

EU policy framework for ports

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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

1961	First call for EU ports policy (« Kapteyn report » Eur. Parliament)
1974	Foundation of the « Community Port Working Group »
1992	Signing of the Treaty of Maastricht
1993	Foundation of ESPO
1995	Communication on Short Sea Shipping
1997	Green Paper on Sea Ports and Maritime Infrastructure
2001	First « Ports Package »
2004	Second « Ports Package »
2007	Communication on a European Ports Policy



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



2. 2007 Ports Policy Communication



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



Nynäshamn project - Stockholm

- 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)

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>



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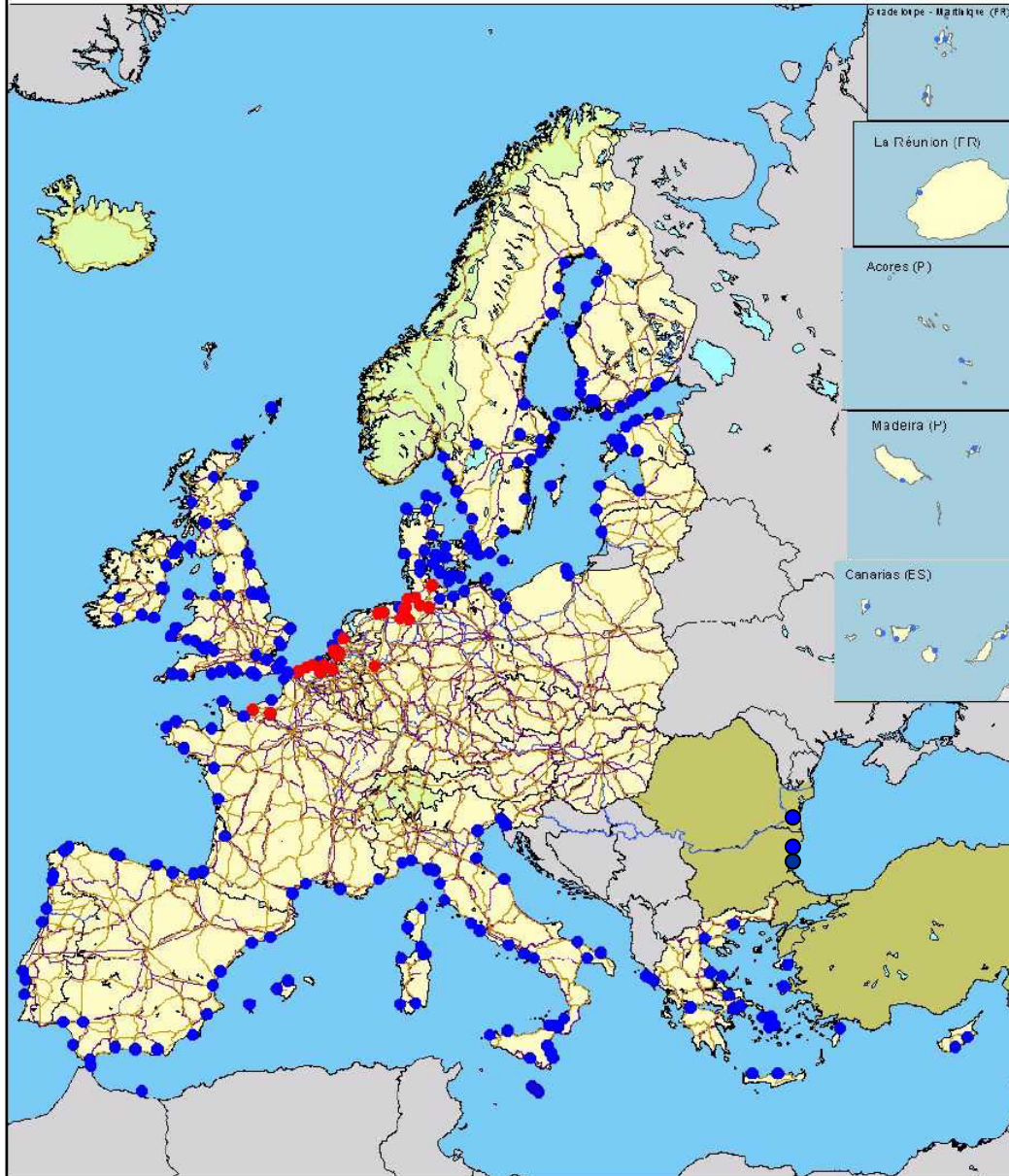
- Recognise the role of ports as nodal points
 - Also offering solutions to the challenges:
 - Logistics bottleneck exercise (administrative, operational and infrastructure)
 - E-freight and Intelligent Transport Systems
 - Hinterland connections: Freight oriented rail network
 - Motorways of the Sea – 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



ESPO 2009 Conference

Marseilles 14-15 May 2009

The European Port System

Towards a Sustainable Network Vision



ESPO 2009
CONFERENCE

MARSEILLES 14-15 MAY 2009



THE EUROPEAN PORT SYSTEM

TOWARDS A SUSTAINABLE NETWORK VISION

Europe has a diverse port system which consists of a range of major hubs as well as a vast amount of regional and local ports. All these ports have a role to play in accommodating the ever-increasing flows of cargo and passengers moving in and out of Europe. How sustainable is the current lay-out and geographical balance of this system? Will it be able to cope with growth expectations without creating more congestion and other negative externalities? What is the competitive effect of new hubs emerging in countries neighbouring the EU? What visions exist for the future?

The ESPO 2009 Conference will deal with these key questions in the context of the forthcoming mid-term review of the Trans-European Transport Networks which is announced for 2010 and the European Commission's maritime transport strategy for 2018. Bottlenecks of the major European port-oriented transport corridors will be analysed as well as the development potential of regional co-operative networks between ports.

The conference will finally look at the opportunities EU policy instruments and funding mechanisms may bring. Particular attention will in this context be paid to the impact of the EC State aid and environmental guidelines which have both been announced for the end of 2008.



The ESPO 2009 Conference is organised in co-operation with the Port of Marseilles Authority



PORT AUTONOME
DE MARSEILLE

Full programme and practical details will be available soon on: www.espo.be



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

photo: Port autonome de Marseille



III. ESPO views and way forward

- ESPO reaction to the EU ports policy - Preparatory work

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

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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