intend to implement, in accordance with the rules and procedures applicable to their national programmes, the research projects described in Annex I and are prepared to coordinate them at Community level for a period of three years;

Whereas the implementation of this research requires a financial outlay of the order of 10 million European units of account on the part of the Community and the Member States,

HAS DECIDED AS FOLLOWS :

ARTICLE 1

The Community shall implement, over a period of three years from 1 January 1982, a concerted action project in the field of shore-based maritime navigation aid systems, hereinafter referred to as "the project".

The project shall consist of the coordination at Community level of the research work defined in Annex I forming part of the research programmes of the Member States.

ARTICLE 2

The Commission shall be responsible for coordination.

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(1) OJ No. C 7, 29.1.74, p. 6

ARTICLE 3

is estimated that the maximum financial contribution by the Community with regard to coordination will be 2.1 million European units of account and that one official will be required to coordinate the project.

The European unit of account is defined by the financial regulations applicable.

ARTICLE 4

To help implement the project a Steering Committee on concerted action for "shore-based maritime navigation aid systems" shall be set up, hereinafter referred to as "the Committee".

The terms of reference and composition of the Committee are set out in Annex II.

The Committee shall adopt its own rules of procedure. The Committee secretariat shall be provided by the Commission.

ARTICLE 5

1. In conformity with a procedure to be established by the Commission after consulting the Committee, countries participating in the project and the Community shall exchange on a regular basis all useful information concerning the implementation of research work relating to the project. Participating Member States shall supply the Commission with all the information needed for coordination. They shall also attempt to supply the Commission with information on research work on the subject which is either planned or has been completed by bodies for which they are not responsible. Such information shall be treated as confidential if the Member State supplying it so requests.
2. The Commission shall establish annual activity reports on the basis of the information supplied and shall transmit them to the Member States and to the European Parliament.



3. At the end of the coordination period, the Commission, after consulting the Committee, shall transmit to the Member States and to the European Parliament a summary report on the implementation and the results of the project. It shall publish this report six months after transmission to the Member States unless one of the Member States objects. In that event the report shall be distributed, on request, only to those institutions and undertakings whose research or production activities justify access to the results of the research work carried out under this project. The Commission may provide for the report to remain confidential and not to be disclosed to outside bodies or individuals.

#### ARTICLE 6

In accordance with Article 228 of the Treaty, the Community may conclude an agreement with non-member States and, in particular, with those participating in European Cooperation in the Field of Scientific and Technical Research (COST) with a view to ensuring coordination between the Community's project and the corresponding programmes in those countries.

Done at Brussels,

For the Council

The President

ANNEX I

MARITIME NAVIGATION AID SYSTEMS

Research topics	Breakdown of research work								
	B	D	DK	F	G	I	IRL	NL	UK
1. Movement of ships in confined areas	X	X		X		X		X	X
2. (a) Criteria for standard identification of problem areas for marine traffic	X	X		X		X		X	X
(b) Identification of problem areas for maritime navigation	X	X	X	X	X	X		X	X
3. Inventory of maritime navigation aid services in Europe.		X	X	X	X	X		X	X
4. Identification of ships		X				X	X	X	X
5. Specifications and standards for pinpointing and precise tracking of ships under way.		X		X		X	X	X	X
6. Shore-to-ship communication methods		X				X		X	X
7. Harmonization of procedures for traffic services	X	X	X	X	X	X		X	X

ANNEX II

TERMS OF REFERENCE AND COMPOSITION OF THE STEERING COMMITTEE  
ON CONCERTED ACTION FOR SHORE-BASED MARITIME NAVIGATION AID SYSTEMS

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1. The Committee shall :

- 1.1. contribute to the optimum implementation of the project by giving its opinion on all aspects of its development ;
  - 1.2. evaluate the results of the project and draw up conclusions as to their application ;
  - 1.3. provide for the exchange of information referred to in Article 5(1) ;
  - 1.4. make provisions for the follow-up of national research work carried out in the field of the project, in particular by keeping abreast of scientific and technical developments which might have an effect on its implementation.
2. The reports and opinions of the Committee shall be transmitted to the Commission and to the Member States taking part in the project. The Commission shall transmit these opinions to CREST.
3. The Committee shall be composed of officials in charge of the coordination of national contributions to the project and of a Commission delegate. Each member may be accompanied by experts.

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COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

Subject : Brief authorizing the Commission to negotiate an agreement for the implementation of concerted action project on shore based maritime navigation aid systems (COST Project 30I) between the Community and non-member states participating in scientific and technical cooperation (COST).

A draft decision adopting a Community concerted action project on shore-based maritime navigation aid systems (COST Project 30I) has been submitted to the Council for adoption.

In this draft, the Community will conclude, an agreement with non-member states participating in European cooperation in the field of scientific and technical research (COST) with a view to ensuring coordination between Community projects and the corresponding programmes in these countries. To enable this project to be implemented as soon as possible the Commission should be in a position to negotiate this agreement with the said non-member countries at the same time as the debates at the different levels of the Council on the programme decision. Since neither the decision on the negotiation brief nor that on the conclusion of the agreement involve consultation of the Parliament, the Council will be in a position to adopt the programme at the same time as the decision relating to the agreement.

The conditions for participation of non-Community COST states in the Community concerted action project are the same as those adopted by the Council on 18 July 1978 (OJ No C 100, 21.4.1979, p.1.).

In the light of these considerations, the Commission proposes that the Council adopt the attached decision authorizing it to negotiate with non-Community COST states their participation in the Community concerted action project on shore based maritime navigation aid systems (COST Project 30I).

Recommendation for a

COUNCIL DECISION AUTHORIZING THE COMMISSION TO NEGOTIATE AN AGREEMENT FOR THE IMPLEMENTATION OF A CONCERTED ACTION PROJECT ON SHORE-BASED MARITIME NAVIGATION AID SYSTEMS BETWEEN THE COMMUNITY AND NON-MEMBER STATES PARTICIPATING IN EUROPEAN COOPERATION IN THE FIELD OF SCIENTIFIC AND TECHNICAL RESEARCH (COST).

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to the recommendation from the Commission,

Whereas the Commission has transmitted to the Council a draft decision adopting a concerted action project on shore based maritime navigation aid systems ;

Whereas, in its resolution of 14 January 1974 on an initial outline programme of the European Communities in the field of science and technology<sup>I</sup>, the Council emphasized that an appropriate approach should be adopted towards the whole range of available ways and means, including concerted action projects, and that, whenever it proved necessary, non-member countries, particularly European ones, should be associated in those projects;

Whereas the Council approved on 18 July 1978<sup>2</sup> certain procedures for cooperation within the COST framework

HAS DECIDED AS FOLLOWS :

<sup>I</sup> OJ No C 7, 29.I.1974, p.6.

<sup>2</sup> OJ No C 100, 21.4.1979, p.1.

SOLE ARTICLE

The Commission is hereby authorized to negotiate, pursuant to the directives contained in the Annex, an agreement between the Community and non-member States participating in European cooperation in the field of scientific and technical research (COST) in order to ensure coordination between the Community concerted action project on shore based maritime navigation aid systems and the corresponding programmes in those countries.

Done at

By the Council

The President

NEGOTIATION DIRECTIVES

1. The terms of the agreement shall be in conformity with the conclusions approved by the Council on 18 July 1978 with regard to European cooperation in the field of scientific and technical research (COST).
  
2. The financial contribution of each third COST state participating in the project shall be an amount equivalent to a tenth of the Community's contribution to coordination costs. In addition, each participant non-member state shall transfer an amount calculated by applying to the amount equivalent to the Community's contribution to studies the ratio between the gross domestic product for the year 1980 of each participant non-member state and the gross domestic product for the year 1980 of the Community<sup>I</sup>.

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<sup>I</sup> The draft decision transmitted by the Commission to the Council provides for a financial contribution from the Community of 2,100,000 ECU, subdivided into an amount of 600,000 ECU for coordination costs and an amount of 1,500,000 ECU for study costs.