



Claude Monet - Waterlily Pond, 1899 (oil on canvas)
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ANNUAL REPORT
2022

Multidisciplinary
Cooperation
a Bridge to our
Sustainable Future



EUROPEAN DREDGING ASSOCIATION





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

EUDA'S SUSTAINABILITY STATEMENT

Organisations as well as individual companies interact directly or indirectly with the environment through what they do and how they do it.

What dredging companies do is projects. Well-designed multiple purpose projects can contribute to sustainability by adding value to the environment, the economy and society during the entire life cycle of the infrastructure.

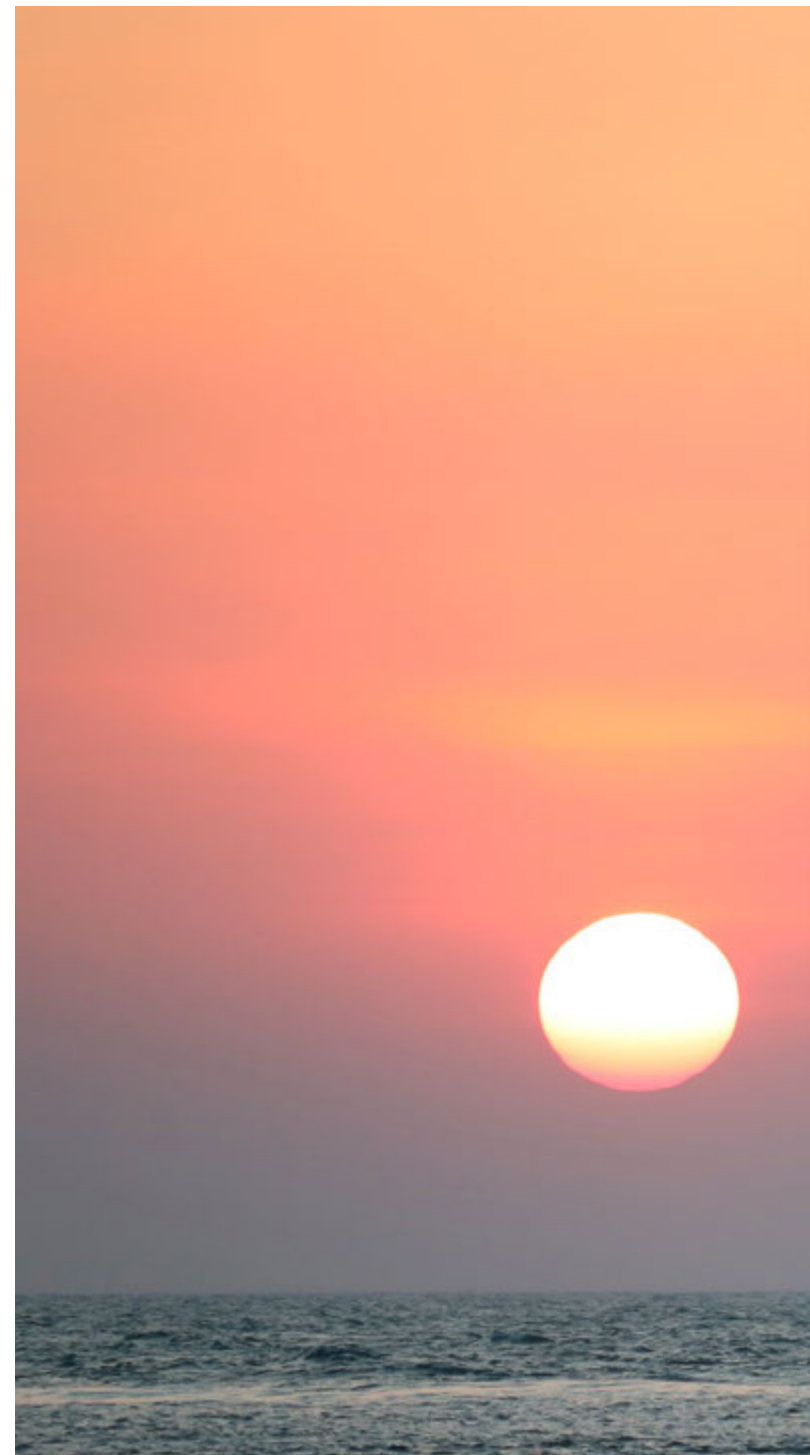
How dredging companies do projects can also provide substantial contributions to sustainability during the execution of the project (e.g. construction of infrastructures) by reducing impacts on or improving the state of the environment and/or society (e.g. use nature-based solutions, train & educate local workforce).

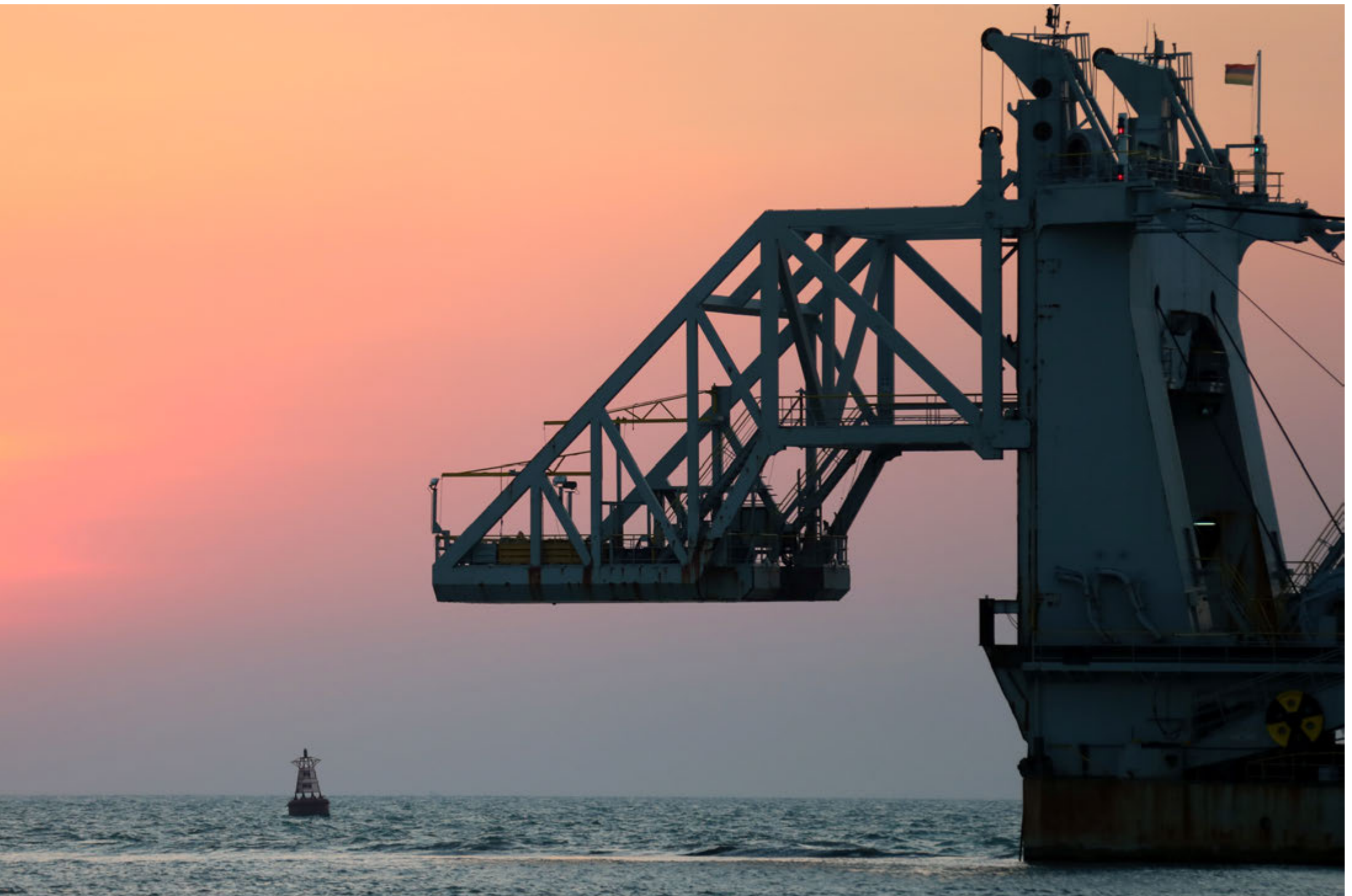
What EuDA does is to interface between the dredging industry and the European administrations. EuDA's contribution to sustainability results from the adaptation and improvement of the EU regulatory and governance frameworks in order to facilitate and maximise EuDA's individual members' contributions to sustainability.

How EuDA does it is referring to the environmental footprint of the secretariat and the steps taken to reduce it.

“If you want to move fast,
go alone,
if you want to go far,
move together”

African Proverb







MESSAGE FROM THE BOARD

Europe's Open Strategic Autonomy

When the worst of economic disruptions due to COVID was over with more and more countries lifting their last restrictions and confinement measures, Russia invaded Ukraine and started a war that is unfortunately still ongoing today ...

The consequences in Ukraine are immense both in terms of human cost and destruction. But outside Ukraine, the war has also severely impacted the global food supply chains and affected the poorer nations the most. Russia was severely sanctioned by the EU but not with the full force of the sanctions, because Europe was too dependent on Russian gas and discovered that its decisions on trade and diplomatic policies were not fully independent anymore.

Further reflecting on economic and diplomatic dependence, what about Europe's exposure to China, with an excessive reliance on cheap Chinese goods and services? A long-term economic dependence ultimately leads to a form of geopolitical dependence for Europe that can threaten its core values (such as the rule of law and the respect of human rights).

Europe must defend its core values as well as pursue its economic growth and peaceful integration of

over 60 years. Europe's decision path should aim to achieve a strategic autonomy (independence through diversification of supply and export markets) as well as to become the first climate neutral continent.

Among the European Commission's top priorities, the **Green Deal** and the **Global Gateway** reflect these concerns and take concrete action to build a Bridge to our Sustainable Future.

In 2022, EuDA contributed to these priorities and principally worked on:

- 1) the Green Taxonomy;
- 2) the EU "Fit for 55";
- 3) the trade relations inside and outside the EU.

The Green Taxonomy

EuDA joined the Commission's Platform on Sustainable Finance (1.0) in 2020 and worked on technical screening criteria for construction and civil engineering to significantly contribute to (at least) one of the two climate change (CC) objectives (mitigation and adaptation) and the four environmental (Taxo4) objectives (use of water resources, restoration of biodiversity and ecosystems, pollution prevention and control and circular economy) and do no significant harm to the other five objectives.

The work was concluded in 2022 with a Report on the Taxo4 objectives that will be used by the Commission to establish its further Delegated Acts (DA) and revise the existing ones.

EuDA put a significant amount of effort into creating a working group to work on dredging specific technical screening criteria. The exclusion of dredging of waterways from the scope of the DA on Climate Change Adaptation is meant to exclude mainly maintenance dredging activities and keep other dredging activities such as those necessary for the construction of ports and waterways. However, explicit clarification in the texts is needed and EuDA would plead to create a working group to establish technical screening criteria for dredging activities as an enabler for climate change adaptation and mitigation under the newly established Platform on Sustainable Finance 2.0.

“Our future is built on new ideas
and founded in our oldest values.”

Queen Elizabeth II

2022 Members of the EuDA Board



Alan Lievens
(Chairman)



Jeanette Rohde
(outgoing Vice Chairman)
(Rohde Nielsen)



Kees van de Graaf jr.
(incoming Vice Chairman)
(Dutch Dredging)



Peter van der Linde
(Treasurer)
(Boskalis)



Mieke Fordeyn
(Jan De Nul)



Govert van Oord
(Van Oord)



Jens Schmidt
(Hegemann - Dredging)



Éric Tancre
(DEME)



Andrea Vollebregt
(Vereniging van
Waterbouwers)

EU “Fit for 55”

Among the EU Green Deal initiatives, “Fit for 55” is an ambitious legislative package aiming to make the EU’s climate, energy, land use, transport and taxation policies fit for reducing net greenhouse gas emissions by at least 55% by 2030.

EuDA organised several workshops in 2022 and participated in discussions to clarify the implementation of some of the maritime “Fit for 55” initiatives on dredging activities.

EuDA’s effective work on CO₂ emissions started in 2008 and EuDA’s **CO₂ Strategy** provides essential insights for the European dredgers’ contribution to the Green Deal, like EuDA’s Position Paper on how to implement the EU Emissions Trading System (ETS) to dredging.

The Trade relationships inside and outside the EU

From its very beginning, EuDA has been committed to

promote and improve the level playing field and market access worldwide. The unfair trade practices used by non-EU State-owned Enterprises to the detriment of EuDA members cannot be tackled by a single legislative instrument alone but by a combination of tools emanating from a wide range of policies (competition, trade, labour, environment, ...). This is why EuDA has been developing since 2018 its own strategic toolbox which contains existing instruments and considers possible new instruments to fill the remaining gaps.

The instruments in the toolbox include, for instance, the 2019 Commission’s guidance on the *participation of third country bidders in the EU procurement market*, which is not mandatory but clarifies some of the conditions to access or not the Single European market. EuDA welcomes the long-awaited adoption of the Regulation on International Procurement Instrument (IPI) and the unexpectedly fast adoption of the Regulation on Foreign Subsidies (FSR), which should

bring some additional protection against unfair trade practices in dredging and construction procurement. However, as highlighted to the Commission, the thresholds of FSR are too low and will capture very few construction and dredging projects. The regulation on screening of Foreign Direct Investment (FDI screening) and the EU Global Gateway are also tools in the EuDA Trade Strategic Toolbox. However, among the toolbox instruments, the most useful for publicly procured projects is a Trade Defence Instrument for Construction Services. This is an ongoing challenging objective for EuDA as services are still not covered by a WTO protection system like the TDI for products, despite the fact that services represent the most important part of our economies.

With our best regards,

Alan Lievens, Chairman

and his colleagues of the Board of EuDA.

“Individually, we are one drop.
Together, we are an ocean.”

Ryunosuke Satoro





THANK YOU, Jeanette, So Committed!

Jeanette Rohde was part of the management team that took over the reins of EuDA in the cornerstone year of 2004, just after EuDA's 10th Anniversary. Thanks to its new management team and leadership, EuDA received a renewed impetus, regrouping more members behind its new focus and vision, further developing and strengthening EuDA's relationship with the European Institutions! You were the last representative of this management team still active in our Board.



Jeanette Rohde
*(Vice Chairman,
2004-2022)
(Rohde Nielsen)*

You have been in the EuDA Board for 18 years! And I would like to personally thank you for:

- hiring me*
- teaching me the insides of the EuDA Board and of the esoteric world of dredging*
- keeping EuDA a cooperation zone where the common interest of the sector surpasses individual disputes between companies*

As Vice-Chairman, you played a key role in keeping the balance between the interests of all the members. Inside the Board, discussions between competitors are not always easy and particularly on important topics, such as the CO₂ emissions from the EuDA fleet. You also played a key role during the transition year 2016, during which EuDA was looking for a new Chairman to replace Marc Stordiau. You lobbied the Commission on the TTIP (EU-US free trade agreement).

You were always respected and appreciated by your peers in the Board, and still are. The EuDA door remains open to you and your company. You will be missed for your enthusiasm, well-prepared contributions and generosity. We all remember the Geranium in Copenhagen in 2016 and the other nice lunches you treated the Board with.

On behalf of your colleagues in the EuDA Board of Directors, on behalf of all the Members of the European Dredging Association, I would like to thank you, Jeanette, for your engagement, reliability and hard work during all these years!!!

Thank you, Jeanette. We wish you all the best in your new endeavours, Good luck to you and Farewell !

Paris SANSOGLOU,
Secretary General

EUDA 2022 ANNUAL CONFERENCE (23 NOVEMBER 2022)

Conference's overview:

Some global environmental challenges, such as climate change and environmental degradation are posing existential threats to both Europe and the world. In response to this situation, the EU has made it its top priority to address the most pressing environmental challenges: climate change (reduce greenhouse gases emissions and boost climate change adaptation), unsustainable use of resources (biological, energy, water, spatial), continuous increase of pollution (reduce it in the air, water and soils) and waste (further apply circular economy principles). The EU aims at rebalancing the environmental pillar out of the three sustainability pillars by integrating coordinated political and legislative initiatives under the flagship umbrella of the EU Green Deal. The Green Deal, with amongst other its Green Taxonomy Regulation, Strategy on Adaptation to Climate and Sustainable Procurement Strategy, has the potential to become a global 'game changer'.

If properly implemented, the Green Deal is a potential global 'game changer'. Therefore, the EU has also integrated these objectives into its new growth strategy to incentivise the acceleration of a sound transition towards sustainability. This transition will help the European economic activities to tackle their negative externalities on the environment. To be successful, this

transition should at the same time provide the European sustainability champions with major opportunities to grow. The most potent incentives are financial and the EU is currently developing and implementing the Green Taxonomy Regulation, that will allow financing flows to better target and stimulate 'green' economic activities in the EU but also around the world. Under the Green Deal, the EU has developed and is implementing amongst others a Strategy on Adaptation to Climate and a Sustainable Procurement Strategy.

These initiatives create a powerful supply 'push' on the financing side of the European economy, ideally complemented for even more effectiveness with an equally powerful demand 'pull' that would align the policy objectives under the Green Deal.

Representatives from the European Society, the European Commission and the European Industry presented their views and shared their respective strategies on how implementing the Green Deal can deliver results for the environment, for society and for the economy.

“If you want to move fast,
go alone,
if you want to go far,
move together”

African Proverb

The European Green Deal: How to deliver on the environment, the society and the economy?

■ Welcome and Opening

Mr Alan Lievens, EuDA Chairman

■ Introduction to the Conference Theme and Speakers

Mr Paris Sansoglou, EuDA Secretary General,
Conference Moderator

■ EU Green Taxonomy:

Ms Julie Emmrich, World Green Building Council,
Sustainable Finance Lead

■ EU Adaptation Strategy

Elena Visnar Malinovska, European Commission,
DG CLIMA, Head of Unit on Adaptation and Resilience
to Climate Change

■ EU Sustainable Public Procurement

Ms Anna Lupi, European Commission, DG GROW
Public Procurement Strategy

■ Infrastructure Owners' point of view for delivering the Green Deal

Ms Karin De Schepper, Inland Navigation Europe - INE,
Secretary General

■ Open Discussion and Conclusions

The EU Green Deal:

How to deliver on the environment, the society and the economy?

Conference's key messages:

- Human activities are steadily reaching the limits of the world's capacity to absorb, recover and regenerate. **The world's natural systems and resources are nearing a tipping point.**
- Moreover, the recent persistent disruptions of the "world's workshop" due to COVID severely affected the global supply chains in Europe and around the world. This situation taught Europe that it is too dependent on the production in one country and needs to become more "strategically autonomous".
- Europe is at a turning point in terms of economy, environment, security and the protection of its core societal values (including the rule of law).
- Can the EU Green Deal deliver the necessary turnaround?

1. Green Taxonomy within the EU Green Deal

- "The Taxonomy is like a Swiss army knife: the more you work with it, the more functions you discover."
- The Green Taxonomy is an evidence-based and science-based dynamic policy and legislative instrument designed to clarify (environmentally sustainable activity); to measure (environmental future fitness) and help investors and companies (invest and report).
- The Green Taxonomy's 6 objectives are: climate change

(mitigation and adaptation), biodiversity and water quality (protection, preservation and improvement), (air, water and soil) pollution and waste reduction.

- The Green Taxonomy's biggest challenge will be its implementation: starting from theory & legislation to 'best practices'.

It is "Time to study and focus on implementation, usability and feedback".

2. EU strategy on Adaptation to Climate Change within the EU Green Deal

- Climate change can create perturbances in the water cycle that result in extreme variations in water quantities (excess - floods or scarcity - droughts). These extreme variations can create water hazards and affect the more exposed population, habitats and assets.
- The EU Strategy on Climate Change Adaptation (CCA) aims at reducing vulnerability and increasing resilience of the exposed human and natural assets. CCA actions are as much **proactive** (prevention and protection) than **reactive** (repair, restore and make climate proof).
- One of the main pitfalls is overlooking or underestimating the prevented risks which remain invisible. Policy coherence is needed as well as consensus and trade-off(s) management. Smart(er) adaptation will help to better manage uncertainty and to add value to the EU. In order for adaptation to become smart(er), knowledge

in decision-making needs to be improved (more and better data on climate risks and losses).

- Moreover, a more **systemic adaptation** needs to be considered, whereby policy development is supported at all levels and for all sectors, local, individual and just resilience is being fostered, climate resilience is integrated in macro-fiscal policy.
- **Climate proofing** is a process to prevent infrastructure from being vulnerable to long-term climate impacts while ensuring the 'energy efficiency first' principle is respected and the level of GHG emission from the project is consistent with climate neutrality objective in 2050. A Technical Guidance on Climate Proofing of Infrastructure was published in September 2021.
- **Nature-based solutions** (NBS) for adaptation are a priority. NBS prototypes and demonstrators should be promoted to further develop best practices and environmental excellence, especially for big infrastructures. However mindsets and approaches should change and evolve in order to possibly fast-track selected projects and keep a level playing field among the competing contractors.
- As we are at the **"tipping point"** for a new system balance ..., adaptation needs to become faster: no more 'long termism', we need immediate action to speed up adaptation across the board and international action to step up climate resilience.

3. EU Sustainable Public Procurement within the EU Green Deal

- EU's Sustainable Public Procurement policy is an integral part of the **Strategic Procurement**. Strategic Procurement considers that public procurement is a policy instrument that, in addition to its primary purpose of purchasing public goods or services, can (and should) pursue priority goals, such as reducing environmental and climate impact, social & professional integration, compliance with minimum (but high) ethical standards, promoting equal treatment. Strategic Procurement aims at promoting sustainable growth and development in an open, non-discriminatory and transparent public procurement market. Strategic Procurement can also be used to promote these core European Values in the other parts of the world.
- With around 300,000 buyers, the EU public procurement is a very fragmented market. Initiatives such as the Strategic Procurement or the sustainable public procurement, require a broader set of skills and knowledge.
- At first, it may appear that to be effectively implemented, Strategic Procurement needs a bigger (multidisciplinary) administration. However, effective Strategic Procurement also needs:
 - v **A legal framework** providing the technical specifications and award criteria that will restrict decisions based

on price only and impose practical and effective sustainability criteria (including ecological, social and economic aspects) in the decision-making process; the EU public procurement legal framework is composed of the 2014 Directives (not to be touched for a while), the Case-laws of the CJEU and the remedies.

- v **Specific education**, training (toolkit) and support to help public buyers to acquire the necessary soft skills (e.g. Buying Green, Buying Social), as well as to understand the market and its products/services.
- v An **adapted governance**, or even a governance mind shift, is needed to facilitate the right decision-making to allow/promote the short term investments for long term benefits, the purchase of both assets and asset expertise, within the right governance frame; public procurement governance needs to evolve from pure asset procurement to performance-based procurement and to shift from mono-purpose infrastructures to multi-purpose infrastructures (providing added value to the local/national economy, ecology and society).
- The Commission has taken steps towards Strategic Procurement through initiatives like the **"Big Buyers"** project through which some big EU public buyers can exchange (best) practices and experiences, including market intelligence, when buying more climate neutral and environmental friendly solutions and approaches. There are currently 4 focus groups (Heavy duty electric

vehicles, Digital solutions for healthcare, Zero emission construction site, Circular construction material) that are expected to grow to 10 Big Buyers working groups in 2023.

- Since 2019, the EU took several steps towards levelling the playing field in the EU public procurement market:
- v The EU guidance on participation in public procurement from third Countries. This guidance specifies that there will be no secured access for companies coming from countries that have not signed a free trade agreement (FTA) with the EU or that have not signed the WTO Government Procurement Agreement (GPA). In other words, this means that companies can be excluded from tendering for no other reason than coming from countries which are not signatories of an EU-FTA or WTO GPA.
- v The **International Procurement Instrument** (IPI) promotes reciprocal treatment in order to open-up third country markets.
- v The **Foreign Subsidies Regulation** is a new legislation aiming at filling the gaps in the EU legislation on non-EU subsidies: indeed the EU State Aid Regulations only apply to EU Member States and not directly to all companies operating in the Single European Market. This situation creates a reverse discrimination to the benefit of, for instance, heavily subsidised non-EU State-owned Enterprises (SoEs).

4. Infrastructure Owners' point of view for delivering the Green Deal

- A comprehensive multi-disciplinary approach is needed for multi-functional assets: inland transport infrastructure are arteries of trade and mobility, they are also used as water supply sources or for energy generation, they also provide recreation opportunities and need to comply to minimum Safety and Environmental Standards.
- A typical example of such an approach is Working/Building/Engineering with Nature, whereby nature's physical and biological forces are not countered but used and integrated in the project design to integrate the project more harmlessly and more harmoniously within nature.
- Business models such as Just in Time need to be questioned in the context of climate change mitigation and adaptation: shifting modes (e.g. from road to inland waterways) need to become meaningful to business (better environment performance and better economic performance).
- The examples of the Danube and the Schelde illustrated that the only way to implement a comprehensive multi-disciplinary approach is by working TOGETHER.
- By working TOGETHER, multi-disciplinary teams identify more innovative solutions more quickly and can provide more effective and more resilient responses to recurrent high and low waters.

Conclusions

- The Green Deal aims at addressing the most pressing global challenges and has the potential to become an economic game changer. However, by taking the global lead, the EU is also taking the risks.
- In the current turmoil caused by COVID and the war in Ukraine, the possible risks are worth taking immediately; **Europe has an opportunity to seize now**, as its companies, like in the dredging sector, still have competitive advantages, including in environmental and technological knowledge.
- Initiatives such as the Green Taxonomy and the Green Finance are setting the frame for financiers to effectively choose to invest in economic activities that are green, greener or greening.
- **Sustainable public procurement** is a strategic policy and economic instrument. The future of European sustainable public procurement depends on setting the right framework and requirements that will award tenders only to companies that respect and apply the same European (environmental, social and economic) values, ethics and rules. This is why **Public Procurement rules should be aligned with the Green Taxonomy**: to combine the *supply push* from the sustainable finance initiative with the *demand pull* from the sustainable public procurement initiative (towards performance-based procurement and multipurpose infrastructures).

PARTICIPANTS AND GUESTS AT THE EUDA 2022 ANNUAL CONFERENCE

Held every year in November in Brussels, the EuDA 2022 Annual Conference took place in the Stanhope Hotel in Brussels. It gathered eminent representatives from the industry, the European and national administrations as well as other key stakeholders.





GLOBAL MARKETS' HARMONY DEPENDS ON THE ENFORCEMENT OF SUSTAINABLE COMPETITION PRACTICES

A harmonious and balanced approach, in societal, environment and economic terms, is the only way towards sustainability. Trade imbalances, social dumping and environmental shortcomings are major threats to global harmony and represent fundamental targets to tackle in order to achieve global sustainable competition.



Two visitors merging in the digital experience based on the work of Piet Mondriaan, one of the most famous Dutch modernists whose work is characterised by the use of basic colours and geometric forms.



INTERNATIONAL MARKETS

In 2022, EuDA focused its activities on providing an appropriate European response to unfair trade practices (by non-EU State-owned Enterprises, SoEs), to competition distortions and to market access restrictions around the world.

Access to the US dredging market

Since the creation of EuDA in 1993, European Dredgers have repeatedly attempted to open the US market. The US represents a huge market for dredging activities, and it has been closed to foreign competition for over a century. In 2013, EuDA gave its full support to the EU Commission during the negotiations of a free trade agreement with the US (Transatlantic Trade and Investment Partnership - TTIP). Unfortunately, the political priorities changed in 2017 and TTIP negotiations were stopped. EuDA then progressively reduced its activities on the opening of the US but stands ready to support the EU when the negotiations for a possible FTA with the US restart.



CETA's 5 years Anniversary

The EU-Canada Comprehensive Economic and Trade Agreement (CETA) is celebrating its 5 years Anniversary. EuDA joined the celebrations and participated in several EU webinars and conferences. At the time of the negotiations, EuDA took an active part as exports of dredging services to Canada were restricted and required a lot of red tape. Thanks to CETA most market restrictions were lifted and market access (national treatment) to the Canadian private and federally procured projects was granted to European dredging companies. By granting this access to its market, Canada effectively recognises the importance of the specialised services to transport, such as constructing and maintaining maritime infrastructures, provided by European dredging vessels.



Risk of partial nationalisation of the dredging market in Germany

Background

In 2016, the German Federal Government opened a public tender to build a 7,500 m³ Trailing Suction Hopper Dredger (TSHD) to support its current TSHD the "Nordsee", operating in the Jade river. The tender was awarded to Pella Sietas GmbH, a Hamburg-based shipbuilder. The German government's plan was to have the new State-owned dredging vessel operating in parallel with the "Nordsee" but on the maintenance works of the Elbe river. The works on the Elbe were then (and still are) procured via public tendering processes. The operation of a second TSHD by the German government would result in **the closing of 25% of its maintenance dredging market** and effectively represent a partial nationalisation.



In 2016, EuDA joined forces and worked closely with the Vereinigung der Nassbaggerunternehmen (VdN), the German Association of Dredging Companies. From



Pierre Potvliege
(Marcom Chairman,
EuDA)



Alan Lievens
(EuDA Chairman)



Kobbe Peirs
(Jan De Nul)



David Luty
(Jan De Nul)



Robert Middelhoek
(Van Oord)



Yves Cornardt
(DEME)



Robert Poelhekke
(NABU)

the start, the strategy focused more on political actions rather than legal and prioritised action at local level.

Key points of the VdN strategy

VdN highlighted the importance of maritime transport for German trade and economic development, and, in particular, VdN underlined the strategic importance of maritime infrastructures for which dredging activities provide vital services (maintenance, upgrading, expansion). VdN also emphasised the high efficiency and reliability of the highly specialised and capital-intensive companies carrying out the dredging activities in Germany.

Moreover, the State's involvement in the economy as economic operator is traditionally targeting strategic infrastructures and ensures that a minimum level of technical know-how is maintained in the administrations for decision-making. VdN reminded that such involvement should be kept to a minimum (and not replace private by

public contractors). Therefore, to avoid further closing of the German market, VdN advised the German Shipping Administration to consider keeping **only one hopper dredger in operation** and replace the "Nordsee" when the ordered newbuilt is delivered.

Since 2017, VdN has been building support for this idea from a broad range of German politicians and decision-makers from the national and federal administrations. The general understanding is "not to approve a budget to build and operate a second hopper dredger", which would also conflict with the legal requirement of a 25%/75% share between the public and private fleet for the coverage of navigational dredging in Germany.

Update on the Issues with the Government's Newbuilding

The TSHD ordered by the German Administration in 2016 has yet to be completed and delivered. After severe delays, Pella Sietas GmbH, the shipyard awarded the

construction of the publicly procured dredger, stopped production (+/- 80% completed) in early 2021. Following serious discussions with the authorities, the building works restarted on the commissioned new dredger with a 30% budget overrun. Later in 2021, the Pella Sietas shipyard was declared bankrupt. Finally, in late 2022, an agreement was found to complete the ship at the Blohm & Voss shipyard in Hamburg. The ship is scheduled to be completed by the end of 2024.

Milestones in delivering the strategy

VdN has achieved key milestones:

- by confirming itself as a competent, constructive and reliable partner with a **growing influence on a wide political network in Germany**;
- by raising awareness on and obtaining further recognition of the **strategic importance of the dredging sector**;
- by having its position (**status quo** in private-public market shares) better understood, better perceived



Robert de Bruin
(Van Oord)



Lara Muller
(Boskalis)



Hans Mooij
(Boskalis)



Paul Janssens
(TF AUS Chairman,
Jan De Nul)



Erwin Deserranno
(DEME)



Peter Boere
(Boskalis)



Will Pryce
(Rohde Nielsen)



Guus de Vries
(Van Oord)



Paris Sansoglou
(EuDA)



Silvia Selandari
(EuDA)



and much more generally accepted;

- by establishing an **annual structured dialogue** with the administration in charge of the Waterways and Shipping (*Generaldirektion Wasserstraßen und Schifffahrt- GDWS*) to constructively discuss and ensure, for instance, safe access to Germany's ports;
- by joining forces with the **German construction industry** on common positions regarding unfair competition from Chinese SoEs.

At this stage, given the negative experience with this newbuilt dredger, there are no indications that the government will procure a second hopper dredger.

Overview of activities in 2022

New German Government

Following the 2021 election, a new German coalition government, with the Social Democratic Party, the Greens and the Free Democrat Party, took office in December 2021. The new government focused on the greening of shipping and on creating a global competitive level playing field. Following the war in Ukraine, the new government realised that it needed to reduce its dependence on Russian natural gas. Regarding the global competitive level playing field, the new government was also comforted in its decision to reduce Germany's dependence on China. The Merkel era of "*Wandel durch Handel*" (*change through trade*) has ended and was

replaced by a more pragmatic and reciprocal approach towards China.

German law on monitoring acquisitions

Following the acquisition of Kuka by a Chinese State-owned Enterprise (SoE) in 2017, Germany revised its legislation to equip its administrations with the legal means to stop unwanted acquisitions (of strategic companies or assets). Very soon after their adoption, Germany used these instruments to stop the acquisitions of 50Hertz in 2018 and of IMST in 2020 by other Chinese SoEs.

Other EU Member States have similar legislations but not all. Europe has made the first step with its Regulation on Foreign Direct Investment (FDI) Screening but still needs to go one crucial step further to include provisions allowing Member States to take concrete action(s) to stop unwanted acquisitions of strategic companies or assets. The Commission is still considering the revision of the FDI Screening Regulation.

New Flag and Visa requirements

in German public tenders

As of 2022, German public tenders for dredging projects required the vessels used by the contractors to fly a European flag and to comply with labour and social

requirements. In particular, only dredging vessels or equipment registered in the EU and flying a European flag are allowed to execute public tender contracts in Germany. Moreover, to work on a vessel, non-EU workers need a visa entitling them to work in Germany.

These new requirements are making the access to the German dredging market more difficult for non-EU SoEs using mainly non-EU flagged vessels with non-EU staff.

Next Steps

The German government is expected to pursue its policies on the greening of shipping and on reducing Germany's dependency on Russia and China. In 2023, VdN will continue its proactive outreach campaign to political decision-makers at federal and regional level as well as top-level communication with the Waterways Administration.

Unfair trade practices in Europe by non-EU State-owned Enterprises



Background

Many of the trade practices used by non-EU State-owned Enterprises (SoEs) have the potential to significantly distort competition (with foreign State subsidies). Most of the cases affecting European Dredgers emanate from Chinese State-owned Enterprises (SoEs). For over a decade, EuDA has been actively involved in counteracting or reducing the impact of unfair trade practices by Chinese SoEs worldwide. In a position paper, EuDA described how the Chinese domestic market is de facto closed to European dredgers. EuDA was involved in countering the first case of unfair practices to win a dredging project inside Europe (the Case of Swansea Bay Tidal Lagoon in 2015). Building on these examples as well as on cases of tied financing schemes (that close markets in Africa, South America and Asia), EuDA argued against recognising the Market Economy Status of China in WTO. Since 2018, EuDA is involved in monitoring and, where necessary, reviewing standards for dredging vessels proposed under ISO TC8 WG11 led by China (see chapter on R&D hereafter).

Sense of urgency

In a November 2018 report, (*“The Dutch and Belgian Dredging Industry Exploration of the Future”*, Erasmus

University), the Rotterdam School of Management identified a significant growth of Chinese dredging SoEs worldwide.

The generalised and systematic use of unfair trade practices over the past ten years has enabled Chinese SoEs to triple their international market share in construction from 7% to 21% globally and to double their market share in Africa from 28% to 56%. These gains were made at the expense of European international construction and dredging contractors, despite their competitive advantage (in terms of technology and know-how). It has also to be mentioned that without cheap Chinese financing, many of these projects would probably not have been financed nor executed for lack of economic sustainability. But when only considering the economically feasible projects, for which European contractors had a fair chance of winning, the damage already caused by these unfair practices to the European Dredgers outside Europe is undeniable, even if difficult to estimate with accuracy.

This significant worldwide growth can be explained by the following Chinese policies:

- **protection of the domestic market:** Chinese SoEs execute the vast majority of the projects; the 2020 “dual circulation” policy, confirms that China views

its domestic market as a possible source of renewed growth for its own companies, in addition to global trade;

- **capture of Chinese financed export markets:** in the framework of the Belt and Road Initiative (BRI), China finances projects outside China and ties the financing to the exclusive execution by Chinese SoEs; besides tied financing schemes, China also uses political influence, mega-package deals and any other means available to exclude non-Chinese competitors;
- **capture of foreign-financed export markets:** thanks to State subsidies and lower standards, Chinese SoEs can capture projects funded or financed by the EU or the World Bank outside China, when minimum environmental, ethical and social standards are not effectively enforced by the lending institution;
- **use of market dominance in exposed-captured export markets:** in the third country markets where the presence of Chinese SoEs has grown into a monopoly or an oligopoly (with no foreign competition), these SoEs can dictate higher prices for projects;
- **acquire strategic assets and strategic companies:** Chinese SoEs acquire strategic companies with the aim of forcing the transfer of key knowledge/ technology or to acquire strategic assets with the aim of gaining more exclusive market access to the detriment of the local/ national interests.



“Europe has realised that China is not only a cooperation partner, a negotiating partner and an economic competitor but also a systemic rival.”

The rapidly turning tide in Europe

With the Chinese SoEs entering Europe's infrastructure market, it was time for the EU to react to ensure that fair competition and level playing field remain the norm inside Europe.

Since 2019, a core majority of European Member States and politicians realised the ambiguity of the relationship with China, which they described as a “*cooperation partner*”, a “*negotiating partner*”, an “*economic competitor*” as well as a “**systemic rival**”¹.

Europe then adopted a realistic, assertive and multi-faceted Plan of 10 fundamental actions, that included the full use of trade defence instruments and public procurement rules.

The first completed action was the publication in 2019 of the European Commission's “*Guidance on the participation of third country bidders and goods in the EU procurement market*”². This guidance highlighted that, among key functioning principles for public procurement, “*Art. 43 of Directive 2014/25/EU does not grant secured access to the EU procurement market to all third country operators*”. More specifically, unless a country is a signatory of the WTO Government Procurement Agreement or has signed a Free Trade Agreement with the EU, **its access to the EU public procurement market is not secured** and its companies can be

rejected from tenders for this reason only. Romania is the first Member State to have translated this provision into national law which automatically rejects non-complying contractors from its public procurement market.

Europe also took action to equip its procurement market with appropriate instruments to enforce and improve the level playing field. In 2022, the EU adopted the long-awaited International Procurement Instrument (IPI) and the Regulation on “**levelling the playing field as regards foreign subsidies**” (FSR). While the IPI attempts to enforce reciprocal treatment in accessing public procurement markets, the FSR regulation is aiming at preventing foreign subsidies, foreign State ownership and other unfair trade practices from distorting procurement procedures and at ensuring that firms benefit from fair access to both private and public contracts. The FSR regulation empowers the European Commission to take action both in public procurement procedures and in unwanted concentrations.

With the FSR regulation, the Commission is recognising the importance of the level playing field for a well-functioning European Single Market and for Europe's prosperity. This gives a strong signal on how important EU competition rules, trade defence instruments and public procurement rules are in ensuring fair conditions for companies to work, grow and thrive in the European Single Market.

Overview of activities in 2022

Building intelligence

In 2022, EuDA continued to gather and analyse information, experiences and issues with unfair competition from non-EU SoEs that the dredgers and other construction contractors face around the world. EuDA compiled an overview of the Chinese unfair practices in construction projects in Europe and around the world.

EuDA's analysis identified the following key aspects of China's 'going global' strategy:

- Asymmetric Relationships

Since reopening to the outside world in 1978, China has always entered partnerships where it would gain more from trade than its economic partners would. The cornerstone of this asymmetry is reflected in the difficulty for foreign companies to access the Chinese domestic market, which is benefiting from heavy protectionist measures, including restricted access to foreign companies and / or from discriminatory fiscal treatment in China.

- State-owned Enterprises

State-owned Enterprises (SoEs), especially non-EU SoEs, are benefitting from significant political support as well as significant State subsidies that they can use to (unfairly) win markets in third countries and ... in Europe

¹ 2019 Joint Communication on “EU-China – A strategic outlook” by the European Commission and the High Representative.

² Communication C(2019) 5495

(where the State Aid Regulations do not apply to non-EU companies). The recently adopted FSR will have limited impact on the construction procurements due to their high thresholds.

All the Chinese companies involved in a 'strategic sector' on the global stage are either State-owned or State-influenced (companies depending on the financing from State-owned banks). The State-owned or State-influenced character of the Chinese companies often leads them to behave or make decisions to fulfil China's political and economic policies and ambitions, in complete disregard of market-based principles.

- Overcapacity as an economic policy and trade weapon
China's overcapacity was initially designed to support and maintain the long-term Chinese economic growth and employment in strategic sectors, usually State-owned. The first phase of this strategy was completed when the Chinese domestic market was saturated. Then, to keep this (over)capacity occupied, the next phase of the Chinese plan was to go global. These exports of Chinese capacity have created an increase in the supply of goods and services, which, over time, will need to be rebalanced to match effective consumption needs. This process can induce shut-downs in any country involved in the concerned globalised market. So China's overcapacity policy also contributes to the progressive

elimination of foreign competitors in third country markets, making these more and more dependent on Chinese SoEs (in oligopoly or monopoly).

- Belt and Road Initiative

The Chinese political system and government are characterised by their undivided control over the country and its economy. This undivided control was implemented through national rules and controls setting for the majority of the private and public economic players. To implement (undivided) control outside China is a huge challenge.

To this end, China established the Belt and Road Initiative (BRI) as a long-term political framework in order to secure logistical and strategic connections with key markets and resources. The BRI aims at increasing the geopolitical influence of China at any cost (including at the cost of business ethics, environmental performance or working conditions). Fuelled by China's overcapacity strategy, the BRI is also securing the continued growth of its State-owned contractors as these Chinese financed infrastructure projects outside China are reserved for them. These tied-financing projects can progressively lead to situations of increased local dependence on China, with a local oligopoly or monopoly in 'strategic sectors' (including dredging and construction) and may also create debt traps (for low-income countries).

- China's Acquisition Strategy and Vertical Integration
A significant part of the BRI Strategy also aims at taking control of companies or assets (key technologies, resources or logistics nodes) in all sectors considered strategic by China. The control is obtained through normal or forced acquisition processes. To increase its dominant position in certain markets, the Chinese government's acquisition strategy also selectively integrates vertically, from the extraction of raw material, to their processing and their transportation. This may raise the question of whether governments, as centrally controlled and mono-party as China, should be subject to some sort of anti-trust, anti-cartel and anti-dominant position scrutiny and rules as the big private multinational companies, which, taken individually, are much smaller economically than the entire cluster of Chinese SoEs?

The EU has long recognised the pan-European importance of **critical infrastructures**, including energy and transport infrastructures. These infrastructures are priority and strategic assets for Europe and need to be treated as such. EuDA is of the opinion that all major transport infrastructures should be treated as strategic to Europe (meaning their planning, design, financing, construction, operation and acquisition should be monitored and checked against key strategic European criteria).



Strategic Toolbox of Policies and Instruments

From the scale and wide range of the above-described Chinese practices, it is clear that these cannot be tackled by a single legislative instrument alone but by a combination of tools covering a wide range of policies: **there is no silver bullet** and a toolbox of trade instruments is the most effective approach.

It is also clear that **the EU needs to continue to diligently fill the gaps and tackle the loopholes in its legislation**. To this end, with the help of its high-level advisor, EuDA developed a comprehensive approach comprising multiple instruments and policies: a European Strategic Trade Toolbox. Since 2018, EuDA has been developing its own strategic toolbox which contains existing instruments or possible new instruments necessary to give an adequate response to these unfair trade practices.

In its **European Strategic Trade Toolbox**, EuDA has identified the following instruments:

- 1° Require Minimum European content in EU-funded projects (50% of EU content);
- 2° Generalise use of Commission Guidance on the *“participation of third country bidders and goods in the EU procurement market”*;
- 3° Enforce Reciprocal Treatment in market access (2022

- International Procurement Instrument);
- 4° Apply and enforce EU State Aid regulations to all companies working in the EU (including non-EU SoEs; 2022 Foreign Subsidies Regulation);
- 5° Apply the Green Taxonomy minimum ethical, environmental and labour safeguards in EU public procurement and all EU-financed projects;
- 6° Establish a Regulation on Trade Defence Instruments for Construction Services.

Strong Cooperation and Alliance with the Construction Associations

Since 2019, EuDA joined forces with the construction industry associations (FIEC and EIC) and worked jointly on developing EU Trade Defence Instruments for Construction Services (TDI for Construction). In May 2021, EuDA, FIEC, EIC and UNIFE launched a joint website (<https://soes-in-europe.eu/map.php>), to highlight facts and figures showing the increased activity of non-EU SoEs in the European public procurement market in just over 10 years. This neutral online information is meant for European politicians and decision-makers and to raise their awareness of the imminence of the threat and the urgency to take action. In 2022, the website was updated with the latest cases.

The discussions with the Commission on new instruments, including a TDI for Construction, were suspended until the International Procurement Instrument (IPI) and the Foreign Subsidies Regulation (FSR) were adopted. In 2022, EuDA, FIEC and EIC provided input to the Commission on various occasions, including on the FSR regulation to better fit the needs of the dredging and construction industries. The IPI entered into force in August 2022, while the FSR regulation will enter into force in January 2023.

Next Steps

In 2023, the main focus of EuDA will be on launching and coordinating a joint EuDA-FIEC-EIC action under the Foreign Subsidies Regulation.

Issues and Lobbying activities in Australia



Background

In April 2017, the Australian Government replaced its 457 Visa, the most commonly granted working visas for hiring highly skilled workers, with the Temporary Skill Shortage (TSS) Visa. The Skilled Occupations list accompanying the TSS visas was substantially reduced and created significant concerns for dredging operations as a number of skilled roles, such as Ship's Master, Ship's Officer and Ship's Engineer (previously permitted) are no longer available.

Impact on the European dredging companies

The changes introduced with the TSS have had a significant impact on the ability of the European Dredgers to mobilise and operate dredging and offshore installation vessels to and in Australia as it **denies access of project-critical employees to work in Australia.**

With their highly innovative and technologically advanced vessels, European dredging companies require the presence of fully trained, dedicated and very experienced crew and staff onboard. These critical crew members are employed on a full-time basis and are part and parcel of a sustainable operation system unique to each vessel type and size.

EuDA Strategy

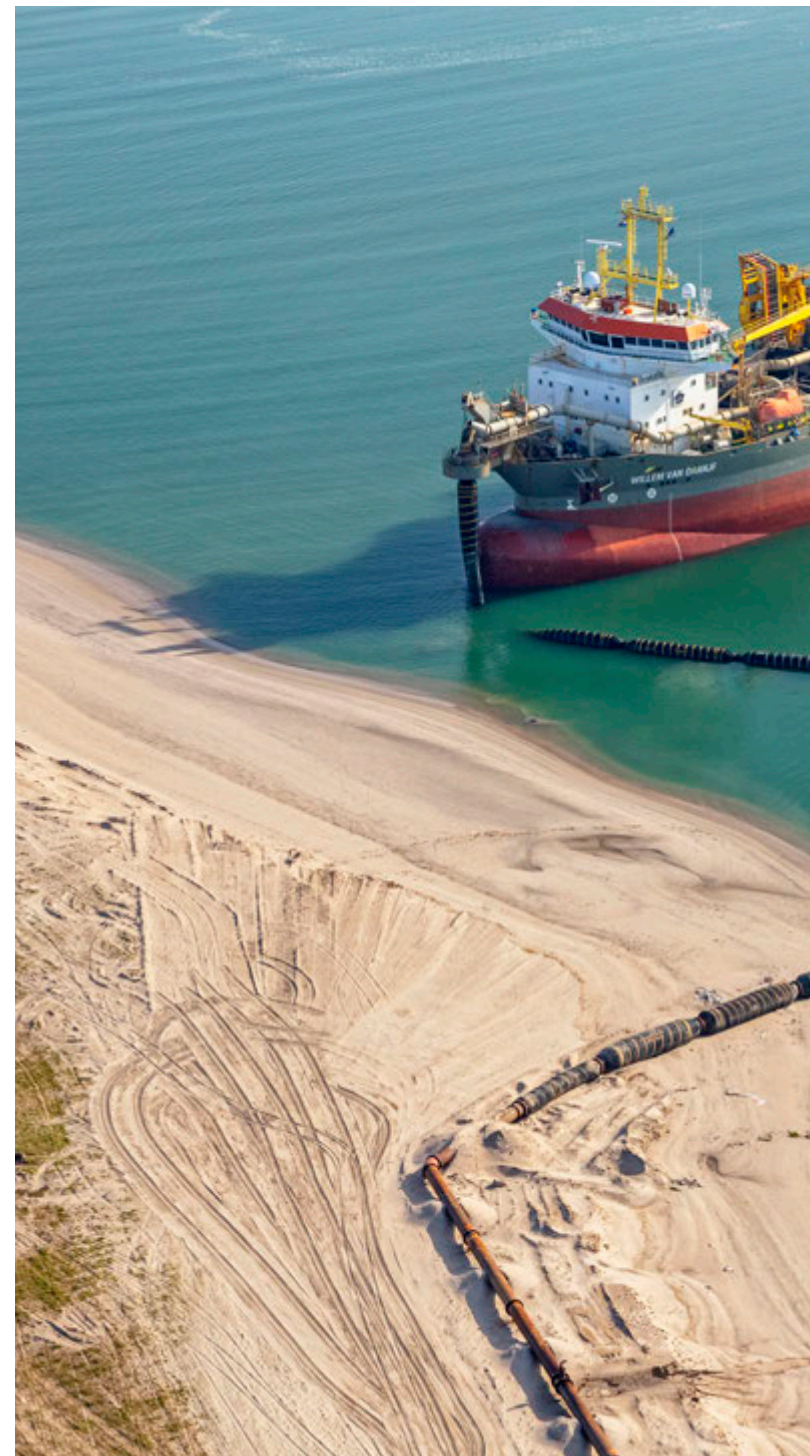
EuDA established a dedicated Task Force on Australia. EuDA's general approach was to provide a strong argumentation on the need to reinstate critical crew (**Ship's Master, Officer and Engineer**) in the needed skills' list and maintain a healthy balance between locals and expats with regards to the crew on these vessels. Some of the locally employed and qualified crew is regularly hired to join the already existing long-term expat crew who remain on board in the critical positions. Over the years, this system has been very successful.

Overview of 2022 Activities

In 2022, a new Labour Government was elected in Australia. EuDA's activities were limited to contacts with Australian officials, who confirmed that there have been no key changes with reference to the TSS Visas (482) and the corresponding Skilled Occupational List (SOL). At the same time, the on-going negotiations for a Free Trade Agreement between the EU and Australia could be helpful in solving the current visa issue.

Next Steps

In 2023, lobby work will need to be restarted towards the local government and authorities, as well as towards the unions to improve the issue with visas. EuDA will continue to raise awareness and seek support from stakeholders, including Australian port authorities.





THANK YOU, Wim!

On behalf of the EuDA Market Access Committee, I would like to thank you, Wim Vogelaar, for your excellent work and your cooperation with the dredging industry over the past years!



Wim Vogelaar
(Boskalis)

You joined the work of the Market Access Committee of EuDA from its very inception in 2018. We particularly appreciated your dedication and commitment for 5 years to the EuDA Market Committee and the trade and market access issues impacting the European dredgers. Wim was involved in identifying unfair trade practices by non-EU State-owned Enterprises (SoEs) and with your help and support, EuDA managed to build intelligence to take action on some of the cases inside and outside Europe.

We wish you all the best in your new endeavours and welcome your successor Mr Hans Mooi.

*Thank you, Wim, for your dedication and support to our industry,
Farewell!*

Pierre Potvliege
MarCom Chairman

THANK YOU, Lara!

On behalf of the EuDA Market Access Committee, I would like to thank you, Lara Muller, for your excellent work and your cooperation with the dredging industry over the past years !

You joined the work of the Market Access Committee of EuDA in 2019 and teamed up with your colleague Wim Vogelaar. We particularly appreciated your enthusiasm and dedication for 4 years in the EuDA Market Committee. We worked together on the trade and market access issues impacting the European dredgers and identified several cases of unfair trade practices by non-EU State-owned Enterprises (SoEs) inside and outside Europe. With your help and support, EuDA managed to build intelligence and political traction.



Lara Muller
(Boskalis)

We wish you all the best in your new endeavours.

*Thank you, Lara, for your dedication and support to our industry,
Farewell!*

Pierre Potvliege
MarCom Chairman

MULTIDISCIPLINARY COOPERATION CAN PROVIDE SUSTAINABLE SOLUTIONS FOR EXPOSED AND VULNERABLE AREAS

Industrial and economic developments are progressively reaching the limits of our planet's capacity to absorb the negative externalities these activities produce (e.g. increase of pollution and waste or depletion of energy and biodiversity resources). Multidisciplinary cooperation can provide sustainable solutions for exposed and vulnerable areas.

With their long-standing experience in executing multidisciplinary, multicultural and multipurpose projects, the European Dredgers are natural partners for constructive policy-making discussions on sustainability.



Large metal artwork of 44 thousand kilos of steel made by artist Antony Gormley. The artwork is called 'Exposure', is 25 metres high and overlooks the IJsselmeer.



1. European Green Deal

Background

Adopted in December 2019, the European Green Deal is the EU's overarching legislative and policy framework designed to improve Europe's environmental footprint as well as to fuel its economic growth and to improve its social and working conditions. The Green Deal is the EU's top priority and its main objectives include: no net emissions of greenhouse gases by 2050 (Paris Agreement commitments), decoupling of economic growth from resource use, and a just and inclusive for all transition (no person and no place is left behind).

Among the many initiatives taken by the Commission under the Green Deal, there are two initiatives that will have a potentially significant impact on the European industry and economy: **Sustainable Finance** and the **Green Taxonomy**.

2. The European Green Deal's Sustainable Finance and Green Taxonomy

Sustainable Finance

The European Green Deal needs to be financed. Indeed, the transition to a sustainable economy entails significant investment efforts across all sectors of the economy. Both public and private financing frameworks must support these efforts to reach the 2030 climate

and energy targets. Moreover, financial sustainability is also part of the challenge and particularly the increase of the financial resilience of the economy, companies and citizens. Sustainable investment will need an enabling framework, with appropriate tools and structures, such as those being prepared under the **Green Taxonomy** which will incentivise the "*financing of green activities*" and the "*greening of finance*".

Sustainable Finance is about financing the European Green Deal (refocus and channel the financial flows towards activities making a significant contribution towards the Green Deal's objectives) and about increasing the financial resilience of the economy, the companies and the citizens.

Green Taxonomy

The **Green Taxonomy**¹, published in June 2020, was designed to identify (more) sustainable practices and incentivise them through sustainable financing in order to achieve the environmental objectives of the Green Deal. To this end, it established criteria for determining whether an economic activity qualifies as environmentally sustainable and to establish to what degree an investment in such activity is environmentally sustainable.

This regulation covered essentially climate change

objectives (mitigation and adaptation) and was based on the work concluded by the Technical Expert Group (TEG) in 2020. It is the first of a series of legislative texts that will encompass all economic activities. These legislative pieces will soon cover the 4 additional environmental objectives (combatting pollution, promoting circular economy, preserving and restoring biodiversity and improving water quality) based on the work concluded by the Platform for Sustainable Finance (PSF) in 2022 (*TWG Report* and *TWG Supplementary Report*, corresponding to roughly 2 annual batches of work on TSCs).

In October 2020, the PSF was established with selected experts from the industry, the society and the institutions to provide technical advice to the European Commission in a science-based and objective manner. EuDA successfully applied to participate in this Platform and Mrs Lara Muller was chosen by the Commission and Mr Paris Sansoglou was her 'sherpa' (for support and assistance).

In order to provide support to the EuDA representatives in the Platform on Sustainable Finance (PSF), the Task Force on Green Taxonomy (TF GT) was established in December 2020 by the EuDA Board as a temporary task force. The Task Force provided information, data

¹ Regulation 2020/852 on the "establishment of a framework to facilitate sustainable investment".

2022 Members of the EuDA EnvironmentCommittee



Pieter van der Klis
(EnvCom Chairman,
Van Oord)

Arjan Schrijen
(Boskalis)

Karel Allaert
(Jan De Nul)

Paul Vercruijse
(DEME)

Coert Begemann
(DD-DB)

Mark Russell
(BMAPA)

ex Chantal Schillemans
(Vereniging van
Waterbouwers)

Michiel Spitzer
(Vereniging van
Waterbouwers)

Paris Sansoglou
(EuDA)

Silvia Selandari
(EuDA)

and expert advice on possible screening criteria to determine whether an economic activity qualifies as environmentally sustainable.

EuDA's Work in PSF

EuDA was working in the Technical Working Group (TWG) of the Commission's Platform on Sustainable Finance (PSF) and focused on the development of Technical Screening Criteria (TSC) under the Sector Team 7 (ST7) on Construction. ST7 achieved consensus on several TSC, including:

- 4.1 Civil engineering for climate change adaptation
- 6.8 Flood risk prevention and protection infrastructure for inland river and coastal floods (CCA)
- 6.9 Nature-based Solutions (Nbs) for flood risk prevention and protection for both inland and coastal waters

EuDA also worked on many other draft TSC, including the Construction of Ports under ST8 (Transport). However, the work on TSCs for the Construction of Ports was paused and never restarted (due to lack of time).

Dredging as an Enabling Activity

The Commission confirmed that the 'exclusion of dredging waterways' under the Delegated Act on Climate Change Adaptation (DA CCA 6.16) was justified because the Commission considers dredging as an enabler for the adaptation of the waterborne infrastructure (the activity being the (adapted) operations of the infrastructure).

Enabling activities are defined in Art. 16 of the Taxonomy Regulation as follows:

"An economic activity shall qualify as contributing substantially to one or more of the environmental objectives set out in Art. 9 by directly enabling other activities to make a substantial contribution to one or more of those objectives, provided that such economic activity:

- (a) does not lead to a lock-in of assets that undermine long-term environmental goals, considering the economic lifetime of those assets; and*
- (b) has a substantial positive environmental impact, on the basis of life-cycle considerations."*

The TWG dedicated a Task Force tasked to establish a harmonised methodology for enabling activities. The methodology to develop further TSCs for enabling activities has the form of a decision tree. The decision

tree will determine whether the enabling activity plays a vital role for another activity to make a substantial contribution according to the Green Taxonomy. The decision tree will also check the consistency of the approach with the published Delegated Acts.

Despite EuDA's repeated requests to start a new TSC on dredging as an enabling activity for Climate Change Adaptation, the dedicated working group has not been established yet. Nevertheless, EuDA will continue in 2023 to request more clarification on the dredging activities in the scope of the Green Taxonomy and will propose to support the process of making TSCs.

Reporting Obligations

- in 2022, the reporting obligations concerned **eligibility** of 2021 activities regarding Climate Change -Mitigation and -Adaptation;
- in 2023, the reporting obligations will also include the **alignment** of the eligible activities regarding Climate Change -Mitigation (CCM) and -Adaptation (CCA) for the year 2022.
- NB: the delays in the Platform's work has pushed the legal obligations by one year for Taxo4 reporting (2024 reporting on 2023 activities).

Alignment of Public Procurement rules and the Green Taxonomy Regulation

From an early stage, based on its work and understanding, EuDA was of the opinion that the requirements under the Green Taxonomy and under the Sustainable Public Procurement should be aligned to facilitate and incentivise a dynamic process of transition towards the 2030 and 2050 targets.

Closing of the EuDA Task Force

The Task Force on Green Taxonomy (TF GT) took stock of the end of the mandate of the Platform on Sustainable Finance (PSF). Because the PSF mandate has been completed in October the TF GT was also closed down.

The participation of EuDA in the PSF as a member, raised the visibility of the dredging sector and of the European Dredging Association. This membership brought first-hand information to the members and allowed EuDA to better understand the Taxonomy and its process. Being member of the PSF was demanding in terms of workload (up to several meeting per week) but allowed EuDA to work from the inside as an equal member of the network of experts and commission representatives advising the Commission. Therefore, EuDA applied to the PSF (2.0) but was not selected.

The Blue Dot Network

At the initiative of Australia, Japan, the United Kingdom and the United States, a Blue Dot Network (BDN) supported by the OECD was established. The BDN is a voluntary private-sector-focused and government-supported certification scheme, based on quality infrastructure standards on business conduct, sustainable infrastructure finance and good infrastructure governance as set out in the G20 Principles for Quality Infrastructure Investment, the G7 Charlevoix Commitment on Innovative Financing for Development, the Equator Principles and guidelines such as the OECD Guidelines for Multinational Enterprises. The OECD is coordinating technical support to develop and operationalise this quality infrastructure certification framework.

The BDN aims at tackling the USD 2.5-3.5 trillion investment gap, at fostering investments in quality infrastructure and at providing an internationally-recognised certification framework to assist countries in pursuing investments in infrastructure that support sustainable growth and resilient economic recovery and maximise the positive economic, social, environmental and development impact.



The BDN is involving external stakeholders, including EuDA, in its Executive Consultation Group and in technical Working Groups, including:

1. Investment efficiency and outcomes: working on how the BDN can attract private investment in quality infrastructure, while ensuring that financial and non-financial outcomes are met by projects;
2. Environmental and social considerations: working on how the BDN can promote quality infrastructure that minimises adverse impacts and leads to positive environmental and social outcomes;
3. Transparency and integrity: working on how the BDN can promote greater transparency and integrity across the infrastructure ecosystem, including through innovative data tools, stakeholder engagement, and the meaningful implementation of international standards.

In 2022, EuDA became a member of BDN's Executive Consultation Group and joined the BDN Working Group 2 on Environmental and social considerations.

3. The European Green Deal's 'Fit for 55' package

Background

The '**Fit for 55**' package was adopted on 14/07/2021 and is a major policy and legislative package designed

to deliver the Green Deal's iconic objective of achieving a net reduction of greenhouse gas emissions by at least **55% by 2030**, compared to 1990 levels.

The package consists of a set of inter-connected and complementary policy proposals and initiatives on climate, energy (fuels), transport, buildings (heating), land use (forestry) and taxation (trade), which all drive towards the same goal of ensuring a fair, competitive and green transition by 2030 and beyond, by applying the *'Polluter-Pays' principle*. Where possible existing legislation was reviewed and made more ambitious. Where needed new proposals were prepared and implemented.

Overall, the package strengthens **8 existing pieces of legislation** and presents **5 new initiatives**, aiming at setting Carbon Prices, Climate Targets, Rules/Standards and Incentives across a broad range of complementary policy areas and economic sectors.

'Fit for 55' basket of maritime measures

AFID the **Alternative Fuels Infrastructure Directive** aims at stimulating the **distribution** of renewable and low carbon fuels (e.g. on-shore power supply for 90% of calls for container and passenger ships > 5000 GT).

RED the **Renewable Energy Directive** targets the supply (**fuel production**) of renewable fuels. RED counts energy used in international shipping towards the target and foresees a multiplier for renewable fuels of non-biological origin and advanced biofuels and biogas supplied to maritime.

ETD the **Energy Taxation Directive** foresees zero minimum rates for sustainable fuels (biofuels and biogas, low-carbon-fuels, renewable fuels of non-biological origin and advanced sustainable electricity) for 10-year transitional period.

ESR the **Effort Sharing Regulation** ___continue to include domestic maritime.

FuelEU the **FuelEU Maritime Regulation** targets **fuel demand** of renewable or low carbon fuels and specifically addresses the technology issue related to these fuels.

ETS the **EU Emission Trading System** is a cap & trade system, for GHG emissions reduction and energy savings, to be extended to waterborne transport.

The broader dredging activities can be affected by possibly 8 of the 13 instruments, but EuDA narrowed down its focus on the following three:

2° Extending **EU ETS to shipping**

The question is when will dredging be included.

3° Updated **Energy Taxation Directive** (the systematic taxation may improve level playing field, where it used to be voluntary among Member States);

12° **FuelEU** (Cleaner maritime fuels) will promote sustainable maritime fuels and create new requirements for ships, regardless of their flag, arriving to or departing from EU ports, by imposing a maximum limit on the greenhouse gas content of the energy they use and making these limits more stringent over time.

EuDA organised two internal workshops to better understand the impact of the most relevant **'Fit for 55'** measures on the dredging industry and to redefine its position on how to meaningfully implement the EU Emissions Trading System to dredging activities.

February 2022 Webinar

The European Commission set the scene by presenting the “Legislative Background and recent developments (Fit for 55)”. Then the “Greening Strategy of Dredging Clients” was presented by Ørsted.

1. *European MRV, European ETS and dredging* (Mr [Tim Noël](#), DG CLIMA);
2. *FuelEU within Fit for 55 initiatives* (Mr [Ricardo Batista](#), DG MOVE).
3. *What drives offshore dredging clients' greening strategy?* (Mrs [Virginia Dundas](#), Ørsted);

Finally, the EuDA members brainstormed and discussed together the main attention points for a common understanding of ETS and Fit for 55 for dredging.

Extension of ETS to Maritime

With specific regard to ETS, the same key principles and constraints that apply to the other ETS sectors will apply to maritime: shipping companies will have to

- **monitor** their emissions,
- **purchase** and
- **surrender ETS emission allowances** for each tonne of reported greenhouse gas (GHG) emissions.

Additional allowances will be derived from 2018-2019 data and adjusted every year with the same **linear reduction factor (4,2%)** that applies to the other sectors.

In addition for shipping, there will be **equal treatment on routes** and **flag neutrality**.

The ETS extension to maritime was initially planned to be gradual, however, there is a political push for immediate application without phasing in.

ETS for shipping builds on the existing **EU Monitoring, Reporting and Verification** (MRV) system, in terms of:

- responsible entities;
- covered ships (above 5,000 GT);

Ships covered under the MRV Regulation exclude dredgers (and other working and sailing vessels), **therefore, the ETS extension to shipping currently excludes dredging vessels** (as well as **working vessels** such as offshore supply vessels).

However, the scope will be enlarged to all ships ≥ 400GT and will include offshore and dredging vessels as of 2027 (2026 emissions);

- all ships sailing in EU waters (100% on intra-EU voyages and 50% of voyages from/to EU);
- covered GHGs (CO₂, CH₄, N₂O, ...) as well as Black Carbon.

The **revenues** collected from auctioning shall be used to **tackle climate change**, and to increase **funding of innovation**.

The **ETS-funded Innovation Fund** is one of the world's largest funding programmes for the demonstration of innovative low-carbon technologies and is already active for ships and ports.

December 2022 Workshop

EuDA members discussed the implementation of ETS to dredging activities and agreed to develop a position on “*How to include dredging and offshore vessels in the EU ETS*”.

The main lines of the position were identified during the workshop:

- there is no definition of “Offshore vessel” in EU law and a clarification on the covered working vessels is needed;
- in implementing ETS, the general approach by vessel should be applied to dredging and related activities;
- public procurement requirements should be aligned with the Green Deal's objectives (Green Taxonomy aligned);
- *the ‘demand pull’ for green projects would be significantly leveraged with the public clients and accelerate the green transition;*
- the project approach provides an appropriate frame for optimising sustainability.

FuelEU Maritime Regulation

Today, the **maritime fuel mix** is composed of over **99% of fossil fuels**. To reach the climate targets in 2050, the maritime sector should transition towards close to 90% use of renewable and low-carbon fuels.

There is not a single technological option for the large variety of ship types and trades. Therefore, many operators are trapped in a “**wait-and-see attitude, while pioneers invest in a selection of promising technologies**”.

There is a need for considering the **total cost of ownership** (lifecycle approach-LCA) and for coordination between supply, distribution and demand. To break the chicken-and-egg issue, ‘Fit for 55’ is addressing all relevant aspects from **fuel production** (Renewable Energy Directive), **fuel distribution** (Alternative Fuel Infrastructure Directive) and **fuel demand** (FuelEU).

The FuelEU Maritime Regulation targets the **demand** for renewable or low carbon fuels and specifically addresses the technology issue related to these fuels. **Obligations must be imposed on demand** not only to promote investments in supply and distribution, but also to **avoid carbon leakage**. Consistency with green financing (**Green Taxonomy**) is also of the essence.

4. Habitats and Biodiversity

The Birds and Habitats Directives are the cornerstones of Europe’s nature conservation policy. They are built around two pillars:

- Natura 2000 network of protected sites;
- System of species protection.

Because of the potential conflicts between transport and environmental policy objectives, the implementation of infrastructure projects such as dredging, often suffers from significant delays, uncertainties or even blockage. EuDA encourages joint working groups and approaches on (joint) policy implementation like the ones DG MOVE and DG ENV organised on the implementation of the Habitats Directive in Coastal, Estuary and River environments (*“The implementation of the Birds and Habitats Directives in estuaries and coastal zones, with particular attention to port development and dredging”* and *“Inland waterway transport and Natura 2000: Sustainable inland waterway development and management in the context of the EU Birds and Habitats Directives”*). In these guidelines, for instance, (maintenance) dredging is referred to as a measure that could be designed in such a way as to achieve or respect both environmental and navigational objectives.

Moreover, EuDA is of the opinion that net biodiversity gains should be encouraged in projects, including in the case of compensations, not discouraged.

5. The Waste Framework Directive

*“In the majority of cases, **dredged material is not a waste but a resource to put to beneficial use**”*. Although effective, this situation is not sufficiently known nor recognised by the policy makers and legislators across Europe.

At EU level, EuDA’s campaign convinced the Commission to remove dredged sediments from the scope of the 2008 revised ‘Waste Framework Directive’ (WFD) (unless proven hazardous). The European Directives, though, are not immediately law (like the European Regulations) but need to be transposed into national legislation. Therefore, EuDA’s focus included the EU Member States. There is a significant difference in the implementation of the Waste Framework Directive into the Member States’ national legislations. As it appears there is some sort of divide between some Northern and some Southern EU countries.

The concept of ‘Circular economy’ was progressively elaborated by the European Commission to stimulate the re-use/re-cycling of waste with the general motto that *“waste is a resource to be put to beneficial use”*.

6. Water & Marine Strategy Framework Directives

The Water and Marine Strategy Framework Directives are the cornerstones of Europe's water policy. They are built around the following concepts:

- River basin management (cross-border);
- Good Ecological Status (water quality);
- Good Environmental Status (including human activities).

The main objectives of these European legislations are the protection of all waters (surface, ground) as well as the marine environment across Europe. To achieve these objectives, they used the so called "combined approach" of emission limit values and quality standards. The Marine Framework Directive is the more recent of the two and the timeline of its first loop includes: the completion of the Member States' respective monitoring programmes in 2014, then their programmes of measures in 2015 with the ultimate goal of achieving the Good Environmental Status (GES) in 2020. Although significant progress was made among the Member States, more time is needed to achieve complete GES.

The Marine Strategy Framework Directive (**MSFD**) aims at "filling the gaps" left by the Water Framework Directive: for instance, the geographical scale is not

restricted anymore to the coastal waters. Moreover, MSFD broadens the scope of water quality assessment by enlarging the "Good Ecological Status" (mainly chemical assessment of the water quality) to the "Good Environmental Status" (**GES**), introducing the human activities impacts on water quality and ecosystems.

Compared to the Water Framework Directive, the Marine Framework Directive introduced.

- the selection and implementation of the Measures (Descriptors), their Monitoring and adaptive Management;
- the integration and further development of the Shipping activities;
- a clarification of the handling of contaminated/ uncontaminated sediments.

Under the Integrated Maritime Policy, the Maritime Spatial Planning and Integrated Coastal Management present the main policy elements of Europe's coastal management.

With 80% of the largest population centres located in coastal areas, this new policy is a response to the increased demand for use of the coasts and the seas.

The main issues for dredging remain the need to access 'winning areas' and/or 'relocation areas' (sand,

rock, gravel, silt ...). Besides, Member States need a common framework but also flexibility (in space, time and policy) for implementation.

“Public clients can significantly leverage the demand for green projects and accelerate the green transition.”

THANK YOU, Chantal!

On behalf of the EuDA Environment Committee, I would like to thank you, Chantal, for your excellent work and your engagement for the dredging industry over the past decade !



Chantal Schillemans
(Vereniging van Waterbouwers)

Chantal Schillemans joined the Environment Committee of EuDA in 2013. We particularly appreciated your dedication and commitment for nearly 10 years to the EuDA EnvCom. Chantal became the necessary relay between European environmental legislation and its national implementation in the Netherlands. She strengthened the Committee with her thorough knowledge of the national issues.

We appreciated your enthusiastic contributions and clear points and thank you, Chantal, for your commitment to the EuDA Environment Committee and for the time and advice you gave us with regards to environmental legislation affecting the European dredgers.

We wish you all the best in your new endeavour and welcome your successor Mr Michiel Spitzer.

Thank you, Chantal, for your dedication and support to our industry, Farewell!

Pieter van der Klis

EnvCom Chairman





EUDA CHAIRMAN THANK YOU TO TASK FORCE ON GREEN TAXONOMY CHAIR AND MEMBERS

On behalf of the EuDA Board we would like to thank the members of the Task Force on Green Taxonomy for their excellent work and resilience over the past 2 years!!!

You have helped the Board understand better and from the inside a new multi-pronged policy that will shape the future of Europe for the years to come. You have helped the Board understand the EU objectives (2 climate change: climate change mitigation and adaptation; and 4 environmental: pollution reduction, circular economy, water quality and protection of biodiversity) and define the EuDA strategic lines regarding the possible substantial contributions of the sector to these objectives.

You started work in 2020 and the immense workload and high pace was heavily underestimated. But you stood fast and continued your work as well as support to the EuDA Task Force.

I would like to extend a special thank you to Lara Muller, who was the TF GT Chairman as well as the EuDA representative in one of the most sought after working groups of the Commission. You worked hard but managed to get some of our ideas and views through these complex nascent laws (with no track record yet).

Thank you Lara!

On behalf of the EuDA Board,

Thank you all and farewell!

Alan Lievens - EuDA Chairman

The TG GT members in 2022 were:



Lara Muller
(Boskalis)
Chairman



Jiska Verhulst
(DEME)



Fokko van der Goot
(Boskalis)



Bastiaan Kooistra
(Van Oord)



Ignace Stols
(Jan De Nul)



Paris Sansoglou
(EuDA)

TOGETHER WE BRACE OURSELVES FOR THE CLIMATE CHALLENGES

Climate Change is accompanied with an increasing number of threats to natural habitats, human population and economic assets, such as sea level rise and increased frequency of extreme events. Dredgers have the technology and know-how to design and build sustainable and resilient solutions to reduce the impacts of or eliminate the risks posed by these Climate Change related global threats.



Katsushika Hokusai - Thirty-Six Views of Mount Fuji- 'The Great Wave Off the Coast of Kanagawa
an iconic Japanese woodprint representing a tsunami wave.

富嶽三十六景 神奈川沖
波裏

江戶 葛飾 富嶽



CLIMATE CHANGE AND COASTAL PROTECTION

From its inception in 2009, the EuDA **Emissions Working Group** (EmWG) worked towards establishing and implementing the EuDA common **CO₂ Strategy**. The main objectives of the CO₂ Strategy have been to improve internal and external understanding over the CO₂ emissions from the EuDA dredging fleet. Besides CO₂ emissions, the scope of this working group also covers the other emissions from dredging vessels since 2017.

With the consistent promotion of its CO₂ Strategy, through position papers, consultations, presentations, specialised articles, meetings, EuDA managed to raise the awareness of officials and representatives from the European Commission, the European Council (through the Member States) as well as from IMO on the views and main recommendations of the European Dredgers with regards to CO₂ matters.

In 2022, EuDA pursued the implementation of its CO₂ Strategy and focused on the 'Fit for 55' legislative package, including Emission Trading System extension to shipping and FuelEU to maritime, the European Sustainable Shipping Forum (ESSF), on the IMO Data Collection System and the EU's Directive on Monitoring, Reporting and Verification).

With regard to its CO₂ Strategy, EuDA has consistently raised concerns over the need to clarify the language used in the Delegate Acts of the Green Taxonomy Regulation (see above Chapter 3), where 'dredging of waterways' is excluded from the scope of the taxonomy regarding a substantial contribution to climate change adaptation (Annex II, 6.16 waterborne infrastructure). Dredging activities are necessary to waterborne infrastructure to adapt to climate change. European Dredgers can also build protection against sea level

rise as well as coastal and flood defences to protect populations or economic assets from their exposure to extreme events.

EuDA CO₂ Strategy

The main objective of the CO₂ Strategy has been to build a better understanding over the CO₂ emissions from the EuDA dredging fleet. From the start in 2009, the group established a procedure and methodology for the collection of raw data for the calculation of CO₂ emissions. The Strategy also involved raising awareness in the International Maritime Organization (IMO).

The implementation of the EuDA CO₂ Strategy involved information gathering, internal knowledge building and specific message formulation to effectively communicate our issues to the relevant parties.

2022 Members of the EuDA Emissions Working Group



Paul Verduyjsse
(EmWG Chairman
DEME)



Arjan Schrijen
(Boskalis)



Job Voormolen
(Van Oord)



Karel Allaert
(Jan De Nul)



ex Chantal Schillemans
(Vereniging van
Waterbouwers)



Michiel Spitzer
(Vereniging van
Waterbouwers)



René Kolman
(IADC)



Paris Sansoglou
(EuDA)



Silvia Selandari
(EuDA)

Besides the contacts within the Member States, EuDA has kept regular contact with the Commission's DG CLIMA informing the Officials and making them aware of the specific situation of the dredgers.

Industry-backed calculation method for CO₂: data update and review

In their joint Statement to IMO in 2010, EuDA and IADC informed that the Energy Efficiency Design Index (EEDI), as it stood, could not be implemented to the dredging vessels and proposed an alternative industry specific approach to reach the same goal. The Task Group on Emission Figures (TGEF) was established in the summer 2010 to substantiate and materialise these commitments.

EuDA compiled a set of fact based emission figures for its dredging fleet and established a transparent

“Fact-based information is
crucial to legislators to
make informed decisions.”

industry backed calculation method. The findings and results were presented in a EuDA Internal Report in 2012 (based on data from 2010). EuDA updated the report in 2019 (based on data from 2017).

This updating of the report also allowed to check the evolution and trends and confirmed that performances improved by 15% in 20 years for the 103 TSHD, 63 CSD and 30 BHD in the 2017 dataset (compared to the 2010 dataset). Moreover the calculation methods remained unchanged.

Communicating policy and technical aspects

In 2019, EuDA organised an internal workshop on “*Methodologies and Tools for Dredgers' CO₂ Emissions*”. On the basis of the discussions, the 2017 EuDA Internal Report on CO₂ performance was validated and the following documents were finalised in 2020:

- a **policy paper** (and a **1-pager**), explaining the principles of the calculations and providing policy recommendations;
- **three (internal) Technical Reports** (applying these principles to projects executed with TSHDs, CSDs and/or BHDs), to support the EuDA members' exchanges with their Flag, national administrations and clients.

In 2022, EuDA organised two internal workshops on how to meaningfully implement the Fit for 55 initiatives to dredging activities, with a particular focus on the EU Emissions Trading System (see Chapter 3 for more detail).

EuDA CO₂ emission figures 2021

As part of its CO₂ Strategy, EuDA has collected and compiled the 2021 data for the CO₂ emissions of the European dredging fleet.

Main dredging drivers

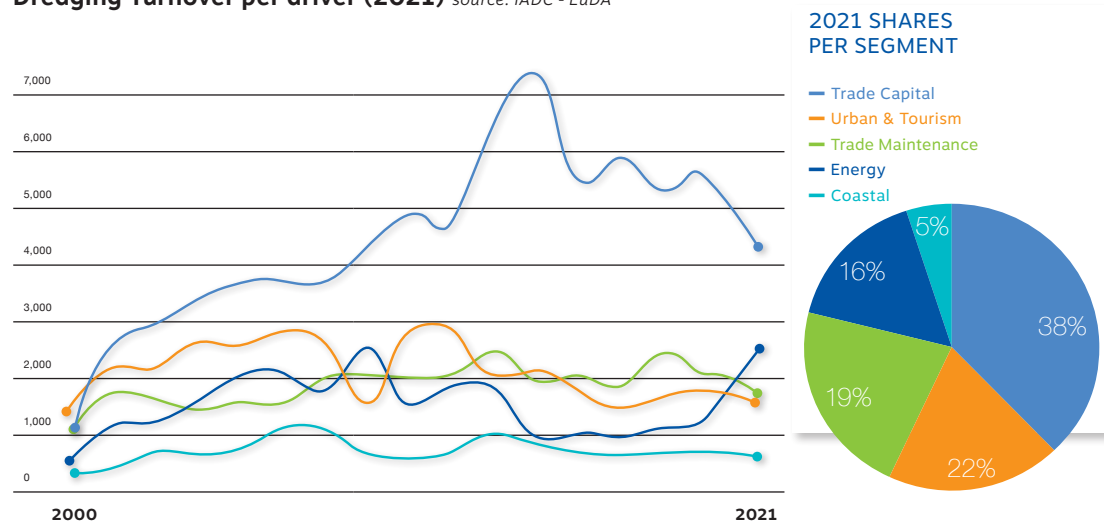
The main drivers for the European dredging companies are diverse and not correlated.

Evolution of the EuDA fleet CO₂ emissions

When considering GHG emissions, EuDA started collecting emission data for its fleet since 2008. In 2008, it was estimated that the world seagoing dredging fleet produced 6.3 Mton of CO₂, of which the European dredgers (members of EuDA) produced 3.4 Mton. From 2008 to 2021, the total absolute emissions of the EuDA fleet (inside and outside Europe) have steadily decreased by over 40%.

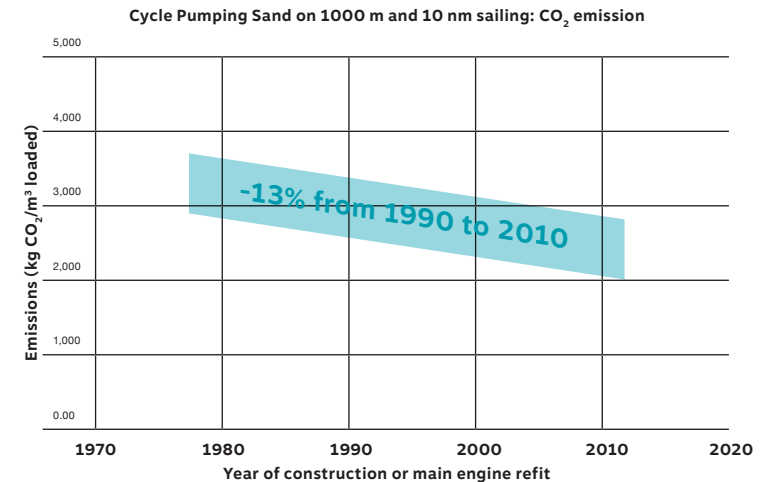
Graph 1:

Dredging Turnover per driver (2021) *source: IADC - EuDA*



Graph 2:

improved efficiency (reduced CO₂ emission) for a typical TSHD cycle



NB: similar reductions have been achieved for other dredging vessel types (e.g. CSD)

However, it is important to highlight that this absolute reduction of emissions is the result of three drivers:

- two performance drivers: technology and operational processes;
- one market driver: demand for projects which impacts occupation rates.

With regard to the **Performance Drivers**, European Dredgers have invested billions¹ in technology developments, innovative solutions and in further optimisation of dredging operations, which resulted in

the steady (relative) reduction of CO₂ emissions per m³ of dredged material (see graph 2 below).

It is important to highlight that reduction of CO₂ emissions per m³ of dredged material is reaching its limits (asymptotic minimum) and therefore, from a technological point of view, future progress on reducing emissions should come from a step change innovation (e.g. sustainably produced carbon-free fuel).

With regard to the **Market Driver**, it can work both ways: reduced activity levels reduce emissions and increased activity levels increase emissions.

The **overall absolute emissions** will result from the balance between the drivers reducing emissions and those increasing them. In the graph 3, the isolated peaks, such as in 2015, when the emissions soared to 3.0 Mton, demonstrate that a surge of activity not only can slowdown the absolute emissions reduction by compensating the relative

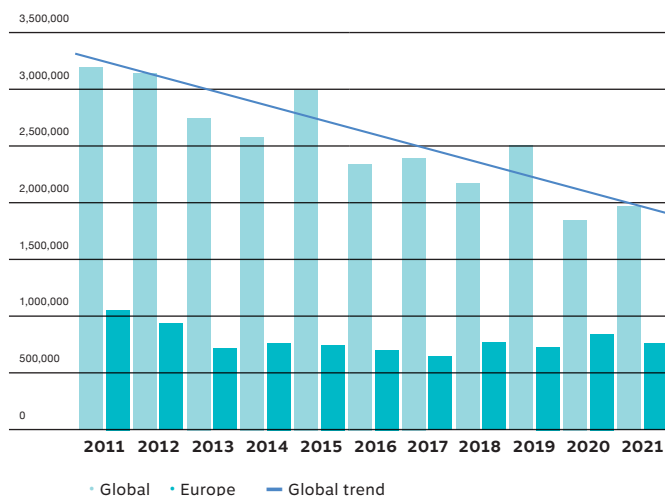
¹ 11 billion Euro from 2008 to 2017.



improvement but even break the general downward trend. In 2015, this surge of activity was linked to the expansion of the Panama and Suez Canals. In 2010, a surge of activity occurred inside Europe for the reclamation of Maasvlakte 2 in the Netherlands.

EuDA's global emissions in 2020 amounted to 1.9 Mt, the lowest on record so far. However, the COVID pandemic

Graph 3:
EuDA fleet CO₂ emissions (2011-2021) *source: EuDA*



significantly impacted the 2020 activity levels. And EuDA's global emissions in 2021 raised above the symbolic 2 Mt but nevertheless confirmed the general downward trend of the European Dredgers' emissions.

These figures also confirm the steady progress on reduction of CO₂ emissions per m³ (relative CO₂ emissions) achieved by the European Dredging

industry. However, **absolute CO₂ emissions achievements cannot (yet) be disconnected from the global economic activity** in general and from the global sector activity in particular. The achievement of absolute CO₂ emissions targets demands a Sector Strategy that would combine relative efforts on emission (CO₂ emissions per m³) with actions on atmospheric CO₂ concentrations through offsetting

Table 1: EuDA fleet CO₂ emissions (2008-2021) *source: EuDA*

EuDA Sea-going dredging equipment			
Global operations	Installed power MW	Fuel consumption kton	CO ₂ emissions kton
2008	1,510	1,090	3,440
2010	1,591	999	3,155
2012	1,845	986	3,108
2014	1,599	847	2,673
2016	1,264	751	2,371
2018	1,421	675	2,134
2020	1,451	583	1,860
2021	1,389	644	2,052
European operations	Installed power MW	Fuel consumption kton	CO ₂ emissions kton
2008	420	280	880
2010	654	420	1,326
2012	502	284	896
2014	531	229	724
2016	306	207	663
2018	485	238	763
2020	605	258	826
2021	487	219	701

measures such as the restoration of blue carbon habitats. In the current context of the Green Deal and its initiatives, such as the 'Fit for 55' package and the Green Taxonomy, the EU Member States are setting up transition targets and deadlines for sectors to contribute towards reducing the CO₂ emissions by 55% by 2030 (compared to 1990 levels) and ultimately reach net zero emissions by 2050. EuDA cooperates with the legislators and administrations to effectively reach the goals and objectives with pragmatic and realistic transition paths for the dredgers.

Next Steps

EuDA will further communicate on its CO₂ Strategy through the publication and presentation of its Policy Paper on Decarbonisation of the Dredging Sector as well as its Position Paper on Implementing ETS to Dredging and Offshore Activities. EuDA members also intend to pursue a closer **communication and cooperation with academia**, including non-engineers and multi-disciplinary contacts, to define further research questions and possibly establish a multi-disciplinary centre of excellence.

European Sustainable Shipping Forum (ESSF)

The European Sustainable Shipping Forum (ESSF) is a forum established by the Commission for structural dialogue, exchange of technical knowledge, cooperation and coordination between the Commission, Member States' authorities and maritime transport stakeholders on issues pertaining to the sustainability and the competitiveness of EU maritime transport. It was first established in 2013 for a period of 5 years and its mandate was renewed in 2018 for another 5 years.

In 2013, EuDA was observer in the ESSF. In 2018, EuDA became full member of the ESSF. Paris Sansoglou represents EuDA at the plenary sessions and Hendrik Vanneste (Jan De Nul) at 2 technical subgroups ('Sustainable Alternative Power for Shipping' and 'Ship Energy Efficiency').

ESSF is a technical platform where the EU and the Member States discuss and coordinate their respective (ideally common) positions with regard to IMO proposals, EU legislation (existing and upcoming) and other issues related to making European shipping (more) sustainable. In their positions, the European Flag authorities use the findings and content developed in the ESSF sessions.

EuDA sits in the ESSF plenary and in the technical subgroups on Ship Energy Efficiency (SEE) and Sustainable Alternative Power for Shipping (SAPS). In these groups, public administrations and stakeholders discuss over technical issues, including life-cycle assessment, GHG abatement technologies, on-shore power supply as well as policy subjects, such as ETS, FuelEU Maritime and Carbon Intensity Indicator.

“In 20 years, the CO₂ performance of European dredging vessels improved on average by 15%.”





THANK YOU, Chantal !

On behalf of the EuDA Emissions Working Group, I would like to thank you, Chantal Schillemans, for your cooperation on the dredging emissions files.

You joined the work of the Emissions Working Group of EuDA in 2021 but you were already active in the EuDA EnvCom since 2013. We appreciated your dedication and commitment to the EuDA EmWG and for the time and advice you gave us with regards to emissions issues and legislation affecting the European dredgers.



Chantal Schillemans
(Vereniging van Waterbouwers)

We wish you all the best in your new endeavour and welcome your successor Mr Michiel Spitzer.

*Thank you, Chantal, for your dedication and support to our industry,
Farewell!*

Paul Vercrujse - EmWG Chairman

MULTICULTURAL, MULTIDISCIPLINARY AND MULTISKILLED COOPERATION THE BUILDING BLOCKS OF OUR SUSTAINABLE FUTURE

Multi-cultural, -disciplinary and -skilled cooperation requires two main prerequisites: understand each other and trust each other. This means that information and knowledge need to be exchanged between the multidisciplinary team members in order to understand each other. Only when they understand each other, can they build the necessary trust for cooperating with each other. Co-operation can then take various declensions: co-design, co-creation, co-ownership and co-financing.

Investments in creating and maintaining multidisciplinary teams are needed to properly implement the EU Green Deal and sustainably fulfil the EU's ethical and social standards (including business ethics, Human Rights and working conditions). With their highly skilled and educated multidisciplinary teams, European dredgers remain at the forefront for providing waterborne and offshore energy infrastructure owners with innovative sustainable solutions.



Two visitors fascinated by the painting 'The Tower of Babel' painted by Breughel. A work about the myth of a tower built by people from all over the world that was never realised due to the lack of communication.



SOCIAL

EuDA Social and Labour Strategy

From its inception in 2003, the EuDA Social Committee (SocCom) worked towards establishing and implementing the common EuDA **Social and Labour Strategy**. The main objectives of the EuDA Labour Strategy have been to harmonise and simplify the treatment of seafarers and project staff ('industrial personnel') inside and outside Europe as well as improve market access and labour mobility.

Strategic Workshop

EuDA organised in 2018 an internal strategic workshop on "Reevaluating and Redefining the EuDA Strategy on State Aid to Maritime Transport" and identified for the European Dredging Industry the main issues and

obstacles, the potential solutions as well as priorities and realistic future options.

As a result, the EuDA Social and Labour Strategy was formally established and structured around the 5 clusters of identified main issues:

1° Unsited and Messy Legal Framework

Dredging is at the centre of many European legislations regulating its operations (dredging & offshore projects), its working equipment (e.g. dredging & offshore vessels) and its people (seafarers, engineers, working permits, visas, ...). The continuous development of (new) legislation at all levels (international, regional, national, sub-national) has significantly increased legal complexity

*which, in turn, often creates various levels of **legal uncertainty**.*

2° Labour Availability, Qualifications, Mobility

Dredging, like many other maritime sectors is faced with a significant lack of qualified staff (seafarers, engineers, ...). This situation is also aggravated by labour mobility issues (restrictions on certification, visas and working permits) and by working conditions restrictions (e.g. working hours) inside and outside the EU.

3° Unfair Competition

The global emergence of non-EU State-owned Enterprises (SoEs) supported by their national

2022 Members of the EuDA SocCom



Hans Casier
(SocCom Chairman,
DEME)



Bo Toft Franzen
(Rohde Nielsen)



Katleen De Geyter
(Jan De Nul)



Bart Wellens
(Van Oord)



Robbert Veenstra
(Boskalis)



Paris Sansoglou
(EuDA)



Silvia Selandari
(EuDA)

frameworks of tied financing schemes has significantly distorted global competition. Heavy subsidy schemes allow these SoEs to gain markets at the expense of their foreign competitors. Competitive companies need a level playing field to be able to fairly compete on merit (knowledge, experience, skill, technology, quality of the delivered services, added value to society and price).

4° Not Future Oriented Governance

The Green Deal requires European and national legislations to become future-proof and climate-proof. This also means that the governance of European and national administrations should be adapted to achieve these future-proof and climate-proof objectives.

5° Enforcement and Compliance Checking

Levels of enforcement and compliance checking are very variable between countries and within countries, including in the EU. A more effective and better targeted system should be considered and implemented.

Although these clusters of issues cover all facets of dredging activities, this chapter will only focus on the labour issues or social aspects.

Main priorities in 2022

In 2022, EuDA pursued the implementation of its Social and Labour Strategy and worked on the social aspects in levelling the playing field in Europe, on the hierarchy of labour laws in Europe with a focus on German and French laws and on European State Aid Guidelines for Maritime Transport.

Levelling the playing field in Europe on Social aspects

As part of its strategic priority “Unfair Competition”, EuDA is monitoring labour issues around Europe and tries to maintain or improve the level playing field in Europe from the angle of social legislations and working conditions.

Unfair competition from China

Unfair competition from China has been a growing and intensifying phenomenon for over ten years. For the last 5 years, more and more issues have been reported inside Europe. Since 2019, EuDA is developing a **European Trade Strategic Toolbox** with a set of policy and legislative instruments to stop these unfair competition practices by the Chinese SoEs to further harm the European Dredgers (in Europe and around the world).

In this context, EuDA has included in the scope of the toolbox possible social and labour related instruments. EuDA continuously reflects on ways in which social regulations (permits, visas, language/nationality requirements, ...) can be used or adapted to increase the level playing field by preventing non-EU SoEs from using unfair trade practices (dumped social conditions, forced labour, ...) inside Europe.

Requirements on European Flag and crew (e.g. 75% of EU crew on board dredgers) could provide sufficient barriers to stop these unfair practices by non-EU SoEs. However, this is a strategic decision that needs to be taken at company level as it will impact operations.

The main difficulty is to strike a healthy balance between avoiding the pitfalls of social dumping and other unfair competition practices and keeping sufficient flexibility in labour treatment in order to fit the industry’s needs and to keep it competitive.

Posting of Workers

In order to prevent unfair competition through social dumping, existing EU legislation, such as the Directives on the Posting of Workers can enforce relevant minimum standards on labour and working conditions. The Directives on the Posting of Workers include:

- 1° EU Directive 96/71/EC on “*the posting of workers in the framework of the provision of services*” (16/12/1996);
- 2° EU Directive 2014/67/EU on “*the enforcement of Directive 96/71/EC concerning the posting of workers in the framework of the provision of services*” and amending IMI Regulation EU/1024/2012 on “*administrative cooperation through the Internal Market Information System*” (15/05/2014); and
- 3° Directive (EU) 2018/957 amending Directive 96/71/EC concerning the posting of workers in the framework of the provision of services (28/06/2018).

These legislations contain provisions that could be used to create additional barriers and impose restrictions on movement of **natural persons**, such as:

- requirements on **residency or nationality or language**;
- restrictions or processing delays on **visas & work permits** (hindering companies and crews from outside the EU);
- requirements on **licensing/certification**;
- ...

However, for each legislative/policy option, the consequences for the European industries should be carefully considered. For instance, some provisions in these general legislations can appear to conflict with

the same provisions on accepted business practices included in sector-specific agreements (i.e. **Collective Labour Agreements**):

Art. 3 of the posting of workers Directive stipulates that Member States shall ensure equal treatment as well as the following requirements:

- **maximum work periods and minimum rest periods**;
- **minimum paid annual leave**;
- **remuneration, including overtime rates**
- **health, safety and hygiene at work**;
- *the conditions of workers' **accommodation** where provided by the employer to workers away from their regular place of work*;
- [...]

Besides their existence, these general or specific legal provisions also **need to be enforced systematically and effectively**. Ideally the enforcement systems should reward compliance by adapting accordingly the frequency of their checks: the checks' frequency of checks: the checks' frequency and/or probability would be increased on the regularly non-compliant entities and reduced on the systematically compliant entities. At this stage, the enforcement is more perceived as a bureaucratic burden rather than a level playing field instrument that can be used to filter out unfair competitors. All EU rules should apply to all companies

working in the EU, including and especially non-EU SOEs. However, these legislative provisions should not be discriminatory to remain WTO compliant.

Hierarchy of Labour Laws

Legislations protecting seafarers aim at protecting their health and safety at work, at guaranteeing decent working conditions (including working hours, resting hours and salaries), ... The applicable laws are international, European, federal and national. Some of these laws are directly related and others not, but they can overlap. The key question about their applicability is their hierarchy: which supersedes which and under which conditions.

EuDA members consider that EU companies need to comply with the following standards, and so should non-EU companies:

- 1° international standards on labour rights, human rights, child labour, forced labour, fraud etc, including MLC requirements (on Crew);
- 2° local rules, regulations, minimum standards;
- 3° if applicable the provisions contained in Collective Labour Agreements.

In 2022, EuDA members were confronted with issues of applicable laws and EuDA decided to clarify the

hierarchy of application of these laws to dredgers and offshore services vessels. More specifically, EuDA worked on cases in Germany and France.

Germany



Background

In **Autumn 2017** the offshore supply vessel “Atlantic Tonjer” under Panamanian Flag entered German coastal waters to carry out works on an offshore windfarm in the Baltic Sea.

On board were three Ukrainian nationals, working as steward, chief engineer and crane operator, all with valid STCW-certificates. They were in possession of a Schengen visa type “C” from another EU State or a biometric passport. The works were stopped by a (repeated) intervention of the Federal Police (Bundespolizei). The crew was forbidden to work and ordered to “leave the country” as soon as possible: they lacked a work permit.

The case went to court and a prominent maritime law firm in Germany managed to convince the Schleswig-Holstein Administrative Court - as well as other chambers in the summary proceedings - that a work permit was not necessary because the crew members did not enter the country.

However, in the appeal on 27/04/2021, the Leipzig Federal Administrative Court (*judgment of the BVerwG - 1 C 13.19*) deviated from this case law and ruled that:

1° for an offshore work location in the German **territorial sea**, German immigration law (Aufenthaltsgesetz) applies in its entirety: a **visa¹ for remunerated employment is required** because the crew has physically crossed the border of the national territory;

2° the **‘Flag State Principle’** may only supersede German law in the case of customary international law (esp. labour, public service and disciplinary law) – not codified in UNCLOS.

3° work from an offshore supply vessel is not covered by the **“right of innocent assage”** (art. 17 UNCLOS).

As a result of the 2021 federal judgment in Leipzig, the Federal Police (BMI) stopped issuing Vander Elst visas for non-EU crew as from December 2021, and required instead that non-EU nationals should have a **residence title** (including a work permit, either from the country of his or her employer or in the form of a national visa from Germany). The consequence of

this decision was that since the beginning of 2022, **all non-EU crew were replaced by EU-based crew** (as none could receive a Vander Elst visa anymore).

Analysis

Non-EU flagged vessels

As the “Atlantic Tonjer” case refers to a **Panamanian flagged vessel**, the situation would have been different for an EU flagged (e.g. resolved with a Vander Elst visa, § 21 BeschV in conjunction with **ECJ case law**). Moreover, it can be argued that EU flagged vessels benefit from the general freedom of movement and freedom of work. The remaining cabotage laws in the EU Member States do not apply to other EU Member States. In that case, work permits and residence questions are dealt with the Flag State.

International labour law

According to Standard A2.1 para. 1 lit. e) MLC, **seafarers** shall be given a document (*Seafarer’s Book*) containing a record of their employment on board

“The big challenge is to strike a healthy balance between Labour Protection and Labour Flexibility.”

¹ this immigration visa requires skilled workers speaking German.



the ship. However, this seafarer's book satisfies some labour law requirements, but not those of the (national) immigration law.

So the main question to consider was **which law applies** and if several apply (labour law and immigration law), **which supersedes the other** with regard to entering and working in German coastal waters on dredging and offshore projects.

Vessels not used for shipping

In the judgment of the European Court of Justice, C-341/18 of 5 February 2020. Similar to the judgment of the German Federal Administrative Court, the court dealt with the difference between seafarers and workers on a vessel that is not used for the purpose of shipping.

In this case the border control refused to affix an exit stamp from the Schengen area to the seafarer's passports when signing on with a vessel that was not intended to leave the port of Rotterdam shortly thereafter but long-term moored in the port for works.

Risks for companies

Under these German social laws, there are (criminal) convictions that would create a record with the

Competition Authorities and lead to exclusion from tendering in the country for several years.

Way forward

EuDA's strategy was to approach the German government and ask for clarification on the hierarchy of the applicable legislations (International, EU, federal or national law).

VdN (the German Dredging Association, used the occasion of their annual structural meeting with the Wasserstraßen- und Schifffahrtsverwaltung des Bundes (WSV) to discuss market access issues (including requirements on vessels and crew) and raise the question (see also chapter 2). During that meeting, VdN was informed that Germany revised its approach on dredging projects and would systematically require that

- vessels are EU Flagged;
- non-EU crew members need a German working visa.

Moreover, the German administration explained that some facilities and leniency would be granted for projects supporting the green energy transition (e.g. the 'Eastern Package') and that the offshore activities, contributing to renewable energy, are exempted from this working visa obligation.

In July 2022, the public procurement for the maintenance works on the Weser River, already implemented these new requirements, explicitly requiring that: the vessels are EU flagged and that the crew should also be EU residents (otherwise, they would need a work permit to comply with the German immigration laws).



France

Background

Social inspections in France more regularly refused to apply Flag State rules and instead apply Port State rules (French national laws). In the national laws, for instance, staff need to have 1 day off per week and work a maximum of 37 hours per week.

In some reported cases (e.g. cable-laying), solutions were found when an appropriate Collective Labour Agreement could be found (e.g. allowing the usual working hours practiced on dredgers). However, these are case by case solutions and a more general/systematic solution would be preferable.

Request for a Legal Opinion

Building on its experience with Germany, EuDA asked for the legal opinion of a prominent law firm specialised on that matter in France.

Working Assumptions

The maritime specialised French law firm framed its legal opinion by assuming that the considered ships are EU flagged with seafarers working onboard, that provide **specialised transport services**² (such as dredging services, but also offshore supply services for windfarms) in French territorial waters.

Because the offshore wind industry is very recent in France. The legal issues arising in the offshore wind industry do not always find clear answers and can trigger revisions of the concerned law. Therefore, the French laws on offshore works are ‘work in progress’.

Law(s) applying to seafarers

The determination of the law(s) applicable to the seafarers’ **employment contracts** is not always straightforward and depends on various criteria. In short, there are 4 main concurrent (and not alternative) rules to consider when determining the applicable law(s):

Rule 1: the laws applicable are of the Flag State

The laws of the Flag State apply to seafarers’ employment contracts. However, some provisions are mandatory and others not. Typically, the public policy rules are contained in the law of Flag State and cover, for example, issues related to health and safety, working

hours on board, qualification of the personnel on board the vessel, i.e. whether they are seafarers or not.

International conventions, such as the ILO Maritime Labour Convention of 2006 (MLC) for employment law have been enforcing minimum standards. The transposition of these international minimum standards have been implemented in a similar fashion by the EU Flag States. Art. II of MLC states that the **Convention applies to all seafarers**³. The MLC applies to ships regularly working in “exposed” waters, provided that they are flagged in the State that ratified the MLC. The provisions of the MLC, as transposed into Flag law, are likely to apply.

Rule 2: the law applicable is, if any, the law chosen in the employment contract

This rule results from Art. 8 of EU Regulation 593/2008 on the law applicable to contractual obligations (“**Rome I**”), which specifies that “*An individual employment contract shall be governed by the law chosen by the parties (...)*.”

If the parties to an employment contract have chosen to apply a specific law, then that law will apply, in addition to the public policy rules defined by the law of the Flag State (see Rule 1 above). Such law will apply

in its entirety, unless mandatory provisions of another law cannot be overridden (see Rules 3 and 4 below).

Rule 3: the law applicable is the law of the country where the employee usually works

Art. 8 of Rome I also specifies that any choice of law between the employer and the employee may not “*have the result of depriving the employee of the protection afforded to him by provisions that cannot be derogated from by agreement under the law that, in the absence of choice, would have been applicable*”.

This criterion prevents employers from choosing a law which would be in their favour, to the detriment of the employees.

Art. 8 further defines that “*in the absence of choice [...] the contract shall be governed by the law of the country in which or, failing that, from which the employee habitually carries out his work in performance of the contract.*”

Moreover, Rome I specifies that “*work carried out in another country should be regarded as temporary if the employee is expected to resume working in the country of origin after carrying out his tasks abroad*”.

As a result, thereof, the law applicable to an employment contract is not only the law chosen by

² EU directive 3577/92 art 3.1.: [...] for vessels practising cabotage [...] all topics related to the crew of the vessel are subject to the State where the vessel is registered, unless the vessel has a gross tonnage less than 650GT.

the parties (if any) but also any mandatory provisions of the law that would have been applicable in the event no law had been chosen by the parties.

Rule 4: the application of mandatory provisions under the national (French) law

In addition to the three rules set out above, a fourth rule applies: Art. L. 5562-1 of the French Code of Transport provides for **the application of French mandatory rules to personnel employed onboard ships, regardless of the Flag, which are used to perform services mainly in French territorial or inland waters.**

The French rules which apply to these areas form a set of mandatory rules which, by virtue of Art. L. 5562-1 of the French Code of Transport, may apply to the seafarers.

In line with EU Regulation n° 3577/92 of 7 December 1992, other ships than those mentioned in Art. L. 5561-1 of the French Code of Transport are free to provide maritime transport services in France, without applying host State rules.

Under the working assumptions making a.o. cabotage laws applicable, the legal opinion concluded that **the**

seafarers on board dredgers should not be subject to the set of French mandatory rules.

Way forward

EuDA's strategy was to use the legal opinion as a basis to draft a Paper on "Labour Laws applying to Dredgers" and provide its members with a single, simple document that can be used in all EU countries to clarify which laws apply to dredging vessels and staff working in European waters.

In this paper, EuDA highlights that it is crucial to determine for dredging and offshore service activities whether the European law considers them as part of the **merchant navy** (transporting goods and passengers) or not.

Dredging and offshore services combine sailing (100% transport) and working (dredging or relocating sediments) activities. However, all these activities can be linked to transport as there are a loading phase (*dredging*) and an unloading phase (*sediments relocation*) for every transportation of goods (*sailing*). This has been recognised in EU law: under the State Aid Guidelines to Maritime Transport, dredging vessels are explicitly mentioned and the current EU practice also incorporates the offshore vessels. In the EU MRV,

the specificity of working vessels was highlighted to exclude them in a first phase from the scope of the legislation targeting the shipping industry.

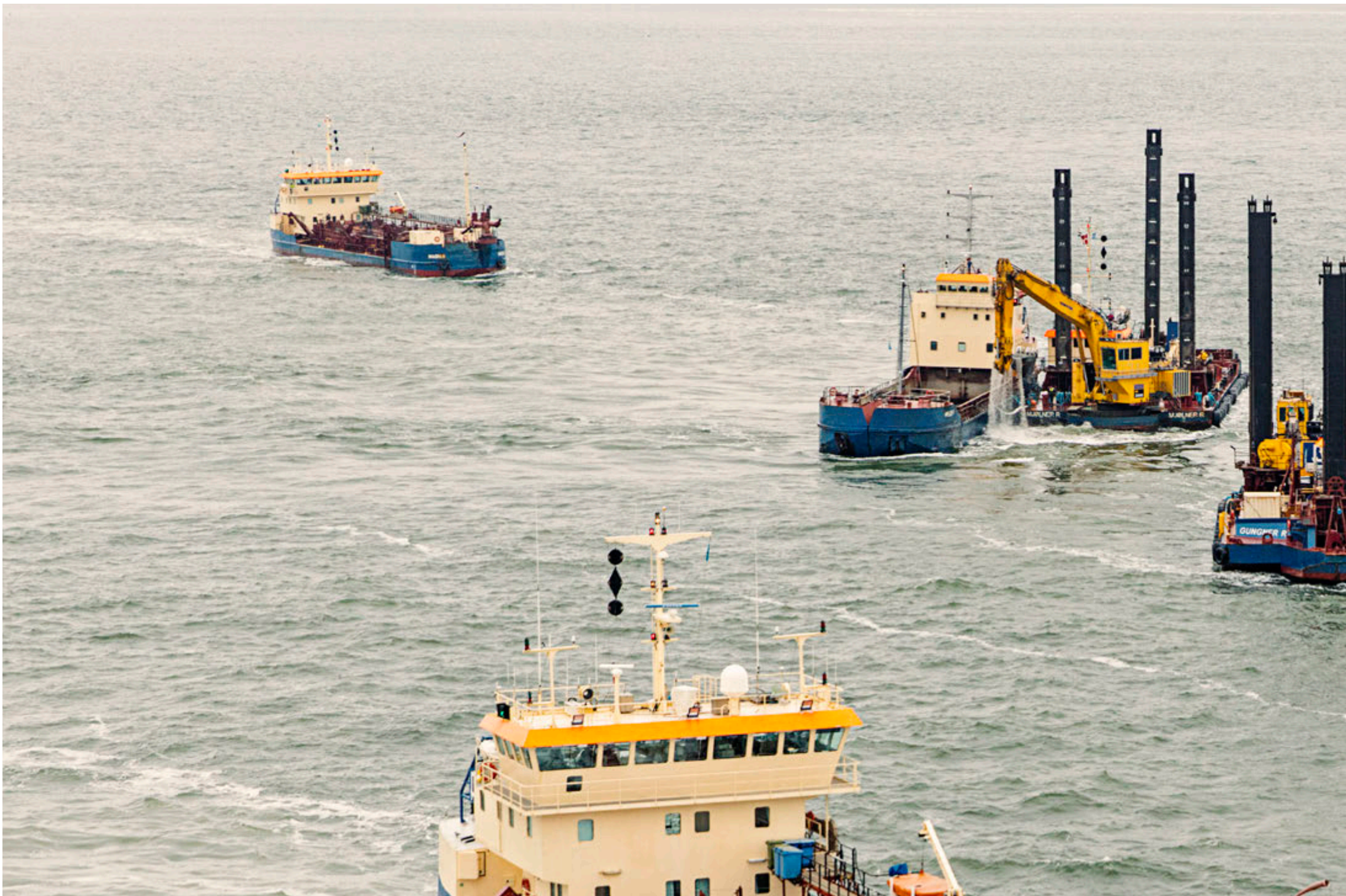
In short, when EU flagged maritime ships (with a gross tonnage >650GT) provide **dredging services or offshore supply services** (e.g. for windfarms), these ships should be considered as **performing specialised transport services** and treated like any other ship transporting goods under the European law, and thereby their seafarers should be also treated accordingly.

EU State Aid: follow-up on DG Competition

EuDA position paper on State Aid will be updated, in view of the announced revision of the Maritime Guidelines in 2023.

EuDA's main recommendation on State Aid still stands

The evidence collected by EuDA in the context of the State Aid Guidelines to Maritime Transport substantiates the following revision recommendation: *"while keeping dredging in their scope, the Guidelines should exempt dredgers from the "50% Rule" and possibly consider enlarging their coverage to other self-propelled ocean-going dredging vessels (such as CSDs)".*





THANK YOU, Bo!

Bo Franzen joined our EuDA Social Committee at its very inception in 2003 as the representative of Rohde Nielsen. He was part of the team that supported the EuDA Board through most of the 'social hot items', including discussions with the Commission on Staid Aid to maritime transport and with the ILO on the Maritime Labour Convention.

On behalf of the EuDA Social Committee, we would like to take this opportunity to thank you, Bo, for your dedication and commitment for nearly 20 years to the EuDA Social Committee and the social legislative issues impacting on the European dredgers.



Bo Franzen
(Rohde Nielsen)

We appreciated your enthusiastic contributions and clear points, especially during the brainstorming in 2008 that restructured our general approach to labour issues.

We wish you all the best in your upcoming endeavours,

*Thank you, Bo
Farewell, Captain!*

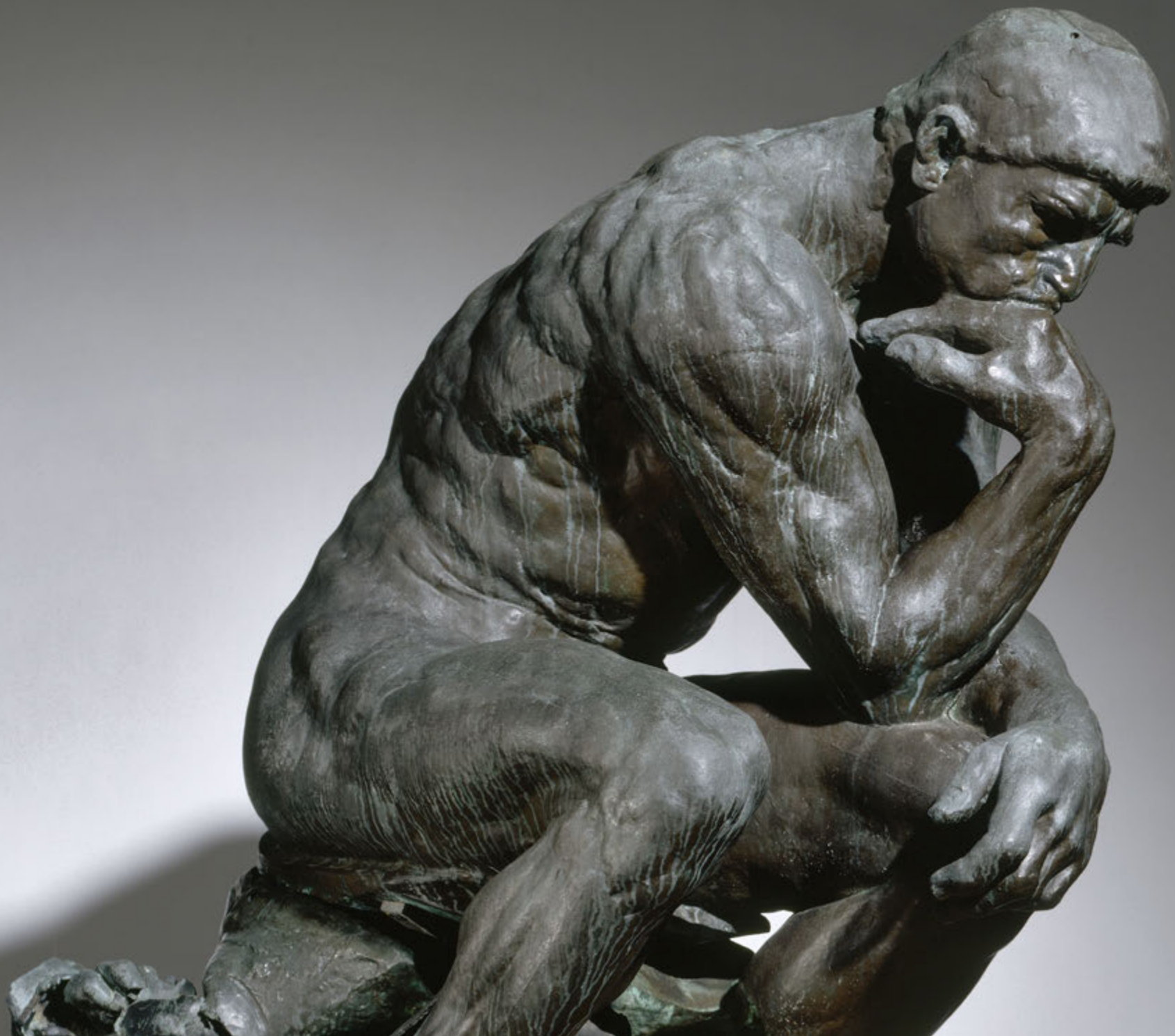
Hans Casier
SocCom Chairman

SPENDING TIME AND EFFORT TO INNOVATE TOGETHER TOWARDS A SUSTAINABLE WORLD

The effective transition of economic activities towards sustainability also requires new knowledge, skills, mindset and governance. By working 'together', multidisciplinary teams create more innovative solutions and faster, with more effective and more resilient responses to recurrence of extreme high and low waters.



'The Thinker' of Auguste Rodin became a metaphor for people struggling with questions, problems, etc.



European Dredgers Innovating around the world

In their high-tech high added-value maritime segments, the European Dredgers can only compete where markets are open. They maintain their global leadership thanks to their drive to innovate faster than their competitors can imitate them. To provide added value to global logistics, global environment and global society, the European dredging companies are continuously investing in Research, Development and Innovation (RDI) for new vessels and equipment, for improved or new processes and operations as well as for top notch training and education. World leadership in global markets is not a destination but a journey of continuous self-improvement towards a constantly moving target.

In order to keep the innovation flow running, EuDA promotes innovation-friendly legislation and governance. Indeed, when innovative solutions appear, they can be hindered or blocked by too prescriptive legislation or unadapted governance. This is why EuDA promotes goal-based legislations and performance-based standards over prescriptive ones, and this is particularly true in globally competitive sectors.

EuDA also promotes the Life Cycle Assessment (LCA) of the costs and benefits of the different possible

alternative solutions for an infrastructure project's design, execution, operation and decommissioning. Typically, only the costs of the building phase are considered for awarding the projects while the possible added-value or cost reductions occurring afterwards (during operations, maintenance, or during decommissioning) are usually not taken into consideration. It is a well-known fact however that *"the cheapest solution at the point of purchase/ procurement means a more expensive asset to hold and manage"*. By integrating long-term metrics and impacts in the decision-making, the life cycle approach opens up the range of solutions to more sustainable solutions (from hard solutions to soft solutions) and provides decision-makers with the proper long-term assessment tools to invest in sustainable assets.

The Green Deal is the top priority of the European Commission and has the potential to become a game changer in the coming years, as in improving Europe's environmental footprint it will also offer opportunities to the greener and more innovative companies. Significant investments are needed for this transition including in new technologies, equipment, processes and people.

When considering the optimisation of sustainability criteria, the following comprehensive approach

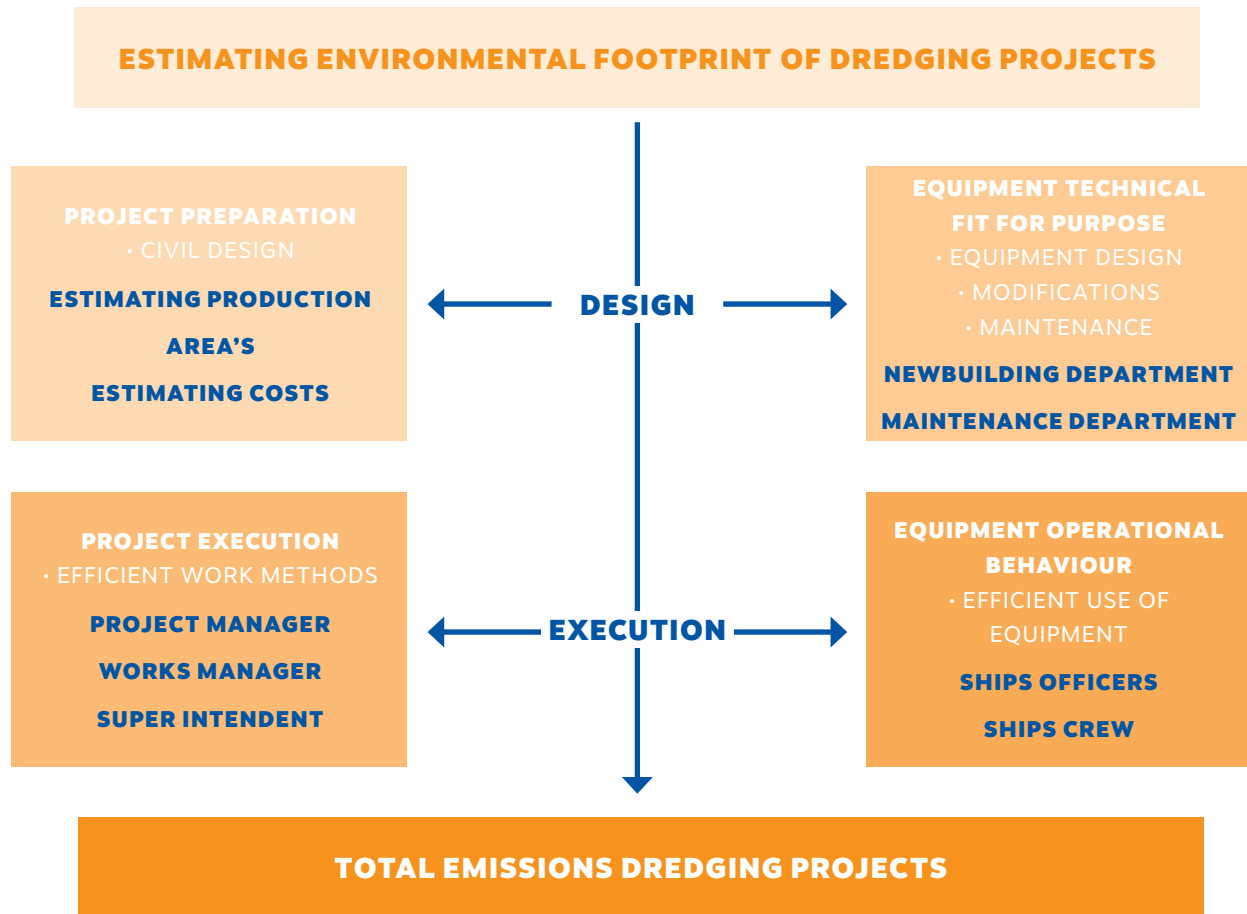
provides insights on the four interconnected drivers of energy and other resources consumption for a dredging project: the **design** of projects (often determined by clients) and of equipment (translating the vision and know-how of dredgers), as well as the **execution** of projects (working methods, type of equipment) and the **operational use** of equipment (optimal efficiency and skilled crew).

European Dredgers are continuously investing in new equipment and technology (e.g. over €11.1 bn invested in new equipment from 2008-2017) to improve their environment impacts, including in RDI and trainings to improve the efficiency of their operations and systems. EuDA members are already investing in the Green Deal.

Co-Programmed Partnership on Zero-Emission Waterborne Transport

The European Commission is also encouraging the mainstreaming of carbon-free, climate neutral technologies, fuels or solutions for the maritime industries via major research frameworks, co-funding major research programmes such as the Co-Programmed Partnership on Zero-Emission Waterborne Transport (CPP).

“World leadership in global markets is not a destination but a journey of continuous self-improvement”



WATERBORNE TP is an industry-oriented Technology Platform gathering waterborne (maritime, inland navigation and lakes) stakeholders such as classification societies, shipbuilders, shipowners, ports, maritime equipment manufacturers, infrastructure and service providers, universities or research institutes, as well as representatives from the EU Institutions and the Member States.

A few years back, WATERBORNE TP had to reinvent itself and adapt to the new requirements of the European research funding environment. The restructuring of the platform involved the creation of a permanent secretariat and management structure as well as the creation of a flagship **Co-Programmed Partnership (CPP)** on “Zero-Emission Waterborne Transport” within the framework of Horizon Europe.

The CPP secured around 530M€ from Horizon Europe until 2027 for the waterborne transport to develop technologies and innovations to achieve zero-emission waterborne transport by 2030. The CPP plays a central role in providing and mainstreaming technological solutions for shipping to achieve the Green Deal’s “Fit for 55” objectives and achieve the Paris Agreement targets.



European Maritime Days 2022, in Ravenna: “Sustainable blue economy for green recovery”

Created by a tripartite declaration by the Presidents of the European Commission, the European Parliament and the Council of the EU, the European Maritime Day (EMD) is celebrated on and around the 20th May every year and aims to raise the visibility of a Maritime Europe.

The 15th edition of the European Maritime Day (EMD) was a hybrid event with 850 physical and 600 remote participants, taking place in Ravenna, Italy, on 19-20 May 2022.

Its flagship theme was “Sustainable blue economy for green recovery”.

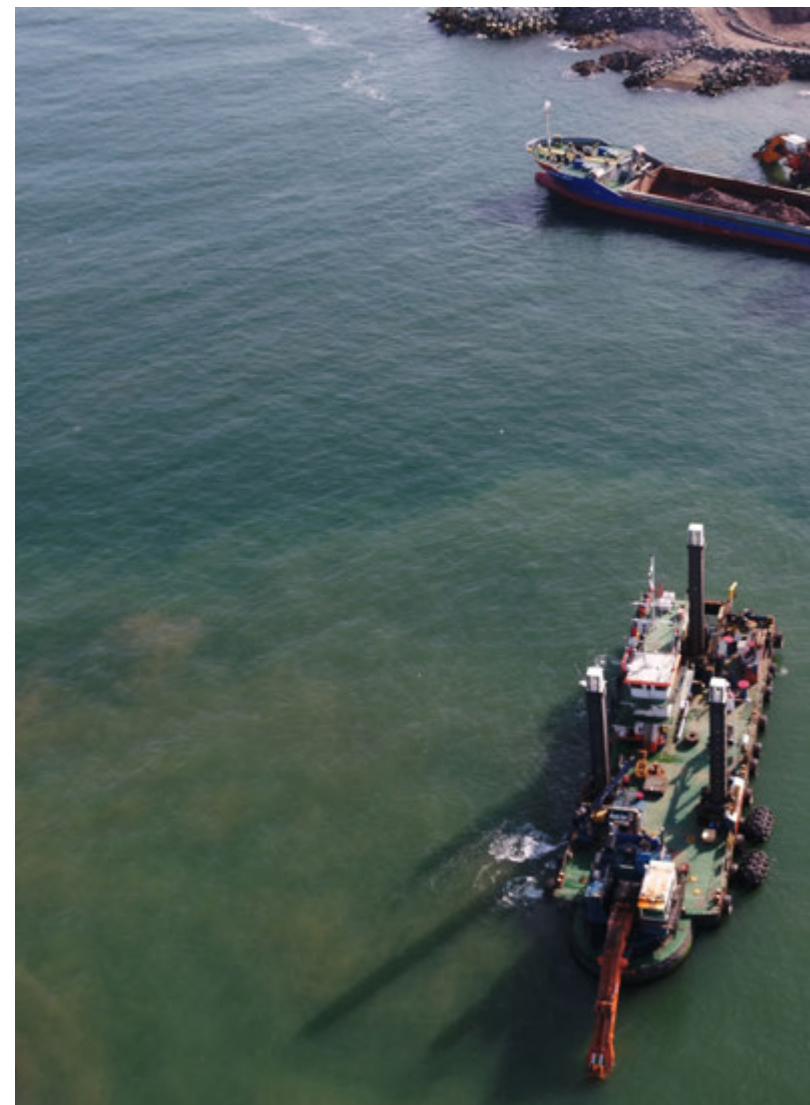
In his opening speech, the European Commissioner for Environment, Oceans and Fisheries, Mr Virginijus Sinkevičius stated: “The post-pandemic recovery has not been easy but we are determined. We are

*determined to make the sustainable blue economy part of our green recovery. Because **you can’t have green without the blue**”.*

Innovation challenging International Standards

In 2015, upon proposal by China Communications Construction Company Limited (CCCC) a WG 11 on “Dredgers” was created under the jurisdiction of ISO Ships and Marine Technology Committee ISO/TC8 for the purpose of proposing new standards for dredging technology. Since then, WG 11 and other ISO/TC8 WGs have been actively producing standard proposals for dredging equipment and processes, some of which have completed the process and become new ISO standards. These standard proposals are usually pushed through fast-tracking procedures, which tend to elude their opposition’s attention due to the added time pressure on the voting participants.

Most of these dredging standards were introduced under the shipbuilding/equipment side of dredging and not the earthworks (hydraulic fill) side: hence their focus on the production means (equipment) rather than their output (purpose of the equipment). However, these standards may well create issues for dredging operations (e.g. negatively impacting innovative processes).



2022
Members of the Task
Group
on Dredging
Standards



Paris Sansoglou
(TG DS Chairman,
EuDA)



Patrick van Eerten
(Boskalis)



EuDA's analysis revealed that in most cases these proposals are clearly **not output standards** and do not address the **quality level of the output**, but rather prescriptive descriptions on how to do the dredging works or mere lists of definitions with often no common structure. Prescriptive legislations or standards are known to be detrimental to innovation. EuDA, instead, promotes goal-based legislations and performance-based standards. Moreover, the general impression is that the initiated dredging standards proposals also aimed at gathering (missing/lacking/new) knowledge, understanding and information about the processes on board the concerned dredgers.

EuDA created in 2015 an ad hoc Task Group on Dredging Standards to ensure that the adopted standards for dredging vessels, equipment and projects are of the highest quality and that unnecessary standards proposals are stopped. However, since 2020, due to COVID confinement measures, most activity regarding the ISO proposed standards was stopped in ISO/TC8 WG 11.



Gunter Servaes
(Jan De Nul)

Maarten Sanders
(Van Oord)

Jan Gabriel
(DEME)

Bo Franzen
(Rohde Nielsen)

THANK YOU, Bo!

"In 2015, Bo Franzen triggered the creation of the EuDA Task Group on Dredging Standards that he joined. Together with the other members of the group we worked to understand ISO processes. We managed to stop unnecessary standards from getting through in dredging. With your support, we reshaped the standards into more appropriate reference documents.

We appreciated your keen work, motivation and cooperation.

We wish you all the best in your upcoming endeavours,

*Thank you, Bo
Farewell, Captain!*

Paris Sansoglou
TG DS Chairman



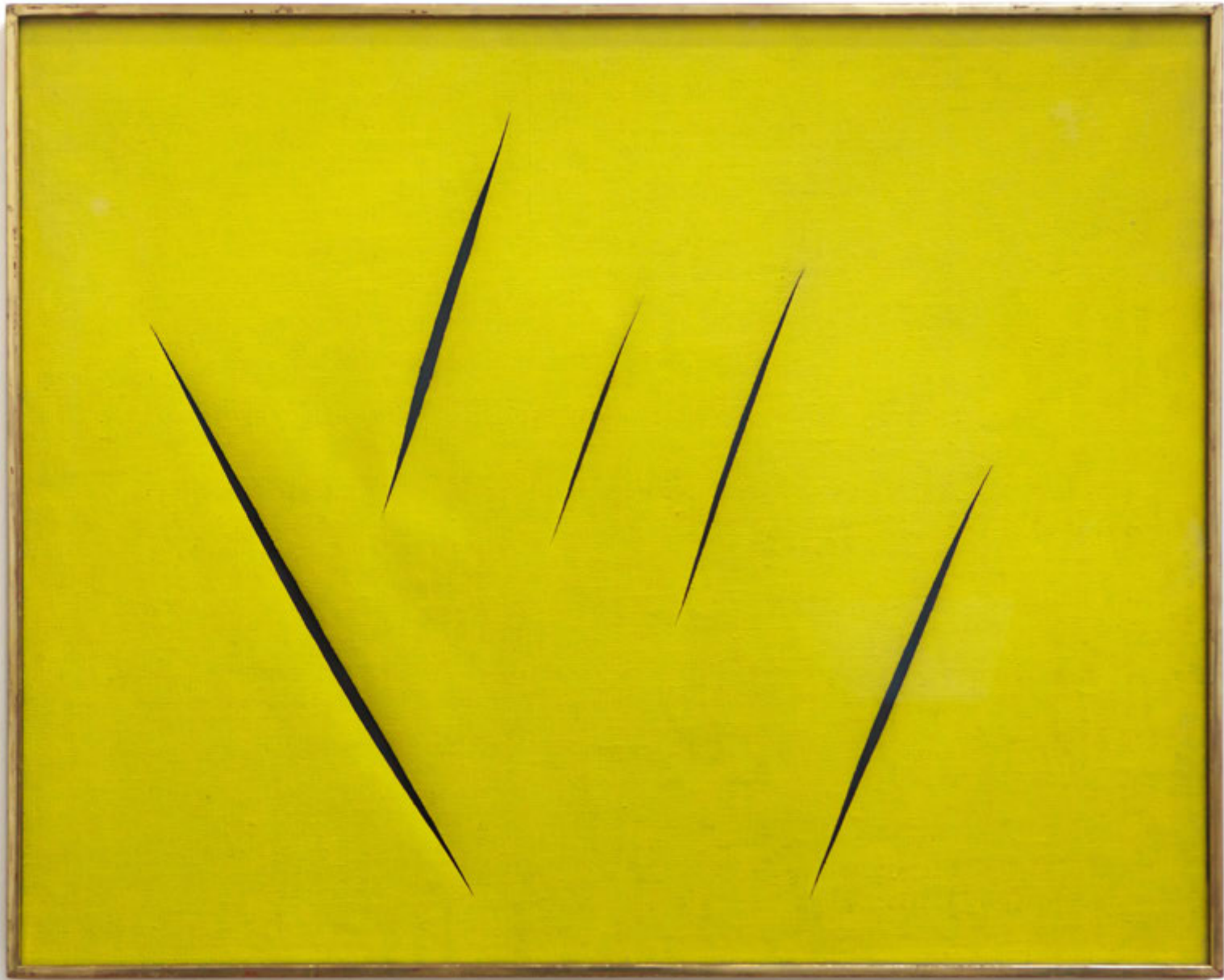
Bo Franzen
(Rohde Nielsen)

UNITED AS A SECTOR, WE WORK TOGETHER ON A 'CUTTING EDGE' STRATEGY FOR A SUSTAINABLE FUTURE

For nearly 30 years, the European Dredgers have united their minds and voices under the cooperative environment of the European Dredging Association (EuDA) to jointly promote European excellence, sustainable solutions, global market openness and global level playing field towards the European and International Institutions.



Painting 'Concetto Spaziale, Attese' (1959) by Italian painter Lucio Fontana on display at the exhibition 'WOW! The Heidi Horten Collection' in the Leopold Museum in Vienna, Austria.



MEMBERS



Belgium

Baggerwerken Decloedt & Zoon N.V.
DEME Building Materials N.V. (DBM)
DEME Environmental N.V.
DEME Offshore BE N.V.
Dredging International N.V.
Dredging & Contracting Belgium N.V.
Ecoterres S.A.
Fédération du Dragage Belge A.S.B.L.
Jan De Nul N.V.
Kalis S.A.
Van den Herik N.V. (Brugge)



Bulgaria

Boskalis Offshore Subsea Contracting B.V.



Cyprus

BKW Dredging & Contracting Ltd.
Boskalis Westminster Contracting Limited
BW Marine (Cyprus) Limited
Dredging International Services (Cyprus) Ltd.
Van Oord Middle East Ltd.



Finland

Terramare Oy



France

Atlantique Dragage S.A.R.L.
CBD S.A.S.
Eco Systèmes de Dragage
Granulats de la Manche Orientale GIE (GMO)
Société de Dragage International S.A. (SDI)
Sodranord S.A.R.L.
Sodraco International S.A.S.



Germany

DEME Offshore DE GmbH
HDC Wasserbau GmbH Nord
Hegemann GmbH / Dredging
Heinrich Hirdes GmbH
Jan De Nul Nassbaggerei und Wasserbau GmbH
Nordsee Nassbagger-und Tiefbau GmbH
OAM-DEME Mineralien GmbH
Strabag Wasserbau GmbH
Van den Herik GmbH
Van Oord Wasserbau GmbH
Vereinigung der Nassbaggerunternehmen E.V.



Gibraltar

Van Oord (Gibraltar) Ltd.



Ireland

Irish Dredging Company Ltd.
Van Oord Ireland Ltd.



Italy

Boskalis Italia S.r.l. Unipersonale
Branch DEME Environmental Italy
Dravo S.A. Italy Branch
Societa Italiana Dragaggi SpA (SIDRA)



Latvia

Baltic Marine Contractors SIA
Dredging International N.V. Filiale Latvija



Lithuania

UAB Boskalis Baltic



Luxembourg

DEME Offshore LU S.A.
Dredging and Maritime Management S.A.
Dredging International (Luxembourg) S.A.
Société de Dragage Luxembourg S.A.

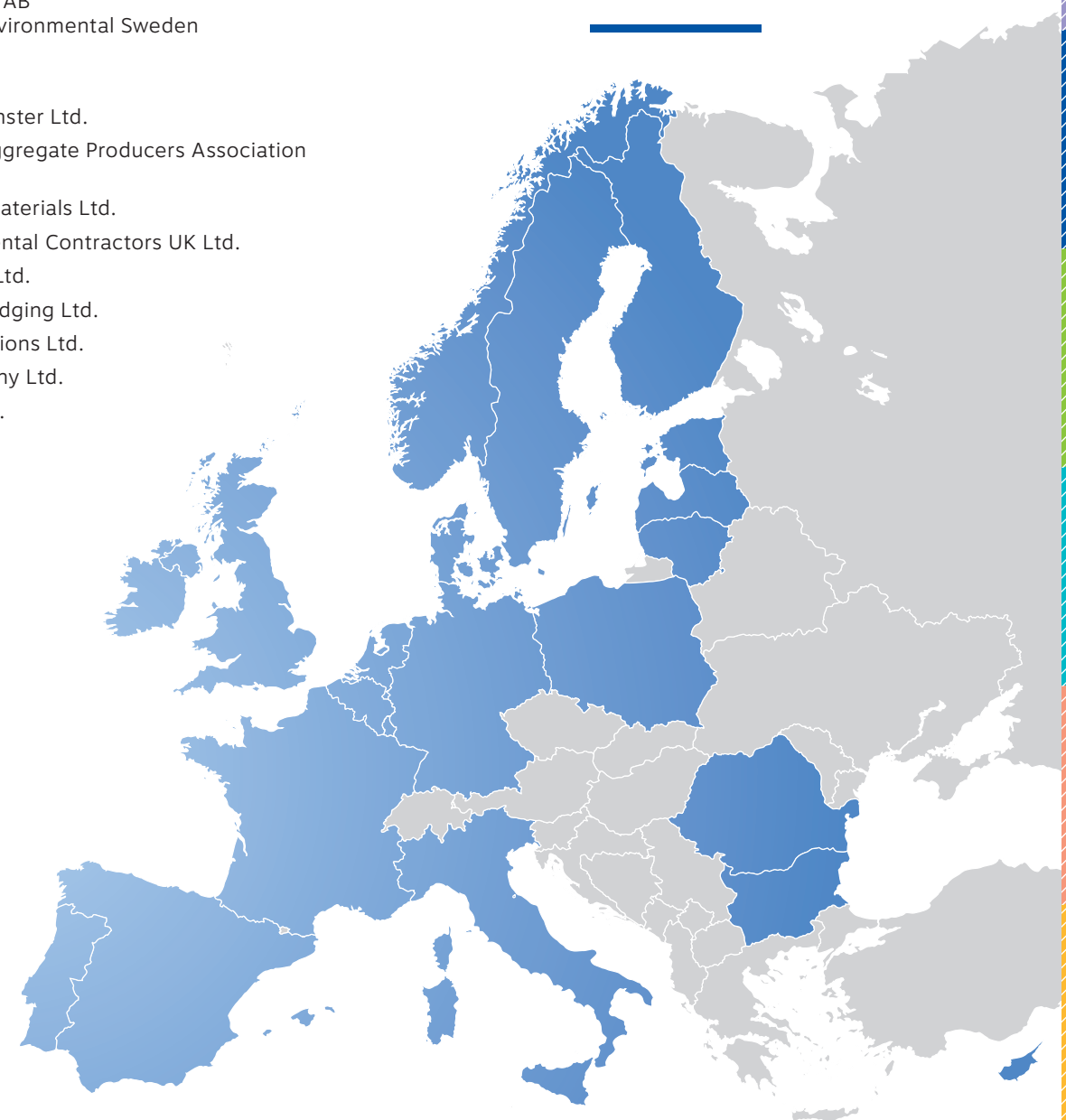


Netherlands

Aannemingsmaatschappij de Vries & van de Wiel B.V.
Baggerbedrijf De Boer B.V. / Dutch Dredging B.V.
Baggermaatschappij Boskalis B.V.
Boskalis Nederland B.V.
Boskalis International B.V.
Boskalis Offshore Subsea Contracting B.V.
DEME Building Materials B.V. (DBM)
DEME Offshore NL B.V.
Dredging and Contracting Rotterdam B.V.
Koninklijke Boskalis N.V.
Mijnster zand- en grindhandel B.V.
Paans van Oord B.V.



“United, we stand to promote our common values and defend our common interests.”



Van den Herik Kust- en oeverwerken B.V.
 Van der Kamp International Dredging B.V.
 Van Oord Dredging and Marine Contractors B.V.
 Van Oord Nederland B.V.
 Van Oord N.V.
 Vereniging van Waterbouwers



Sweden
 Boskalis Sweden AB
 Branch DEME Environmental Sweden



UK
 Boskalis Westminster Ltd.
 British Marine Aggregate Producers Association (BMAPA)
 DEME Building Materials Ltd.
 DEME Environmental Contractors UK Ltd.
 Jan De Nul U.K. Ltd.
 Llanelli Sand Dredging Ltd.
 NewWaves Solutions Ltd.
 Rock Fall Company Ltd.
 Van Oord UK Ltd.



Norway
 DEME Environmental Contractors N.V. (Branch Norway)
 Van Oord Norway A.S.



Poland
 Boskalis Polska Sp. z o.o.
 Van den Herik Polska Sp. z o.o.



Portugal
 Boskalis Sucursal em Portugal
 Dragapor Dragagens de Portugal S.A.
 Dravo S.A. Portugal Branch
 Dredging International N.V. (Branch Portugal)



Romania
 Van Oord Dredging and Marine Contractors Romania Branch
 Boskalis S.R.L.



Spain
 Boskalis B.V. Sucursal en España
 Dravo S.A.
 Dredging International España S.A.
 Sociedad Española de Dragados S.A.



EU DA VERIFICATION COMMITTEE

The purpose of the Verification Committee is to independently verify EuDA's annual accounts and certify that they are true, transparent and without irregularities towards all the members of EuDA gathering at the Annual General Meeting. The Members of this Committee provide additionally independent advice to the Board on the EuDA finances and therefore need to be from a different member organisation than the EuDA Treasurer's.

2022
Members of
the Verification
Committee



Mieke Fordeyn
(Jan De Nul)



Hilde Vermeire
(DEME)



EuDA celebrates
its 30th Anniversary
in 2023

ABOUT EU DA

Celebrating its 30th Anniversary in 2023, the European Dredging Association ("EuDA") was founded in 1993 as a non-profit industry organisation for European dredging companies and related organisations to interface with the various European Union's ("EU") Institutions and also some International Organizations (such as IMO, HELCOM, OECD or ILO). EuDA members employ approximately 25,000 European employees directly "on land and on board of the ships" and more than 48,300 people indirectly (through the suppliers and services companies). The combined fleet of EuDA's members counts approximately 750 seaworthy EU-flagged ships.

Dredging activities are not well known by the wider 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 8.6 bn Euro in 2021. Although 70% of operations take place outside Europe, 90% of the returns flow back to Europe.

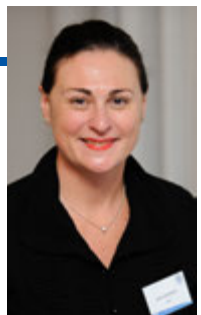
The Association assists its members with all kinds of requests related to dredging issues, presently strongly focusing on Social, Environmental, Technical and Trade issues. These issues are coordinated by the Secretariat and executed by its specialised working groups composed of experts from the member companies.

EuDA has registered as Interest Representative Nr. 2492574893-58 under the EU transparency register. 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.

EU DA SECRETARIAT REINFORCEMENT

Silvia Selandari
(EuDA)

In May 2022, Mrs Silvia Selandari joined the secretariat of the European Dredging Association as Director for Trade Affairs. Silvia is a trained lawyer, Master of Arts degree in Law from Padua University and Master of Laws (LLM in European Law) from Institut d'Études Européennes (ULB) and a qualified barrister (Madrid) with over 10 years experience in European affairs, working for trade associations, European Commission and an NGO. She was previously senior trade and legal adviser at Orgalim (Association of Europe's Technology Industries).





EuDA Contacts Paris Sansoglou, Secretary General Vassia Nikolopoulou, secretary

148, Avenue Grandchamp 1150 Brussels Belgium T. +32 (0)2 646 81 83 F. +32 (0)2 646 60 63 E-mail info@euda.be www.european-dredging.eu