



23rd May 2013

*Press release:*

## EUROPEAN PILOTS WARN AGAINST NEW EU PORT REGULATION

**Commissioner Kallas has recently announced his Port Policy Review, which is to be put before the EU Parliament this summer. This will be a legal regulation, binding all member states to the policy if approved.**

**EMPA regards this EU Regulation as an unnecessary interference into national and local ports' jurisdiction that will entail a number of negative consequences, the most serious of those jeopardizing maritime safety, security and protection of the environment.**

*EMPA, The European Maritime Pilots' Association, is a non-profit association with a membership of more than 5000 marine pilots from 25 coastal states in Europe, including Turkey, Norway, Russia, Croatia, and Ukraine.*

The proposed regulation has the goal to establish a framework on market access to port services. It is with surprise and concern that we note that this third attempt to introduce binding Port Policies in the European Union has included pilotage among the services that the Commission intends to liberalize.

In all parts of the world, pilotage is a mandatory service of general interest, strictly regulated by the individual States, and is not regarded as compatible with market approach and free competition logic. Pilotage is not a commercial enterprise, but a service that has the objective of preserving maritime safety, protecting the environment, and safeguarding security in ports and fairways.

Pilots cannot exercise their independent judgment under commercial pressure. Their only considerations are of nautical technical nature with priority to public safety. Pilots must be able to refuse any operation if the safety of it is not guaranteed. In a competitive environment, it is extremely difficult for pilots to maintain their integrity and independence; their dependability will shift from the interests of the port community to their sole contractual customers. Pilots who

compete for work will do things that they would normally refuse to do for safety reasons in a non-competitive environment. Competition in Pilotage will lead to inevitable accidents, as has happened in countries that have experimented with liberalization of pilotage.

The motivation of introducing new seaport legislation within the EU is the predicted increase of cargo volume to be handled by the ports of Europe towards 2030. In this context, EMPA points to the fact that a substantial growth, increased cargo volume, and significantly increased ships' sizes have been managed to date with great success as a result of the diverse and dynamic organization of ports and port services in Europe.

The success of managing the safety and efficiency challenges that this growth has entailed, is a clear signal that the European ports communities in general, and the pilot organizations in particular, are well prepared for adapting to any future challenges. The proposed regulation will jeopardize these inherent strengths, introduce unnecessary bureaucracy, and interfere negatively with vital best practices of safe piloting of ships in European port states.

Any regulations that aim at governing pilotage in ports and fairways of Europe must have safety, security, and protection of the environment as the primary objective. Such regulations should be implemented on the local and national level, within the framework of the international resolutions of UN/IMO, and with respect to the principles of subsidiarity.

EMPA recommends that the proposed Regulation on market access to port services is discarded. Alternatively, that pilotage is left out the scope of such legislation.

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