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REPORT

on building a comprehensive European port strategy
(2023/2059(INI))

Committee on Transport and Tourism

Rapporteur: Tom Berendsen

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MOTION FOR A EUROPEAN PARLIAMENT RESOLUTION

on building a comprehensive European port strategy (2023/2059(INI))

The European Parliament,

- having regard to the Treaty on the Functioning of the European Union, in particular Title XVIII thereof,
- having regard to the Commission communication of 1 June 2023 entitled ‘Maritime safety: at the heart of clean and modern shipping’ (COM(2023)0268),
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 10 March 2023 on the update of the EU Maritime Security Strategy and its Action Plan entitled ‘An enhanced EU Maritime Security Strategy for evolving maritime threats’ (JOIN(2023)0008),
- having regard to the Maritime Security Strategy Action Plan adopted by the European Council on 24 June 2014,
- having regard to Council conclusions on the revision of the EU Maritime Security Strategy Action Plan adopted by the European Council on 26 June 2018,
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 1 December 2021 entitled ‘The Global Gateway’ (JOIN/2021/0030),
- having regard to the joint communication from the Commission and the High Representative of the Union for Foreign Affairs and Security Policy of 12 March 2019 entitled ‘EU-China – A strategic outlook’ (JOIN(2019)0005),
- having regard to the Joint Communication to the European Parliament, the European Council and the Council on ‘European Economic Security Strategy’ of 20 June 2023 (JOIN(2023) 0020),
- having regard to the Commission’s ‘Fit for 55’ package of 14 July 2021 to deliver the European Green Deal,
- having regard to the Agreement adopted at the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change (COP21) in Paris on 12 December 2015 (the Paris Agreement),
- having regard to the Commission communication of 20 May 2020 entitled ‘EU Biodiversity Strategy for 2030: Bringing nature back into our lives’ (COM(2020)0380),
- having regard to Directive 2007/60/EC of 23 October 2007 on the assessment and management of flood risks,

- having regard to Directive (EU) 2018/2001 of 11 December 2018 on the promotion of the use of energy from renewable sources,
- having regard to the Commission communication of 23 May 2013 entitled ‘Ports: an engine for growth’ (COM(2013)0295),
- having regard to the Commission communication of 18 October 2023 on the EU Roadmap to fight Drug Trafficking and Organised Crime,
- having regard to the EU Action Plan: ‘Towards Zero Pollution for Air, Water and Soil’,
- having regard to the Ambient Air Quality Directive (2022/0347(COD) [under negotiation],
- having regard to Regulation (EU) 2023/1804 of the European Parliament and of the Council of 13 September 2023 on the deployment of alternative fuels infrastructure, and repealing Directive 2014/94/EU¹,
- having regard to Regulation (EU) 2023/1805 of the European Parliament and of the Council of 13 September 2023 on the use of renewable and low-carbon fuels in maritime transport, and amending Directive 2009/16/EC²,
- having regard to Directive (EU) 2022/2557 of the European Parliament and of the Council of 14 December 2022 on the resilience of critical entities and repealing Council Directive 2008/114/EC³,
- having regard to Regulation (EU) 2021/1153 of the European Parliament and of the Council of 7 July 2021 establishing the Connecting Europe Facility and repealing Regulations (EU) No 1316/2013 and (EU) No 283/2014⁴,
- having regard to Regulation (EU) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union⁵,
- having regard to Regulation (EU) 2022/2560 of the European Parliament and of the Council of 14 December 2022 on foreign subsidies distorting the internal market⁶,
- having regard to Regulation (EU) 2017/352 of the European Parliament and of the Council of 15 February 2017 establishing a framework for the provision of port services and common rules on the financial transparency of ports⁷,

¹ [OJ L 234, 22.9.2023, p. 1.](#)

² [OJ L 234, 22.9.2023, p. 48.](#)

³ [OJ L 333, 27.12.2022, p. 164.](#)

⁴ [OJ L 249, 14.7.2021, p. 38.](#)

⁵ [OJ L 79I, 21.3.2019, p. 1.](#)

⁶ [OJ L 330, 23.12.2022, p. 1.](#)

⁷ [OJ L 57, 3.3.2017, p. 1.](#)

- having regard to Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU⁸,
 - having regard to the Commission Regulation (EC) No 906/2009 of 28 September 2009 on the application of Article 81(3) of the Treaty to certain categories of agreements, decisions and concerted practices between liner shipping companies (consortia), and the Communication to the Commission of 10 October 2023 on its expiry on 25 April 2024,
 - having regard to the proposal for a regulation of the European Parliament and of the Council on Union guidelines for the development of the trans-European transport network, amending Regulation (EU) 2021/1153 and Regulation (EU) No 913/2010 and repealing Regulation (EU) 1315/2013 (COM(2021)0812),
 - having regard to its resolution of 16 September 2021 on a new EU-China strategy⁹,
 - having regard to its resolution of 27 April 2021 on technical and operational measures for more efficient and cleaner maritime transport¹⁰,
 - having regard to its resolution of 12 March 2019 on security threats connected with the rising Chinese technological presence in the EU and possible action on the EU level to reduce them¹¹,
 - having regard to the study of September 2023 entitled ‘Chinese Investments in European Maritime Infrastructure’, requested by the Committee on Transport and Tourism¹²,
 - having regard to Rule 54 of its Rules of Procedure,
 - having regard to the opinion of the Committee on International Trade,
 - having regard to the report of the Committee on Transport and Tourism (A9-0443/2023),
- A. whereas our ports are the EU’s gateways to the world and as such play a crucial role in its economy, providing wealth and jobs, by facilitating external trade, connecting to the hinterland, ensuring growth in the blue economy and industrial production, the energy transition and security of energy supplies, as well as the EU’s strategic autonomy;
- B. whereas ports provide a vital public service, for which they should be recognised and valued;
- C. whereas, while competition between ports is beneficial, a race to the bottom between them at the cost of security or increased political influence or foreign control via

⁸ OJ L 348, 20.12.2013, p. 1.

⁹ [OJ C 117, 11.3.2022, p. 40.](#)

¹⁰ [OJ C 506, 15.12.2021, p. 12.](#)

¹¹ [OJ C 23, 21.1.2021, p. 2.](#)

¹² [Mercator Institute for Chinese Studies, The Vienna Institute for International Economic Studies, Institute of International Economic Relations, Chinese Investments in European Maritime Infrastructure, October 2023.](#)

investments by non-EU entities, in particular state-owned-controlled-or-influenced enterprises, should be avoided;

- D. whereas non-EU state-owned enterprises, or enterprises directly or indirectly controlled by foreign states have strategically increased their financial and operational stakes in European ports, terminals, companies and port infrastructure;
- E. whereas the European Union has highlighted its desire for more autonomy in strategic sectors, but has done little to respond to China's growth in the maritime sector and its security repercussions;
- F. whereas ports are highly complex environments with many different stakeholders and interests, making recognising and assessing the risks of foreign influence an arduous but crucial exercise;
- G. whereas the Russian war of aggression against Ukraine has demonstrated the unacceptable risks of being dependent on single non-EU countries in strategic sectors as well as the crucial need to strengthen the security and the resilience of maritime infrastructure and value chains so as to ensure the flow of vital goods;
- H. whereas ports have taken on renewed importance from a military and defence point of view, including the dual use of port infrastructures;
- I. whereas European ports often compete with third-country ports in which third-country foreign investments are further exacerbating the lack of a level playing field when it comes to competitiveness and respect for sustainability standards, workers' rights and fiscal burdens;
- J. whereas particular attention should be paid to the negative effects of evasive behaviours via the relocation of transshipment activities to ports outside the EU, both in terms of undermining the competitiveness of EU ports and increasing carbon leakages;
- K. whereas ports have played an indispensable role in EU crisis management by ensuring the continuity of supply chains and enabling alternative routes to be set up, including by establishing alternative routes for the provision of liquefied natural gas (LNG) at short notice and increasing Europe's gas storage;
- L. whereas in outermost regions and islands ports often provide a lifeline by serving as the main social and economic connection to the rest of the EU;
- M. whereas ports are essential for the decarbonisation of waterborne transport, taking into account the Green Deal and pollution reduction goals and the essential role of offshore renewable energy; whereas it is important to reduce air pollution from ships in port areas, including black carbon emissions;
- N. whereas port areas and port operations throughout the EU will be vulnerable to sea level rise;
- O. whereas ports combine and safeguard a variety of different coastal activities for the benefit of citizens, coastal communities and the marine environment by helping to maintain coastal habitats and improve air quality in conurbations around ports;

- P. whereas improved logistics planning between ports and customers, including shipping lines, could avoid unnecessary road transport across Europe; whereas more cooperation between ports, with the aim of tightening intra-regional links and shortening connections, could lead to more efficient investments in port infrastructure, more resilient import/export routes, and a more efficient use of resources, of public and private money, and of underutilised capacities;
- Q. whereas ports are part of a wider waterborne ecosystem comprising a wide range of activities, including shipping, shipbuilding, maritime equipment manufacturing, inland navigation and logistics;
- R. whereas the apparent need for a multi-disciplinary and holistic approach to European ports has not been translated into concrete measures by the Commission, resulting in a patchwork of port-related regulations that has built up over time;

Foreign influence

1. Highlights repeated warnings by intelligence agencies about the risks of economic dependence, espionage and sabotage caused by the economic presence and operational involvement of entities from non-EU countries in our critical infrastructure and strategic sectors, such as ports¹³, including the activities of foreign vessels;
2. Calls on the Commission to present an EU strategic policy framework to reduce and limit the influence and financial and operational control exerted over the EU's ports and in their processes and hinterland operations by non-EU countries, including cases of participation and control in the management of a port authority, in the spirit of finding a balance between keeping an open investment environment and mitigating risks; calls on the Commission and Member States to also monitor the involvement of third countries in the ports of neighbouring countries within the scope of the European Neighbourhood Policy and the Enlargement Policy;
3. Calls on the Commission to propose a framework for the continuous monitoring and reporting, jointly with the Member States, on the influence of non-EU countries in EU ports, in particular TEN-T ports, EU terminal management and global container shipping and assess the potential links between the actions of a given non-EU country in these sectors;
4. Stresses that limiting foreign investments, in particular by state-owned-controlled-or-influenced enterprises, in an individual port in one Member State can negatively affect the competitive position of that port relative to neighbouring ports that do not have these limitations, which underlines the need for a joint European strategy for ports; considers that an asymmetrical spread of foreign investments between EU countries may threaten the unity, the crisis management capabilities and the resilience of the EU; asks the Commission to analyse the potential impact on employment and trade at local and EU level that may result from limiting non-EU investments in European ports;

¹³ [AIVD, MIVD and NCTV, Dreigingsbeeld Statelijke Actoren 2, November 2022.](#)

5. Encourages national port authorities, the Member States and the Commission to develop an adequate format for strategic cooperation between European ports in order to minimise the risk of their being played off against each other by external actors;
6. Stresses that despite the existence of protective mechanisms at EU level, such as the screening of foreign direct investments and competition rules, these instruments are insufficient to address the increasing economic strength of external powers through individual companies, including state-owned-controlled-or-influenced enterprises, and are heavily reliant on implementation by individual Member States;
7. Underlines the importance of stepping up EU cooperation in screening and blocking inbound investments in critical infrastructure where major negative impacts on other Member States or the EU as a whole cannot be excluded, and that this cooperation should include sharing information about threats and opportunities;
8. Strongly encourages the Commission to strengthen the role of the protective measures for ports via an ambitious revision of the Foreign Direct Investments Regulation¹⁴ (FDI Regulation), including by making a foreign direct investment screening system mandatory in all Member States, ensuring that screening processes are clear and objective and that the definitions, scope and procedural aspects are consistent across Member States, in order to ensure an EU-wide level playing field;
9. Underlines also the crucial importance of the mechanism in Article [47] of the revised TEN-T Regulation [xxx/2024], mandating that Member States screen third-country investments in TEN-T infrastructure for their potential risks to security, public order or the strategic autonomy of the EU, which must be considered as complementary to the provisions of the FDI Regulation, as this mechanism applies both to investments in infrastructure (e.g. acquisition of shares in a terminal) as well as to infrastructure works performed in the EU by a third country company (e.g. in a public procurement to build a terminal in a European port) and as it also foresees the possibility of other potentially affected Member States providing comments to the Member State undertaking the screening, and its effective application for the port infrastructure concerned should be a cornerstone of a European port strategy;
10. Underlines the importance of monitoring the implementation of Regulation (EU) 2022/2560 on foreign subsidies distorting the internal market; calls on the Commission to closely monitor the port sector's market and, if necessary, intervene *ex officio* as provided for under Article 9 of this Regulation;
11. Calls on the Commission to research and assess the impact of vertical integration in maritime logistics, the Consortia Block Exemption Regulation, which is due to expire in 2024, and the formation of container shipping alliances on non-EU country influence in EU ports; calls on the Commission to intervene when necessary, in order to ensure fair competition, a fair power balance and a level playing field for all actors in the port ecosystem;
12. Underlines that, in particular, the aggregated presence of enterprises under the control and/or influence of the Chinese state in the core network ports and nodes of the Trans-

¹⁴ [Regulation \(EU\) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union, OJ L 79I, 21.3.2019, p. 1.](#)

European Transport Network (TEN-T) has important implications for the resilience and security of individual nodes and the network as a whole; recalls that the presence of third-country investors in ports may hamper their dual use role;

13. Calls on the Commission and the Member States to urgently carry out a risk assessment of China's involvement in maritime infrastructures that includes its impact on labour and the environment, dependencies and an assessment of bottlenecks in the shipping of goods from China to the EU and transshipment and that this assessment should also include other non-EU countries;
14. Recalls that the maritime and port sectors in Europe are characterised by a patchwork of different governance structures – with different means to allow investments, ranging from licensing and concession schemes, over the granting of ownership of port infrastructure, to full operational power over port authorities; highlights in this respect the importance of port managing bodies' risk mitigation measures to safeguard control through setting multiple conditions (operational, social, environmental, etc.), under which a terminal should be operated; underlines, however, the limits of an approach exclusively based on port concessions and/or lease contracts;
15. Suggests that all Member States introduce laws and develop contingency plans for a major conflict scenario or other state of emergency, or for cases of clear misuse or dual use of critical infrastructure with negative repercussions for security or public order, so as to be able to retake control of ports, terminals and other maritime infrastructure, including the cancellation of rights of concession and/or the suspension of the capacity of domain in the cases of property and participation;
16. Calls for significant public and private investments in ports located in overseas territories and outermost regions to turn them into strategic clusters for multi-modal transport, energy generation, storage and distribution, as well as defence; calls on the Commission to include provisions to limit influence and operational control by non-EU countries in those ports in its proposal;

Security

17. Calls on the Commission and the Member States to specifically address the need to prevent and reduce the risks of espionage and sabotage in ports with a dual use or military function, such as ports that are used by NATO, including via foreign vessels;
18. Calls on the Commission and the Member States to address the use of trusted technology in maritime logistics and in the functioning of container terminals; expresses its concern about the increasing dependence on non-EU producers for (border) security equipment in ports, as well as ship-to-shore cranes that are able to collect data on the origin and destination of containers; encourages investments in research and development in these areas so that EU companies could take the lead in the production and sale of these technologies;
19. Considers that complex and highly digital logistics operations lead to an increased vulnerability to interruptions of entire logistic chains; therefore asks for the access of foreign state-owned-controlled-or-influenced entities to port operations and information to be limited and monitored;

20. Calls on the Commission to pay particular attention to the threat that foreign investments may pose to intellectual property, in particular through forced technology transfers;
21. Emphasises that a high level of cybersecurity and cyber resilience of all actors in our ports is crucial to prevent espionage and severe disruptions of port systems and operations, while the risk of cyber threats has increased significantly in the last few years; asks the Commission to do further research and to collect data on the coverage and risks of non-EU companies' involvement in cyber and data security in critical infrastructure and to support the development of comprehensive contingency plans for ports with technical and operational support from the European Maritime Safety Agency; considers that the risk of negative spillover effects from a lack of cybersecurity from one port to another is high and that therefore high standards should be maintained by all Member States and that the sharing of best practices and experiences is recommended;
22. Highlights the growing importance of critical infrastructure protection at sea and underwater (including energy pipelines, communication networks and offshore renewable energy facilities) for the safety and security of EU waters and operations therein;
23. Underlines that while data-sharing in logistics contributes to the efficiency, agility and resilience of supply chains, the use of non-EU state-owned-controlled-or-influenced platforms in ports poses economic and strategic risks for the EU and should be prevented;
24. Deplores the fact that EU ports are misused by criminal organisations as key entry points for illicit drugs, which has an effect on society as a whole and undermines the safety of ports, nearby cities and their residents; calls on the Commission to present measures for effective European cooperation to combat drug trafficking, extraction and criminal subversion; welcomes in this respect the Commission's 18 October 2023 roadmap to fight Drug Trafficking and Organised Crime and underlines the need for a coordinated EU approach to combat all kinds of transnational organised crime;
25. Stresses that European ports are particularly exposed to the trafficking of other illicit products such as weapons or counterfeit items, as well as to customs and VAT fraud and that it is also necessary to step up the fight against these activities; underlines in this respect the importance of cooperation between port management bodies and law enforcement authorities, including in the usage of digital tools and data to ensure safe and secure port operations; considers that, when there is sufficient legal justification, ports should be able to access to all tools they need to contribute to their security;
26. Underlines that the security of ports depends on their resilience to climate and environmental change; therefore calls on the Commission to conduct a study to analyse the climate risks for European ports and related transport infrastructure, setting out categories of risks, e.g. rising sea levels, flooding, extreme heat, to analyse the risks by region and to identify the measures to address these risks, including the costs of these measures and the investments needed; calls on the Member States to undertake a long-term environmental risk assessment of their critical port infrastructure and take adaptive measures in a timely way;

Role of ports in the energy transition

27. Stresses the vital role ports play in the energy transition as set out in the EU Green Deal, as energy hubs for the conversion, conditioning and storing of energy carriers, for energy generation, for the import of critical raw materials, as carbon capture and storage hubs, as servicing stations and manufacturing hubs for offshore energy facilities and as nodes in transport systems supporting the energy transition;
28. Recalls that by 2030, the EU aims to import 10 million tonnes of green hydrogen and that to achieve this goal, a comprehensive strategy on importation, coordination, and infrastructure development is essential to the European Port Strategy and should be established promptly;
29. Calls on the Commission and the Member States to address the increasing need for investments in ports and terminals and their infrastructure so that they can assume their role in the energy transition; calls on the Commission to analyse and address the need for fast track permitting of port expansions in the context of the energy transition, such as offshore wind deployment, so the ports will not become a bottleneck in the energy transition; highlights the need for a more sustainable management of the maritime space and coasts to unlock the potential of offshore renewable energy; encourages the use of harbour areas for photovoltaic and wind energy deployment;
30. Stresses the importance of increasing synergies between the trans-European transport network and the trans-European energy network;
31. Asks the Commission to include ports in its Circular Economy strategy and assist the Member States and local port authorities by providing guidance on implementing projects related to circularity; calls on the Commission to address the increasing problem of oil slick in ports and shipping channels;
32. Asks the Commission to deliver on its modal shift ambition as put forward in the Green Deal and tackle the remaining challenges for inland waterways and, especially, rail freight to boost their uptake in ports and their connectivity to the hinterland;
33. Underlines that an energy transition in ports, in the shipbuilding industry as well as the maritime sector, will not be possible without a skilled workforce and adequate public and private funding; urges the Commission to provide future-proof training, education and life-long learning opportunities, and to promote social dialogue, to put port workers in the centre of the digital and green transition, and to make the industry more attractive to women; reiterates the important societal role of ports in providing many direct and indirect jobs and stresses the need to safeguard fair and safe working conditions for all port and maritime workers; highlights that recent crises have shown that seafarers, crew members, fishers and port workers are essential ‘front line’ workers and their well-being is vital to keep the world moving;

Competitiveness of EU ports and companies

34. Stresses that a European Port Strategy should have the competitiveness of ports among its main priorities;

35. Stresses that strengthening the economic position of EU ports and improving their competitiveness in a global economy is crucial for limiting foreign influence and security risks as well as for Europe's supply chain sovereignty; considers that European legislation should not undermine the competitiveness of EU ports and create carbon and business leakage to ports outside the EU;
36. Underlines the risks of delocalisation of container transshipment activities to non-EU ports with the aim of evading the requirements of the EU emission trading system (ETS) Directive¹⁵ and the FuelEU Maritime Regulation¹⁶; calls for the strict application of the transshipment monitoring provisions of these two pieces of legislation to detect and prohibit such behaviour as well as for an assessment as to whether these provisions are sufficient to effectively deter evasive behaviour to the detriment of both the environment and of growth and jobs in Europe and whether additional measures are necessary;
37. Calls on the Commission to analyse and address the investment needs of European ports in order for them to remain competitive in the future and to work towards a more stable investment climate including transparency and predictability of assessments of investments, both public and private;
38. Underlines that in order to maintain the competitiveness of EU ports and the functioning of a possible European Port Strategy, excessive administrative burdens that could undermine the working of such a strategy should be avoided;
39. Emphasises that a consistent European port strategy is essential to ensure fair competition; encourages increased cooperation between European ports and the elimination of harmful practices such as underpricing;
40. Considers that a well-functioning customs union is fundamental to the EU's competitiveness, sustainability and resilience; believes that a reformed and strengthened customs union with a common customs code will preserve the integrity of the single market, helping to maintain EU competitiveness in the twin green and digital transitions and avoid unfair competition between European ports;
41. Stresses that differences in customs procedure policies at the EU's points of entry into the customs union often distort trade flows and jeopardise the integrity of the European single market;
42. Recalls the importance of having in place harmonised customs controls in all European ports to avoid different application of sanitary or due diligence standards; insists that the Commission ensure that custom controls throughout the EU follow the same standards, by means of a direct unified customs control mechanism, in coordination with Member States and in full compliance with the principle of subsidiarity;

¹⁵ [Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC, OJ L 275, 25.10.2003, p.32.](#)

¹⁶ [Regulation \(EU\) 2023/1805 of the European Parliament and of the Council of 13 September 2023 on the use of renewable and low-carbon fuels in maritime transport, and amending Directive 2009/16/EC, OJ L 234, 22.9.2023, p. 48.](#)

43. Recalls that ports are not stand-alone assets as they have their place in a vast waterborne ecosystem of maritime logistics and industry and supply chains driven by demand from European importers and exporters;
44. Is concerned about EU shipping companies facing restrictive maritime cabotage legislation in China, which effectively forbids them from carrying out cabotage operations between Chinese ports, while cabotage operations constitute a core element of the business model of Chinese shipping companies in and between certain EU ports; calls on the Commission to explore the possibility of introducing a reciprocal EU maritime cabotage law that could apply to certain non-EU shippers, such as China; recalls that the lack of investment reciprocity in ports harms EU interests;
45. Underlines the importance of the EU Global Gateway initiative as a strategic global alternative to the Chinese Belt and Road Initiative; emphasises the potential of Global Gateway projects in the maritime industry (e.g. port infrastructure, hinterland road and rail connection, green hydrogen) to create a network of ports that facilitate trade and investment and mutually beneficial partnerships;
46. Stresses the urgent need to improve the strength, capacity and resilience of hinterland connections of European ports, particularly those that are part of TEN-T, taking into account the need for emission reduction and energy efficiency and aiming to shift inland transport to rail and inland waterways as far as possible while also preparing for the impacts of climate change, such as extreme weather events and low water levels in inland waterways;
47. Suggests that the Commission establish an 'atlas' of European ports, that maps, among other things, European commercial ports' availability of on-shore power supply and alternative fuels, hinterland infrastructure (particularly rail) and shipping lanes, which could possibly build on the TENtec interactive maps and the European Alternative Fuels Observatory, but should also include smaller ports and further information; considers that such a mapping could help form an overall factual basis for the continued development of EU ports and related industries, such as freight and passenger transport, cruise traffic, fishing, offshore wind, fuel bunkering and manufacturing;
48. Underlines the importance of maritime manufacturing, such as shipbuilding and its supply-chain, in the EU as a foundation for maintaining a thriving waterborne sector; calls on the Commission to research and assess the impact of Europe's dependence on foreign maritime manufacturing, to urgently define an ambitious European industrial maritime strategy and take adequate measures to enhance the competitiveness and resilience of Europe's shipyards and their entire supply chains;
49. Calls on the Commission to introduce an enabling digital framework to stimulate programmes for innovation and further port digitalisation, such as smart ports programmes, with a view to improving the efficiency, productivity and sustainability of ports; underlines, in particular, the potential of digitalisation for port call optimisation (to reduce waiting times in coastal waters and ports), just-in-time arrivals, advanced navigation systems (for fuel savings and emissions reduction), automatic identification systems (for increased safety at sea and better enforcement of environmental provisions) as well as for drones and artificial intelligence solutions leading to better decisions on port infrastructure;

50. Emphasises that adequate funding and financing instruments will need to be allocated to ports for them to remain competitive, play an enabling role in the green transition, and contain risks of foreign influence; asks for the funding designated to ports under the Connecting Europe Facility to be increased; underlines the importance of private investments in ports and that companies are the ones providing employment and innovation in and around ports;

Conclusion

51. Calls for a European Port Summit to further develop the aforementioned issues and to explore the possibilities for enhanced cooperation between European ports to this end;
52. Calls on the Commission to present a comprehensive European Port Strategy addressing the aforementioned issues by the end of 2024;
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 -
 -
53. Instructs its President to forward this resolution to the Council and the Commission.

EXPLANATORY STATEMENT

Given the strategic importance of ports to the European transport sector and the European economy as a whole, the rapporteur calls upon the European Commission to propose with priority a comprehensive European Port Strategy that ensures the future competitiveness and resilience of European ports and prevents any foreign dependency in this sector.

After Europe has been brutally confronted with its one-sided energy dependency on Russia, the Union is facing the creation of new foreign dependencies, this time in the transport sector. Investments in ports by foreign state-owned players from autocratic regimes, such as China, have been significant over the last twenty years.

Foreign influence over European critical infrastructure is problematic as it has the potential to undermine the security, economic independence and resilience of individual Member States and the Union as a whole. By allowing such foreign influence, the EU is increasingly economically vulnerable and perceptible to illegitimate pressure by autocratic third countries. Furthermore, when foreign parties acquire insight into complete flows of goods entering and leaving the EU, the risk of espionage increases - a risk that national intelligence services have already been warning against.

No individual port or Member State is able to turn away these investments easily, as they have to contemplate the risk that this investment will just move to a competitor next door or to a neighbouring Member State. This means that a joint European approach is crucial, particularly as a vulnerability in one Member State is a vulnerability to the European Union as a whole.

At the same time, the rapporteur points out that, besides addressing the security risks via increased European cooperation, regulation and enforcement at all levels, strengthening the own economic position of EU ports and improving their competitiveness on a global level is crucial. Ports play a vital role in the energy transition and can benefit from investments, innovation, digitalization and a global level playing field.

To turn the tide it is crucial that Member States and ports adopt with priority a common and stringent strategic approach towards the development of our critical infrastructure. Therefore, in addition to the revision of the TEN-T Regulation and the upcoming revision of the FDI Regulation, we call upon the Commission to propose a comprehensive European Port Strategy that ensures the competitiveness of European ports while securing their economic independence from third-country actors. This strategy must set limits on foreign investment in order to prevent any third-country presence that has the potential to undermine security or public order in our Union. It must also create the right framework for European public and private investors to invest in critical port infrastructure and strengthen the resilience of the gateways to our economy.

The EU needs economic openness towards the rest of the world, via its ports, to maintain prosperity and jobs at home. But EU cooperation must make sure that this openness cannot be abused and turned into a weakness. This is why the rapporteur proposes a European Port Strategy. Our future economic strength and strategic independence will depend on it.

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that he has received input from the following entities or persons in the preparation of the report, until the adoption thereof in committee:

Entity and/or person
Mercator Institute for Chinese Studies (MERICS)
The Vienna Institute for International Economic Studies (wiiw)
European Seaports Organisation (ESPO)
Federation of European Private Port Operators (FEPORT)
Bundesverband der Deutschen Industrie (BDI)
Bentley Systems
Koninklijke Vereniging van Nederlandse Reders (KVNR)
Hamburg Port Authority (HPA)
Shipyards' & Maritime Equipment Association of Europe (SEA Europe)
Havenbedrijf Rotterdam
Branche Organisatie Zeehavens (BOZ)
The United Kingdom Mission to the European Union

The list above is drawn up under the exclusive responsibility of the rapporteur.

28.11.2023

OPINION OF THE COMMITTEE ON INTERNATIONAL TRADE

for the Committee on Transport and Tourism

Building a comprehensive European port strategy
(2023/2059(INI))

Rapporteur for opinion: Iuliu Winkler

SUGGESTIONS

The Committee on International Trade calls on the Committee on Transport and Tourism, as the committee responsible, to incorporate the following suggestions into its motion for a resolution:

- A. whereas European ports are a key artery for EU and global trade, with 74 % of goods entering or leaving the EU by sea; whereas, in addition to their strategic function, ports are taking on an increasingly important role as the anchor of social and economic growth of European regions as well as in the supply, production, provision and storage of energy, and the greening of transport and industry;
- B. whereas ports are not only the final destinations of trade flows, but also nodes in international value and supply chain networks and regional trade flows, alongside rail-, road-, and air-transport links, which deserve equal attention in terms of security, resilience and competitiveness;
 1. Emphasises the role of European ports as critical infrastructure in EU efforts to boost supply chain resilience, especially in key areas linked to the green and digital transformations and in boosting energy security; stresses that during the pandemic ports played a crucial role in ensuring the continuity of emergency supply chains;
 2. Highlights that in the new geopolitical context, in the wake of Russia's war of aggression against Ukraine, ports play an essential role in keeping trade routes and supply chains operational and in setting up new alternative routes, including humanitarian and solidarity lanes, while building resilience through diversification; further underlines that European ports are pivotal in safeguarding energy supplies and in reducing energy dependency from Russia and will remain instrumental in repowering Europe in the short term, by fostering the development of alternative routes for the provision of gas and increasing gas storage; in parallel, stresses that ports will play an important role in the greening of transport, industry and energy;
 3. Acknowledges that Member States bordering Russia are facing new types of logistical challenges, and since well-functioning ports are key to overcoming these challenges, the EU should pay special attention to the ports in these Member States;

4. Highlights that while ports represent a key engine for growth, these can also be a strategic source of vulnerability that needs prioritised attention at EU level;
5. Notes that European ports have an impact on the regional economy and society, and are exposed to a high security risk, stresses that European ports should be particularly protected as critical facilities for Member States;
6. Believes that the development of European ports is necessary in order to uphold the EU's aim of working towards international, rule-based trade that benefits growth and wealth globally;
7. Highlights that an open, fair, sustainable and assertive EU trade policy, coupled with ambitious and balanced trade agreements, is key to the competitiveness and resilience of European ports and for Europe's growth, jobs and social prosperity; stresses that Europe's long-term competitiveness is dependent on a global, rules-based level playing field;
8. Recognises that Europe's maritime manufacturing capabilities are essential to the EU's maritime strategic autonomy, innovation and sustainable growth as well as to the EU's ambitions to lead the twin green and digital transitions; believes that the EU Regulation on Foreign Subsidies and autonomous tools are essential to preserve and foster the European maritime industrial base;
9. Recalls that the EU needs to strike a balance between attracting foreign investments and defending its critical infrastructure, including the integrity of its ports;
10. Notes that the operation and further development of Europe's ports is a complex issue that requires an appropriate approach across a number of functional dimensions, not just strictly in terms of infrastructure or superstructure, but above all in terms of trade relations, security and IT systems;
11. Emphasises that a consistent European port strategy is essential to ensure fair competition; encourages increased cooperation between European ports and the elimination of harmful practices such as underpricing;
12. Expresses its concern about potential unfair competition from non-EU ports as these are exempted from the application of the Emissions Trading System in European maritime transport;
13. Notes that the implementation of recent or pending EU legislation, including in the field of trade, requires effective enforcement by the EU and its Member States, as well as sustained investments and training for port operators and authorities, including as regards obligations stemming from the Fit for 55 package, or in enabling EU ports to play a role in the green transition, meeting the demand in key areas such as hydrogen imports; recalls the importance of a global level playing field in this key area;
14. Stresses the need to ensure sufficient resources for border and customs control authorities so that they can better enforce EU legislation;
15. Recalls that by 2030, the EU aims to import 10 million tonnes of green hydrogen and to achieve this goal, a comprehensive strategy on importation, coordination, and

infrastructure development is essential to the European Port Strategy and should be established promptly; notes that with the European Green Deal and updated energy strategies, European ports are evolving into pivotal energy hubs, this emerging role must be recognised and appropriately emphasised in future financing strategies and infrastructure developments;

16. Further highlights the need for EU programmes to support ports as hubs in line with the Connecting Europe Facility, advancing the digital and green transitions in areas such as electrification, 5/6G investments and hydrogen;
17. Emphasises that in certain cases foreign trade and investment can cause security vulnerabilities, in particular in the case of foreign ownership, control or access to EU critical infrastructure, including European ports; notes, in this regard the special nature of some ports, which not only provide logistical infrastructure but also contribute to the European defence system; calls for increased vigilance and more coordination at EU level, including as regards the facilitation of information sharing and relevant security guidelines for national and private operators; encourages the national authorities of EU Member States to give high priority to the protection of critical infrastructure;
18. Believes that foreign investments in essential and critical infrastructure that might enable effective participation or control (direct or indirect) in the management of the port should be thoroughly scrutinised; underlines that foreign investments, from state backed companies or state subsidies in all forms that enable effective participation or direct or indirect control over the management of the port, should be avoided; considers that, in order to strengthen Europe's resilience, competition on an equal footing must be ensured and that the level playing field and Europe's competitiveness cannot be allowed to be undermined by distortionary foreign subsidies in European ports;
19. Underlines that Chinese state-owned companies have sought to acquire majority or controlling stakes in a number of European ports, currently estimated to include total or partial control over 14 ports in the European Union and 10 % of European shipping activities; warns that this is not only done out of simple economic interests, but these investments are also part of the Chinese government's so called 'international ocean governance', translated into policies such as the Belt and Road Initiative, which is a strategy aiming to gain influence over key European naval infrastructure and a distinct matter of economic security of considerable importance in the current context of geopolitical competition; is convinced that the EU-China bilateral trade and investment relationship is of strategic importance, bearing strategic challenges, and should be rule-based, with the multilateral trading system and the principle of reciprocity at its core, and with clear European control of its critical infrastructure; emphasises in this context the expectation that China would support ambitious WTO-reform; insists on more reciprocity and advocates strong EU actions against unfair Chinese regulations and practices;
20. Encourages the national port authorities, the Member States and the European Commission to develop an adequate format for strategic cooperation between European ports in order to minimise the risk of being played against each other by third actors;
21. Draws attention to the ban on cabotage for European vessels between Chinese ports and between US ports and calls for increased reciprocity and for the establishment of an EU-

wide reciprocity review mechanism that would allow the EU to determine the level of openness of foreign markets to European shippers;

22. Reiterates that the independence, competitiveness and security of European ports alongside other trade relevant critical infrastructure must be an integral part of the European economic security strategy¹, in line with the EU's de-risking paradigm;
23. Stresses that a European Port Strategy must incorporate measures to prevent an oligopoly in liner shipping companies from dominating both on-shore and off-shore logistics and that for the sake of fair competition and a level playing field, the current preferential tax treatment for liner shipping companies must be terminated immediately; notes that this favourable treatment has endowed these companies with market power, enabling them to branch out into other segments of the logistics sector and that this disparity in competition and tax regulations allows dominant entities in container shipping to exert undue influence over port and hinterland logistics;
24. Highlights the strategic importance and the economic potential of the Arctic, and thus the EU's need to enhance its understanding of the arctic maritime industry and attract new investments in the area;
25. Calls for access to all EU ports to be refused for ships whose last or next port of call is in the Russian Federation, except in the case of necessary justified humanitarian reasons;
26. Recalls that the regulation on the screening of foreign direct investments (FDI Screening Regulation)² addresses risks to security and public order resulting from investments from non-EU countries, including those concerning European ports;
27. Looks forward to the upcoming review of the FDI Screening Regulation; encourages the Commission to present an ambitious legislative proposal adequately addressing all the loopholes that have emerged during the implementation of the FDI Screening Regulation, including with regard to critical European infrastructure; calls for a strengthened instrument, with increased consistency concerning the definitions, scope and procedural aspects of national screening mechanisms; encourages Member States that have not adopted national screening mechanisms to do so without delay; considers that assessments on the basis of the FDI Screening Regulation should take place within a reasonable timeframe and respect confidentiality during the screening process, in order to ensure legal certainty for potential investors and stakeholders and safeguard the attractiveness of Europe for new investments;
28. Emphasises the considerable role that the Global Gateway could play in strengthening the network of European ports with third countries, facilitating trade and expanding investment opportunities, hence creating mutually beneficial partnerships and promoting sustainable value chains; recalls the role of economic diplomacy, including its parliamentary dimension, in promoting such European flagship initiatives and strengthening international partnerships for resilient, sustainable and diversified trade;

¹ [Joint communication from the European Commission and the High Representative of 20 June 2023 on a European Economic Security Strategy \(JOIN\(2023\)0020\)](#).

² [Regulation \(EU\) 2019/452 of the European Parliament and of the Council of 19 March 2019 establishing a framework for the screening of foreign direct investments into the Union \(OJ L 79I, 21.3.2019, p. 1\)](#).

29. Stresses in this context that this strategy must also contribute to the strengthening of the partner countries, and in particular of their independence in terms of critical strategic infrastructure to prevent them falling under the control of foreign investors with ambiguous goals;
30. Once again stresses the importance of ensuring the competitiveness of European ports, including the related technological innovations and skills for EU trade policy; argues that a comprehensive European Port Strategy must provide coherence, stability and predictability to a strategic area of growth, fostering the potential for development of European operators, shipbuilders and seafarers; is convinced that such a strategy would be in line with the Commission's Communication on Economic Security, boosting the resilience of supply chains by increasing internal strength, alongside the supply and demand dimensions of value chains for such critical infrastructure;
31. Underlines the importance of a healthy, competitive and diversified maritime and logistics environment for ports; points, however, to the increasing market power of a small number of stakeholders, in particular shipping lines, which risks affecting the level playing field and fair power balance between the different actors in the port ecosystem; as such, emphasises the importance of effective and timely dialogue between ports and other logistics stakeholders in order to ensure well-functioning supply chains and avoid stranded assets;
32. Emphasises the importance of viewing Ukrainian ports and terminals as an integral part of the European port and trade system even today; applauds the support that European operators of these ports have given their local staff since the onset of the war; recognises the severe financial challenges these operators currently face due to Russia's unlawful war in Ukraine; believes that these ports and terminals can – and should – play a pivotal role in the country's reconstruction;
33. In that context, underlines the importance of strengthening the role of European ports in facilitating the transit of grain originating from Ukraine in order to disencumber mainland routes, thus contributing to getting Ukrainian grain to third countries that need it;
34. Highlights the importance of safeguarding the competitiveness of Europe's ports and ensuring a robust assessment of legislative measures that may lead to business leakage and loss of competitiveness to the advantage of ports outside the EU; believes that Europe's ports need to be further empowered, including at EU level, allowing them to play their critical and essential role as gateways to trade and partners in the energy transition;
35. Highlights the important toolbox of autonomous legislative instruments at the disposal of the EU and its Member States to ensure the integrity of its ports;
36. Considers that a well-functioning customs union is fundamental to the EU's competitiveness, sustainability and resilience; believes that a reformed and strengthened customs union with a common customs code will preserve the integrity of the single market, helping to maintain EU competitiveness in the twin green and digital transitions and avoid unfair competition between European ports;

37. Stresses that differences in customs procedure policies at the EU's points of entry into the customs union often distort trade flows and put at risk the integrity of the European single market;
38. Recalls the importance of having in place harmonised customs controls in all European ports to avoid different application of sanitary or due diligence standards; insists that the Commission ensure that custom controls throughout the EU follow the same standards, by means of a direct unified customs control mechanism, in coordination with Member States and in full compliance with the principle of subsidiarity.

**ANNEX: ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR FOR THE OPINION HAS RECEIVED INPUT**

Pursuant to Article 8 of Annex I to the Rules of Procedure, the rapporteur declares that he has received input from the following entities or persons in the preparation of the opinion, until the adoption thereof in committee:

Entity and/or person
The European Sea Ports Organisation
Federation of European Private Port Operators

The list above is drawn up under the exclusive responsibility of the rapporteur.

INFORMATION ON ADOPTION IN COMMITTEE ASKED FOR OPINION

Date adopted	28.11.2023
Result of final vote	+ : 34 - : 0 0 : 0
Members present for the final vote	Barry Andrews, Anna-Michelle Asimakopoulou, Tiziana Beghin, Geert Bourgeois, Saskia Bricmont, Daniel Caspary, Paolo De Castro, Markéta Gregorová, Heidi Hautala, Danuta Maria Hübner, Karin Karlsbro, Martine Kemp, Miapetra Kumpula-Natri, Bernd Lange, Margarida Marques, Gabriel Mato, Sara Matthieu, Emmanuel Maurel, Carles Puigdemont i Casamajó, Samira Rafaela, Catharina Rinzema, Inma Rodríguez-Piñero, Helmut Scholz, Joachim Schuster, Mihai Tudose, Kathleen Van Brempt, Marie-Pierre Vedrenne, Jörgen Warborn, Iuliu Winkler, Jan Zahradil, Juan Ignacio Zoido Álvarez
Substitutes present for the final vote	Michiel Hoogeveen, Javier Moreno Sánchez, Ralf Seekatz

**FINAL VOTE BY ROLL CALL
IN COMMITTEE ASKED FOR OPINION**

34	+
ECR	Bourgeois Geert, Hoogeveen Michiel, Zahradil Jan
NI	Beghin Tiziana, Puigdemont i Casamajó Carles
PPE	Asimakopoulou Anna-Michelle, Caspary Daniel, Hübner Danuta Maria, Kemp Martine, Mato Gabriel, Seekatz Ralf, Warborn Jörgen, Winkler Iuliu, Zoido Álvarez Juan Ignacio
Renew	Andrews Barry, Karlsbro Karin, Rafaela Samira, Rinzema Catharina, Vedrenne Marie-Pierre
S&D	De Castro Paolo, Kumpula-Natri Miapetra, Lange Bernd, Marques Margarida, Moreno Sánchez Javier, Rodríguez-Piñero Inma, Schuster Joachim, Tudose Mihai, Van Brempt Kathleen
The Left	Maurel Emmanuel, Scholz Helmut
Verts/ALE	Bricmont Saskia, Gregorová Markéta, Hautala Heidi, Matthieu Sara

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Key:

+ : in favour

- : against

0 : abstentions

INFORMATION ON ADOPTION IN COMMITTEE RESPONSIBLE

Date adopted	7.12.2023
Result of final vote	+ : 39 - : 0 0 : 0
Members present for the final vote	José Ramón Bauzá Díaz, Izaskun Bilbao Barandica, Karolin Braunsberger-Reinhold, Marco Campomenosi, Jakop G. Dalunde, Karima Delli, Mario Furore, Jens Gieseke, Bogusław Liberadzki, Peter Lundgren, Elżbieta Katarzyna Łukacijewska, Tilly Metz, Cláudia Monteiro de Aguiar, Caroline Nagtegaal, Bergur Løkke Rasmussen, Dominique Riquet, Thomas Rudner, Vera Tax, Barbara Thaler, István Ujhelyi, Achille Variati, Elissavet Vozemberg-Vrionidi, Lucia Vuolo, Kosma Złotowski
Substitutes present for the final vote	Tom Berendsen, Sara Cerdas, Maria Grapini, Ondřej Kovařík, Dorien Rookmaker, Nicolae Ștefănuță
Substitutes under Rule 209(7) present for the final vote	Isabel García Muñoz, Andreas Glück, Erik Marquardt, Andželika Anna Możdżanowska, Ljudmila Novak, Wolfram Pirchner, Tomasz Piotr Poręba, Eugen Tomac, Kathleen Van Brempt

**FINAL VOTE BY ROLL CALL
IN COMMITTEE RESPONSIBLE**

39	+
ECR	Lundgren Peter, Mozdzanowska Andzelika Anna, Poreba Tomasz Piotr, Rookmaker Dorien, Zlotowski Kosma
ID	Campomenosi Marco
NI	Furore Mario
PPE	Berendsen Tom, Braunsberger-Reinhold Karolin, Gieseke Jens, Lukacijewska Elzbieta Katarzyna, Monteiro de Aguiar Cláudia, Novak Ljudmila, Pirchner Wolfram, Thaler Barbara, Tomac Eugen, Vozemberg-Vrionidi Elissavet, Vuolo Lucia
Renew	Bauzá Díaz José Ramón, Bilbao Barandica Izaskun, Glück Andreas, Kovarik Ondrej, Nagtegaal Caroline, Rasmussen Bergur Løkke, Riquet Dominique
S&D	Cerdas Sara, García Muñoz Isabel, Grapini Maria, Liberadzki Boguslaw, Rudner Thomas, Tax Vera, Ujhelyi István, Van Brempt Kathleen, Variati Achille
Verts/ALE	Dalunde Jakop G., Delli Karima, Marquardt Erik, Metz Tilly, Stefanuta Nicolae

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Key:

+ : in favour

- : against

0 : abstentions