

OVERSEAS PORTS AT THE CROSSROADS OF GLOBAL TRADE

Despite the globalisation of maritime traffic, overseas ports must continue to play a role in the well-being of local populations, with the ability to schedule the convergence of vessels and goods or passengers passing through their docks and create added value. With this in mind, it is important that they demonstrate their ability to invigorate remotely, to intensify the activity they generate and to extend the scope of the latter. They must also, by means of efficient governance, enhance their appeal in order to better reflect the changes in global maritime traffic and become valuable avenues of growth not

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just for France but for the European Union (EU) as a whole.



Rémy-Louis Budoc

is a Doctor of Economics and Management and a member of the Board of Directors of the Great Maritime Port of Guiana. He sits on the ESEC Delegation for the Overseas, where he represents the Overseas Group.

Contact:

r.l.b@orange.fr
+33 (0)6 94 23 88 39

OUTLINE OF SOME OF THE ESEC'S RECOMMENDATIONS

➤ A - IMPROVING THE GOVERNANCE OF OVERSEAS PORTS

To achieve this goal, the ESEC recommends:

- that GMPs be clearly identified by all players and within the Transport Code in order to avoid any ambiguity with regard to their status in relation to third parties, bearing in mind that the Port Code, following the port reform, classified Great Maritime Ports (GMPs) as State public institutions and did not specify whether they were Public Administrative Institutions (EPAs) or Public Institutions of an Industrial and Commercial Nature (EPICs); at a time when the government of New Caledonia is committing to introducing measures for evaluating the administrative supervision of its 28 public institutions, including the administrative supervision of the autonomous port, with a view to identifying potentially beneficial avenues of reform with regard to governance and organisation. The same initiative undertaken with regard to ports must be implemented by the government of French Polynesia;
- that the State support the existence of the strategic overseas Great Maritime Port project; calling for a more specific definition of its nature and in particular of the consultation and participation mechanisms that must precede its development; and recommending that it be reviewed mid-term to produce a more streamlined version for approval. Finally, it would recommend that a report on the execution of the strategic project be approved by the Supervisory Board, the Development Council and the Governing Board at the end of the mandate period; not wishing to settle on a definitive position regarding the move towards a single handling command system that is currently under discussion, that the Transport Minister and the Minister for the Overseas Territories organise widespread consultation with the other ministries concerned and Managing Directors of ports, involving all ship-owners and employee representative organisations affected by the maritime servicing of ports around the Atlantic and Indian Oceans.

➤ B - IMPROVING PORT FACILITIES

To this end, the ESEC recommends:

- that with regard to the social aspect, overseas ports work together with staff representatives to ensure that staff receive appropriate training and enjoy appropriate promotions, notably in light of the emergence of new roles and particularly in the wake of the port reform;
- promoting diversity and equality among both land-based staff and sea crew;
- continuing negotiations regarding the status of dockers in overseas departments (DOMs) and the category of ports concerned to enable local handling companies to more efficiently organise their activities accordingly;
- that negotiations regarding the difficulties in working conditions at ports continue in this field, taking the specific nature of overseas ports into consideration; that inventory and research efforts regarding biodiversity

and the benefits provided by marine and land ecosystems should be maintained as a matter of priority in order to provide useful information for stakeholders in strategic projects;

- maintaining regular direct shipping routes to ensure that overseas territories are supplied under good conditions and maintain their ability to export, particularly where agricultural products such as bananas are concerned; that the two GMPs in the Antilles develop any initiatives that are likely to enhance their complementary natures and the synergies that exist between them in light of competition from other ports in the region in order to attract more container ships and cruise ships; continuing to undertake studies on the planned multi-purpose off-shore port platform in French Guiana; maintaining Port-Réunion in the Indian Ocean as a frontline port in the North-South trafficking of containers, guaranteeing supplies to Mayotte under appropriate safety, cost and compliance conditions and increasing the role of the port of Longoni as a sub-regional servicing platform for the Comoros and northern Madagascar; within the framework of efforts to improve handling operations in Mayotte, that the port authorities be vigilant with regard to the employment situation within the port and fulfil their supervisory responsibilities in order to ensure that all relevant social public order provisions are adhered to, notably with regard to respecting and extending collective agreements; that the planned evaluation of the special tax and customs measures in place in the overseas territories be effectively performed with a view to anticipating the next steps to be taken, notably for the purposes of enhancing the appeal of overseas ports;
- that overseas port authorities encourage the introduction and optimal functioning of the Cargo Community System AP+ communications tool.

📌 C - REVITALISING OVERSEAS DEVELOPMENT BY FOCUSING ON OVERSEAS PORTS

To achieve this goal, the ESEC recommends:

- that the State's port strategy regarding overseas ports be updated and broken down following the introduction of the relevant overseas GMP strategic projects in order to take social and environmental issues into account; that the 'recreational sailing and cruise tourism' sectors, along with the 'ship repair' sector, be promoted overseas with a view to creating both jobs and local added value;
- that it be made possible, under certain conditions, to impose regional guidelines regarding the development of ports on territorial cohesion plans. It would also recommend introducing a right of pre-emption on the part of the port authority with regard to property, provided that the corresponding need is clearly reflected in the officially approved strategic project; that overseas regional authorities benefiting from the property tax system support the competitiveness of ports by upholding the principle of their exemption in order to prevent any form of tax distribution being applied to companies located within the port area;
- that the recent legislative changes to the General Code of Public Property (CGPPP) regarding the specific provisions applicable to French Guiana (section 4 of Article L. 5142-1 of the CGPPP) be accompanied by clear provisions concerning all overseas GMPs to facilitate and accelerate negotiations with France Domaine within the framework of provision of the property required to fulfil the port's public service mission; improving transparency between ship-owners and remaining vigilant with regard to competitive conditions surrounding maritime connections that affect the overseas territories; the launch of a comparative study looking at costs for all overseas ports, ensuring that the method used is transposable.

📌 D - IMPROVING REGIONAL COOPERATION ON THE PART OF OVERSEAS PORTS

To achieve this goal, the ESEC recommends:

- that the Antilles-French Guiana Inter-port Coordination Council (CCIAG) effectively be used as a mediation tool and not merely a platform for compromise and that it tackle issues reflecting the economic and employment objectives of the 2012 reform, with a view to boosting the legibility and strength of efforts to produce an inter-regional port policy;
- that the State involve the port authorities of Saint-Barthélemy, Saint-Martin and Saint-Pierre and Miquelon in the work undertaken by the Antilles-French Guiana Inter-port Coordination Council, even if they do not have GMP status. It would also recommend that the Inter-port Coordination Council increase the visibility of these ports on an international scale; the creation of a *sui generis* body that would enable the port authorities of Réunion Island and Mayotte to join forces with a view to taking a common stance on key port issues;
- that the local governments of Wallis and Fortuna, New Caledonia and French Polynesia create their own joint and independent inter-port coordination council in light of the vital maritime issues facing this rapidly developing part of the world;
- that overseas ports step up their active involvement in the port trading networks in place within their respective catchment areas with a view to improving their maritime integration within their respective spheres of influence.