

Recommendation for a decision and report

**submitted by the Committee on the Environment, Nature Conservation and
Nuclear Safety**

on the Communication

– Printed paper 17/6985 No. A.63 –

**Proposal for a Directive of the European Parliament and of the Council amending
Directive 1999/32/EC as regards the sulphur content of marine fuels**

COM(2011) 439 final; Council document 12806/11

A. Problem

The Federal Government is to be called upon, in further negotiations on the proposed Directive, to pay attention to the following:

- medium- and long-term measures should be developed to support maritime shipping in its efforts to comply with the stricter limit values.
- the limit value for the sulphur content of marine fuels in Sulphur Emission Control Areas should also apply to areas outside the Sulphur Control Areas within the territorial waters and exclusive economic zones of the Member States of the EU.
- during deliberations on the Directive, comprehensive evaluation of the economic impacts of the new value limits must continue as part of the Commission's impact assessment.

B. Solution

Noting the Communication of the Federal Government, acceptance of a resolution with the parliamentary groups of the CDU/CSU and FDP and the Left Party voting in favour and the parliamentary groups of the SPD and Alliance 90/The Greens voting against.

C. Alternatives

None.

D. Costs

Not discussed by the Committee.

Recommendation for a decision

The Bundestag is requested,
noting the Communication in printed paper 17/6985 No. A.63,
to adopt the following resolution:

“I. The German Bundestag notes:

The German Bundestag welcomes the proposal amending Directive 1999/32/EC, aimed at aligning European law with the revised MARPOL Annex VI (resolution *MEPC.177(58)*) adopted in 2008 at the level of the International Maritime Organization (IMO). The reduction of the sulphur content of marine fuel oils, in particular in the Sulphur Emission Control Areas, represents a substantial contribution to improving air quality.

However, ongoing monitoring of the problems associated with the risk of modal shifts away from ferry companies and short sea shipping is required. Earlier, on 9 June 2011 (Printed paper 17/5770), the German Bundestag called on the Federal Government to take and support initiatives at EU and national level to prevent traffic shifting from the water to the road. In the interests of fair competition, a uniform European framework is required for the introduction of possible support instruments.

Furthermore, the German Bundestag renews its call for the Sulphur Emission Control Areas to be extended to cover all European sea areas. The German Bundestag shares the conviction of the Bundesrat, that it would be possible to rule out distortions of competition without extending the Sulphur Emission Control Areas, by ensuring that the limits on sulphur content in marine fuel oils which apply in Sulphur Control Areas also apply to areas outside the Sulphur Control Areas within the territorial waters and exclusive economic zones of the Member States of the EU.

II. The German Bundestag calls upon the Federal Government, in further negotiations on the proposed Directive, to pay attention to the following:

During deliberations on the Directive, comprehensive evaluation of the economic impacts of the new value limits must continue as part of the Commission's impact assessment.

In addition to the Directive, alongside measures to be implemented in the short term, medium- and long-term measures should be developed in order to support maritime shipping in its efforts to comply with the stricter limit values. The German Bundestag reaffirms its decision of 9 June 2011, in which it called upon the Federal Government to take and support initiatives to prevent traffic shifting from the water to the road, e.g. by introducing more flexible limit values taking into account the special situation of older ships, or creating budget-neutral systems of incentives to support the retrofitting of existing ships.

For environmental reasons and in order to avoid distortions of competition, the limit values for the sulphur content of marine oils in Sulphur Control Areas should also apply to areas outside the Sulphur Control Areas within the territorial waters and exclusive economic zones of the Member States of the EU.”

Berlin, 30 November 2011

**Committee on the Environment, Nature Conservation and Nuclear Safety
of the German Bundestag**

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