



WORLD SHIPPING COUNCIL  
PARTNERS IN TRADE

Mr. Hubert de Broca, Head of Unit  
European Commission  
DG Competition  
Unit F1 – Antitrust: Transport, Post  
and Other Services  
B-1049 Brussels, Belgium

Via email: [COMP-GREFFE-ANTITRUST@ec.europa.eu](mailto:COMP-GREFFE-ANTITRUST@ec.europa.eu)

Re: HT3274 - Consultation on the future of the Maritime Antitrust Guidelines

Dear Mr. de Broca,

The World Shipping Council (the “Council”) respectfully submits these comments in response to the Staff Working Document (issued May 4, 2012) in the above-referenced review of the Commission Guidelines on the Application of Article 101 TFEU to Maritime Transport Services (the “Maritime Guidelines”). The Council is a non-profit trade association, with offices in Brussels and Washington, D.C., which represents the interests of the international liner shipping industry in public policy and regulatory matters. The Council’s twenty-nine member companies account for more than ninety percent of the world’s liner shipping capacity.<sup>1</sup>

Because the Council addresses regulatory matters affecting international liner shipping only, it offers no opinion regarding the continuation or expiration of the Maritime Guidelines as those guidelines apply to tramp shipping.

With respect to market definition and the assessment of information exchanges between competitors in liner shipping, the Council agrees generally with the analysis in the Staff Working Document. More specifically, the Council believes that these liner shipping issues addressed in the Maritime Guidelines will be adequately addressed by existing general antitrust guidelines if the Maritime Guidelines are allowed to expire. Accordingly, although the Council has no objection to the continuation of the Maritime Guidelines as they apply to these issues in the liner shipping sector, it also has no objection to their expiration as scheduled in September of 2013.

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<sup>1</sup> The World Shipping Council is registered with the Registry of Interest Representatives, ref.32416571968-71. Additional information about the Council and the liner shipping industry is available at [www.worldshipping.org](http://www.worldshipping.org).

The Staff Working Document twice notes (page 4 and page 9, n. 25) that the review of the Maritime Guidelines has no bearing on the future status of the Consortia Block Exemption Regulation. The Council is in accord with this view and also notes that its position with respect to the expiration of the Maritime Guidelines should not be viewed as providing any indication of the Council's future position with respect to the Consortia Block Exemption Regulation and the continuing need for sector-specific legislation in the liner shipping sector.

The World Shipping Council and its member lines appreciate the opportunity to provide their views on the Staff Working Document, which are not confidential and may be published by DG COMP on the internet. The Council is available for consultation on this matter should Commission staff find that useful.

Sincerely,

Christian Piaget  
Brussels Representative