



Position of the European Federation of Inland Ports (EFIP) on the Targeted review of the General Block Exemption Regulation

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The unique representative of inland ports in Europe since 1994, EFIP – constituted of nearly 200 inland ports located in 18 Member States of the EU and Switzerland, Serbia and Ukraine – welcomes the opportunity to contribute to the targeted review of the General Block Exemption Regulation (GBER).

Inland ports as multimodal hubs fulfil a public role within the European logistical network. They manage complex logistical situations between various transport modes, actors and corridors. As part of the Smart and Sustainable Mobility Strategy, inland shipping and transport in general needs to be decarbonised and achieve the green transition. In order to complete the European TEN-T network and the achievement of the modal shift, far-reaching investments are required, largely in the form of state support.

The European inland ports welcome the extension of the GBER to support inland shipping while it makes the green transition. There are however still concerns that need to be addressed both from an infrastructure and users perspective.

Superstructure inclusion into the General Block Exemption Regulation (GBER)

Inland ports, unlike sea ports, invest in port superstructures in order to ensure that they can fulfil their roles as multimodal hubs within the European transport network. Fit-for-future infrastructure and superstructure realisation are important in achieving the European transport objectives.

The Special Report No 1/2015 “Inland Waterway Transport in Europe”¹ found that since 2001, “no significant improvements in modal share and navigability conditions” have been observed and that the outcome of the EU-funded efforts to shift freight traffic in Europe from roads to inland waterway transport has made slow progress. In the 2018 Report entitled “Towards a successful transport sector in the EU: challenges to be addressed”, the ECA emphasised that more attention should be paid to the maintenance and renewal of existing infrastructure because “high-quality infrastructure is essential for the efficient and sustainable functioning of the EU internal market”.²

Within the development of a port, superstructure development constitutes an integral element of the port. By excluding superstructures from the GBER results inland port development is being hampered as superstructures are essential to port operations. As a practical example, the

¹ <https://www.eca.europa.eu/en/Pages/DocItem.aspx?did=31393>

² https://www.eca.europa.eu/Lists/ECADocuments/LR_TRANSPORT/LR_TRANSPORT_EN.pdf



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development of a quay alone does not support inland waterway transport without the construction of a crane or storage area. Those superstructures often have to be funded by the port itself.

As inland ports are public entities with a societal role, they are dependent on public funding. With the exclusion of superstructures from the GBER, inland ports are unable to ensure that their ports are competitive in Europe and this jeopardises the achievement of the modal shift. **It is therefore the position of the European inland ports that superstructures should be included in the GBER.**

This would require a comprehensive definition of *port infrastructure* and *port superstructure* incorporating the nature and the scope of investments such as immovable infrastructure and being employed in the offering of transport related port services.

Concretely, the European inland ports would propose an amendment of the port infrastructure GBER definition, as set out below:

Port infrastructure means infrastructure and facilities for the provision of transport-related port services, for example berths used for the mooring of ships, quay walls, jetties and floating pontoon ramps in tidal areas, internal basins, fixed immovable infrastructure and constructions behind the quay walls such as platforms, foundations for tracks, backfills and land reclamation, alternative fuel infrastructure and infrastructure for the collection of ship-generated waste and cargo residues.

The definition of the port superstructure should also be amended as follows:

"port superstructure" means surface arrangements (such as for storage), fixed equipment (such as warehouses and terminal buildings) as well as mobile equipment (such as cranes) and other elements and constructions that cannot be defined as infrastructure located in a port for the provision of transport-related port services;

Feed back on revised rules for State aid promoting the green and digital transition

The NAIADES III Communication has as clear commitment from the European Commission to boost Inland Waterway Transport and to provide the necessary support to achieve the green transition.

The aim of the proposed revision of the GBER is very needed to decarbonise IWT. EFIP however believes that the criteria for aid for environmental protection are not aligned with the overall policy and time frame as set out in the European Policy.

The transition pathway in IWT aims at a 55 % reduction of CO₂ in 2035 and almost zero reduction in 2050. Recent studies prove that the financial gap to be bridged towards zero emission of inland vessels based on an average price scenario amount €5,22 bln. To bridge the financial gap public funding support will be needed in the coming years to support the sector in its greening endeavour.



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EFIP therefore suggests a couple of revisions of the proposal. They relate to definitions (art. 2) to support the greening of the sector and investment aid for clean or zero emission vessels (new article 36b).

Article 4 GBER Definitions

The current definition as laid down in 102f would only allow to fund zero emission vessels after 2025. These criteria might exclude a significant part of the fleet from funding as of 2025. It is unclear why after 2025 aid would no longer be possible given the transition pathway outlined above. In addition, it is equally important to include possibilities for renewable fuels to allow transitional pathways to reach the final emission goals.

EFIF suggests to amend the definitions in Article 2, point 102 as follows:

~~d) until 31 December 2025, a craft within the scope of directive (EU) 2016/1629 an inland vessel for passenger transport that has a hybrid or dual fuel engine deriving meeting at least the emission values of regulation (EU) 2016/1628 where applicable, and capable of deriving at least 50 % of its energy from renewable sources, zero direct (tailpipe) CO₂ emission fuels or plug-in power for its normal operation;~~

~~(e) until 31 December 2025, an inland vessel for freight transport with direct (tailpipe) emissions of CO₂ per tonne kilometre (g CO₂/tkm), calculated (or estimated in case of new vessels) using the International Maritime Organization Energy Efficiency Operational Indicator (EEOI), 50 % lower than the average reference value for emissions of CO₂ determined for heavy duty vehicles (vehicle subgroup 5-LH) in accordance with Article 11 of Regulation (EU) 2019/1242;”~~

Article 36b new: Investment aid for the acquisition of clean vehicles or zero-emission vehicles and for the retrofitting of vehicles

The new article 36b introduces a competitive bidding system which in our view hampers access to state aid for our mainly SME dominated sector. It imposes additional administrative burdens and barriers and leads – contrary to the intended improvement of legal certainty - to legal uncertainty when applying for funding.

We therefore suggest to add the current aid criteria and increase the aid intensity for SMEs by the following amendments:



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Article 36b GBER

[...]

4. The aid intensity shall not exceed 40 % of the eligible costs. The aid intensity may be increased by 10 percentage points for aid granted to medium sized undertakings and by 20 percentage points for aid granted to small undertakings.

5. Where aid is granted in a competitive bidding process as defined in Article 2, point (38), the aid intensity may reach up to

- 100 % of the eligible costs for the purchase or the leasing of zero-emission vehicles or the retrofitting of vehicles allowing them to qualify as zero-emission vehicles;
- 60 % of the eligible costs for the purchase or the leasing of clean vehicles, or of the retrofitting of vehicles allowing them to qualify as clean vehicles.

Competitive bidding, as defined in Article 2, point (38), should fulfill all of the following additional conditions:

4. Aid under this Article shall be granted in a competitive bidding process as defined in Article 2, point (38), which fulfils all of the following additional conditions:

