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
2. EU Transport Policy
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

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