

EU port services regulation a betrayal of Parliament's mission

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Opinion

The proposed rules fail to address the concerns of ports across Europe, warns Bogusław Liberadzki.



On 25 January, the European Parliament's transport committee will vote on controversial plans to regulate Europe's ports. This vote, on the EU port services regulation, has been delayed on numerous occasions since it was presented to MEPs in 2014.

Last year, rapporteur Knut Fleckenstein, an MEP for Hamburg, received over 700 amendments from colleagues of all parties to his proposed text. Since then, he has wrestled admirably to reach a satisfactory compromise text.

Sadly, this compromise text does not address the very real concerns of a number of ports across Europe. It is immaterial of whether or not the new regulation best serves the interests of European ports and the wider economy.

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The fact remains that, fatigued MEPs will be voting on a proposal which the various contortions of political expediency have rendered incoherent and, in places, worryingly ambiguous.

How has it come to this? Firstly, there has been strong pressure from the Commission, which is desperate to avoid the embarrassment of a third failure in attempts regulate Europe's ports.

Fleckenstein has, in turn, sought to exploit this potential weakness by making his support for the regulation contingent on agreeing a deal with the Commission's DG Comp on state aid for ports.

Given that the Port of Hamburg is heavily reliant on state aid, this is perhaps understandable. There are of course others that support the pursuit of such an agreement, and these may serve to deflect accusations that Fleckenstein is not acting entirely in the wider European interest.

The Dutch provide a case in point, although their motives for pressing for a deal on state aid may be rather different to those of Hamburg.

Unfortunately, in the midst of all this, proper consideration of the regulation appears to have been lost: There are core issues that need to be addressed.

What is its purpose? Is it capable of achieving its objectives or not? Will it add value? Will it improve the performance of European ports? Will it help attract investment?

My personal view is that a regulation is not the best way forward. The absence of effective scrutiny, we are where we are. The case for the regulation is now largely tied to a separate debate over state aid.

Therefore, we have finished up with a proposal that is divorced from the core principles that should determine the approval of any legislation by Parliament.

A vote in favour of a proposed piece of legislation should not be decided by the pursuit of a bargain with the Commission on a separate issue; it should not result from a damage limitation exercise predicated upon acquiescence to the Commission's desire to regulate for its own sake; it should not be swayed by a latent fear of what the Commission may do if it does not get its way.

Perhaps most importantly, we need to recognise that diversity between member states can give rise to real and profound difficulties with a one-size-fits-all approach (as is the case with the proposed port services regulation).

Therefore we must respect this diversity, irrespective of the results that may arise from simple plurality.

Europe faces many serious challenges. By focusing on building genuine consensus to tackle genuine

EU-wide problems, Parliament can make a powerful contribution to meeting those challenges.

The proposed port services regulation betrays this mission. For this reason, the transport committee should vote against it.

About the author

Bogusław Liberadzki (S&D, PL) is a member of Parliament's transport and tourism committee

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