EU policy framework for ports

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UNECE
28 October 2008
Summary

I. Common challenges

II. The policy framework:
   • Evolution of EU ports policy
   • 2007 Ports Policy Communication
   • Freight Logistics and Integrated Maritime Policy
   • TEN-T review

III. ESPO views and way forward

IV. Conclusions
A few words about ESPO

• Founded in 1993
• Represents European port authorities in all different forms and varieties
• Members in EU Member States and neighbouring countries
• Recognised counterpart of EU institutions
I. Common challenges

- Focus on logistics chains
- Strategies of market players
- Sustainable development of ports
- Safe and secure operations in ports
Focus on logistics chains

• Ports are key elements in value-driven logistics chain systems
• This offers substantial network possibilities
• This also poses numerous coordination problems – port authority should play more its role as facilitator/mediator
• Infrastructure bottlenecks need to be solved
Strategies of market players

- Powerful and footloose actors control freight from origin to destination
- Global groups invest and operate terminals in several ports worldwide
- These actors and groups have strong bargaining power
Sustainable development of ports

- Ports function in a strong growth environment
- This calls for continuous investment in port facilities and connections
- This creates ecological and societal pressures
Safe and secure operations in ports

- Traditional role of a port is to provide a ‘safe haven’ to ship, crew and cargo
- Port and maritime security rules have added a new dimension to this role
II. The policy framework:

1. Evolution of EU ports policy

Signing of the Treaty of Rome – 25 March 1957
## Some key dates

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
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<tbody>
<tr>
<td>1974</td>
<td>Foundation of the « Community Port Working Group »</td>
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<td>1992</td>
<td>Signing of the Treaty of Maastricht</td>
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<td>1993</td>
<td>Foundation of ESPO</td>
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<tr>
<td>1995</td>
<td>Communication on Short Sea Shipping</td>
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<td>1997</td>
<td>Green Paper on Sea Ports and Maritime Infrastructure</td>
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<tr>
<td>2001</td>
<td>First « Ports Package »</td>
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<td>2004</td>
<td>Second « Ports Package »</td>
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<td>2007</td>
<td>Communication on a European Ports Policy</td>
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A sometimes bumpy road ...

Dockers unions demonstrate in Brussels and Strasbourg against EU plans to open market access to port services (2003-2006)
Ports did not remain immune to EU law

• **Case-law:**
  – application EU Treaty rules
  – decisions European Court of Justice / European Commission
  – particularly with regard to competition and internal market
  – often far-reaching impact on port governance

• **Secondary legislation:**
  – Directives and Regulations
  – in the fields of environment, safety, security, customs, ...
  – often not specifically written for ports but again far-reaching impact, e.g. for port development

• **Up to 2007 no coherent EU policy framework for ports**
EU Transport Commissioner Jacques Barrot opens the consultation on a new European ports policy at the annual conference of ESPO - Stockholm, 2 June 2006
Six areas for action

a) Port performance and hinterland connections  
b) Expanding capacity while respecting the environment  
c) Modernisation  
d) A level playing field – clarity for investors, operators and users  
e) Establishing a structured dialogue between ports and cities  
f) Work in ports
Port performance and hinterland connections

• Promotion of environmental-friendly modes of transport (shortsea, rail and inland navigation)
• Review of the Trans-European Transport Networks (infrastructure master plan)
• Solving of infrastructure bottlenecks
• Ensure regional balance in Europe
Expanding capacity while respecting the environment

- Guidelines on the application of EU environmental legislation to port development
- Revision legislation on waste reception facilities
- Revision of legislation affecting dredging operations
- Measures to combat climate change (including ship emissions)

Nynäshamn project - Stockholm
Modernisation

- Internal market for intra-EU shipping (no administrative formalities)
- Reform of EU Customs Code
- Use of electronic procedures
- Development of port performance indicators
Level playing field

• Guidelines on the use of public funding (State aid)
• Legislation on financial transparency of port accounts
• Guidance on concessions
• Guidance on monopolies for technical-nautical services
• Guidance on use of labour pools
• Inventory of issues with neighbouring countries
Structured dialogue between cities and ports

- Encourage dialogue between port and city authorities
- Raise awareness about ports with the general public
- Improve the public perception of ports
- Make port areas attractive and accessible (security challenge)

HafenCity project - Hamburg
Work in ports

• Social dialogue at EU and local level
• Improve health and safety conditions
• Qualifications of port workers and training programmes
3. Freight logistics and EU integrated maritime policy

What maritime policy for the EU?

Have your say:
http://ec.europa.eu/maritimeaffairs

KEEP EUROPE MOVING
Sustainable mobility for our continent

EUROPEAN FREIGHT TRANSPORT
Modern logistics solutions for competitiveness and sustainability
• Recognise the role of ports as nodal points
• Also offering solutions to the challenges:
  – Logistics bottleneck exercise (administrative, operational and infrastructure)
  – E-freight and Intelligent Transport Systems
  – Hinterland connections: Freight oriented rail network
  – Motorways of the Sea – SSS Promotion
  – Key performance indicators
  – Better coordinated planning (maritime spatial planning
    – Integrated Coastal Zone Management)
  – Regulatory obstacles
  – Customs reform
Etc.
4. Trans-European Networks – Transport (TEN-T) review

• Ports Policy Communication announces: the status and needs of hinterland connections to ports and their impact on a balanced network of traffic flows will be analysed in view of 2010 review TEN-T

• TEN-T funding so far to Motorways of the Sea actions
Category A seaports
Source: European Commission 2005
Timing:

• Stakeholder conference - 14-15 October 2008 (12 thematic workshops devoted to waterborne transport)
• Green Paper in December 2008/ January 2009
• Formal stakeholder consultation process in the first half of 2009
• Preparation of the actual review with the aim of a formal Commission proposal in 2010
Elements for discussion TEN-T review

• Financing/ limited governmental budgets: Guidelines on use of public financing for port investments (State aid guidelines) promised for 2008: radical approach?
• Balance of traffic flows within EU: interventionism?
• 300 TEN-T ports (1.5 tonnes traffic / 200 000 passengers annually): how to prioritize?
• Investing in port/hinterland infrastructure meets environmental regulations: will promised guidance on application of EU environmental legislation to port development be sufficient?
• The debate must be based on facts: proper economic analysis of traffic flows and the European port system
The European Port System
Towards a Sustainable Network Vision
### III. ESPO views and way forward

- ESPO reaction to the EU ports policy - Preparatory work

<table>
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<tr>
<td>24 November 2004</td>
<td>Publication of « Seaport policy – A practical guide for EU policy makers» after the defeat of the first Ports Directive</td>
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<td>1 June 2006 (Stockholm)</td>
<td>Publication of a series of policy recommendations for the consultation on a European ports policy (adoption of the principal themes)</td>
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<td>November 2006 – May 2007</td>
<td>Thematic contributions to the consultation workshops of the European Commission</td>
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<tr>
<td>31 May 2007 (Algeciras)</td>
<td>Publication « A port policy for all seasons » - formal contribution to the consultation</td>
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<tr>
<td>31 October 2007</td>
<td>General response to the new Communication on a European ports policy</td>
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ESPO welcomes the new Communication on Ports

- The communication reflects the results of the consultation
- Broad perspective of subjects (e.g. port expansion and city-port relations)
- Non-legislative instruments and measures (« soft law »)
- Recognition of key role of port authorities
- No interventionisme on orientation of traffic flows in Europe
Means and instruments particularly supported

- Guidance on the application of Community environment legislation to port development
- Legislative proposal on the creation of a European Maritime transport space without barriers
- Establishment of set of generic performance indicators
- Guidance on concessions, technical-nautical services and cargo-handling (« labour pools »)
- Guidelines on State aid to ports
- Application of Directive 2006/111/EC to all ports
- Inventory of problems with ports in third countries
- European « Open Ports » day
- Guidelines on means to reconcile security and accessibility of port areas
- Dialogue between port « stakeholders »
IV. Conclusions

- Port authorities operate in an ever-changing environment
- Main challenges include logistics integration, strategies of market players and sustainable development
- The supra-national policy level of the EU however has a significant influence on the development and governance of European ports
- EU ports policy has two objectives:
  - Fair level playing field in terms of competition, internal market rules etc.
  - Sustainable and balanced development of the European port system
- Debate on EU ports policy has been difficult given the diversity of the European port sector and resistance of certain actors
- 2007 EU Ports Policy Communication was developed in close collaboration with the port sector and provides a more stable and coherent framework
- Full assessment once all instruments will be ready
Thank you for your attention

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