

ANNUAL REPORT 2010

Embracing a Future together with Nature



EUROPEAN DREDGING ASSOCIATION



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EuDA members*



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*“EuDA is the official
interface between the
European Dredging Industry
and the European Institutions.”*



Perspectives

'Rainbowing' is one of the - if not the - trademark activities of the dredgers, easily recognisable by all but not always well understood. This is one of the techniques used to reclaim land and create new spaces for the local communities to be used for purely human activities such as trade, industry or housing or also to create new opportunities for natural developments. These spaces can make some dreams come true. All over the world, the dredging industry opens new perspectives generating significant 'return on investment' for Europe.



2010 a year of 'jubilation' for the Dutch dredgers

M. Stordiau, Chairman

2010 was a jubilee year for three of our Dutch members: Boskalis, Vereniging van Waterbouwers and Dutch Dredging celebrated respectively their 100th, 75th and 50th anniversaries. Beside the coincidence, this is also a sign of the good health and resilience of the European dredging companies. Thanks to their continuous investments and innovative approach, the European Dredgers have diversified their portfolio of activities over the years and succeeded in keeping high levels of activity through thick and thin.

Next to the endless debates on economic cycles and multiple dip recessions, 2010 was also profoundly marked by the Deepwater Horizon oil disaster in the Gulf of Mexico. EuDA is convinced that more consideration should have been given to the European Dredgers' technology and know-how which could have certainly accelerated the containment and mitigation operations. It could also have reduced the overall impact on the marine and coastal environment. EuDA encourages governments around the world to make better use of the available European expertise and experience.

Regardless of the stages in the crises, 2010 was a good year for the European Dredgers with high occupation rates and good margins. 2011 promises to be a crucial year for many countries and particularly some of the Eurozone countries which have to take and implement difficult decisions in order to rectify and steady the course of their economies. Internationally, the 'Arab Spring' is turning a new page in the political landscape of the Middle East. All these changes will affect our industry but like many other changes, bringing new challenges, they also bring new opportunities for the European Dredgers. Judging by the number of recent launches of new high-tech vessels, the prospects of the European

Dredging industry for the coming year(s) are positive, even optimistic: more than 20 new European Dredgers were launched since Spring 2010.

In 2010, the European Dredging Association (EuDA) has been actively involved in many debates at European level on the issues that matter to the dredging industry. EuDA engaged with key stakeholders in thorough discussions and organised four major events in 2010:

- 1) a workshop on the implementation of the revised Waste Directive;*
- 2) a workshop on the importance of green innovations for the European Dredgers;*
- 3) a conference on the key sustainable issues for the European Dredgers;*
- 4) a special introduction on the European Dredgers for the Shipping Working Group of the European Council in the context of the Belgian Presidency.*



For 2011, EuDA is pleased to announce that its membership will be enlarged with: Detlef Hegemann! Welcome!

“EuDA encourages governments around the world to make better use of the available European expertise and experience.”



For 2011, EuDA's political agenda will focus its efforts on the following three important matters for our industry, notably:

- 1) The revision of the European State Aid Guidelines*
- 2) The new regulations with respect to emissions by marine vessels*
- 3) The implementation of the Maritime Labour Convention (MLC 2006)*

European State Aid Guidelines

Despite the successful conference on State Aid at its 2009 AGM, EuDA had to unfortunately suspend temporarily its initiatives in this field as the competences on State Aid were transferred from DG MOVE to DG COMP. Time was needed to let the dust settle and clarify the respective competences and allocation of the responsibilities.

Due in 2010, the State Aid Guidelines will probably undergo a review process in 2011 (with an expected stakeholders' consultation). EuDA is ready to re-launch its vigorous campaign of sensitisation aiming at clarifying the extent of the definition and the meaning of "Transport" when applying the State Aid Guidelines.

Dredging is one of the great success stories of the European maritime industry: European dredging companies are world market leaders with about 80% of the worldwide open dredging market and a turnover of 6.5 bn Euro in 2009. And although 70% of operations take place outside Europe, 90% of the returns flow back to Europe. However, it is also important to remember that the European dredging contractors face fierce competition worldwide and particularly from the Far East, with China at the forefront.

The state-owned Chinese dredging companies are regionally-based and benefit from a quasi protected domestic market. They also benefit from the strong investments of their main stockholder (the Chinese government) in resource rich regions of the world. These parts of the world often need significant infrastructure developments and are often reduced to accept bartering agreements or tied aid schemes. These result in the further closing of key markets in Africa, South America and Asia. The full State support combined with unfair capture of dredging markets across the world wear out little by little and threatens the leadership of the European dredging industry.

EuDA therefore asks the support of the European authorities to palliate these disadvantages and is pleading for the renewal of the State Aid Guidelines

Members of the EuDA Board



J. Rohde Christensen, Vice Chairman



F. A. Verhoeven, Treasurer



W. Möbius



F. Heinis



G. Vandewalle



. de Wit



C.J. van de Graaf

to Maritime Transport and for the inclusion of the modern self propelled Cutter Suction Dredgers in this scheme.

The new regulations with respect to emissions by marine vessels

The progress of new regulations to reduce GHG emissions by marine vessels is very slow at international level. Europe wants to lead the way and implement its ambitious long term plan: Roadmap 2050. However, EuDA, like all the other shipowners' associations, is of the opinion that the regulations on the emissions from ships should be implemented on a global basis and preferably by the International Maritime Organization (IMO). Concerning the possible implementation of Market Based Measures (MBM), EuDA supports the most practical, effective, transparent and fair approach.

To our opinion, the proposal of a GHG levy fund under the IMO fits these criteria and is fully supported by EuDA's membership.

In its statement on CO₂, EuDA has emphasised its commitment to contribute to the reduction of GHG emissions and is working on a practical alternative to the current EEDI. EuDA leads the way and was among the first in the maritime industries to have

made internally a precise calculation of its CO₂ emissions: in 2009, European dredging vessels represented about 0.3% of the CO₂ shipping emissions.

EuDA will continue to follow very closely the developments in legislation and policies, relating to SOx, NOx and CO₂ emissions of maritime vessels.

The implementation of the Maritime Labour Convention ("MLC 2006")

For many years now, EuDA has been continuously pleading for the ratification and full implementation by all Nations of the Maritime Labour Convention (MLC) of 2006. The entry into force of the Convention should indeed contribute to improved safety, improved working conditions & accommodation on board as well as improved competitiveness (by forcing out of the market sub-standard ships or practices). Overall this Convention could improve the quality of life at sea and the general image of the industry, opening new opportunities for the European Dredgers.

The implementation of this ILO Convention in the national legislations is progressing at different paces, with sometimes very dissimilar and discontinuous approaches. EuDA analysed the situation

among its members and identified dredgers' specific issues, including fundamental concepts such as the definition of ship and seafarer. In 2010, the conditions for ratification at ILO were still not met. In 2011, however, these conditions could be met and lead to an entry into force of the Convention (for any Member) 12 months after the date on which its ratification has been registered.

EuDA always supports and encourages fair competition and free access to world markets.

*With our best regards,
Marc STORDIAU Chairman
and his colleagues of the Board of EuDA.*

*"EuDA is pleading for the renewal
of the State Aid Guidelines to
Maritime Transport."*



Frank Verhoeven

Thank you, Frank! Our Rock Solid Treasurer!

At its 10th anniversary in 2003, EuDA was restructured both in terms of strategic steering and daily management. This resulted in 2004 in the selection of a new management team and a restructured Secretariat for the Association.

Mr Frank Verhoeven was part of this new management team which changed the course of EuDA and regrouped its members behind its redefined goals. Frank took up immediately the delicate and important role of holding the 'purse strings' of the Association: he has been our well appreciated Treasurer for the last seven years.

Inside and outside the board meetings, discussions between competitors are never easy and we had some heated debates over the years. However, we were all committed and have all dedicated resources from our own companies to steering the EuDA Committees. Boskalis has traditionally always taken the lead of the Social Committee. We would like to express our appreciation to Frank for committing to EuDA a valuable resource from his company!

On behalf of your colleagues in the EuDA Board of Directors, we would like to thank you, Frank, for your dedication to EuDA and solid support during these years.

We wish you all the best in your new endeavour, as Chairman of Smit, and welcome your successors on board the deck of the EuDA vessel: Mr Peter van der Linde for Boskalis as Vice Chairman and Mr Pierre Tison for Jan De Nul as new Treasurer.

Thank you, Frank
Good luck to you and Farewell!

Marc STORDIAU,
Chairman

Thank you, Werner!
Always busy but always available!

Like Frank Verhoeven, Werner Möbius was part of the original management team which took the reins of EuDA in 2004 to give the Association a new course behind which more members regrouped and adhered to its new focus: interfacing with the European Institutions and be considered as a constructive stakeholder!



Werner represented his family owned dredging company which he has developed in Germany and on the international markets. His views during the board meetings were appreciated over the years as well as his commitment to the dredging industry. His creativity and original solutions have always been admired by all his colleagues. He made Möbius into a big and competitive dredging company!

On behalf of your colleagues in the EuDA Board of Directors, I would like to thank you, Werner, for your dedication and support during these years to EuDA. On top of your professional career, you are also a great sportsman – each year you take part in the ENGADINER-langlauf-Marathon – Bravo! Mens sana in corpore sano!

We wish you all the best in your ‘active’ retirement and welcome your successor Mr Gerhard Raubenheimer on board the deck of our ship EuDA.

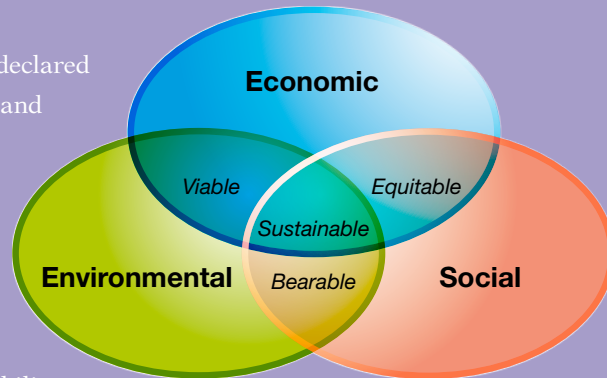
Thank you, Werner. Good luck to you and Farewell !

Marc STORDIAU,
Chairman

“Man & Nature” Key Sustainable Issues for the European Dredgers

Sustainable Development is the ‘development which meets the needs of the present without compromising the ability of future generations to meet their own needs’¹. This translates into development strategies that support and respect the economy, the society and the environment.

Coinciding with 2010 being declared “IMO year of the Seafarers” and “UN year of Biodiversity”, the theme for the Open Part Conference of EuDA’s 2010 Annual General Meeting was ‘Man and Nature’, elaborating on two of the main pillars for the sustainability of dredging operations: the human and the environmental aspects.



With regard to the social aspects and more particularly the working conditions on board ships, the ‘Maritime Labour Convention’ was presented along with some of its possible consequences for the dredgers.



The Maritime Labour Convention (MLC) was adopted by International Labour Organization (ILO) on 7th February 2006 but to this day, it still has to be translated into national law by the Member States to complete the ratification process. The status of the legislative implementation varies from country to country. At European level a Social Dialogue exists to negotiate the Social Partners’ Agreement between the European Shipowners’ Association (ECSA) and the European Seafarers’ Association (ETF). The result of the agreement was translated into a Council Directive which will only enter into force after the ratification at ILO.

The dredgers have key issues which need special attention from the national legislators (eg stationary dredgers, temporary staff onboard, accommodation, noise, etc.). The EuDA Social Committee has recently surveyed these issues among the European dredging companies and their foreign subsidiaries and will present its findings.

Concerning the *environmental aspects*, two specific initiatives implementing the concept of ‘Building with Nature’ were presented: ECOSHAPE in the Netherlands and ‘Vlaamse Baaie 2100’ in Belgium.

And, complementing these presentations, EuDA highlighted the conclusions of its workshop on ‘Green Innovations keep the European Dredgers at Global Leading Edge’, giving the European Dredgers’ perspective on ‘Building with Nature’.

In recent years more and more clients and stakeholders consider sustainable development as increasingly important and, as a consequence, environmental and ecological aspects of dredging activities have become strategic issues of paramount importance to keep a leading edge over foreign competitors in the global market.



European dredging companies are therefore taking the lead in behaving responsibly and contributing to a cleaner and more sustainable (marine) environment.

This responsibility is demonstrated in the active involvement of the European dredging companies in constantly renewing and modernising their fleet (increasingly cleaner, more efficient machinery and minimising adverse effects on the marine environment); in developing ‘eco-dynamic’ designs; and in commenting on and involving in the EU Political Framework focusing on policies that have a direct or indirect impact on marine construction projects.

¹ United Nations. 1987. “Report of the World Commission on Environment and Development.” General Assembly Resolution 42/187, 11 December 1987.

Participants and guests at the EuDA Conference on 'Man & Nature'







Key messages from the conference:

1 The dredgers are key waterborne transport stakeholders:

- a. transporting sand, rock, gravel and/or silt in the water environment;
- b. maintaining & expanding the maritime transport and offshore energy networks;
- c. world leaders in their niche market;
- d. constructive partners for policy, legislation and society.

2 There is a need in the waterborne transport for cooperation and integration:

between the relevant European policies:

- a. coordination of key policy objectives (eg DG ENV - DG MOVE);
- b. coordination of national implementation (eg guidelines);
- c. without overlooking sector specific approaches.

of relevant international legislations:

- a. IMO - ILO - WTO: coordinated ratification by Member States;
- b. Concrete action against unfair competition practices, including temporary mechanisms to counterbalance these practices.

of strategic knowledge & know how:

- a. need to continuously invest in RDI;
- b. need to continuously attract, educate and train new recruits.

3 The European Dredgers can help Policymakers, waterborne Industries and Citizens:

- a. provide solutions for maritime transport policy implementation (infrastructures, safety, environmental performance, ...);
- b. increase trade, energy & aggregates supply, residences, tourism;
- c. create new jobs, build new knowledge and implement new ideas;
- d. protect coastline, create new land;
- e. restore nature (eg clean polluted seabeds/riverbeds), create new nature.





Draught

A strong innovation drive supported by dedicated investments and combined with extensive cumulated experience is at the heart of the success of this capital intensive European dredging industry. Despite their impressive dimensions, our high-tech ships are like 'stilt walkers', designed to operate in deep or shallow waters causing as little damage as possible to nature.

Innovations keep the European Dredgers at Global Leading Edge

In the high-tech maritime market segments where the European Dredgers are active, the only way to keep growing and maintain global leadership is to innovate. Therefore, the European dredging companies continuously invest in R&D and Innovation in their new vessels and equipment as well as their processes and operations. World leadership in global markets is not a destination but a constantly moving target.

EuDA members invest in improving the efficiency of their operations and systems but they also invest significant amounts in new exploring and testing equipment to improve global environment conditions.

“World leadership in global markets is not a destination but a constantly moving target.”



FP7 joint Call ‘The Ocean of Tomorrow’ 2011

Initiated by the Maritime Policy and its research component the “EU Strategy for Marine and Maritime Research” (COM (2008) 534), more and more research is being funded by the European Commission to join the research efforts to meet the major challenges in ocean management. The first joint call of that type was FP7’s ‘**The Ocean of Tomorrow**’ which was launched in 2009 and with projects starting in 2010. A second call followed, opened on 20th July 2010 and closed on 18th January 2011. Research topics addressed in these calls are cross-thematic by nature, attempting to bridge and integrate in a coherent way the knowledge between the two research communities of the Marine Sciences and the Maritime Technologies. Only with a multi-disciplinary approach and a multi-sectoral partnership can the expected results be delivered.

“Only with a multi-disciplinary approach and a multi-sectoral partnership can the expected results be delivered.”

The Ocean of Tomorrow

The main objective of this joint call is to build the knowledge base for a sustainable growth of sea-based activities, by improving understanding and the predictive capacity of marine ecosystems’ response to a combination of natural and anthropogenic factors, while fostering innovations to make the most of sea resources. This call should provide a scientific foundation for feasible, sustainable management measures supporting policies, such as the new strategy for Europe EU 2020 or the Marine Strategy Framework Directive, and possible related technologies. It will contribute to respond in a coherent and integrated way to the EU Grand Challenges, such as global warming, tightening supply of energy, water or food security.

The call will be implemented through four topics:

- Topic 1: Multi-use offshore platforms. (14 million Euro)
- Topic 2: Marine microbial diversity – new insights into marine ecosystems functioning and its biotechnological potential. (9 million Euro)
- Topic 3: Assessing and predicting the combined effects of natural and human-made pressures in the Mediterranean and the Black Sea in view of their better governance. (13 million Euro)
- Topic 4: Knowledge-base and tools for regional networks of MPAs, integrated management of activities together with assessment of wind energy potential in the Mediterranean and the Black Sea. (9 million Euro)

The partly regional focus of the call on the Mediterranean Sea and the Black Sea reflects the huge sustainability challenges in these two sea basins.

EuDA is convinced that the concept of 'Building with Nature' perfectly fits in the strategy and policy of the Commission and is confident that it has its place in future joint calls such as '**The Ocean of Tomorrow**'.

Building with Nature

"Building with Nature is the flexible integration of land in sea and of water in the new land making use of materials and forces/interactions, present in nature, taking into account existing and potential nature values and the bio-geomorphology & geo-hydrology of coast and seabed."

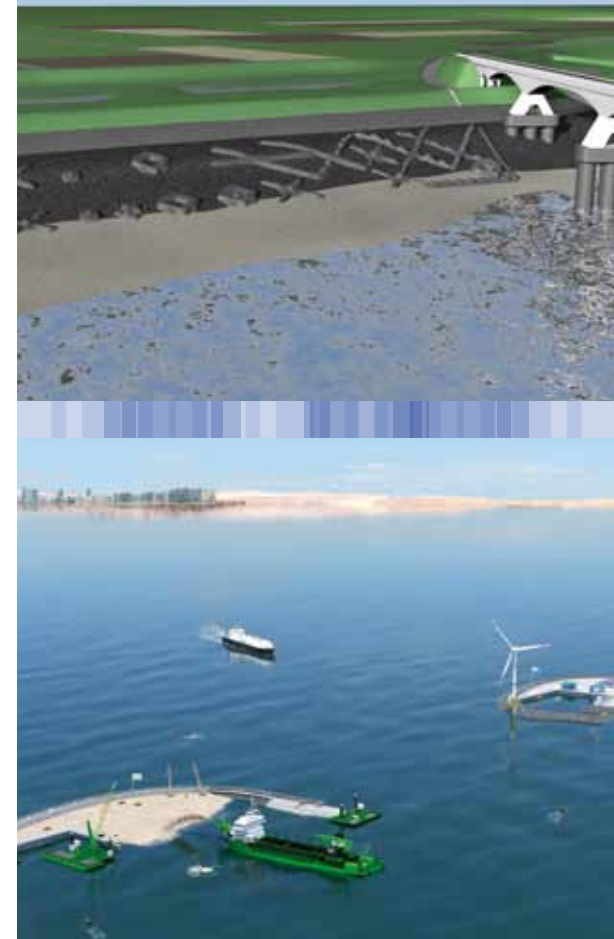
R. E. Waterman.

When applying concretely the 'Building with Nature' concept, it translates into "Eco-dynamic Development & Design" with which the dynamics of the natural system become the starting point for design and realisation of maritime infrastructures. By integrating key disciplines such as engineering, ecology & governance, 'Building with Nature' gives us the opportunity to build while using the natural processes and fitting in with the natural (eco-)system dynamics. During that process, we use the forces of nature

to produce hydraulic engineering infrastructures and to create new opportunities for nature at the same time.

As we learn to understand the dynamics of nature better, we can expand potential for integrating nature in the development and design process. With new insights and knowledge, nature itself becomes the driving force behind the sustainable development of hydraulic engineering infrastructures. In other words, 'Building with Nature' attempts to achieve a paradigm shift from a closed, defensive approach (where environment is a constraint) to an open, attacking approach optimising full (socio-)economic and environmental potential (where environment becomes an opportunity). This fits perfectly with the Europe 2020 Strategy promoting green growth and social progress.

*"Using the forces of Nature,
instead of fighting them."*

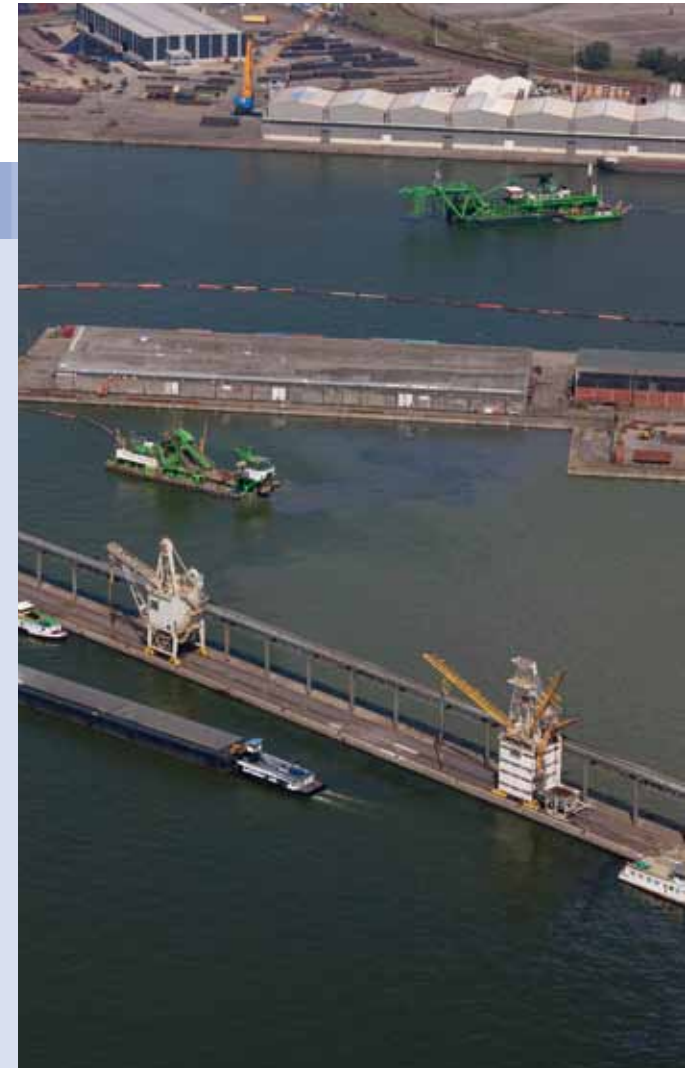


WATERBORNETM

The European Technology Platform WATERBORNE

The European Technology Platform (ETP) WATERBORNE is the Research Cluster of the European Maritime Industries Forum (MIF). Since its launch in January 2005, WATERBORNE has developed a growing influence on the content of the FP7 chapter for Maritime Transport. Its two 'main engines' are the Support Group of Maritime Stakeholders and the Mirror Group of Member States, reporting to the General Assembly of all participants.

Thanks to its dual approach (top-down and bottom-up), the ETP WATERBORNE has developed a solid Maritime Research Strategy, composed of the Vision 2020, the Strategic Research Agenda (WSRA) and the Implementation Route Map (WIRM). The fruits of this work can be seen in the fact that the last 4 calls of FP7 on Sustainable Surface Transport concerning maritime transport have a direct link with the WIRM.





ATHENA

FP8 WATERBORNE Declaration

As FP7 comes slowly to an end, the European Technology Platform (ETP) WATERBORNE has already started to work and is preparing the next European

Commission Research Framework Programme: FP8. In the WATERBORNE Declaration, the European maritime industries lay down their long term objec-

tives for research, development and innovation that should materialise the sectors' strategies for future economic expansion.

The WATERBORNE Declaration, April 2011.

“Out of sight and out of mind for the vast majority of people, the oceans are also the primary transportation route for many of our natural resources and the goods that are made from them. Globally, close to 90% of goods travel to their destination by sea and these volumes will continue to increase.

Given the pivotal role and potential of oceans in the economic, social and ecological wellbeing of our planet, their use must be managed sensitively and in a manner which minimises man's impact. Our past history of overexploitation and accidental damage bears witness to the difficulties of achieving this.

The WATERBORNE community, as a major provider of maritime products and services, understands its responsibilities in this regard. We understand that, in

the coming decades, we must redouble our efforts to develop strategies and technologies which will continue to deliver social and economic benefit without adversely affecting the environment upon which we depend.

A dynamic maritime industry is a key element of healthy societies, environments and economies. Our job is to deliver vital products and services to society. Our challenge is to do this in a sustainable manner. To succeed, we must continue to improve our infrastructure, our knowledge and our innovation capability.”

In the coming years, the WATERBORNE community will play a critical role in helping to achieve the “Europe 2020” objective of smart, sustainable and inclusive growth. WATERBORNE believes that research and innovation are essential to address

the dual challenges of societal and economic progress. WATERBORNE declares that it will:

- deliver more extensive, integrated, efficient and sustainable waterborne transport systems and infrastructure
- provide increased support for the emerging off-shore food, energy and minerals sectors
- reduce our impact on the environment
- play an important role in delivering a more competitive and sustainable low carbon economy
- continue to prioritise safety and security within the WATERBORNE community

To address these challenges, the WATERBORNE community will demonstrate strong leadership, will foster a co-operative and supportive research environment and will develop clear implementation plans.



ENVIRONMENTAL POLICY

Integration

By building in and with nature, the European dredging industry has become more and more aware of the importance of the natural systems and dynamics. By integrating in their project designs ecological concepts such as ecosystems knowledge and approach, the European dredging industry is recognised worldwide as a pioneer in developing and applying environmentally friendly technologies.

By optimising opportunities for new socio-economico-ecologic developments, the European dredging industry has become a flag carrier for sustainable development.



In 2010, the members of the Environment

Committee (EnvCom) were:

Eugen Jansen (EnvCom Chairman, Van Oord)

Dirk Poppe (DEME)

Gerard van Raalte (Boskalis)

Mark Russell (BMAPA)

Erik Mink (Interel)

Jens Schmidt (Detlef Hegemann)

Fay van Dongen (Vereniging van Waterbouwers)

Bart Callaert (JDN)

Paris Sansoglou (EuDA)

Revised Waste Directive

Building on the technical and lobby work of the last years, which removed the automatic qualification of 'dredged material' as waste in the Waste Framework Directive (WFD) of 2008, the EnvCom has pursued its efforts on this issue, providing guidance and support to the European Commission and the Member States.

To this end, EuDA organised a workshop on 'Dredged Material and the Waste Framework Directive' jointly with CEDA and ESPO to provide support to DG Environment and the Member States on the current revision of Annex III of the Waste Directive, focusing more specifically on the assessment of eco-toxicity (H14), for which guidance is not expected before the end of 2011 (see special feature at the end of this section).

The Waste Framework Directive, the confusion and the revision

The Directive 2008/98 'Waste Framework Directive' has replaced the original Directive 75/442 and its consolidated version 2006/12 'on Waste'. One of the 'raison d'être' for the revision came from the many difficulties in interpretation that consequently generated an extensive jurisprudence by the European Court of Justice (ECJ).

At the heart of many issues were the definitions in the Directive which were only partially clarified by the European Commission Interpretative Communication on the definition of Waste (COM(2007)59). Some Member States also took the initiative to publish guidance on the application of the waste legislation (eg: Guidance on the



Members EuDA Environment Committee from left to the right: E. Jansen (Chairman EuDA Environment Committee); M. Russell (BMAPA); E. Mink (Interel Cabinet Stuart); G. van Raalte (Royal Boskalis Westminster N.V.); J. Schmidt (VdN, Hegemann); D. Poppe (DEME); F. van Dongen (VvW); B. Callaert (JDN) and P. Sansoglou (EuDA).

legal definition of waste and its application by DEFRA in the UK, Jan. 2010).

The revised Directive 2008/98 (WFD) attempted to remedy the shortcomings of the original and to provide clarification where necessary. The dredgers consider that the most important issues for the implementation of the Directive are the following:

- the definition of waste and its implications;
- the waste hierarchy and the analogy with dredging;
- the exclusion from the scope of the Directive;
- the distinction between 'waste' and 'non-waste';
- and a clarification on the end-of-waste criteria.

This workshop was a success with over 30 participants, representing a good mix of government officials and industry professionals, involved with or responsible for the implementation of the revised WFD as well as the Water Framework Directive. Although no concrete methodology on assessing hazardousness of dredged material was identified



“Integrated Policies need mutual understanding and interdisciplinary cooperation.”



nor agreed, the discussions were considered by most participants as constructive and constituted a first step towards a commonly agreed solution.

Marine Strategy Framework Directive & Maritime Policy

The EnvCom followed closely the developments in the implementation process of the Marine Strategy Framework Directive (MSFD).

In the context of the MSFD, the Commission has established a Stakeholders' Consultation Group. CEDA has obtained the support of the European 'Navigation Cluster' to take the lead and coordinate the work of the Marine Strategy Navigation Group (MSNG). The main purpose of the MSNG is to coordinate the exchange of knowledge, experience and views on international navigation issues with regard to the MSFD implementation goals. Where possible and relevant, the knowledge is translated into professional advice that can be used in the implementation process of the MSFD. Out of the 11 descriptors, 4 are of possible relevance to the dredgers: D6 seafloor integrity, D7 hydrodynamics, D8 contaminants, D11 underwater noise.

The MSNG meets twice a year and prepares the messages and conclusions to be conveyed to the Commission's Stakeholders' Consultation Group. Erik Mink and Paris Sansoglou represented EuDA as corresponding member in the MSNG. As a non lobby organisation, CEDA will not directly represent the organisations that participate in the MSNG but it will convey their common views and messages. This means that EuDA will always be able to represent the European Dredging Industry in case of necessity. EuDA reiterated to the Commission its keen interest in sediment and coastal waters issues.

Concerning the Maritime Policy, the EnvCom followed and will continue to follow closely the implementation of the Blue Book's Action Plan, with special focus on the development of integrated coastal zoning management and maritime spatial planning. EuDA members are advised to concentrate their efforts in following and, when possible, supporting the implementation process by the national authorities.

In order to address the environmental aspects of the Maritime Policy and more specifically the Environmental Policies affecting the dredgers, the EnvCom organised a workshop on "Green Innova-

tions keep the European Dredgers at Global Leading Edge". The workshop took stock of the efforts of the European Dredgers to reduce adverse impacts on the environment and promoted the 'Building with Nature' approach in relation to the long term goals of the Marine Strategy. Although the MSFD was not its main focus, the discussions provided some meaningful insight on possible indicators for the marine ecosystems and the quantification of pressures on the marine ecosystem by dredging operations.

The workshop gathered around 30 participants and connected the different perspectives on the role and function of marine ecosystems and the effects of dredging activities (from legislation and guidelines, to marine research and science, to novel approaches to the design of marine infrastructures, to development and marine monitoring programmes for large marine infrastructure projects, to development of dredging equipment). For the conclusions of the workshop see section on coastal defence.

"The EnvCom follows closely the implementation of the Blue Book's Action Plan."

CO₂ Emissions

A few years back, EuDA established a dedicated CO₂ working group to tackle the issue of CO₂ emissions by the dredging fleet and support EuDA's lobbying with factual information and targeted communications: eg CO₂ footprint (maritime emissions) of the European Dredging Sector (for a more detailed report on the activities of the CO₂ Working Group, see under Climate Change).

European Ports and related Air Quality Policies

The concerns about air quality, specifically the concentration of particulate material, affect several ports in Europe. Action plans are being prepared, or have been defined (Rotterdam, Antwerp); this could eventually have an impact on maintenance dredging. The EnvCom is collecting information and is ready to put efforts into this subject if required. EuDA is regularly meeting with the Sustainable Development Working Group of ESPO. EuDA and ESPO exchange the agendas and priorities of their respective environment committees to follow more closely the development on European environmental policies affecting ports and dredgers.

The EnvCom follows closely the developments concerning the sulphur content of marine fuels

and will, in coordination with ECSA's and ICS' positions, present a position that will highlight the particulars of the Dredging Industry and promote a realistic and practical approach.

Ballast Water

The subject is on the agenda of IMO and the regional conventions such as OSPAR and HELCOM. IMO has adopted a Ballast Water Convention in February 2004 but the convention has not yet been ratified. So far in the discussion on regulating Ballast Water Management residual load in hoppers is not an issue. However, two Flag States, Belgium and The Netherlands, are preparing a submission (for the coming MEPC 62) which aims at clarifying the situation for the hopper dredgers, and amongst other confirm that the water load from the hoppers is classed as outboard water and should not fall under the scope of the Ballast Water Convention. After fruitful exchanges and discussions, a draft text was prepared by the two administrations in close cooperation with the EnvCom experts.

Ballast Water Management may also become prominent in the European Marine Strategy implementation. EuDA EnvCom will follow the developments and strive for coherence of any EU regulation with



IMO and existing regional conventions. Additionally, EuDA participated in a Consultation meeting organised by the European Commission on Invasive Alien Species, where participants and organisers confirmed that policies and legislation on this subject can only be effective at international level.

Habitat Directive and Expert Group on estuaries & coastal zones

Following the complaints by the ports sector and others, including the Dredging Sector, the Commission organised an expert group on estuaries and coastal zones. The mission of this group was to emphasise the particulars of dynamic marine environments and the possible consequences on habitats and navigation in view of the requirements laid down in the Habitat Directive.

The focus is the decision making procedure in art.6.1 in combination with the goal to provide more legal certainty for the ports sector in planning development projects.

The EnvCom provided expertise and actively participated in the Expert Group of the Commission. Jointly with ESPO, EuDA prepared an 'Estuary Guidance Paper'.

Although the progress was slow, the work within the Expert Group has come to an end and the final report, originally expected for Spring 2010, was published in Spring 2011. To accompany the guidelines, DG MOVE intended to produce a Communication to provide additional guidance to the Member States in the implementation of these guidelines. However, this led to a Commission Staff Working Document instead.

The Commission is still struggling to find the balance between nature protection and port's policy and navigation.

On the other hand, many of the implementation problems arise from national legislation and procedures that are out of the control of the Commission. However, it remains to be seen whether this final report will prove useful in realising a more pragmatic approach towards working in and near Natura 2000 sites.

Following up on this initiative, a new Working Group on Rivers and Habitats by the Commission with similar intentions as the expert group on estuaries and coastal zones was started in 2010. EuDA was actively participating in the work of this new expert group.

EuDA was also actively involved in the PIANC Envicom WG 143 (Screening Evaluation of Environmental Effects of Navigation and Infrastructure Projects). This PIANC WG is aiming at developing guidance for experts and authorities on assessment of effects and dealing with those areas where environmental protection and economic growth (navigation and infrastructure) need to be combined.

Ems Case and the Environmental Assessments in the European legislation

During the summer 2009, EuDA was informed on the 'Ems case', which opposed the city of Papenburg to the Federal State of Germany. This case involved regular dredging (maintenance as well as capital) to facilitate the navigation along the Ems River but also the transport of large newbuilt vessels from the Meyer yard to the sea. As the main legislative framework was the European legislation (mainly Habitat Directive), the European Court of Justice (ECJ) in Luxembourg was asked to provide a suitable interpretation of the legislation. The most relevant question for the dredgers and the ports was whether ongoing maintenance works in the navigable channels of the estuary, which were definitely authorised under national law before the Habitats Directive was transposed into national

law, must undergo an assessment of their implications following article 6.3 or 6.4 of the Directive where they are continued after the site became designated under the Directive. At that time, EuDA and ESPO could not act directly to provide expert opinion on dredging and therefore resorted to action through the press.

In January 2010, the European Court of Justice issued its judgment on the Ems case (ECJ C-226/08). Although offering a “practical way out”, this decision does not fully satisfy the European ports nor the European Dredgers. In a joint reaction, EuDA and ESPO stated that the Court reconsidered the earlier arguments of the Advocate-General and pronounced a judgment less restrictive. The two Associations also stated that the Court seemed to accept a more pragmatic solution whereby periodic maintenance dredging can be seen as one single operation, thus requiring a one-time assessment only. One of the main issues and source of confusion is that the Habitats Directive does not provide a definition of a plan or a project. In November 2010, the German District Court in Oldenburg has pronounced itself on the Ems case.

Overlapping legislation and missing definitions

On the occasion of the consultation on the revision of the Environment Impact Assessment Directive, EuDA produced a statement in which it urged the Commission

- to clarify the link between the three different types of analyses (required by directives 85/337 EIA Directive, 92/43 Habitats Directive and 2001/42 SEA Directive) and develop practical proposals to combine the analyses where possible;
- to clarify the various definitions (of projects, plans, ...) in the three Directives to avoid confusion and ‘abuse’;
- to make concrete proposals for eliminating overlaps and further integration of the various analyses without affecting ‘good care’, and also reducing the direct costs;
- to assess the real delays in project implementation caused by these analyses and make the indirect cost impact more transparent;
- to harmonise the approaches and priorities in the three directives and establish a common framework for dealing effectively with significant environmental impacts.





Thank you, Eugen!

Last year, Wouter Dirks, the first chairman of the Environment Committee of EuDA, was replaced by Eugen Jansen. Committed and available, Eugen achieved the difficult task of fitting the shoes of Wouter: keeping good contacts and relationships with the representatives of the European Commission, of the European Parliament and of the Member States, as well as sister associations involved in dredging.



Eugen Jansen

Unfortunately, Eugen had to leave this position too soon to take on new challenges in Scandinavia.

On behalf of the EuDA Board of Directors, we would like to take this opportunity to thank you, Eugen, for your time and efforts heading the EuDA Environment Committee.

However, the fight will continue with your successor Anneke Hibma, who we welcome onboard and to whom we wish all the best.

Thank you, Eugen

Good luck to you and Success in your new endeavour!

Marc STORDIAU,
Chairman

EuDA workshop on “Dredged Material and the Implementation of the new EU Waste Directive” TH 29/04/2010, BRUSSELS

Focus of the workshop

In order to exchange views and experiences and, in doing so, facilitate each other's work, the workshop gathered a variety of speakers and participants from the European Commission, the Member States and the industry. The workshop was moderated by Polite Laboyrie from the Dutch Ministry of Transport, Public Works and Water Management and also Chairman of the CEDA Environment Committee. From DG Environment, Gunther Wolff set the scene and provided the view of the European Commission on the Waste Directive with a focus on Annex III and the List of Waste.

Some Member States, Belgium, Germany, UK and The Netherlands, presented their Best Practices on Dredging and Dredged Material Management in both the marine environment and in freshwater (in the context of the international regulations). Before the open discussion, SedNet presented its view on Sediments in European River Basin Management.

The focus and main objective of the open discussion was on

- the relation between the Waste and Water Framework Directives and on identifying the relevance of existing international conventions;*
- whether or not a generic European approach will be needed to differentiate between non-hazardous and hazardous dredged material in light of the revised Waste Framework Directive.*

Pursuing its technical reflection of the last years, which resulted in the removal of the automatic qualification of ‘dredged material’ as waste in the revised Waste Framework Directive (WFD) of 2008, EuDA joined forces with CEDA and ESPO and organised on 29th April 2010 a workshop on ‘Dredged Material and the Waste Framework Directive’. This workshop, held in EuDA’s office, helped DG Environment and the Member States on the ongoing revision of Annex III of the

Waste Directive, focusing in particular on the assessment of eco-toxicity (H14), for which guidance was not expected before the end of 2011.

The definition of the non-hazardous category is one essential problem the national legislators are faced with, because it needs further interpretation. The key challenge for the dredgers in the national implementation of the WFD is the establishment of a fair and economically manageable procedure to verify whether dredged material is non-hazardous. The criteria to be developed should be unambiguous and practical to implement. Member States should remain free to develop their own threshold values for the applicable criteria in order to be able to develop a screening system that suits the local situation.

The workshop was a success with over 30 participants, representing a good mix of government officials and industry professionals, directly involved with or responsible for the implementation of the revised Waste and Water Framework Directives. Although no concrete methodology on assessing hazardousness of dredged material was identified nor agreed during the workshop, the discussions were considered by most participants as constructive and constituted a first step towards a commonly agreed solution. Moreover, during the workshop, some key interpretations of the revised WFD were confirmed, eg sediments remaining underwater should not be considered as waste.

Definition of Waste

At the heart of much of the confusion is the definition of ‘waste’:

Waste Framework Directive (2008/98/EC): “Waste means any substance or object which the holder discards or is required to discard.”

Although simple, this definition needs interpretation for instance for the meaning of ‘discard’ or how to understand ‘intention to discard’. Is it the very subjective notion of what the ‘owner’ of the waste has in mind? Besides, should the physical and chemical properties of the substance or product not

play a role in the determination of the waste status?

Without guidance on the interpretation, the concept of waste is so wide-ranging that it is not limited to disposal in the widest sense, but also includes recovery actions, such as processing or treatment, the creation of 'by-products' and incineration to produce energy, as confirmed by the decisions of European Court of Justice.

It should be noted that at international level, the OECD and the UN provide some interesting references.

The OECD, which has certain competences for waste legislation, did not subscribe to the broad-ranging definition of waste (as followed by the Waste Framework Directive), but instead chose the following approach (OECD C(2001)107):

“Waste refers to materials that are not prime products, for which the generator has no further use in terms of his/her own purposes of production, transformation or consumption, and of which he/she wants to dispose.”

In its Glossary of Environment Statistics, the UN states that:

“Wastes may be generated during the extraction of raw materials, the processing of raw materials into intermediate and final products, the consumption of final products, and other human activities. Residuals recycled or re-used at the place of generation are excluded.”

This workshop also provided the occasion to discuss the difficulties the Member States are faced with when transposing the Waste Framework Directive (WFD) into national rules or when implementing these rules. The workshop clearly identified significant differences in the implementation of the Waste and Water Framework Directives between Member States, but also within Member States (as interpretation of the WFD can vary between ministries). In fact there appears to be a significant difference between Northern and Southern EU countries in terms of implementation of the WFD into the national legislations: indeed, in the Southern countries, all waste goes to landfill while in the Northern, treatment of certain types of waste may allow them to be re-used, re-cycled, re-covered or

re-located. Most of the participants seemed to agree that a follow-up workshop should probably be organised in the near future, focusing on the exchange of best practices from North to the South (with the support of an ad hoc questionnaire on the handling, in the different Member States, of selected example cases). The follow up workshop could also aim at defining a concrete approach, areas of attention and further research.

Participants and guests at the EuDA Workshop







CLIMATE CHANGE

Footprint

The European dredging industry executes large scale projects which are often environmentally sensitive. In this quality, the European Dredgers are able to tackle big global challenges, such as 'Climate change', triggered by the increase of anthropogenic greenhouse gas emissions, as a consequence of the extensive use of fossil fuels.

Our engineers are working hard to find solutions, on the one hand, to curb down and reduce our sector's emissions of greenhouse gases and, on the other hand, to mitigate the effects of climate change. The European dredging industry aims to be a gentle giant with a small footprint.



W. Dirks, Chairman EuDA CO₂ Working Group

Members EuDA CO₂ Working Group from left to the right:

E. van Wellen (DEME); P. Tison (Jan De Nul); F. van Dongen (Vereniging van Waterbouwers); P.J. van der Giessen (Boskalis); E. Mink (Interel); R. Kolman (IADC) and P. Sansoglou (EuDA).



In 2010, the members of the CO₂ Working Group were:

Wouter Dirks (Chairman, Van Oord)

Eric van Wellen (DEME)

Pierre Tison (JDN)

Fay van Dongen (Vereniging van Waterbouwers)

Piet Jan van der Giessen (Boskalis)

Erik Mink (Interel)

René Kolman (IADC)

Paris Sansoglou (EuDA)

Established after EuDA's 2008 AGM, the CO₂ Working Group continued its work and functioned as a central point for the dredging industry on attempting to reach a common position with respect to GHG reduction policies and actions that lead to better energy efficiency by the Dredging Sector.

The CO₂ Working Group consists of representatives of JDN, DEME, Van Oord and Boskalis and representatives of EuDA, IADC, VvW (formerly VBKO).



1. European Commission Climate Change Policy

The main changes in the policy landscape included the renewal of the European Commission with the creation of a new DG on Climate Action with a new Commissioner, Mrs Connie Hedegaard. As expected, the policy by the new Commission remained in line with the policy of the previous Commission.

However, the main political fora of relevance for the CO₂ policy making remain the international bodies including UNFCCC COP15 and IMO MEPC 60 and 61.



Commissioner Connie Hedegaard



2. International lobby action towards IMO Marine Environment Protection Committee (MEPC 60 and 61)

At the end of 2009, EuDA produced a Position Paper on CO₂ which was providing facts on the situation of the European Dredging Industry and arguments towards more practical and better suited policy options.

Based on and in support of this Position Paper, EuDA and IADC issued a joint Statement on CO₂ addressed to the IMO delegates, to inform and encourage them to exclude the dredging vessels from the scope of the EEDI as well as to assure them of the commitment of the Dredging Industry to reduce CO₂ emissions by establishing in the course of 2010 to 2011:

- 1) *A set of fact-based emission figures (different types of operations, normalised conditions);*
- 2) *A transparent calculation method (energy performance of specific types, variable project specifications);*
- 3) *A benchmark for future emission reduction.*

The overall joint lobby actions by EuDA and IADC can be considered as satisfactory. In their



joint lobby efforts the two Associations managed to successfully reach the IMO representatives from 30 member states, including 9 EU countries, 13 Austral-Asian, 6 American and 2 African. Moreover, EuDA also sensitised the European Commission and the Belgian Presidency. From this exercise, EuDA has understood that greater cooperation at local level with the national ship owners association is essential for a more effective lobbying. The lobby and information actions on this important topic will continue in 2011.

3. CO₂ Task Group Emission Figures (TGEF)

The Task Group Emission Figures (TGEF) was established in the Summer of 2010 to analyse and make the preparatory work to fulfil the commitment by EuDA and IADC in their statement on CO₂ (set of fact-based emission figures; transparent calculation method; benchmark for future emission reduction).

The work done by the TGEF should conclude in 2011 and will prove useful to the dredging community, particularly the dredgers' clients who can use such information to calculate their CO₂ footprint.

In collecting and compiling the figures and establishing the benchmarks, the TGEF will keep the models simple to understand and to use as well as close to reality.

*“When lobbying national IMO delegations,
National Shipowners’ Associations are key players.”*



Thank you, Joost!

Following changes of his responsibilities within Boskalis, Joost Rijnsdorp had to give up his seat in the CO₂ Working Group.

On behalf of the EuDA CO₂ Working Group as well as the Environment Committee, we would like to take this opportunity to thank you, Joost, for your dedication and commitment to the EuDA CO₂ Working Group and the environmental legislations threatening to affect the European Dredgers.

We appreciated your enthusiastic contributions and clear points.

The work will continue with your successor Piet Jan van der Giessen who we welcome onboard and to whom we wish all the best.

Thank you, Joost
Farewell!

**On behalf of the CO₂ Working Group and the
Environment Committee**

Infrastructures

Custom-designed multipurpose infrastructures can achieve multiple policy objectives: improving safety, quality of life as well as nature on and off the coast. Innovative ideas and creative solutions have often emerged from observing nature and uncovering its secrets. A good example of this are the millennia old basalt pillars that sprang out of the ground along the Irish coast to form a huge barrier, defying time, weather and sea waters. The 'Giant's Causeway' is a timeless example of forces of nature protecting us against other forces of nature, embodying our integrating philosophy and inspiring our engineers.



EuDA workshop on “Green Innovations keep the European Dredgers at Global Leading Edge” WE 03/11/2010, BRUSSELS

Focus of the workshop

In order to address the environmental aspects within the Maritime Policy, in the perspective of the Environmental Policies affecting the dredgers, a broad variety of speakers and participants from the European Commission, the academia and the industry were invited to this workshop. The workshop took stock of the efforts of the European Dredgers to reduce adverse impacts on the environment and promoted the ‘Building with Nature’ approach in relation to the long term goals of the Marine Strategy.

The workshop was chaired by Eugen Jansen, Chairman of EuDA’s Environment Committee and the discussions were moderated by Erik Mink from the EuDA Environment Committee.

Prof. Patrick Meire from Antwerp University and Birgit Snoeren from DG Environment set the scene: highlighting the role of ecosystems in marine environments, the concept of ‘ecosystems services’ and giving a brief perspective from European Commission on the environmental aspects of the Maritime Policy and the other relevant environmental policies linking with dredging and marine construction.

Two key dredging related initiatives in the Member States on ecosystem’s approach in Integrated Coastal Zone Management (ICZM) were then presented: ECOSHAPE and Vlaamse Baaien 2100.

Additionally two key research programmes (monitoring programme for Maas-Vlakte 2 and Marine Aggregate Levy Sustainability Fund) were presented to illustrate the importance of research and innovation for dredging operations.

The focus of the open discussion that followed the presentations was on

- *How to economically apply the ecosystem’s approach in marine coastal management?*
- *How can forces of nature be put to use in shaping coastal structures and works?*
- *Can industry create a win-win-win situation with positive economical, societal and environmental impacts?*

Where dredging was traditionally associated with deepening waterways and removing polluted mud, it has long since evolved to become the key technology and solution provider for creating marine infrastructure, for protection of coastal zones and for flood protection. Environmental and ecological aspects of the dredging activities have become strategic themes for the profession.

The environmental awareness of the dredging sector grew over the years, partly in response to the sizable body of European environmental legislation which increased the environment friendly requirements and expectations of the main dredging clients. This awareness stimulated significant investments by the European dredging companies in new vessels, new equipment and new concepts like ‘Building with Nature’. Dredging companies are indeed actively engaged in the development of eco-dynamic design concepts which seek to integrate the functionality of marine ecosystems with highly efficient working methods in order to realise marine and coastal infrastructure that meets the societal needs in an environmentally responsible manner.

EuDA organised a workshop on ‘Green Innovations keep the European Dredgers at Global Leading Edge’ to broaden the environmental awareness of the dredging sector and to discuss more in depth these issues in the light of the implementation process for the Marine Strategy Framework Directive. The workshop gathered around 30 participants and presented the views and insights from very different perspectives covering legislation and guidelines, marine research and results of monitoring programmes and also novel approaches to the design of marine infrastructure.

Participants and guests at the EuDA Workshop





The discussions provided some meaningful insight for the Marine Strategy on possible indicators for the marine ecosystems and the quantification of pressures on the marine ecosystem by dredging operations.

The main messages to take home from the workshop were that:

- the ecosystems approach and the concept of delivering ecosystem services are essential building blocks in the development of marine strategies and policies;
- ecosystem services constitute the link between the environmental importance of marine ecosystems and the socio-economic benefits of these services;
- the dredging sector should see the ecosystems approach as an opportunity to develop novel methods and concepts;
- indeed, the design approach that builds on the natural dynamics of marine ecosystems (eco-dynamic design or ‘building with nature’) is promising and entirely in tune with the objectives of the Marine Strategy Directive;
- the ‘building with nature’ philosophy calls for adaptive management and adaptive implementation and thus implies the need for appropriate monitoring;
- the eco-dynamic design concept should help understand and lead the competent authorities for the licenses to be more flexible as far as the conditions in the permit are concerned (it is not always possible, prior to the project construction phase, to predict in detail all the environmental impacts but this can be substituted by targeted monitoring and adaptive implementation);
- a wealth of data on the impact of dredging activities is available as a result of current research, monitoring and evaluation programmes.

Marine Strategy Framework Directive

The Marine Strategy Framework Directive (MSFD) as it is currently being implemented seeks in essence to restore the good environmental status (GES) of the European seas. In order to be able to assess whether a marine region has achieved GES, the directive identified 11 ‘Descriptors’ that should capture the GES. These descriptors are however very wide-ranging and as such not measurable. The implementation process expands the descriptors into a larger number of ‘Indicators’, parameters that can be assessed qualitatively and possibly be quantified. The selection process for indicators has provisionally been finalised.

When considering the Marine Strategy Framework Directive (MSFD), the Environment Committee of EuDA concluded that:

- *the objectives of the MSFD are very ambitious;*
- *the scale at which Good Environmental Status (GES) needs to be assessed is very wide and ranges from marine sub-regions to large sea regions;*
- *the ecosystems approach that the MSFD embraces is indeed the correct level for dealing with such complex issues;*
- *the scale at which dredging activities might affect the environmental status (and the functioning of the relevant ecosystems) of marine regions is localised and temporary (limited both in space and time);*
- *it was confirmed that only 4 of 11 descriptors could be of some concern for the sector. These 4 descriptors are: D6 seafloor integrity, D7 alteration of hydrographical conditions, D8 contaminants (in sediments), D11 underwater noise.*



Protection

Vital organs are usually delicate and by nature they need special protection. Our most valuable but also our most vulnerable assets are our human capital. Following a long European tradition, we protect our people from physical harm as well as social risks: providing them with continuous training, high-quality working standards, equipment and professional installations but also covering them with well developed and decent social protection, and giving them fair contracts and above-norm working conditions.





Members EuDA Social Committee from left to the right

above
J. den Hartog (Chairman, Boskalis); B. Toft Franzen (Rohde Nielsen);
H. Bleker (Vereniging van Waterbouwers)

middle
P. Piron (Jan De Nul); T. van Schaik (Van Oord);
B. Monteyne (DEME);

below
F. Kröcher (Josef Möbius Bau-AG); P. Sansoglou (EuDA).

In 2010, the members of the SocCom were:

Jan den Hartog (Chairman, Boskalis)

Bo Toft Franzen (Rohde Nielsen)

Henry Bleker (Vereniging van Waterbouwers)

Philip Piron (Jan De Nul)

Ton van Schaik (Van Oord)

Bruno Monteyne (DEME)

Frank Kröcher (Josef Möbius Bau-AG)

Paris Sansoglou (EuDA)

In continuation of the last few years' efforts, the Social Committee has been focusing on the following three main issues:

- Implementation of the Maritime Labour Convention at European level (ILO MLC 2006).
- Revision of the Standards for Training, Certification and Watch Keeping (IMO STCW).
- EU-State Aid.

1. Implementation of the Maritime Labour Convention at European level.

Since the discussions at European level between the European Transport Workers' Federation (ETF) resulted in an EU Directive implementing the Maritime Labour Convention (MLC), the Social Com-

mittee concentrated its discussions and efforts on the implementation at national level.

In order to better assess the situation in each Member State, the SocCom developed and circulated a questionnaire on the implementation of ILO MLC 2006.

This questionnaire transmitted to EuDA members had principally two goals:

- 1) raise awareness of the potential pitfalls for the dredgers
- 2) collect information on the legislative process in the member states of highest relevance.



EuDA Questionnaire results

From the analysis of the responses, which were also presented at the EuDA AGM, the Committee has made the following main findings:

- **Dredging companies are mostly involved in the process in the countries of their Head Quarters or flag;**
- **Where the National Associations (of dredgers or shipowners) exist, they are the preferred interface with the government. However, it has to be noted that outside the dredging associations, some difficulties can occur:**
 - 1) *dredging specifics are not always well understood;*
 - 2) *information on progress is kept from the non negotiating parties due to confidentiality;*
 - 3) *specific requests/messages are harder to get on the negotiations' agenda;*
- **Concerning the estimated impact on the companies, in most cases, it is difficult to estimate the required investments in time or money as the legislation is still not finalised. Some members have however identified possible needs to invest in the existing (older) fleet for the reduction of noise level and for improved accommodation; and are considering a possible investment of 1 man year in time and resources for their entire fleet;**
- **So far, several areas of concern have been identified in the national legislations:**
 - 1) *the definition of ship (which could include non self propelled platforms);*
 - 2) *the definition of seafarer (which could include any staff working on board a ship);*
 - 3) *the need for a 'grandfather clause' for the existing fleet (to keep at reasonable levels the investments of compliance to the new MLC rules;*
 - 4) *some consider the 'No more Favourable Treatment' of Port State Control as a potential issue (particularly when legislations differ between Flag State and Port State);*
 - 5) *the need for employment contracts between seafarers and non shipowning third parties (eg employment agencies);*
 - 6) *the salary conditions (eg overtime, equality clause);*
 - 7) *the acceptance of the medical certificate by all Flag States;*
 - 8) *and finally, the time to provide MLC Certification to the fleet might exceed the deadline for enforcement of the Convention (delays in the legislation, limited manpower in Recognised Organisations and possible problems to prove compliance despite being above standard).*
- **The general approach in most of the covered countries (with history of social legislation for seafarers) is to adapt existing laws. In some specific cases, like Germany or Cyprus, a mixed approach was chosen, adapting existing laws as well as creating new ones.**



From the highlighted results, the Social Committee expressed some concerns and sometimes worries about these developments particularly, as the members of EuDA are operating in many Member States and under more than one Member State Flag. Some members of the Social Committee have expressed strong concerns over possible competition distortions on the social field and want to avoid any 'flag disadvantage'.

2. Revision of the Standards for Training, Certification and Watch Keeping.

The revision process of STCW in International Maritime Organization (IMO) has been completed and was closely monitored by the SocCom.

The discussions on fatigue issues have resulted in more attention being paid to the risk of fatigue. However, the revision does not hamper the current working hours on board dredging vessels.

Furthermore, the revision of the STCW has resulted in the following main changes:

- more focus on prevention of fraud in the issuing of Certificates of Competency;
- new standard for deck-ratings and ratings engine-room;
- new training standards for modern technology (especially ECDIS) and on modern trends like security training and environmental awareness;
- more attention on effective implementation of refresher training including possibilities of e-learning.

The revision will enter into force by 1st January 2012 and should be fully implemented by Member States by 1st January 2017.

3. EU State Aid.

The SocCom has actively followed the developments regarding State Aid in Europe.

In 2010, the New Commission was put in place and the main concern for EuDA was the transfer of competencies on State Aid to Maritime Transport from DG MOVE (transport) to DG COMP (competition). This has resulted in a delay in the revision of the current State Aid Guidelines to Maritime transport. However, according to the expert opinion of

the EuDA State Aid Lawyer, this delay should have no impact on the validity and continuity of the current Guidelines in 2011.

Thank you, Patrick!

Following changes of his responsibilities within DEME, Patrick Demoor had to give up his seat in the Social Committee.



Patrick Demoor

On behalf of the EuDA Social Committee, we would like to take this opportunity to thank you, Patrick, for your dedication and commitment during these past years to the EuDA Social Committee and the social legislative issues impacting on the European Dredgers.

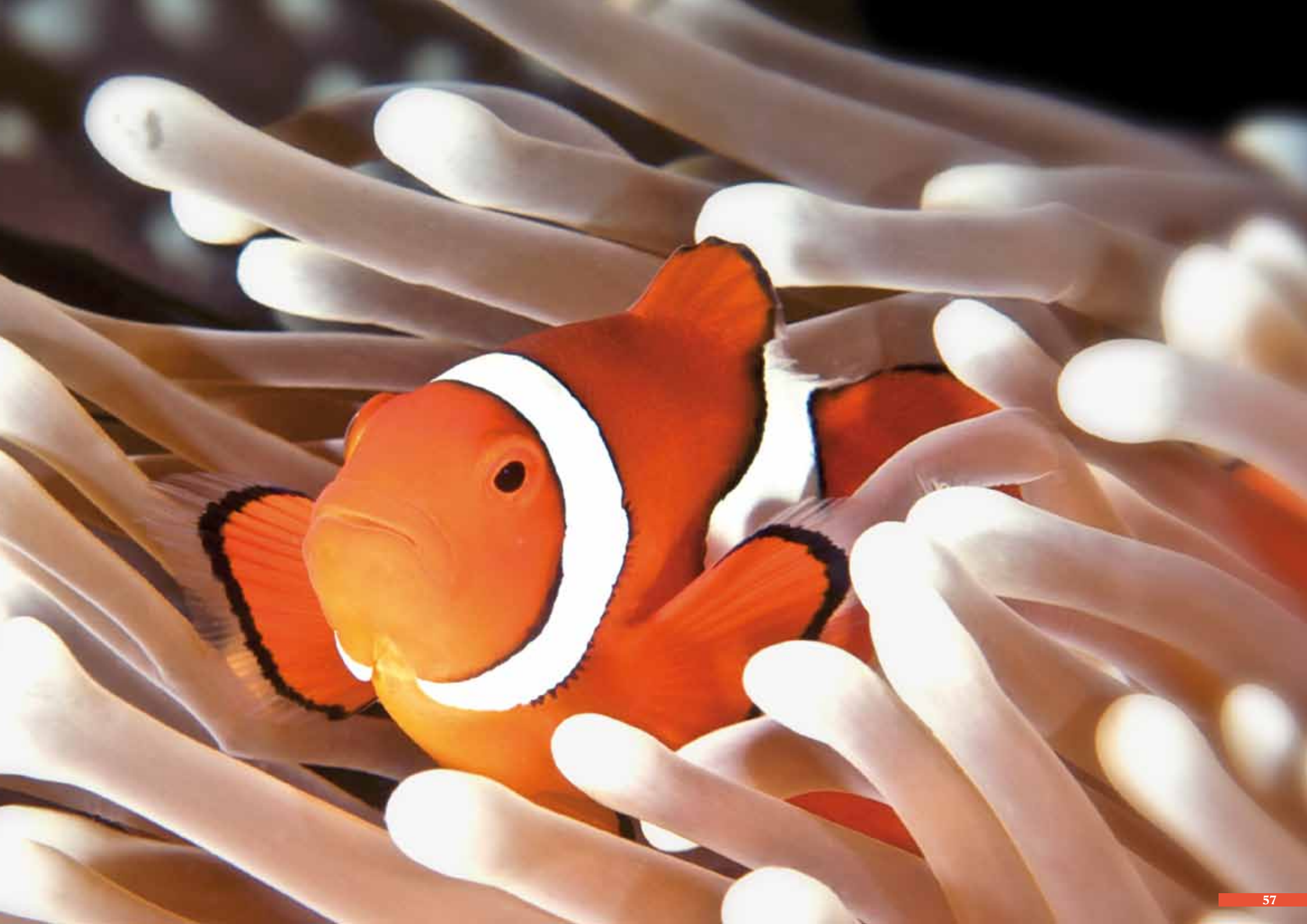
We appreciated your enthusiastic contributions and clear points. Thank you, Patrick. Farewell !

On behalf of the Social Committee



Visibility

The European dredging industry is dedicated to protect its human capital and its fleet from all sorts of risks and sources of harm: developing coherent safety and security policies. Sometimes simple but efficient measures help reach the goal, like our fluorescent jackets, making our workers visible on the building sites/wharfs. Sometimes, more drastic measures need to be taken, like the presence of EU frigates next to our ships to guarantee their safe passage transiting along the Somali coast. Visibility makes a world of difference.



Security issues around the African continent

Since the hijacking of the *Pompei*, on 18th April 2009, EuDA members have continuously had to take protective measures against piracy and still worry about the safety of the crews and ships navigating along the East and West African Coasts (through the Gulf of Aden or along the Coasts of Somalia, of Cameroon or of Nigeria).

In different press releases, EuDA has repeatedly called for a rapid, determined and decisive approach by the concerned European Authorities in support of all the European maritime industries. EuDA supports a 'comprehensive approach' in geographical terms (looking at the whole continent of Africa), in terms of time horizons (looking at short, medium and long term strategies) and in terms of means to deploy (military as well as economic and humanitarian actions).

Over the last two years, the EU naval operation 'Atalanta' has proven both necessary and useful. However, the security problem is still not resolved and instead spills over beyond the Gulf of Aden into the neighbouring regions. Restoring security in this growing geographical area is a task comparable to filling the 'bottomless pit' of the Danaides. Progress

is slow and remains far from satisfactory. But the efforts must continue. Therefore, EuDA welcomed the Council decision on June 2010 to extend the Operation's mandate for another two years until December 2012.

Following around 20 years of ineffective central government, piracy has been able to develop in Somalia. Since 2007, piracy has exploded in the Gulf of Aden and around the 3,000 kilometre coastline of Somalia, through which over 20,000 ships transit every year. Thanks to international navy patrols, this number has for the first time been reduced in the Gulf of Aden and the overall progress of the Somali pirates' attacks has been stabilised ...

However, in 2010, still 219 attacks were attributed to them, with 49 vessels effectively hijacked and 1,016 crew members taken hostage at their hand. It is also worth noting that many attacks are still not necessarily reported.

"EuDA supports a 'comprehensive approach' against piracy."



Possible actions and way forward

In the short term, key measures and actions for the prevention of attacks should be promoted, such as:

- the recommendations contained in the 'Best Management Practices' issued by the maritime transport industry, which include better training of seafarers, ships adapted and equipped with self protecting measures;
- the presence of military personnel onboard.

EuDA is in principle opposed to the use of private armed guards on board ships as this might create an escalation of violence in the pirate attacks. In this context, EuDA welcomes the 2010 Commission Recommendation on "*measures for self-protection and the prevention of piracy and armed robbery against ships*" using the 'Best Management Practices' developed by the industry.

Military action is useful, and even indispensable, but on its own it cannot eradicate the roots and causes forcing the Somalis to embrace piracy.

In fact, it constitutes a significant step towards the pacification of the littoral states concerned. Key measures still necessary to improve the effectiveness of military action in the concerned regions should include:

- improving the legal framework limiting the actions of the Navy;
- increasing the prosecution of captured pirates thanks to more agreements like the EU-Kenya one, also with non EU countries;
- keeping the payment of ransom legal (no ban on payment of ransom);
- improving the fight against money laundering;
- rebuilding the military capacity of the littoral states, by training local soldiers (on land) as well as local coastguards.

In parallel, actions targeted towards improving and insuring local sustainability should include:

- the continuation and increase of humanitarian aid to these regions, food delivered by the World Food Programme feed more than 2 million people;
- the fight against illegal fishing and dumping in the Somali territorial waters.

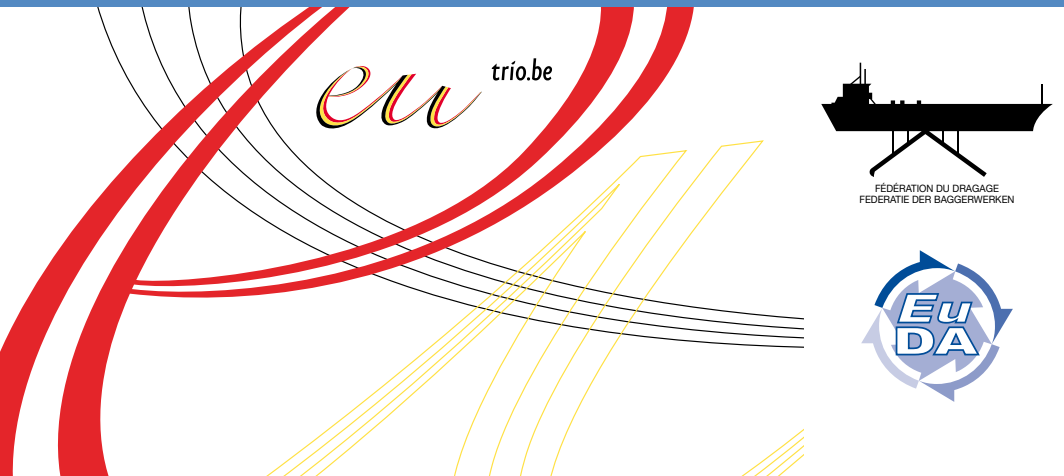
In the long run, Europe should establish an 'African continent strategy', aiming at (re)establishing political stability, the rule of law and insuring economic growth in all of these countries, focusing particularly on the East Coast. As long as the rift between rich and poor keeps deepening, no long term solution can be found for these African countries. Without proper living conditions and work their population is driven to despair, continuously feeding the pirate dens with new recruits.



Pride

World leader in a global niche market, the European dredging industry is facing competition from all over the world. In some cases competition is kept at bay and a local market's access is protected. On open markets, the European dredging industry can be facing unfair competition: bidding against state owned competitors benefiting from often self created market distortions. Gambling with the safety of one's staff or their working conditions and social security, should not be an option and workers around the world should benefit from the same working conditions. As Europeans, we are proud of our values and work hard to get them recognised worldwide with the help of the EU.

Belgian Presidency Event with EuDA on “The European Dredging Industry presented to the European Council Shipping Working Group” WE
15/12/2010, BRUSSELS



In the summer of 2010, EuDA was approached by the officials in charge of the maritime policies for the Belgian Presidency of the EU to prepare a ‘field trip’ for the Shipping Working Group of the European Council and introduce them to the European dredging industry.

With the help of the Belgian Dredging Federation, Jan De Nul and DEME, EuDA was able to put together an interesting programme and to introduce, on the 15th December 2010, the European dredging industry, the Belgian Dredging Federation and EuDA to around 40 maritime affairs officials representing 21 EU Member States. EuDA once again would like to present its special thanks to Jan De Nul and DEME for their kind support and sponsoring of the event.

Through the voices of Géry Vandewalle, Alain Bernard, Philippe Mathéi and Paris Sansoglou, the maritime transport attachés and the other maritime ministry officials learned more about dredging, about its contribution to maritime transport and about the significant policies and legislations impacting the sector.

Split in smaller groups, the participants were also given a guided tour of the installations of Jan De Nul in Aalst (Belgium). The day was concluded with the ship launch of DEME’s Victor Horta in Heusden (Netherlands).

During their presentations and speeches, the dredgers highlighted the following messages:

- European Dredgers are world leaders in a global high-tech niche market of 11bn Euro;
- not all markets around the world are freely accessible and significant threats exist, particularly from state owned and state sponsored Asian companies;
- unfair competition and competition distorting practices should be tackled with (including the use of temporary mechanisms to counterbalance these practices);
- dredgers are key stakeholders for waterborne transport:
 - specialised transporters (sand, rock, gravel, silt),
 - maintaining & expanding the waterborne transport networks as well as the offshore energy networks (oil & gas as well as wind farms);
- cooperation and integration are essential for the correct and efficient implementation of international and European legislation;
 - at European level, policy objectives (eg for transport policy and for environment policy) need to be coordinated in order to avoid conflicts and counteractive procedures;
 - international Conventions at IMO or ILO should be ratified;
 - at Member State level, the implementation of the international and European legislation should be coordinated (eg through guidelines or circulars) to achieve similar interpretations and applications of the same laws and avoid regional and geographical distortions;
 - sector specific approaches should not be overlooked and the European Dredgers are ready to cooperate and provide their contribution to improved policies and legislation;
- European Dredgers continuously invest in RDI and take initiatives to continuously attract, educate and train new recruits;
- European Dredgers are ready to provide their contribution to improved Nature and Society in a sustainable way.





Belgium

DEME Building Materials NV (DBM)
Dredging International N.V.
N.V. Baggerwerken Decloedt & Zoon
Jan De Nul nv
Fédération du Dragage Belge A.S.B.L.
Flanders Dredging Corporation NV



Cyprus

Boskalis Westminster Dredging & Contracting Ltd.
Van Oord Middle East Ltd



Denmark

Rohde Nielsen A/S



Estonia

Terramare Eesti OU



Finland

Terramare Oy



France

EMCC
Atlantique Dragage S.A.
Atlantique Dragage Sarl
Société de Dragage International 'SDI' SA
Sodranord SARL
Sodraco International SAS



Germany

Brewaba Wasserbaugesellschaft Bremen mbH
Josef Möbius Bau-Aktiengesellschaft
Nordsee Nassbagger-und Tiefbau GmbH
Vereinigung der Nassbaggerunternehmen E.V.



Ireland

Irish Dredging Company
Van Oord Ireland Ltd



Italy

Boskalis Italia
Dravo SA
Societa Italiana Dragaggi SpA 'SIDRA'



Latvia

Baltic Marine Contractors SIA



Luxembourg

European Dredging Company S.A
Jan De Nul Group (Sodifra SA)



Netherlands

Aannemingsbedrijf L. Paans & Zonen
Baggerbedrijf De Boer B.V. / Dutch Dredging B.V.
Baggermaatschappij Boskalis B.V.
Ballast Nedam Baggeren bv
Boskalis B.V.
Boskalis International B.V.
Boskalis Offshore bv
Dredging and Contracting Rotterdam B.V.
Mijnster zand- en grinthandel bv
Tideway B.V.
Van den Herik B.V.
Van der Kamp B.V.
Van Oord ACZ Marine Contractors bv
Van Oord Nederland bv
Van Oord nv
Van Oord Offshore bv
Vereniging van Waterbouwers
Water Injection Dredging bv



Portugal

Dragapor Dragagens de Portugal S.A.

Dravo SA



Spain

Flota Proyectos Especiales, S.A. (Grupo ACS)

Dravo SA

Sociedade Española de Dragados S.A.



Sweden

Boskalis Sweden AB



UK

British Marine Aggregate Producers Association

Dredging International (UK) Ltd.

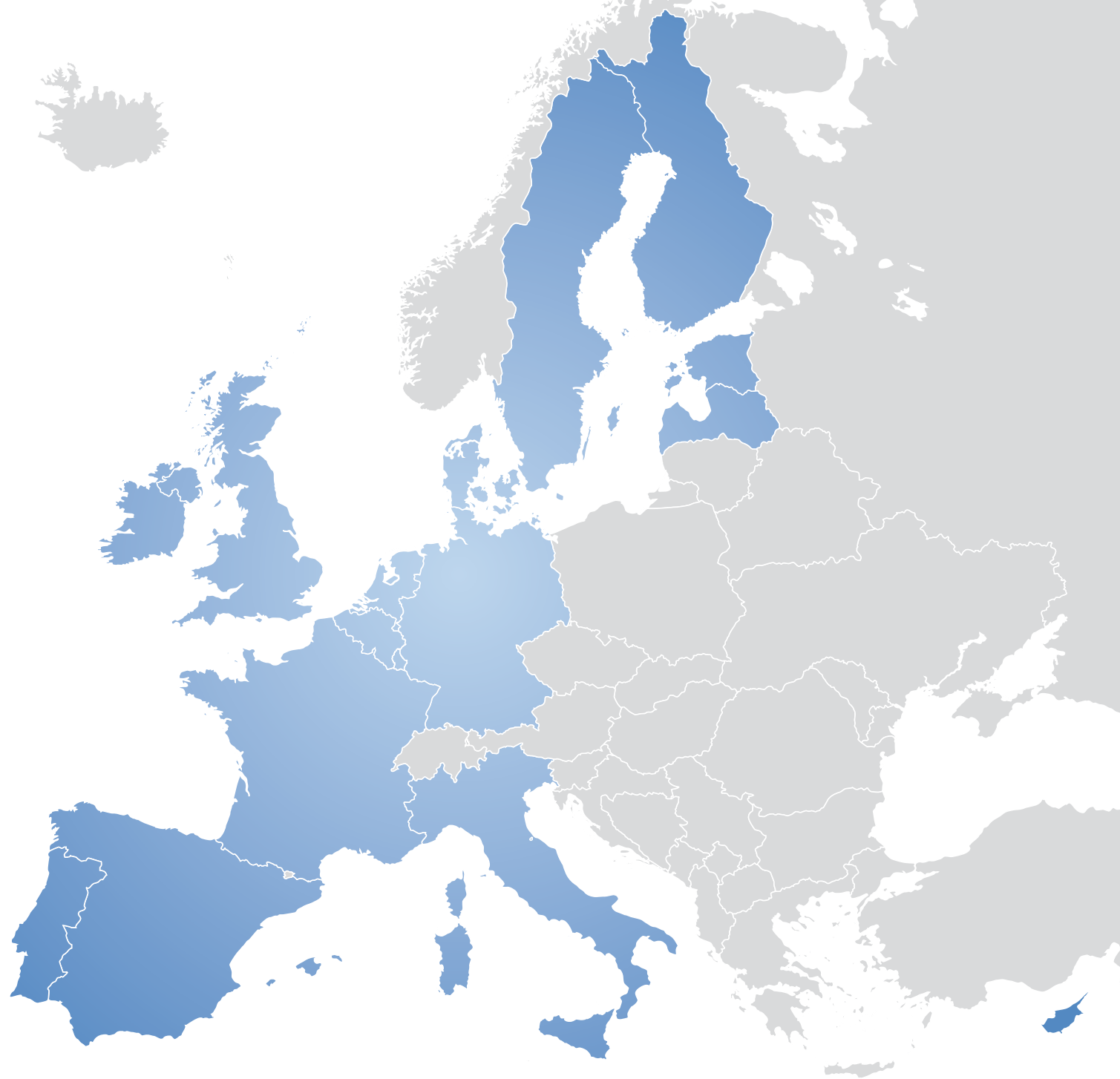
Jan De Nul (U.K.) Ltd.

Rock Fall Company Ltd

Van Oord UK Ltd.

Westminster Dredging Co. Ltd.

*“EuDA always supports
and encourages fair
competition and free access
to world markets.”*





EuDA

Founded in 1993, the European Dredging Association (EuDA) is a non-profit industry organisation for European dredging companies and related organisations, representing approximately 25,000 European employees “on land and on board of the vessels” in direct employment and more than 48,300 in indirect employment (supply and service companies) with approximately 750 seaworthy European-flagged vessels. EuDA represents the interests of the European dredging industry, primarily at the European institutions.

Dredging activities are not well known by the larger public, but as a matter of fact, the European dredging companies, members of EuDA, are world market leaders with about 80% share of the worldwide open dredging market and a turnover of 6.5bn Euro in 2009. Although 70% of operations take place outside Europe, 90% of the returns flow back to Europe.

The Association serves its members in all kinds of requests related to dredging issues, presently strongly emphasising Social and Environmental affairs. These issues are coordinated by the Secretariat and executed by its specialised working groups composed of experts from the member companies.

The Association will pursue its goals by endorsing policies to create fair and equitable conditions for competition; commits to respecting applicable national, European and international rules and regulations; commits to operating its fleet safely, effectively and responsibly.



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