EU Policy and Seaports

Regulatory Trends and Challenges

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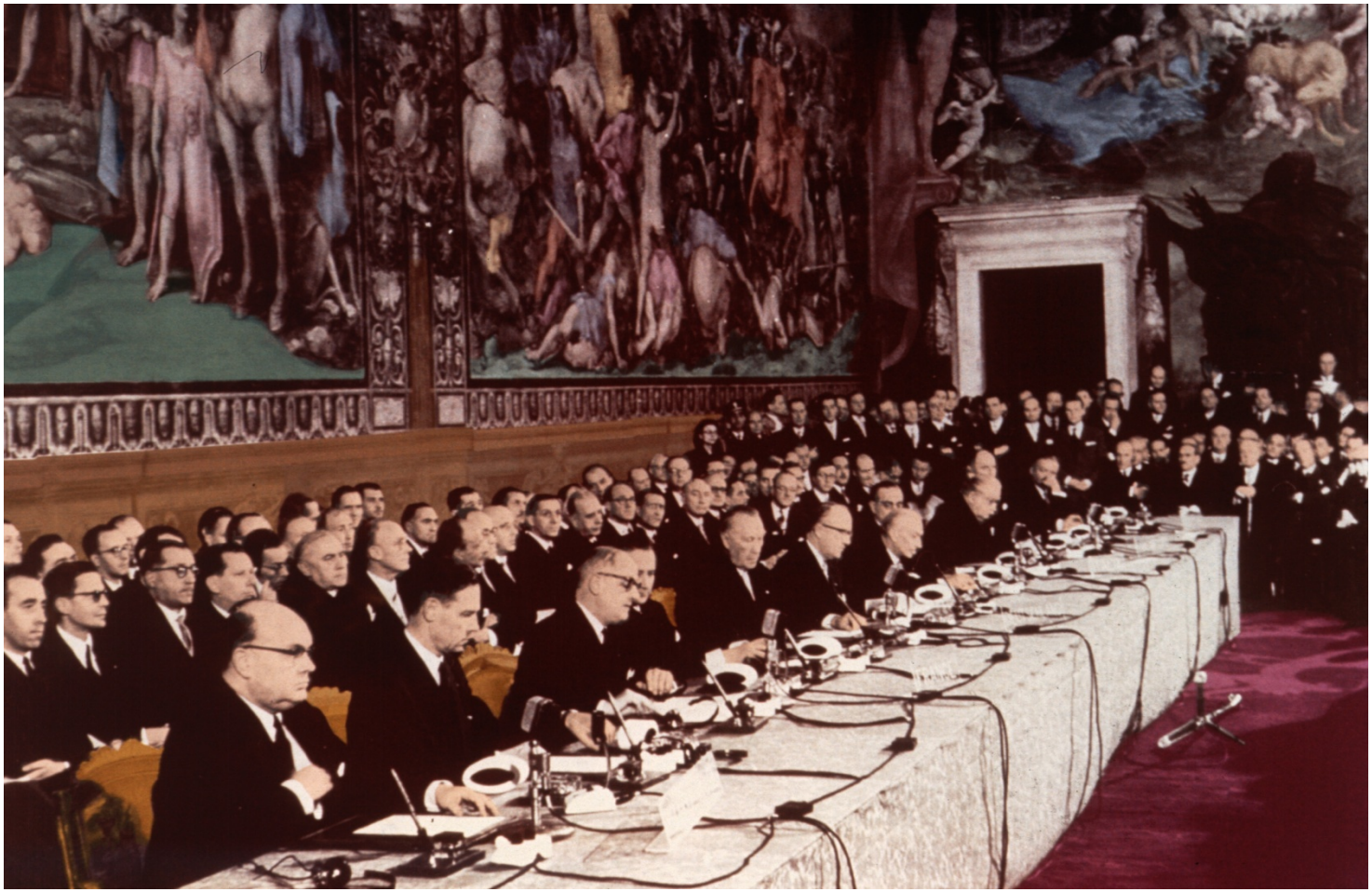
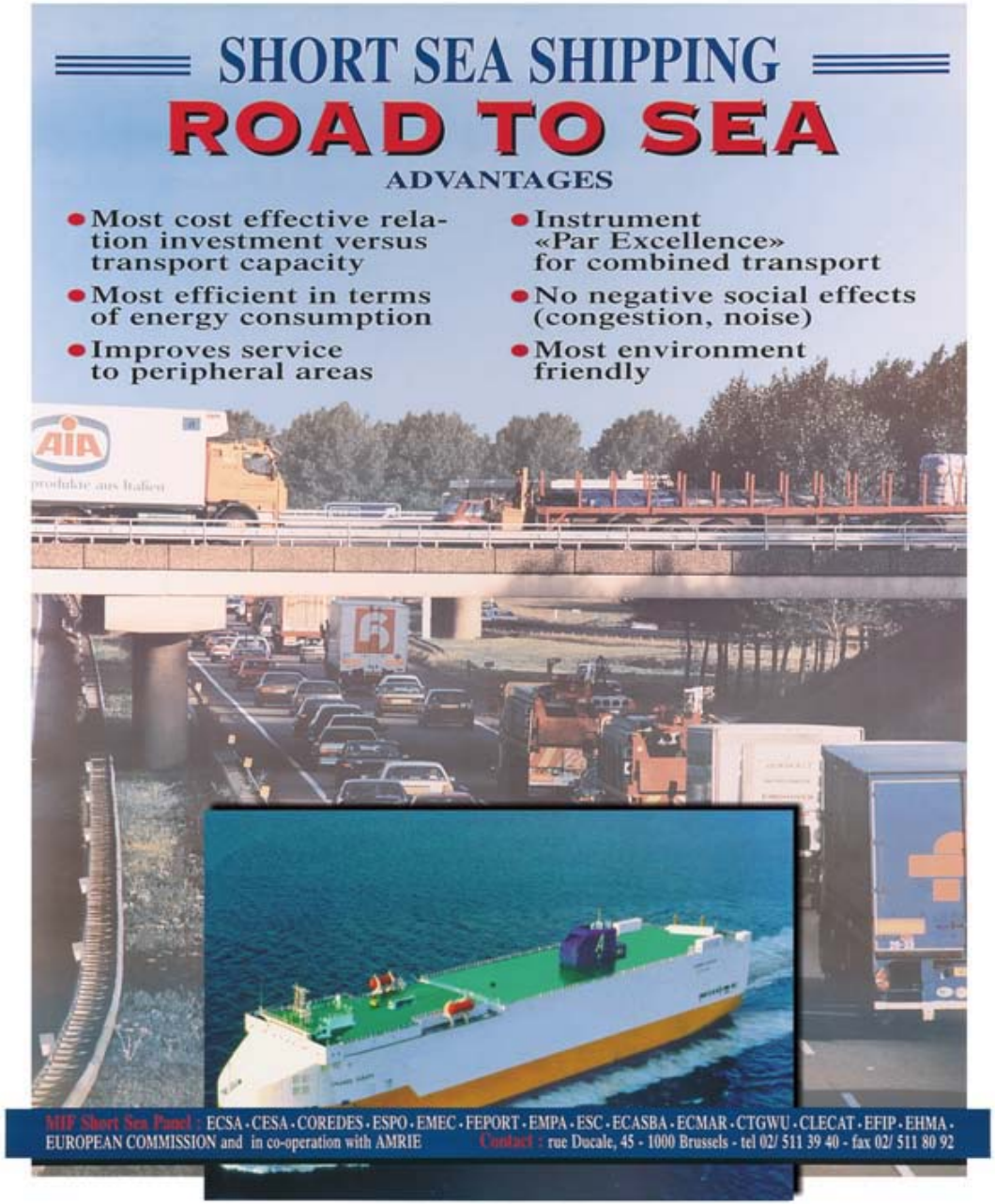
Summary

1. Historical evolution
2. Transport policy
3. Infrastructure policy
4. Seaport policy

1. Historical evolution




SHORT SEA SHIPPING
ROAD TO SEA
ADVANTAGES
Most cost effective relation investment versus transport capacity
Most efficient in terms of energy consumption
Improves service to peripheral areas
Instrument «Par Excellence» for combined transport
No negative social effects (congestion, noise)
Most environment friendly
MIF Short Sea Panel : ECSA - CESA - COREDES - ESPO - EMEC - FEPORT - EMPA - ESC - ECASBA - ECMAR - CTGWU - CLECAT - EFIP - EHMA -
EUROPEAN COMMISSION and in co-operation with AMRIE
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2. EU Transport Policy

European Sea Ports Organisation v.z.w. / a.s.b.l.

Vision 2050

- Match increase of transport and mobility with emission reduction of 60%
- Develop an efficient core network for multimodal transport
- Intercontinental transport of goods to compete on equal terms globally

Ways to reach -60% emission target

WHAT	WHEN
CO2-free city logistics in major urban areas	2030
Reduce EU CO2 emissions from bunker fuels by 40% (50% if possible)	2050
30% of road freight over 300 km to shift to alternative modes (rail or water)	2030
Fully functional intermodal TEN-T core network	2030
Core seaports connected to rail and inland waterways (if applicable)	2050
Equivalent land and waterborne transport management systems	
Greater application of ‘user pays’ and ‘polluter pays’ principles and private sector engagement	

Ship emissions

- Sulphur:
  - SECA (Baltic Sea, English Channel and North Sea): 0.1% sulphur limit as of 2015
  - All Europe: 0.5% sulphur limit as of 2020
- Carbon:
  - EU market-based instrument in preparation
  - CECA for Europe ?
- Nitrogen:
  - NECA considered for North Sea and Baltic

3. EU Infrastructure Policy
(TEN-T)

Trans-European Transport Networks

- Ports so far remained in the margins of TEN-T:
  - took until 2001 before they were part of TEN-T
  - identification of priorities major taboo
  - very little EU support as a result
- New proposals bring ports centre-stage:
  - 80 + core network ports / port clusters
  - core network ports to have adequate hinterland connections by 2030
  - ten multi-modal corridors start and end in ports
  - co-funding under CEF up to 20% (hopefully up to 40%)
  - approx. 300 comprehensive ports
  - comprehensive ports to have adequate connections by 2050

Directorate-General for Mobility and Transport

EUROPEAN COMMISSION

TENtec eGovernance of TEN-T

32 billion euro for transport

The best move towards economic growth

European Federation of Inland Ports (EFIP) – European Sea Ports Organisation (ESPO) – International Road Transport Union (IRU) – European Community Shipowners' Associations (ECSA) – Inland Navigation Europe (INE) – European Barge Union (EBU) – Airports Council International (ACI) – European Association for Forwarding, Transport, Logistic and Custom Services (CLECAT) – Community of European Railway and Infrastructure Companies (CER) – European Rail Infrastructure Managers (EIM except Trafikverket) – European Skippers Organisation (ESO) – European Community Association of Shipbrokers and Agents (ECASBA) – European Tugowners Association (ETA) – European Rail Freight Association (ERFA) – European Cyclists' Federation (ECF) – European Cruise Council (ECC) – European Dredging Association (EuDA)– The Association of the European Rail Industry (UNIFE) – European Boatmen's Association (EBA) – Eurochambres – MedCruise – Cruise Europe – Association of European Airlines (AEA) – European Transport Workers' Federation (ETF) – European Shippers' Council (ESC) – European Maritime Pilots' Association (EMPA) – The Association of European Vehicle Logistics (ECG)

3. EU Seaport Policy

1997: Green Paper Seaports

2001-2006: First and second ‘Ports Package’

2006-2007: Consultation and Communication Seaport Policy

?

2012-2013: Ports Policy Review

Essential questions ports policy review

a) Concessions
b) Public financing and State aid
c) Technical-nautical services
d) Port labour

a) Concessions

- Question: “How can port authorities equitably allocate port sites and how can they guarantee quality of service and continuity of investment in a transparent manner?”
- Issues:
  - Definition ‘concession’ and transparency implications
  - Proportionality: should one always tender ?
  - Discretionary powers port authority
  - Prolongation and overall flexibility of contracts
- On-going initiatives:
  - Proposal horizontal Directive (DG Markt)

b) Public financing and State aid

- Question: “To what extent can governments contribute (in)directly to the financing of ports?”
- Issues:
  - Long-standing request EP and port sector for State aid guidelines delayed because of different views within Commission
  - Port sector favours traditional distinction between basic infrastructure (no State aid) and project-related infrastructure and superstructure
  - Transparency of accounts
- On-going initiatives:
  - Study commissioned by EP TRAN (published 2011)
  - Study commissioned by DG Competition (finished summer 2012)
  - Modernistation of State aid rules (DG Competition)

c) Technical-nautical services

- Question: “Under what conditions can technical-nautical services, and especially pilotage, be run as public service monopolies?”
- Issues:
  - Qualification services of general economic interest
  - Modernisation of services (e.g. shore-based pilotage)
  - Mandatory use even if not required (pilot exemption certificates)
- On-going initiatives:
  - Study on Pilot Exemption Certificates commissioned by DG Move

d) Port labour

- Question: “To what extent are labour pools compatible with Treaty principles on free movement of services and persons?”
- Issues:
  - Mandatory use of labour pools
  - Restricted access to port labour profession
  - Training and qualifications
  - Outdated and restrictive practices
- On-going initiatives:
  - Study on port labour commissioned by DG Move
  - Set up of EU social dialogue

Schedule

- Overall ‘business survey’ on quality and efficiency of port services (closed August 2012)
- Stakeholder conference in Brussels on 25-26 September 2012
- Follow-up survey on the policy options (deadline 15 November 2012)
- Concrete proposals in 2013

Thank you for your attention

Patrick Verhoeven – Secretary General

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