

EingangOdM

Von:

Gesendet:

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An:

Betreff:

Dutch comments on German draft MSP and confirmation of participation international consultation

Priorität:

Hoch

Kategorien:

In response to your email dd 4-12-2020 I hereby send you comments on your draft MSP and suggestions to cooperate upon towards finalization.

First, the Maritime Administration of the Kingdom of the Netherlands likes to express its gratitude to you for enabling us for a reaction on your draft Marine Spatial Plan and thereby addressing explicitly addressing our good bilateral contacts, both formal and informal. Further compliments should be made on the content of your draft MSP and the due diligence and attention for the coordination between the different uses and interests at sea. Finally, the analysis and justification provided is clear and concise and especially the reflection and translation of international conventions and obligations towards (im)possibilities, leading to a clear priority in functions towards the coordinated design is considered as added value on international coordination and our national discussion as well. I would emphasize that this reaction should be considered as a solid base for further discussion, certainly on bilateral issues but most likely in international groups as well.

Having read and considered your draft MSP with special attention to para 2.1 and figure 12, there are 4 subjects the Netherlands would like to address on the aspect of shipping. Most of them have already been discussed at informal meetings or were part of the (international) discussion on the Dutch Formal Safety Assessment which focusses on the coordination of OWF and shipping in the NE part of the Dutch continental shelf which is directly connected to the German EEZ.

- A proper and smooth connection of the German SN10 route with any design in the Dutch EEZ is considered as most important. Given your references to UNCLOS and the preliminary results of the Dutch FSA, it is likely that the Dutch design will align with SN10 and will not include any median strip. A median strip would be, besides the legal arguments from UNCLOS, also be highly risk improving on the aspect of safety of navigation and is considered to have negative impact on the accessibility of ports in the region. The exact alignment, design and formalization on international level at IMO should be subject to further discussion from now on. The Netherlands are aware of the intentions which were already discussed in the margin of several international and bilateral meetings.

- A continuation of the SN6 connection into the Dutch EEZ (Esbjerg-Dutch EEZ) is most likely not achievable. Arguments are that the corridor/connection would lead to an increased risk on the safety of navigation at the connection with other intensively used shipping routes whilst having impact on COLREG as well. Further the area is considered of high importance for the future development of OWF related to the Paris' climate agreement. Finally, the argument of decreased accessibility to ports in the region is considered to be mitigatable by using alternative routes. The Netherlands would like to propose further bilateral deliberation on this aspect to reach consensus on alternatives.
- The Netherlands would like to express the importance of indicating, maintaining and (international) formalization of already and in the (near) future used sea lines of communication. Therefore the Netherlands strongly support the continuation of the SN15 route (Esbjerg-Hull) onto the Dutch continental shelf and will include a reservation for this route in the Dutch MSP as well. The Netherlands would like to invite Germany and United Kingdom to take initiative on any considerations for the exact alignment, design and formalization on international level at IMO.
- To secure any (increased use of) non-formalized sea lines of communication, the Netherlands would like to draw attention to the exponential increase of ships which sail from Asia to Europe and vice versa via Polar waters (Northern Sea Route, NSR). Obviously this has a direct relation with the climate changes but has a strong economic benefit for shipping companies due to the significant reduction of each journey. To secure a proper connection to existing ships routing systems in the NW-Eur region, the Dutch indicate a common interest to secure and formalize routes to and from the NSR, in international cooperation (Germany, Denmark, Norway, Netherlands). Given the routing systematic in NW-Europe combined with the accessibility of the different ports in Europe; at least two connections are foreseen. A westerly connection and an easterly one, which might be indicated by route SN17 in your draft MSP. For a possible westerly connection some initial design have been sketched. Unfortunately, ICT systems are down all day and therefore no graphical attachments could be produced and uploaded. These sketches may be provided in the next days, subject to your preference.

At this stage it would be most important to broadly indicate and formalize the routes, clearly stating that the exact design, width and orientation will be subject of further discussion, consultation and cooperation between the countries as mentioned above. This discussion could well be an agenda item under the EU shipping Group. In this respect, Germany is kindly asked to reserve sufficient room for these connections in their final MSP, not limiting any extension at this stage by assigning priority areas directly connected to these routes. In particular this might have impact on the SN17 route towards Denmark.

The issues raised and arguments expressed are supported by the preliminary results of the already mentioned FSA, however it should be explicitly noted that the report has not been completed yet nor the outcome of the report has been discussed and approved upon on between the different ministries. Given the deadline for a reaction on one hand, the importance, urgency and the challenges within the responsible policy division on the coordination of a reaction, it was agreed upon by the coordinating body that the Shipping Policy Division would give its comments from their perspective. Therefore I would emphasize that this reaction should be considered as a start for further discussion and deliberation and may well be subject to changes over time.

Finally, I hereby would like to make use of the opportunity to confirm my interest in participating in your international consultation meeting which will take place on 27 January 2021.

[Redacted signature]

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