



Basic information	
<p><b>2002/0048(CNS)</b></p> <p>CNS - Consultation procedure Decision</p>	Procedure completed
<p>EC/China Agreement on maritime transportation</p> <p>See also <a href="#">2004/0290(CNS)</a> See also <a href="#">2008/0133(CNS)</a> See also <a href="#">2014/0327(NLE)</a></p> <p><b>Subject</b></p> <p>3.20.15.06 Maritime or inland transport agreements and cooperation</p> <p><b>Geographical area</b></p> <p>China</p>	

Key players				
European Parliament	<b>Committee responsible</b>		<b>Rapporteur</b>	<b>Appointed</b>
	<b>RETT</b>	Regional Policy, Transport and Tourism	WATTS Mark Francis (PSE)	19/03/2003
	<b>Committee for opinion</b>		<b>Rapporteur for opinion</b>	<b>Appointed</b>
	<b>AFET</b>	Foreign Affairs, Human Rights, Common Security, Defense	The committee decided not to give an opinion.	
	<b>ITRE</b>	Industry, External Trade, Research, Energy	The committee decided not to give an opinion.	
	Council of the European Union	<b>Council configuration</b>		<b>Meetings</b>
General Affairs		2845	2008-01-28	
Transport, Telecommunications and Energy		2452	2002-10-03	
Agriculture and Fisheries		2592	2004-06-21	
European Commission	<b>Commission DG</b>		<b>Commissioner</b>	
	Energy and Transport		BARROT Jacques	


Key events			
Date	Event	Reference	Summary

18/02/2002	End of procedure in Parliament		
22/02/2002	Initial legislative proposal published	<a href="#">COM(2002)0097</a> 	<a href="#">Summary</a>
05/02/2003	Legislative proposal published	<a href="#">06049/1/2003</a>	
27/03/2003	Committee referral announced in Parliament		
08/07/2003	Vote in committee		<a href="#">Summary</a>
08/07/2003	Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0254/2003</a>	
02/09/2003	Decision by Parliament	<a href="#">T5-0357/2003</a>	<a href="#">Summary</a>
02/09/2003	Debate in Parliament		
28/01/2008	Act adopted by Council after consultation of Parliament		
28/01/2008	End of procedure in Parliament		
21/02/2008	Final act published in Official Journal		

Technical information	
<b>Procedure reference</b>	2002/0048(CNS)
<b>Procedure type</b>	CNS - Consultation procedure
<b>Procedure subtype</b>	International agreement
<b>Legislative instrument</b>	Decision
<b>Amendments and repeals</b>	See also <a href="#">2004/0290(CNS)</a> See also <a href="#">2008/0133(CNS)</a> See also <a href="#">2014/0327(NLE)</a>
<b>Legal basis</b>	EC Treaty (after Amsterdam) EC 300-p2/3 EC Treaty (after Amsterdam) EC 080-p2
<b>Stage reached in procedure</b>	Procedure completed
<b>Committee dossier</b>	RETT/5/16010

Documentation gateway				
<b>European Parliament</b>				
Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		<a href="#">A5-0254/2003</a>	08/07/2003	
Text adopted by Parliament, 1st reading/single reading		<a href="#">T5-0357/2003</a> OJ C 076 25.03.2004, p. 0038-0102 E	02/09/2003	<a href="#">Summary</a>
<b>Council of the EU</b>				
Document type	Reference	Date	Summary	
Document attached to the procedure	<a href="#">08388/1/2002</a>	30/09/2002	<a href="#">Summary</a>	
Legislative proposal	<a href="#">06049/1/2003</a>	05/02/2003		

## European Commission

Document type	Reference	Date	Summary
Initial legislative proposal	<a href="#">COM(2002)0097</a>  OJ C 181 30.07.2002, p. 0176 E	22/02/2002	<a href="#">Summary</a>

## Additional information

Source	Document	Date
European Commission	<a href="#">EUR-Lex</a>	

## Final act

<a href="#">Decision 2008/0143</a> <a href="#">OJ L 046 21.02.2008, p. 0025</a>	<a href="#">Summary</a>
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# EC/China Agreement on maritime transportation

2002/0048(CNS) - 28/01/2008 - Final act

PURPOSE: to conclude a bilateral agreement between the European Community and China on maritime transport.

LEGISLATIVE ACT: Council Decision 2008/143/EC concerning the conclusion of the Agreement on maritime transport between the EC and its Member States, of the one part, and China, of the other part.

CONTENT: this Decision approves the Agreement on maritime transport between the EC and its Member States, and China, on behalf of the Community. The Agreement was initialled by the Commission on 12 December 2001 and was signed in Brussels on 6 December 2002, subject to its subsequent conclusion. A Protocol amending the Agreement to take account of the accession of the Czech Republic, Estonia, Cyprus, Latvia, Lithuania, Hungary, Malta, Poland, Slovenia and the Slovak Republic to the EU was signed in Beijing on 5 September 2005. Bulgaria and Romania are to accede to the Agreement by way of a protocol between the Council and the People's Republic of China.

The main provisions established by the Agreement are the following:

- improving the conditions under which maritime cargo transport operations are carried out to and from China, to and from the European Community, as well as to and from the European Community and China on the one hand and third countries on the other, for the benefit of economic operators;

supporting the present situation of national treatment to vessels flying the EU flag or being operated by EU nationals or companies, as regards access to ports, the use of infrastructure and auxiliary maritime services of those ports, as well as related fees and charges, customs formalities and assignment of berths and facilities for loading and unloading;

- in respect of activities for the provision of international maritime cargo transport and logistic services, including multimodal operations involving a sea leg, it stipulates that China shall permit the EU shipping companies, to establish wholly-owned or jointly-invested subsidiaries, branches or representative offices, in accordance with its laws and regulations;
- provides for the right of wholly-owned or jointly-invested subsidiaries, branches or representative offices of the EU shipping companies established in China to employ key personnel, in accordance with the legislation in force;
- allowing revenues of EU nationals or companies derived from international maritime transport and multimodal operations in China to be settled in freely convertible currencies, as well as the earnings from the economic activities of the subsidiaries, branches and representative offices of the EU shipping companies in China to be freely remitted abroad at the exchange rate of the bank on the date of remittance;
- providing for maritime co-operation in the fields of maritime safety, marine pollution prevention, maritime education and training, enhancing efforts for combating piracy and terrorism as well as exchanges of personnel, scientific information and technology.

As regards the existing bilateral maritime Agreements between EU Member States and China (11 Member States have such bilateral maritime agreements), only the "trade" provisions of those agreements will be "substituted" by the provisions of the Agreement while the remaining ones regarding notably the status of the crew or taxation matters will continue to apply. Moreover it is also provided for in the Agreement that if it the latter is

less favourable on certain issues than existing bilateral agreements then the more favourable provisions shall prevail without prejudice to Community obligations and taking into account the Treaty.

Both sides confirmed their support to the multilateral negotiations on maritime services in the World Trade Organisation.

## **EC/China Agreement on maritime transportation**

2002/0048(CNS) - 30/09/2002 - Document attached to the procedure

This proposal concerns the conclusion of an agreement on maritime transport between the Community and its Member States, on the one hand and China on the other. Moreover, it is, in fact, the definitive text which is similar to the previous proposal (please refer to the previous document).

## **EC/China Agreement on maritime transportation**

2002/0048(CNS) - 22/02/2002 - Initial legislative proposal

**PURPOSE** : to conclude a bilateral agreement between the European Community and China on maritime transport. **CONTENT** : as EU's third largest trading partner outside Europe as well as an important provider of international maritime transport services, China has become a major player in the international maritime world. It is for this reason that the Commission is proposing the conclusion of a joint agreement between the European Community and China. This bilateral agreement is seen as an opportunity to consolidate existing business improvements and to further promote maritime relations between the two regions and their economic operators on the basis of equality and mutual benefit. The draft agreement aims to improve the conditions under which maritime transport operations are carried out to and from China and to and from the Community for the benefit of economic operators. The Agreement, which will be concluded for a period of 5 years and will be renewed on a yearly basis, is based on the principles of freedom to provide maritime transport services, free access to cargoes and cross trades, unrestricted access to and non discriminatory treatment in the use of ports and auxiliary services as well as regarding commercial presence. Moreover it covers all aspects of door to door services. The Agreement places the existing bilateral agreements concluded by Member States in a Community framework and reaches a higher level of liberalisation than the one achieved up to now on a bilateral basis. It therefore substantially improves the quality of the EU-China maritime relations. In particular the main provisions established by the Agreement are the following: - improving the conditions under which maritime cargo transport operations are carried out to and from China, to and from the European Community, as well as to and from the European Community and China on the one hand and third countries on the other, for the benefit of economic operators; - supports the present situation of national treatment to vessels flying the EU flag or being operated by EU nationals or companies, as regards access to ports, the use of infrastructure and auxiliary maritime services of those ports, as well as related fees and charges, customs formalities and assignment of berths and facilities for loading and unloading; - in respect of activities for the provision of international maritime cargo transport and logistic services, including multimodal operations involving a sea leg, it stipulates that China shall permit the EU shipping companies, to establish wholly-owned or jointly-invested subsidiaries, branches or representative offices, in accordance with its laws and regulations; - provides for the right of wholly-owned or jointly-invested subsidiaries, branches or representative offices of the EU shipping companies established in China to employ key personnel, in accordance with the legislation in force; - allows revenues of EU nationals or companies derived from international maritime transport and multimodal operations in China to be settled in freely convertible currencies, as well as the earnings from the economic activities of the subsidiaries, branches and representative offices of the EU shipping companies in China to be freely remitted abroad at the exchange rate of the bank on the date of remittance; - provides for maritime co-operation in the fields of maritime safety, marine pollution prevention, maritime education and training, enhancing efforts for combating piracy and terrorism as well as exchanges of personnel, scientific information and technology. As regards the existing bilateral maritime Agreements between EU Member States and China (11 Member States have such bilateral maritime agreements), only the "trade" provisions of those agreements will be "substituted" by the provisions of the Agreement while the remaining ones regarding notably the status of the crew or taxation matters will continue to apply. Moreover it is also provided for in the Agreement that if it is less favourable on certain issues than existing bilateral agreements then the more favourable provisions shall prevail without prejudice to Community obligations and taking into account the Treaty. Finally, both sides confirmed their support to the multilateral negotiations on maritime services in the World Trade Organisation.

## **EC/China Agreement on maritime transportation**

2002/0048(CNS) - 02/09/2003 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted the resolution drafted by Mark WATTS (PES, United Kingdom) and approved the conclusion of the agreement. It asked that concerns regarding the recognition of third country flags within the scope of this agreement be evaluated in subsequent renewals.