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Editorial

Public policies are the sum of all Government actions: it is difficult to think about any aspect of social life that has no connections with them.

Recognising the importance of understanding public policies at times when the world is faced with social, political, and economic problems, it highlights how significant these policies are in understanding today's political economy.

By focusing on the maritime sectors, the 'Journal of Portuguese Public Policies' offers a distinctive and integrative perspective to explain the difficulties of balancing policymaking with governance to provide solutions in a set of independent yet increasingly connected industries. It also examines the importance of developing a governance process that encourages and accommodates juxtaposition in a way that ensures that the effect of independent policy-making is understood upon the success or otherwise of policies across a range of contexts and problems.

The evidence for systemic difficulties in the governance of the maritime sectors is clear from the widespread inability of many sectoral policies to address the environmental, security, safety, and economic concerns. The causes of these failures stem largely from the inexorable pace of globalisation. In particular, the substantially changed role of the nation-state has generated friction between globalised industries and nationally defined legislative and governance authorities.

The authors in this Journal issue examine how problems of flexibility, movement and the increasing rate of change can be accommodated in a new governance framework that takes account with Globalisation.

Fernando Gonzalez-Laxe analyses the EU heterogeneous port sector, with very distinct organisation models and without common regulations. Due to its strategic position, Europe has a fundamental role in international economic integration, in any of the points of the port triptych: development of the hinterland, port-city relations and maritime connectivity (foreland). As such, port authorities must develop a true transport market comprising the EU and its neighbours, concerning governance and performance challenges (efficiency and competitiveness).

Karl Bruckmeier examines one of the first-born policies in the EU, the Common Fisheries Policy, which has been undergoing successive reforms towards increasing sustainable management. Fisheries stocks may be renewable, but they are finite, and some are being overfished. As a result, EU countries are taken action to ensure the European fishing industry is sustainable and does not threaten the fish population size and productivity over the long term. As a major fishing power, and the largest single market for fisheries products in the world, the EU plays a decisive role in promoting better governance of the oceans through several international organisations.

Conceição Santos summarises the evolution of the EU Integrated Maritime Policy's priorities during its 14 years of existence. The author draws attention to the fact that the IMP is cross-sectoral and interdepartmental, a 'policy of policies', which is both its greatest strength and its greatest weakness. The complexity of IMP's industries, goals and institutions perfectly reflect the challenges of public policies today and how it is undoubtedly a 'policy of a new generation'. The main results in Portugal from the Integrated Maritime Policy instruments implementation are also reviewed and evaluated.

Miguel Marques assesses the status of the Blue Economy in the World and in the EU as well as its future foreseeable evolution. The rise of Asia, and of China in particular, that took the lead in several sectors (ports, fishing, aquaculture), during the last decade, is overwhelming. Only in offshore energy production, ownership and operation of merchant ships, tourism (cruises) and sport do America and Europe manage to be ahead of Asia. Due to the enormous potential in the seas, the EU must perfect the Integrated Maritime Policy to maximise scale and agglomeration economies between all industries related to Europe's oceans and seas.

Aldino Santos de Campos appraises how Europe, as a single unit, looks at a putative common European Sea, when the continental shelf extension negotiations take place, within the 'UN Commission on the Limits of the Continental Shelf'. A future change in the current EU geopolitical paradigm can take place, with the victory of the arguments of the Atlantic Arc Member States over those of the 'geographically disadvantaged' MS. However, the departure of the UK from the European Union can reveal itself as a major blow to the Atlantic countries 'interests.

Francesca Savoldi, Zeljka Janîc and Regina Salvador examine the Adriatic Sea unsolved maritime disputes, an area to which the EU pays special attention. Maritime quarrels have the potential to impact the delicate balance of the region. The main drivers of these clashes are border discrepancies, inherited from the dissolution of former Yugoslavia, and current sea extraction activities. In addition, there is a direct link between these disputes and the progress of the integration process of the EU candidate countries. The article also assesses the results of the EU's strategy for the Adriatic-Ionian Region in terms of these disputes.

António Rebelo de Sousa inspects the relevance that has been attributed to the Sea in the Portuguese State Budget, over the past few years. The maritime sectors analysed are the Navy, Fisheries and Transports/Ports. In the recent past, the budgetary effort has been marginal. Investment expenses only increased in the Transports/Ports sector. On the contrary, investment expenses incurred in the Navy, a sector of strategic interest for the country, continued to be very insufficient. The author concludes that the Sea has not been priority for Portuguese executives.

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Regina Salvador

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La diversidad portuaria Europea: Un análisis de los diferentes modelos y los nuevos desafíos de la gobernanza portuaria.

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RESUMEN

El sector portuario europeo no es homogéneo y reposa sobre distintos modelos de organización, públicos y privados, diferentes. No existe una legislación de la Unión Europea en materia portuaria, salvo disposiciones relativas a las instalaciones portuarias y al funcionamiento de determinados servicios técnico-náuticos. Europa cuenta con más de 1.200 puertos de los que 319, entre globales y básicos, están integrados en el conjunto de las Redes Transeuropeas de Transporte. Los puertos desempeñan un rol esencial en lo tocante a los intercambios comerciales de la UE y en lo que concierne al servicio de pasajeros, en la medida que son nodos-clave en la red comercial mundial.

La diversidad portuaria europea, con diferenciación significativa en cuanto a tamaño, tipo, organización y forma de conectarse, hace difícil definir una estrategia conjunta para afrontar los grandes retos actuales. Las principales acciones se centran en asegurar una mayor eficiencia y competitividad. Nuestro trabajo aborda las nuevas funciones de las autoridades portuarias en lo que hace referencia a la gobernanza y a las exigencias y responsabilidades a nivel de perfomance. Asimismo, se explicitan las distintas concepciones cruzadas de los actores del negocio marítimo-portuario subrayando los puntos de convergencia y de conflicto. Y se revela la heterogeneidad de planteamientos en función de los países europeos.

Palabras clave: Puertos, Estrategias portuarias, Modelos de gestión, Regulación, Unión Europea.
Clasificación JEL: L9, L91, L92.

1. INTRODUCCIÓN

El contexto portuario internacional se caracteriza por una amplia multiplicidad de desafíos. Los retos vienen condicionados por factores muy diversos, desde una mayor competencia, por la presión demográfica, debido a las evoluciones tecnológicas, por los aspectos medioambientales o por la pluralidad de agentes. La finalidad de las autoridades portuarias consiste en conciliar los diferentes intereses de los actores, promover la innovación, contribuir a mejorar la eficiencia y a reforzar la competitividad. De este modo, las reflexiones sobre el futuro de los puertos exigen la toma en consideración de distintos campos de reflexión: competitividad; logística; relaciones puerto/ciudad/territorio; eficiencia energética; promoción de las infraestructuras; fomento de servicios; etc. Es decir, se busca la valorización de las innovaciones que permitan reforzar la gobernanza, la eficacia, la competividad y la seguridad.

Las dinámicas portuarias han venido señalando varios puntos clave. En primer lugar, un intenso crecimiento del Shipping; esto es, los ciclos de transporte marítimo subrayan una aceleración

continua de la oferta y demanda, lo que supone un elevado aumento de las capacidades de inversión por parte de las compañías navieras que han acelerado la denominada carrera por el gigantismo naval. El aumento del tamaño de las embarcaciones genera un impacto directo sobre el margen de actuación de las autoridades portuarias, reclamando no solo nuevas infraestructuras e instalaciones ad hoc preparadas para atender a los mencionados buques de gran tamaño, sino ofertando servicios para poder atender a las nuevas necesidades (UNCTAD, 2018). Supone, asimismo, un cambio en lo tocante a la gestión de los puertos y unas nuevas proyecciones sobre las inversiones portuarias (Sánchez & Mouftier,2016).

En segundo término, un incremento de las tendencias de concentración. Están instrumentalizadas por medio de los procesos de fusión y adquisición de empresas o por la constitución de las alianzas marítimas empresariales (González-Laxe,2018). El top´10 de los armadores representa cada año un porcentaje mayor dentro del mercado mundial. En 2019, alcanza el 80%. Este oligopolio de oferta subraya un nuevo modelo económico, toda vez que se combina una mayor rotación de los buques alrededor del bucle mundial, estrechamente vinculado con las terminales localizadas en una élite portuaria, emanando con ello una nueva jerarquía portuaria internacional. De esta manera, el mercado mundial de contenedores se concentra y aglutina en torno a ciertos armadores capaces de soportar los costes de construcción y de explotación de las nuevas unidades de transporte. La nueva composición de las alianzas marítimas hace que dichos niveles de concentración y segmentación sean cada vez mayores. Así, las diez primeras compañías están asociadas en tres alianzas, que controlan el 90% del total de la capacidad mundial de contenedores (Merk,2018; ITF/OCDE,2019).

En tercer lugar, la transformación del negocio marítimo, en la medida que los nuevos modos de consumo y las nuevas prácticas del negocio generan nuevas reglas de la competencia, oficios y valores; y, con ello, los puertos han de saber apreciar dichos cambios y adaptarse a los mismos. En cuarto lugar, las innovaciones técnicas, ya sea en lo que respecta a los modelos de funcionamiento y de gestión, como a las necesidades de innovación permanente de cara a producir/generar nuevos saberes y el know-how del futuro. El quinto apartado hace referencia a la anticipación y planificación; es decir saber cual es el lugar que debe ocupar el puerto dentro de una cadena global. Esto es, como posicionarse y como formar parte de una red amplia y conectada. Y, finalmente, la regulación que afecta a las nuevas reglas para hacer frente a la intensidad de las competencias del mercado. (Brooks & Culliname,2017).

Como toda actividad económica, el sector portuario no puede despreciar ni eliminar las externalidades medioambientales, ni dejar de ser un actor económico básico en las estrategias de implantación y de valorización del Hinterland económico. Respecto al primer apartado, son básicos todos aquellos compromisos que buscan cumplir con las mejores prácticas en lo que respecta a la defensa del medio ambiente y al cumplimiento de los estándares de sostenibilidad. Respecto al segundo apartado, los puertos desempeñan el rol de una empresa suministradora de servicios y de tecnologías en un hinterland cada vez más amplio e intenso. De esta manera, las estrategias de los puertos han de seguir pautas que refuercen los factores de atractividad y aquellos criterios considerados básicos para cubrir las estrategias de implantación de las empresas: el acceso a los mercados; la presencia de servicios públicos y privados; el capital humano del territorio; la proximidad y la capacidad de conectar con infraestructuras de transportes; el coste del terreno, entre otras.

2. El contexto portuario Europeo en el mundo

Los puertos han desempeñado un rol estratégico para la Unión Europea por su posición de interface con el resto del mundo. Constituyen la sede de los grandes nodos de conexión internacional y contribuyen a delimitar el sistema de transporte europeo. Más de 975 millones de toneladas se han movido por los puertos de la UE, registrando el 72% del volumen de los intercambios efectuados por la UE con el resto del mundo.

Durante estos últimos años, la Política Portuaria Europea ha ido evolucionando para superar los obstáculos y las deficiencias que estrangulaban su sistema de transporte, y poder adaptarse a los nuevos condicionantes derivados de la ampliación de la Unión y a los desafíos del entorno internacional. Los primeros pasos fueron un Memorándum de la Comisión Europea (1985) titulado “Hacia una política común de transportes-Transportes marítimos” y una Comunicación denominada “Hacia una nueva estrategia marítima“. (COM(1996) 81. El libro Verde de la Comisión sobre “Los puertos y las infraestructuras marítimas”, COM (1997) 678, profundiza en la formulación del sector y

de los problemas relacionados con la organización del mercado y las tasas. En ducho texto, se sintetiza una serie de iniciativas agrupadas en cuatro grandes bloques: a) un sistema de movilidad eficiente e integrada; b) unas infraestructuras modernas y una apuesta por la innovación; c) una financiación inteligente; y d) una dimensión exterior. Corresponden a pautas básicas para, más tarde, fijar como objetivo la creación de una Red Trans-Europea de Transporte y hacer realidad el mercado interior y el desarrollo armonioso del conjunto de la Comunidad.

Desde el inicio del proceso, el planteamiento de la política del transporte de la Unión Europea ha ido, lógicamente, evolucionando para superar los obstáculos y deficiencias que estrangulan el sistema de transporte, adaptarse a las nuevas exigencias de una Unión Europea ampliada (con 500 millones de ciudadanos), y dar cabida a los nuevos desafíos que impone el entorno internacional. Un entorno cada vez más competitivo, donde los efectos de la globalización demandan una acción coordinada; y en el que la seguridad y el factor medioambiental, han adquirido una importancia superlativa. Se postulan dos ejes: la libre circulación y un mínimo rol para la intervención estatal. Combina, en consecuencia, una visión a largo plazo (resultante de la concepción del liberalismo económico) junto a una visión a corto plazo (propio de una concepción más pragmática e integracionista por sectores). Los primeros se centran en las apuestas por la regulación; y los segundos por un expansionismo administrativo.

La sucesión de los libros blancos 1992, 2001 y 2011 han marcado las secuencias en la implementación de las acciones, logrando combinar y alternar dinámicas de armonización (botton-up) y de unificación (top-down). Más tarde, hemos sido testigos de la incorporación del concepto "Autopista del Mar" en la política del transporte de la Unión Europea; de la identificación del transporte marítimo, por ferrocarril y por vías navegables, como ejes centrales de dicha política; o de la consolidación de la noción de "comodalidad". También, se ha contemplado la formulación de las Redes de Transporte Europeo y la reciente definición y profundización de los Corredores de Transporte Europeos, por medio de Mecanismo Conectar Europa (Construir la Red Principal de Transporte: Corredores de la Red Principal y Mecanismo Conectar Europa. (COM(2013) 940). Todo contribuye a resaltar el hecho de que las actividades del transporte son fundamentales para la economía, y que exigen una permanente adaptación de las políticas nacionales y supranacionales que le permitan responder de la forma más rápida posible a los nuevos retos a los que se enfrenta la Unión Europea.

Los puertos concentran un flujo importante de importación y exportación de manufacturas y productos semi-elaborados que forman parte de procesos productivos para los que la logística es un factor de competitividad. En los últimos años, las Autoridades Portuarias se han ido sumando al desarrollo de actividad logística en su estrategia de desarrollo portuario. En el contexto actual podemos decir que la función básica del puerto de "paso de la mercancía por las terminales" no constituye, ya, un hecho diferencial para los usuarios del puerto. Y aunque la mejora de los accesos terrestres a los puertos y los sistemas de comunicación terrestres determinan sus áreas de influencia, hoy en día, la estrategia de desarrollo de la función logística del puerto surge como un elemento diferenciador de la oferta portuaria, y contribuye, además, a la fidelización de sus flujos de transporte marítimo y a la captación de otros nuevos.

Ahora bien, no todos los puertos desempeñan el mismo papel, ni todos los procesos productivos se apoyan en todos los puertos. El grado de desarrollo de la economía regional en la que se inserta el puerto, o la accesibilidad a los mercados interiores de consumo, determinan, en buena medida, el potencial logístico del puerto. En cualquier caso, no debemos alejarnos de un enfoque en el que se conciba el transporte marítimo como un segmento más en la cadena de transporte.

Una Unión Europea competitiva en el mercado internacional exige un enfoque integrado de una amplia gama de factores, en el que el transporte marítimo va inexcusablemente de la mano de la calidad de los servicios, de la organización portuaria, de unas buenas conexiones del puerto con su hinterland y del desarrollo logístico.

3. Los pilares de la política portuaria Europea

En el nuevo marco político y económico, los puertos y el transporte marítimo deben cobrar un especial protagonismo. La capacidad de esta actividad económica, como alternativa de otras menos sostenibles y eficaces, hacen de ella un elemento clave en la política de transporte actual. Los más de 1.200 puertos, distribuidos a lo largo de los aproximadamente 70.000 kilómetros de costas europeas, que movieron en torno a los 3.800 millones de toneladas de carga con más de 60.000 escalas de

buques mercantes, son fundamentales para el desarrollo del transporte marítimo en Europa. Se calcula que, en 2013, el sector de transporte marítimo aportó hasta 147.000 millones de euros, alrededor del 1% del PIB de la UE, y empleó a más de 2,3 millones de personas (Oxford Economics,2015). Además, hoy, el puerto amplía su papel como punto clave de transferencia modal para desempeñar de forma gradual una función logística. Las actividades portuarias contribuyen directamente al empleo, a la inversión y al crecimiento del PIB. Actualmente, 2.200 operadores portuarios dan empleo a 110.000 estibadores y en total los puertos europeos albergan a cerca de 3 millones de puestos de trabajo en los 22 Estados miembros con salida al mar. Los puertos europeos son las puertas del continente europeo: el 74% de las mercancías extracomunitarias se envían a través de los puertos. También son básicos en el comercio intra-europeo (el 37%). Asimismo, el 96% de las mercancías y el 93% de los pasajeros que pasan por los puertos de la UE lo hacen a través de los puertos marítimos identificados en la propuesta de la Red Trans-Europea de Transporte (RTE-T). Y aunque se reconoció la gran contribución del transporte marítimo y los puertos al desarrollo del comercio internacional e intracomunitario, no se llegaron a tomar las medidas suficientes para fomentar este modo de transporte y explotar el potencial de los puertos del que debía beneficiarse Europa. La política europea simplemente relegó el papel de los puertos a meros eslabones de la cadena de transporte.

Se distinguen tres grandes fases en la elaboración de la política portuaria europea. La primera abarca hasta 2005; la segunda, entre 2007 y 2013; y la tercera desde 2013 hasta nuestros días. En la primera fase, sobresale la contextualización y la voluntad de elaborar marcos reglamentarios para liberalizar el mercado de los servicios portuarios y los deseos de inscribirse en las Redes Trans-Europeas de Transporte (1997). Se abordó el primer paquete portuario (2001) basado en apuestas liberalizadoras en el campo de la prestación de servicios portuarios relativos a las operaciones de manipulación de carga y servicios técnicos-náuticos; y posteriormente un segundo paquete liberalizador (2004), aunque ambos fueron rechazados en el Parlamento Europeo (en 2003 y 2006, respectivamente). Sin embargo, si se logró enmarcar los puertos y el transporte marítimo como objetivos-claves de la UE, a través de la inclusión de los puertos en las Redes de Transporte europeos (2001). La segunda fase, concreta las pautas y objetivos de la política europea, así como sus estrategias, a través de la Comunicación sobre Política Portuaria (2007), en la que se fijan actuaciones en los ámbitos de las infraestructuras, la integración en las TEN-T, los procedimientos conducentes a una simplificación administrativa, el nuevo papel de las concesiones, y las condiciones de acceso al mercado de los servicios portuarios. Reconoce la amplia diversidad europea, en lo referente a propiedad y titularidad, dentro de una intensa consolidación del transporte marítimo mundial y el progresivo desplazamiento de los centros de gravedad económica hacia el continente asiático. La tercera fase, a partir de 2013, subraya varias consideraciones notables, desde concluir el proceso de liberalización de la mayor parte de los servicios portuarios (con el Reglamento 352/2017) hasta la apuesta por la simplificación administrativa y definición del crecimiento azul como base de la política económica de la UE. Una síntesis de las principales acciones llevadas a cabo se expone en el cuadro número 1.

CUADRO 1: PRINCIPALES HERRAMIENTAS DE LA POLITICA PORTUARIA EUROPEA

Año	Decisión	Comentarios
1996	Comunicación de la Comisión "Hacia una nueva estrategia marítima". COM (96) 81.	Preconiza la necesidad de aplicar normas de competencia comunitaria al sector de los transportes marítimos, coordinados con las políticas nacionales de los EEMM ante el proteccionismo de los países extracomunitarios; e iniciando una apertura progresiva hacia un verdadero y genuino mercado común en el sector de los servicios portuarios de los transportes marítimos intracomunitarios. Define cuatro pilares: seguridad marítima; mantenimiento de espacios abiertos; garantía de competitividad de los transportes marítimos; y clarificación de las ayudas estatales.
1997	Libro Verde de la Comisión. "Los puertos y las infraestructuras marítimas". COM (97) 678	Primer intento de avanzar en una política sobre la infraestructura marítima. Los puertos desempeñen un papel básico en las cadenas de transportes intermodales; su funcionamiento tiene gran incidencia en el comercio intra e extra comunitario; los puertos están llamados a absorber gran parte de la carga que circula por las infraestructuras del transporte. Se ambiciona un desarrollo de la red

		transeuropea de transporte como base sólida para el establecimiento de una infraestructura integrada y multimodal. Los puertos constituyen una parte importante de dicha red.
2001	Comunicación de la Comisión. ”Refuerzo de la calidad de los servicios en los puertos de mar: una clave para el transporte europeo”. COM (2001) 35.	En base al libro Verde (1997) los aspectos que más afectan directamente son: la inclusión de los puertos en la TEN-T; la regulación sistemática del acceso al mercado de los servicios portuarios; y la financiación pública de los puertos y las infraestructuras portuarias. La calidad, la eficacia y el precio relativo de los servicios portuario son factores claves para afrontar la competencia entre puertos en su pugna por atraer clientes. Los servicios portuarios se desarrollaban en entornos caracterizados por derechos exclusivos y monopolios de hecho o de derecho de índole público o privado. Se busca una mayor orientación comercial, una mayor participación privada, y con precios más acodes con criterios de mercado.
2001	Propuesta de Directiva sobre el acceso al mercado de los servicios portuarios. COM (2001) 35.	Busca eliminar las restricciones que afectan a la libertad de prestación de servicios portuarios dentro del marco de la política común de transportes. Asimismo, también intenta definir los deberes de las autoridades competentes respecto a sus autorizaciones y procedimientos de selección. Su objetivo principal es impedir situaciones de monopolio. Se apuesta por la disponibilidad de la capacidad y del espacio, pudiendo ser necesario la limitación del número de prestadores de servicios portuarios autorizados.
2004	Propuesta de Directiva sobre el acceso al mercado de los servicios portuarios. COM (2004) 654.	Insiste en los incrementos de liberalización de los servicios portuarios, garantizando el libre acceso a los mercados y la transparencia para poder garantizar la competencia leal y la eficacia en le sector portuario. Debido a la intensa competencia entre los puertos, los servicios portuarios deben ser competitivos y no monopolísticos. Admite la flexibilidad del practicaje habida cuenta su vinculación con los objetivos de la seguridad marítima.
2005	Directiva sobre mejora de la protección portuaria. Directiva 2005/65/CE	Es la relativa a la mejora de la protección de buques e instalaciones portuarias. Los EEMM deben aprobar planes de protección que luego tienen que ser evaluadas de manera sistemática. Existen tres niveles de protección: a) medidas mínimas; b) medidas admisibles durante un periodo de tiempo como resultado de un aumento del riesgo; y c) medidas concretas cuando no sea posible determinar el riesgo.
2005	Resolución del Parlamento Europeo sobre el Transporte Marítimo de Corta Distancia, 12 abril,2005	Considera que forma parte de las cadenas logísticas de transporte. Representa el 40% de los tráficos intra-comunitarios y presenta un potencial significativo de desarrollo.
2007	Comunicación de la Comisión sobre la Política Portuaria Europea. COM(2007) 616	Establece el marco y las acciones concretas que deberán ponerse en aplicación. Clarifica las normas comunitarias; ayuda a concentrar esfuerzos; atraer inversiones; contribuir al desarrollo comodal. Se propone un desarrollo armonioso para el conjunto de los puertos europeos en lo tocante a: instalaciones; tratamientos de residuos; reducción emisiones atmósfera; desarrollo sistemas electrónicos; reglas de juego justas (financiación, transparencia, concesiones portuarias); servicios portuarios; diálogo puerto-ciudad; formación; y salud y seguridad en el trabajo.

2009	Comunicación de la Comisión "Objetivos estratégicos y recomendaciones para la política de transporte marítimo de la UE hasta 2018". COM (2009) 8.	Refuerza la competitividad del transporte marítimo y sectores relacionados, integrando los requisitos de desarrollo sostenible y competencia. Desarrolla política europea del Transporte Marítimo y mayor consideración en el marco del RTE-T.
2009	Comunicación de la Comisión sobre Plan de Acción para la creación de un espacio europeo de transporte marítimo sin barreras. COM (2009) 10.	Recomendación dirigida a los Estados Miembros para simplificar los procedimientos administrativos (aduanas, controles documentales, documentos requeridos) para eliminar las desventajas del transporte marítimo intracomunitario en comparación con otros modos de transporte.
2013	Comunicación de la Comisión "Los puertos: motores del crecimiento". COM (2013) 295.	La UE necesita de puertos bien desarrollados y eficientes; que puedan contribuir a la recuperación económica y sean competitivos. Se plantea una estrategia que contempla: conexión con la Red Transeuropea; utilización de Fondos Estructurales y de Cohesión; garantiza el acceso al mercado de los servicios portuarios para promover la transparencia y el uso eficiente de los recursos públicos; regulación de normas relacionadas con las ayudas y financiación de las infraestructuras; promoción del diálogo social; y mejora del perfil ambiental de los puertos.
2013	Propuesta de Reglamento por el que se crea un marco sobre el acceso al mercado de los servicios portuarios y transparencia financieras de los puertos. COM (2013) 296.	No prejuzga las normas de los EEMM que regulan el régimen de propiedad aplicable a los puertos ni impone un modelo específico de gestión de los puertos. Se refiere al respeto del marco normativo por la prestación de servicios portuarios y por las normas comunes en materia de transparencia financiera. Los prestadores de servicios portuarios deben gozar de libertad para prestar sus servicios. EL reglamento aprobado no pone limitaciones al órgano gestor o a la autoridad competente a la hora de establecer sistemas de tasas; sino que sea identificable y no discriminatorio. Se garantiza la transparencia, la igualdad de trato, y estar abierta a todas las partes interesadas. Se aplica a los siguientes servicios: servicios de combustibles; manipulación de carga; servicios al pasajero; recogida de desechos y residuos de carga; practicaje; remolque; amarre; y dragado.
2013	Comunicación de la Comisión "Cinturón Azul: un espacio único para el transporte marítimo". COM (2013) 510.	Creación de un espacio único donde se puedan agilizar los intercambios comerciales en el sistema del servicio marítimo regular. Su objetivo es mejorar la competitividad del sector del transporte marítimo al permitir que los buques operen libremente dentro del mercado interior europeo con una carga administrativa mínima, reforzando el cumplimiento de la política aduanera y fiscal. Fomenta la utilización del TMCD y el comercio por vía marítima entre puertos de la UE.
2016	Resolución del Parlamento Europeo sobre Crecimiento Azul, Resolución 2016/C 075/04)	Propone la ordenación del espacio marítimo y la gestión integrada de la costa como medidas necesarias para gestionar el aumento de la actividad, la protección del medio-ambiente; y garantizar la coexistencia armónica de la actividad, evitando los conflictos de usos de los espacios costeros y marítimos. Dicha estrategia forma parte de la Política Marítima Integrada. Se pide a la Comisión y a los EEMM que garanticen la divulgación de las mejores prácticas; que se

		refuerce el interfaz tierra-mar en el contexto de la ordenación del territorio; y que elimine el concepto de concebir a las costas como fronteras. Destaca la necesidad de desarrollar vínculos relacionados con el crecimiento económico y el cambio climático. Propone la creación de clusters marítimos.
2017	Reglamento por el que se crea el marco de acceso al mercado de los servicios portuarios y la transparencia financiera de los puertos. Reglamento 2017/352, de 15,2,2017.	Su objetivo es crear las condiciones de competencia equitativas en el sector y proteger a los operadores portuarios contra la incertidumbre y crear un clima favorable para las inversiones públicas y privadas. Define las condiciones en las que resulta aplicable el principio de libre prestación de servicios, sus exigencias mínimas, las circunstancias en que puede limitarse el número de operadores, el procedimiento de selección. Introduce, asimismo, normas de transparencia respecto a la financiación y los sistemas de tarificación.

Fuente: Elaboración propia.

La publicación, en 1997, del Libro Verde de Puertos e Infraestructura Marítima inicia el debate en torno a las líneas de actuación que deberían desarrollarse para mejorar la eficiencia de los puertos y las infraestructuras portuarias y marítimas. El objetivo era conseguir un sector moderno, eficaz, competitivo e integrado, junto con los demás modos, en la cadena de transporte. Tres fueron las líneas principales de actuación que se presentaron en el mencionado Libro Verde: a) la transparencia de la financiación de las infraestructuras portuarias; b) la liberalización de los servicios portuarios; y c) la integración de los puertos en la Red Transeuropea de Transporte. Hoy, todos ellos siguen ocupando un lugar central en la agenda de la Comisión Europea.

Respecto de la financiación de las infraestructuras portuarias, las primeras acciones de la Comisión se centraron en elaborar un inventario sobre la financiación pública de los principales puertos europeos con tráficos internacionales; así como sobre sus prácticas tarifarias con el objeto de identificar las posibles distorsiones de competencia. Sin embargo, la escasa transparencia de los puertos dificultó el análisis de la situación que la Comisión pretendía. En el año 2002, la Comisión Europea elaboró un Vademecum sobre las normas comunitarias en materia de ayudas estatales y de financiación de construcción de las infraestructuras portuarias, en el que trataba de aclarar, sin excesiva profundidad, aquellos casos en los que la financiación pública de los puertos contravenía las normas del Tratado de la UE. Ha concluido, recientemente, por medio del Reglamento 352/2017, en lo que se denomina transparencia reforzada, al incrementar la autonomía de las autoridades portuarias tanto en lo que concierne a las tasas, precios y gastos; como en lo que afecta a la vigilancia y respeto a la coordinación con el desarrollo portuario a nivel nacional y europeo. La apuesta por reforzar las transparencia en la utilización de los fondos públicos se ha exacerbado ya sea en lo tocante a las inversiones como a su financiación, tal y como quedó reflejado en el informe del Tribunal de Cuentas Europeo (2015), cuando concluía lo siguiente: “la estrategia de desarrollo portuario, a largo plazo, establecida por la Comisión Europa y los EEMM no ofrecía una base sólida y coherente para planificar la capacidad necesaria en los puertos de la UE y para determinar la financiación pública europea y nacional que era necesaria para las infraestructuras portuarias” (….) “la financiación de las infraestructuras y supra-estructuras portuarias similares en puertos vecinos ha dado lugar a inversiones ineficaces e insostenibles”. Para la Comisión Europea la financiación de las infraestructuras del transporte constituyó un reto. El Reglamento 352/2017 ha querido responder a la problemática derivada del marco jurídico actuando sobre la igualdad de tratamiento y de transparencia en los procedimientos.

En lo que concierne a la liberalización de los servicios portuarios hubo dos intentos de regulación por parte de la Comisión Europea (2001 y 2004). El primero, iniciado en 2001, y el segundo, tres años después, fracasaron por el rechazo del Parlamento Europeo (en 2004 y 2006, respectivamente). La Comisión fundamentaba su propuesta en la necesidad de que los sistemas nacionales en materia de servicios portuarios de la Unión Europea se ajustasen a las libertades garantizadas por el Tratado (libre establecimiento, libre circulación de trabajadores de bienes y servicios) y por sus normas de competencia. La inclusión de determinados servicios como el practicaje, la manipulación de carga y los servicios a pasajeros; la auto-asistencia o auto-prestación; y el reconocimiento del derecho de

elección de los trabajadores por parte del prestador de servicios en dichas propuestas, constituyeron algunos de los aspectos más controvertidos de las propuestas legislativas. La ausencia de un marco regulador de los servicios portuarios ha obligado a que los conflictos sobre la aplicación de estas normas se sigan resolviendo caso por caso. Es decir, algunos países prefieren directivas y no reglamentos; en tanto que otros buscan una solución final "a la carta" en donde se reduzca el campo de aplicación del futuro reglamento.

Este doble fracaso de la Comisión Europea obligó a ralentizar el proceso regulador en esta materia y se inició un proceso de consultas con el sector sobre los temas de mayor relevancia que se consideraban debían formar pare de una futura política portuaria europea. El fracaso de los dos intentos de liberalizar los servicios portuarios, como resultado de la presión de ciertos agentes institucionales (tanto portuarios como el de las ciudades-puerto) y del rechazo de ambas propuestas por el Parlamento Europeo, motivó que el Comisario de Transportes presentara, varios años más tarde, en 2007, por primera vez, su Política Portuaria Europea, a través de una Comunicación (COM (2007) 616), en la que se recogen una serie de medidas con un enfoque "soft law" para lograr un sistema portuario europeo eficaz.

En relación con los puertos en la Red Transeuropea de Transporte, la Decisión nº 1346/2001 lograba integrar los puertos marítimos, puertos interiores y terminales intermodales en la Red, a través de dos modalidades, la red básica y la red global. La primera englobaba a 83 puertos y la segunda, la global a 236 puertos

La Política Portuaria Europea definía los elementos que amenazaban el funcionamiento y la eficiencia portuaria. Citaba como importantes a los siguientes: el ineficiente acceso marítimo y terrestre; las lentas y caras formalidades administrativas; el deficiente mantenimiento de las terminales; la escasa relación con el Hinterland; falta de transparencia en la gestión; la utilización cuestionable de fondos públicos; las restricciones de acceso al mercado; la excesiva rigidez en las cuestiones relativas a la organización del trabajo. Esto es, buscaba abordar y conseguir dos objetivos: eficacia y productividad; al tiempo que se deseba reducir el riesgo de congestión portuaria; las deficiencias en la intermodalidad; reducir las emisiones contaminantes; y apostar por la sostenibilidad social-ambiental. Para ello, identificaba seis ejes de acción: el rendimiento de los puertos y las conexiones interiores; el aumento de la capacidad portuaria respetando el medio ambiente; la modernización y el desarrollo de la tecnología para la creación de un espacio europeo de transporte marítimo sin barreras; la aplicación de unas reglas del juego justas; el establecimiento de un diálogo estructurado entre los puertos y las ciudades; y la formación, la salud y seguridad en el trabajo portuario.

Posteriormente, varias cuestiones de especial relevancia se fueron añadiendo a la Política Portuaria Europea. Entre otras, destacamos la creación de un Espacio Europeo marítimo sin barreras. El transporte marítimo se encontraba sujeto a complejos procedimientos administrativos, incluso en el caso del transporte marítimo intra-comunitario con mercancía comunitaria en el que los buques navegan únicamente entre puertos de la UE con mercancías en libre circulación. Esta situación implicaba unos elevados costes administrativos que le restaban atractivo respecto a los demás modos de transporte; dificultando, al mismo tiempo, su plena integración en las cadenas logísticas. Los numerosos procedimientos suponían un importante obstáculo al transporte marítimo intracomunitario. Consecuentemente, la Comisión Europea diseñó un plan de acción concreto (COM (2009) 19), para la instrumentalización del espacio marítimo sin barreras, simplificando formalidades, a la vez que lo insertaba en su nuevo Libro Blanco "Hoja de ruta hacia un espacio único europeo de transportes: por una política de transportes competitiva y sostenible". (COM(2011) 144, de 28 marzo de 2011. En esta línea de trabajo, el proyecto piloto "Blue Belt" es un buen ejemplo.

4. LA DIVERSIDAD PORTUARIA EUROPEA

El panorama portuario europeo es complejo. Existe una gran variedad de modelos de gestión portuaria en Europa, y no es posible establecer un modelo portuario único europeo. La financiación de los puertos, la infraestructura marítima y las políticas de tarificación, varían considerablemente de un país a otro, debido a las considerables diferencias del modo en que se estructuran la propiedad y la organización. Algunos puertos pueden ser propiedad del Estado, de entidades regionales o locales o de empresas privadas. La Comisión Europea es consciente de que en el pasado, los puertos se consideraban como entidades que prestaban servicios de interés económico general ofrecidos por el sector público y financiados por el contribuyente. Sin embargo, hoy en día, los puertos son

entendidos como entidades comerciales que deben recuperar la totalidad de sus costes a través de los usuarios, que son quienes se benefician de ellos directamente.

La diversidad portuaria europea queda establecida a la luz de tres criterios: a) el estatus; b) la legislación; y c) el financiamiento. Por la primera, los puertos se clasifican en función de quién es la autoridad de tutela (nacional, regional o local) y cual es el estatus de la autoridad portuaria (establecimiento público nacional; sociedad de autonomía municipal; sociedad de capital público; o sociedad de capital privado). Por medio del segundo criterio, el relativo a la legislación, se distinguen aquellos modelos basados en la legislación nacional y aquellos otros fundamentados en los compromisos institucionales. Y merced al tercer criterio, el de la financiación, se distinguen aquellas autoridades portuarias en las que la infraestructura es financiada por los Fondos Europeos, Estado, Región o a nivel local.; y respecto a la superestructura, si las llevan a cabo instituciones públicas, privadas ó partenariados público/privados.

Al no existir un único modelo portuario europeo la clasificación de los mismos atiende a dos criterios básicos. En función de la titularidad la heterogeneidad portuaria europea arroja el siguiente esquema: a) puertos estatales (España, Portugal, Francia o Italia); b) puertos municipales (en el norte de Europa); c) puertos autónomos; y d) puertos privados (mayoritariamente, el Reino Unido). En función de la gestión, el análisis seria el siguiente; a) por medio de sociedades limitadas (Reino Unido, Suecia, Países Bajos); b) un ente bajo el control del Estado (España, Francia, Portugal o Italia); c) una empresa pública (Alemania, Finlandia o Bélgica); d) una empresa pública municipal (algunos puertos alemanes, belgas o finlandeses).

En suma, siguiendo la titularidad y la gestión se distinguen tres grandes modelos:

a) el hanseático, adoptado por Bélgica, Alemania, Países Bajos y países nórdicos, (excepto Dinamarca) donde la gestión del puerto es asumida por la administración local que, además, es la propietaria de las instalaciones y se encarga de la financiación. Pueden existir casos en los que sea el gobierno regional o nacional quienes asuman algunos proyectos de financiación de las inversiones.
b) el latino, implantado por los países meridionales y mediterráneos como Italia, Francia, España y Portugal, donde se combinan varios submodelos de gestión: unos relacionados directamente por el Estado y otros efectuados por organismos autónomos.
c) el anglosajón, propio del Reino Unido y Dinamarca, en donde destacan la iniciativa privada en los puertos, recayendo la responsabilidad de la gestión en el municipio, en un organismo público y mayoritariamente en la iniciativa privada.

Tales modelos no son puros, en la medida de que en Alemania coexisten, bajo el modelo hanseático, distintas modalidades: como el puerto de Bremen y de Hamburgo que pertenecen a su Land; el puerto de Kiel, a su municipio; el de Wilshemshaven, a su Land y a su municipio; o el de Norddenham, a una empresa privada. Con ello, se quiere manifestar la amplia diversidad de situaciones. Lo mismo sucede en el Reino Unido, en donde coexisten los Trust Ports, que son puertos del Estado pero con una presencia mínima del mismo, dotados de personalidad jurídica propia e independientes financieramente, como son Londres, Dowvres, Milford Haven, o Tyne Ports; los estrictamente privados, como los pertenecientes a la Associated British Port Holdings (ABP), que posee los puertos de Southampton, Swansea, Port Talbot, Hull, Grimsby & Inminghan; otros puertos privados como los gestionados por Peels Ports (Liverpool y Glasgow); Foorth Port (Escocia) y British Port Company; y algunos puertos municipales, como el de Portsmouth. En Francia la reciente coordinación portuaria, creada a partir de la reforma del 2008, ha favorecido y estimulado las políticas de sinergia entre puertos. De ahí, la estructuración en cuatro grandes coordenadas o fachadas. La primera, incluye a los puertos del Atlántico (Nantes/Saint Nazaire, La Rochelle y Bordeaux); la segunda, lo forma el eje del Sena, mediante la agrupación HAROPA (puertos de Le Havre, Paris y Rouen), creada en 2009 y abierto a los puertos de Cherbourg y Caen; la tercera configuración es el eje del Rhône, creado en 2008 y transformado en 2015, que agrupa a los puertos de Marsella y Sete; y la cuarta fachada, incluye a los puertos del Norte, esto es, Dunkerque y los puertos interiores de Lille y Valenciennes. Respecto a los Países Bajos coexisten tres modelos: sociedades privadas; sociedades municipales (Amsterdam); estructuras particulares (Rotterdam). Y en lo referente a Bélgica, los puertos de Ostende y Gand poseen personalidad jurídica propia pero dependientes de los ayuntamientos; el puerto de Amberes, es una sociedad anónima de derecho público, con 100% del Ayuntamiento desde 2006, y con un Consejo de Administración repartido

entre representantes del sector privado y del municipio; y el puerto de Zeebrugge es una sociedad anónima dependiente del Ayuntamiento.

En este sentido, cada vez es mayor el debate sobre las diferentes competencias portuarias y las propuestas de nuevas prestaciones de los puertos. Tanto los procesos de liberalización como los de la privatización así como el desarrollo de nuevas formas de corporativismo han ido modificando las relaciones entre los actores privados y los públicos. Como consecuencia de ello, se asiste a una transformación continua de la gestión de los puertos. La literatura económica ha reflejado dichos cambios por medio de los estudios de Baird (2000 a,b); Baltasar & Brooks (2001); Notteboom & Winkelmans (2001); Culliname & Song (2002); Debrie, Gouvernal & Slack,(2007); González-Laxe, Sánchez, García (2017). Esta mutación del nuevo rol de la autoridad portuaria, en el ámbito institucional dentro del sistema de transporte contemporáneo ha generado nuevas orientaciones y trayectorias, tal y como lo expresan Brooks (2004) y Olivier & Slack (2006). Por lo tanto, la adopción de políticas públicas de privatización, de desregulación y de descentralización de las infraestructuras del transporte y de la gestión portuaria explican las mencionadas reformas. Otros autores, por su parte, insisten en que dada la búsqueda de objetivos como la mejora de la eficiencia y de la competencia portuaria, exigen una reducción del rol del Estado tanto en la planificación como en la gestión de las infraestructuras, rasgos necesarios para una mejor inserción en una economía global y más competitiva (Juhel (2001); Talley (2006).

De esta forma, el sector portuario se va adaptando a las tendencias de la economía mundial; y las autoridades portuarias se acomodan a orientaciones cada vez más comerciales y que puedan responder a los objetivos e intereses de los actores privados; así como a sus respectivas apuestas por la integración de los servicios logísticos y actividades terrestres. Es evidente, en este contexto, que se re-define el papel del sector público, pues cada vez es más incapaz de asumir los costes de las elevadas infraestructuras y de responder a los excesivos niveles de concentración. Las nuevas responsabilidades e innovadores deberes y funciones que van adquiriendo las organizaciones portuarias resultantes plantean interrogantes sobre las competencias de gestión y explotación; sobre el funcionamiento y externalización de los servicios; y sobre la operatividad de las mismas cuando afrontan los distintos procesos de expansión y el re-desarrollo de las nuevas terminales portuarias. Las diferentes opciones las reflejamos en el cuadro nº 2.

CUADRO 2: ESTRUCTURA ORGANIZATIVA DE LOS PUERTOS

	TIPO I	TIPO II	TIPO III	TIPO IV
Propiedad	Pública	Pública	Pública	Privada
Autonomía de gestión	Muy limitada	Limitada	Elevada	Completa
Responsabilidad de la gestión portuaria	Operada por el Estado (Tool Port & Landlord Port)	Predominante Landlord Port	Service Port	Service Port
Financiación pública externa	Intensa	Importante	Muy limitada	Sin ayudas públicas
Acceso a la prestación de servicios	Licitación abierta y acuerdos directos	Predominancia de acuerdos directos	Acuerdos directos	Normalmente procedimientos cerrados
Tipos de organización	Dinamarca, Grecia, Francia; Portugal, Alemania, Italia.	Bélgica, Dinamarca Finlandia, Francia, Alemania, España, Italia Países Bajos	Dinamarca, Irlanda, Suecia, Reino Unido	Reino Unido

Fuente: Comisión Europea (2001) Documento de Trabajo sobre los regímenes de financiación y los sistemas de tarificación en el sector portuaria de la Comunidad. SEC (2001) 234.

En consecuencia, las estrategias de las compañías marítimas, operadores de terminales y autoridades portuarias resaltan distintos objetivos e impactos. Llama la atención las diferentes concepciones y estrategias de cada uno de los agentes privados e instituciones, destacando unos por la maximización de beneficios y posicionamiento de los mercados (Compañías Marítimas); otros, por la fidelización de clientes y servicios logísticos para incrementar el valor de los servicios (Operadores de Terminales); y unos terceros, por la maximización del beneficio y por el mantenimiento de la carga (Autoridades Portuarias). Igualmente, sobresalen las distintas concepciones en lo referente a las variables instrumentales utilizadas: las Compañías Marítimas se inclinan por priorizar sus acciones en el estudio de las tarifas y los costes; los operadores de terminales, se significan por los precios y por el uso de las tecnologías; en tanto que los autoridades portuarias, enfatizan sobre el acceso marítimo, seguido de las políticas de ordenación territorial y de concesiones, tal y como lo reflejamos en el cuadro número 3.

CUADRO 3: OBJETIVOS E INSTRUMENTOS DE LOS AGENTES MARITIMOS

	Compañías Marítimas	Operadores de Terminales	Autoridades Portuarias
OBJETIVOS	Maximización de beneficios; posicionamiento en los mercados; y control de las cadenas logísticas	Maximización de beneficios; fidelización de clientes y servicios logísticos; e incrementos del valor añadido	Contribución a la minimización de costes por medio de las cadenas logísticas y maximización del mantenimiento de la carga
INSTRUMENTOS	Tarifas; control de costes en función de la capacidad, volumen de carga, tiempo, cooperación, etc.; marketing, y servicios	Precios; tecnologías de mantenimiento para mejorar calidad, velocidad, seguridad, información, etc.,	Acceso marítimo, políticas de ordenación territorial y de concesiones; negociación socio-económica; y política de precios.
IMPACTOS	Grandes barcos; racionalización redes de navegación; alianzas y consortium; y terminales especializadas	Economía de escala, logística industrial	Información sobre los accesos marítimos, garantía de estabilidad social y económica; estrategia industrial y política de concesiones

Fuente: Elaboración propia.

La diversidad de propuestas y de posicionamientos muestra el amplio catálogo heterogéneo existente en Europa. En este sentido, es resaltable la presencia de los distintos operadores globales en cada puerto, subrayando la competencia intra y extra-portuaria existente en cada fachada portuaria europea y reforzando los niveles de competencia en el negocio marítimo. Tendencia más acusada cada año y que acentúa los grados de concentración económica empresarial y los niveles de centralización en el campo de las decisiones. (ITF/OCDE,2019). El actual modelo portuario es consecuencia de una amplia implantación de la iniciativa privada, fundamentalmente de empresas líderes asociadas a empresas globales con presencia en los principales puertos mundiales. Dicha apuesta refuerza la jerarquía y establece distintos niveles de selección portuaria a lo largo del mundo. El caso europeo es una buena muestra de ello:: anotamos la presencia de las tres principales empresas europeas (la danesa AP. Maersk-Möller; la italo-suiza, Mediterranean Shipping Company (MSC); y, la francesa, CMA/CGM) con las tres principales empresas mundiales de terminales (la china, Hutchison Ports Holding; la árabe, Dubai Port World (DP.World) ; y la singapureña, Port of Singapur, PSA).

CUADRO 4: PRINCIPALES PUERTOS EUROPEOS Y PRESENCIA DE LOS OPERADORES GLOBALES.

Puesto 2007	Puesto 2018	Puerto	Volumen Miles TEUS	% variación 2007/2018	Presencia de operadores
1	1	Rotterdam	14.513	34,5	Hutchison Ports; DP. World; APM Terminal; COSCO; MSC/TIL; CMA.
3	2	Amberes	11.100	35,8	PSA; DP. World; COSCO; MSC/TIL; CMA.
2	3	Hamburgo	8.732	-11,7	Eurogate; HHLA.
4	4	Bremenhaven	5.467	11,8	APM Terminal; MSC/TIL; Eurogate
8	5	Valencia	5.104	67,7	APM Terminal; COSCO; MSC/TIL.
-	6	Pireo	4.908	257,5	COSCO
6	7	Algeciras	4.772	39,5	APM Terminal
7	8	Felixstowe	4.161		Hutchison Ports
10	9	Barceloma	3.423	31,1	Hutchison Ports; APM Terminal.
12	10	Marsaxlookk	3.310	74,2	CMA
9	11	Le Havre	2.884	9,3	DP. World; MSC/TIL; CMA
14	12	Genova	2.609	40,7	PSA
5	13	Giaio Tauro	2.301	-33,2	MSC/TIL
13	14	Southamptom	1.995		DP. World
-	15	Gdansk	1.949	1991,4	PSA
		Top-15	77.227	26,0	

Fuente: ITF/OCDE (2019).

Existen distintos interrogantes a la hora de enfocar los nuevos desarrollos. El primero, hace referencia a cómo se plasman y concretan los flujos financieros entre las autoridades públicas y los puertos para poder determinar cuando la financiación portuaria puede comprometer la leal competencia del sector. La adopción de unas directrices sobre las ayudas estatales en los puertos europeos es criticada, en ocasiones, por crear un marco de falta de igualdad de condiciones para el conjunto de los puertos europeos. Efectivamente, se trata de un pilar de la Política Portuaria Europea un tanto complejo, que exige establecer un marco de igualdad y de elaboración de directrices que requiere de un periodo de consolidación, tal y como lo establece el Reglamento 352/2017. El principio básico de que la financiación pública de la infraestructura portuaria, abierta a todos los usuarios de forma no discriminatoria, no constituye una ayuda de Estado contraria al Tratado de la UE se mantiene como cimiento de su política en esta materia. La cuestión se plantea a la hora de dilucidar el origen y el destino real de la financiación; y el beneficiario de la misma. Las interpretaciones de la normativa de la Unión Europea sobre las ayudas de Estado por parte de la Comisión Europea han quedado lejos de despejar las dudas del sector. Es imperante para el sector la necesidad de disponer de unas directrices que ofrezcan seguridad jurídica para los inversores, los puertos y los usuarios.

El segundo hace mención a los diferentes marcos jurídicos sobre la cesión del terreno portuario en los Estados miembros. Constituye un escollo en el empeño de la Comisión de cara asegurar el libre juego de la competencia entre los puertos. Las autoridades públicas deben cumplir la obligación de transparencia que consiste en asegurar, en beneficio de cualquier licitador potencial, un grado de publicidad que permita que dicha concesión esté abierta a la competencia, así como la imparcialidad del procedimiento de selección. Partiendo de la premisa de que las concesiones portuarias están sujetas a las normas y principios del Tratado de la UE, la preocupación de la Comisión Europea reside actualmente en que la duración de las concesiones portuarias no limite la libre competencia más de lo necesario para garantizar la amortización de las inversiones, y un rendimiento aceptable del capital invertido.

El tercero es el relativo a la creación de un marco de igualdad de condiciones para los puertos europeos, los servicios portuarios. Sobresalen dos asuntos a los que se está prestando especial atención. Por un lado, la necesidad de una mayor flexibilización en la concesión de exenciones del practicaje obligatorio en el caso de los usuarios frecuentes, siempre que se garantice la seguridad, ya que está convencida de que esta práctica permitiría reducir el coste del transporte marítimo, principalmente en el caso del transporte marítimo de corta distancia. Por otro, la vigilancia sobre los

acuerdos para la prestación de los servicios de manipulación de la mercancía, con el objeto de que no se utilicen para impedir que determinadas personas o empresas, debidamente cualificadas, presten servicios de manutención de carga, ni para imponer a los empresarios una mano de obra que no necesitan, ya que este tipo de situaciones podría infringir las normas del Tratado. Teniendo en cuenta el profundo calado de ambos planteamientos, y la negativa experiencia que ha tenido anteriormente cuando ha tratado de tomar medidas sobre los servicios portuarios, la Comisión Europea deberá abordar ambas cuestiones con máxima prudencia. Un nuevo fracaso podría poner en duda la capacidad de la propia Comisión.

5. LOS DESAFÍOS DE LA GOBERNANZA PORTUARIA

La gobernanza portuaria se define en función de dos fuerzas, las centrípetas y las centrifugas (Comtois & Slack,2003). Las fuerzas centrípetas tratan de definir, en términos políticos, los controles de orden jurisdiccional y geográfico de las dinámicas territoriales de un puerto. Es decir, enfatiza sobre los distintos roles de los agentes privados y públicos, profundizando en el rol de la gestión y las operaciones portuarias desde la perspectiva de una economía de mercado. Las autoridades portuarias buscan adoptar aquellas medidas que permitan aumentar la eficacia, tales como la mayor descentralización administrativa y los mayores campos de libertad para la economía privada. Supone, en consecuencia, que tanto las tarifas portuarias como otros objetivos (como la seguridad, las medidas medioambientales, etc.) deben quedar reflejadas en los informes y deben adaptarse a las reglas de mercado. Por tanto, los cambios estructurales en la gobernanza siguen un camino hacia una mayor liberalización y desregulación. Producto de esta dinámica es la creación de plataformas multimodales, que buscan captar y atraer tráficos, mejorar el posicionamiento de las infraestructuras portuarias en el mercado mundial y definir nuevos objetivos intra-portuarios, como la conformación de servicios logísticos y el desarrollo de redes globales alentadas por las economías locales (Notteboom & Rodrigue,2005). Los puertos constituyen, en este sentido, un elemento más de la cadena multimodal entre el productor y el consumidor, aumentando los vínculos entre el transporte marítimo y el transporte terrestre. Bajo esta fuerza centrípeta asistimos a un crecimiento de la capacidad de oferta de las terminales; a una adaptación de los flujos y sentidos de las rutas de transporte marítimo; a una nueva concepción de los índices de performance y del beneficio empresarial; y a una reducción del riesgo y aumento de la seguridad en el transporte “puerta a puerta”. Las autoridades portuarias combinan las actividades de los transportistas y de los operadores de terminales, buscan las mayores economías de escala, el desarrollo de actividades de marketing y nuevos desarrollos portuarios. Las autoridades portuarias operan en situaciones de mayor complejidad e interdependencia; de mayor imbricación en términos de partenariado; con mayor participación en las estrategias de marítimas en lo que atañe a acuerdos entre puertos y selección de rutas; y, finalmente, en la actualización de los sistemas de tecnología de la información.

Las fuerzas centrifugas, por su parte, hacen referencia a las trayectorias de la gobernanza portuaria. Fomentan una nueva re-definición de las funciones tradicionales de las autoridades portuarias. Es decir, enfatizan sobre aquellas actividades complementarias de las funciones estrictamente marítimas y portuarias, para reforzar las integraciones verticales y horizontales. En suma, para poder responder a las nuevas demandas y necesidades de incrementos del comercio. En consecuencia, buscan aprovisionamiento y gestión del espacio; conexiones con otros modos de transporte; y desarrollos logísticos.

El desarrollo de un puerto está asociado a mecanismos muy complejos que se inscriben, a la vez, en un sistema integral de transporte y en una red de intercambios vinculados a áreas de desarrollo económico. En el primer supuesto, los puertos desean insertarse en la red articulada de los flujos de circulación de mercancías en torno a la economía globalizada; en tanto que en el segundo supuesto, sus actuaciones se fundamentan en lógicas que las relacionan con las economías locales y los parámetros económicos, sociales, medio-ambientales, políticos y culturales. De esta forma, los puertos aseguran, primeramente, el interfaz entre el mar y la tierra; en segundo lugar, se apoyan muy especialmente sobre una mayor valorización de las rentas de situación; y, en tercer término, sobre la horizontalidad de las relaciones entre los agentes económicos.

El reciente incremento del comercio marítimo ha subrayado dos dinámicas relevantes: a) diferentes trayectorias en lo que concierne a las ciudades-puerto; y b) desiguales lógicas en lo que atañe a los equilibrios entre el “mallage” de los flujos comerciales marítimos y las propias especificidades territoriales. Tales apuntes se reflejan de manera muy explicita a partir del proceso de

contenedorización, puesto que son los propios operadores del transporte los que buscan transformar el puerto (que anteriormente era definido como el lugar de intercambio y de ruptura de carga) por una nueva concepción, aquella de simple malla de una cadena origen/destino de la mercancía. Así las cosas, las tendencias que afectan tanto a las rutas como a los puertos, a los armadores como a los operadores de terminales, permiten vislumbrar una tabla tal y como exponemos en el cuadro número 5.

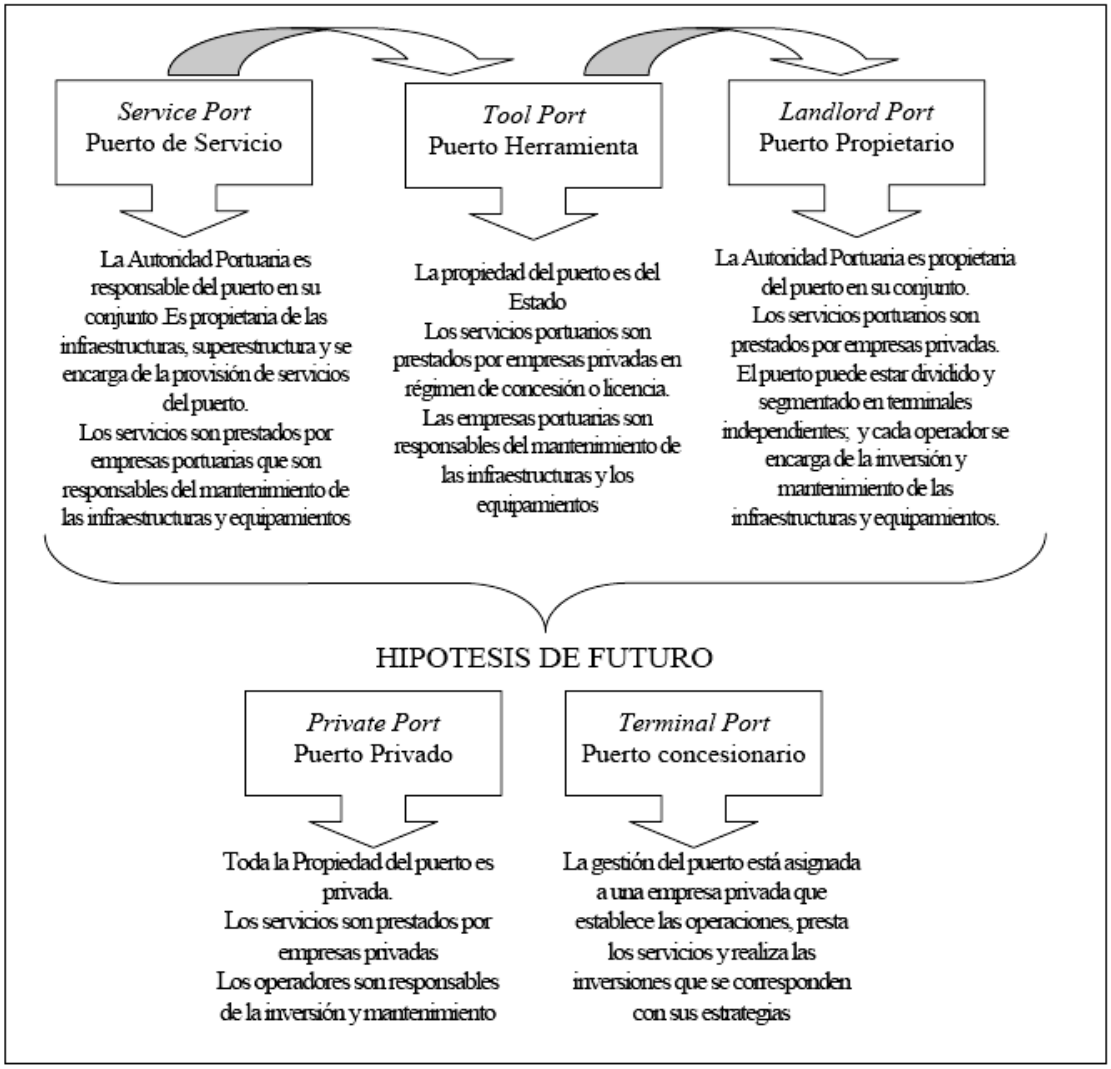
CUADRO 5: ASPECTOS CLAVE Y TENDENCIAS DEL TRÁFICO MARÍTIMO.

RUTAS Y REGIONES 1. Concentración de rutas marítimas en los grandes ejes Este-Oeste y Norte-Sur. 2. Concentración de flujos en las grandes rutas troncales. 3. Elevado crecimiento de los tráficos con Oriente. 4. Desequilibrios de los flujos entre regiones	PUERTOS 1. Desarrollo de puertos hub en los puntos de conexión entre rutas troncales y alimentadoras. 2. Evolución desde interfaces marítimo-terrestre hacia plataformas logísticas y nodos intermodales. 3. Incremento de las actividades de trasbordo.
NAVIERAS/ARMADORES 1. Proceso de fusiones y adquisiciones entre operadores globales. 2. Racionalización de tráficos en busca de economías de escala. 3. Utilización de buques de mayor capacidad 4. Alianzas locales entre grandes y pequeñas armadores para rutas alimentadoras 5. Alianzas verticales con operadores logísticas	OPERADORES DE TERMINALES 1.- Crecimiento de la participación de operadores globales. 2. Integración vertical de armadores, operadores terminales y operadores logísticos. 3. Presencia dominante de operadores globales en Asia, Europa y Norteamérica. 4. .Los mercados de América Latina, Oceanía y África están en fase de desarrollo.

Fuente: Elaboración sobre la base de J.E. Pérez Fiaño.

En consecuencia, las trayectorias portuarias en lo que atañe a la gobernanza pueden quedar delimitadas por nuevas funciones. Para Comtois y Slack (2003) las autoridades portuarias pueden: a) desempeñar funciones de administración de los espacios portuarios; b) son responsables de las cuestiones y compromisos medio-ambientales y c) impulsan la conciencia de la cooperación entre puertos. Estas respuestas abren, a mi juicio, distintas opciones de futuro, como las contempladas en el gráfico número 1.

GRÁFICO 1: EVOLUCIÓN DE LOS SISTEMAS PORTUARIOS



Fuente: Elaboración propia.

A la luz de las trayectorias más recientes las adaptaciones se efectúan en torno a tres ejes. El primero, hace referencia a las relaciones puerto-ciudad. En tiempos pasados, el puerto era el nudo de la red de transporte; en la actualidad, la nueva concepción del transporte marítimo enfatiza sobre la acepción del puerto-logístico, en la medida que la dinámica de la contenedorización está acompañada de nuevas funciones, tanto de carácter operacional (ligadas a los movimientos de los contenedores) como de carácter relacional (vinculadas a la inserción en una red de transporte). El segundo eje, atañe a la fragmentación y la privatización del territorio portuario. Esto es, frente a la especialización de las funciones portuarias y la presencia de nuevos agentes globales en el transporte, los territorios portuarios asumen nuevas funciones. Las actividades portuarias responden, cada vez más, a las estrategias de las empresas ligadas a los puertos y a las terminales. El segundo proceso es la privatización del espacio portuario, dadas las necesidades de capital para llevar a cabo las inversiones en infraestructuras que sean capaces de afrontar las mayores capacidades de atraer embarcaciones, almacenar mercancías y captar entradas de buques. En la medida que las autoridades e instituciones públicas no sean capaces de afrontar dichas inversiones, serian los agentes privados quienes (a través de adjudicaciones y/o concesiones) llevarían a cabo dichas inversiones de futuro. Finalmente, el tercer eje radica en la emergencia de una red de puertos, vinculado con la cooperación y competición portuaria. Dada la mayor competencia tanto en mar como en tierra, los agentes económicos buscan estrategias "win-win", para alcanzar las mayores economías de escala y poder repartir los riesgos. A este efecto, los territorios se fracturan en términos de una nueva regionalización, delimitados no solamente por los elementos de corte

estrictamente regional sino también por los niveles de inserción y la potenciación de espacios adyacentes.

Varias reflexiones finales al respecto. El entorno cambiante, derivado de una mayor globalización e inserción internacional, presiona a los puertos, al punto que se ha empezado a cuestionar la necesidad de los mismos (Goss,1990) o de analizar las relaciones y cambios de poder entre los actores del mercado y las propias autoridades portuarias (Synkens & Van de Voorde,1998). El presidente de la Autoridad Portuaria de Amberes, Marc Van Peel, lo exponía de manera muy tajante en unas declaraciones públicas "los puertos dependemos en gran medida de las decisiones estratégicas de las grandes navieras". Por eso, la Unión Europea medita sobre los desafíos de la gobernanza de los puertos europeos. De una parte, se admite la compatibilidad entre la función pública con los objetivos comerciales, centrándose en el papel mediador y de coordinación entre los actores participantes, actuando de facilitador y catalizador de las redes logísticas, creando más competencias claves y actividades de alcance (Notteboom & Winkelmans,2001; Chlomodis et al,2003; Juhel,2001; Comtois & Sack,2003; González-Laxe, Sánchez, García,2016). De otra, se invita a que los puertos tengan que responder a tres retos importantes de cara a su gobernanza: a) el desarrollo sostenible; b) la integración logística; y c) la estrategia de los actores del mercado (Verhoeven, 2009).

En la medida que los puertos deben afrontar decisiones en el ámbito de las actuaciones ecológicas, sociales, medio-ambientales, económicas, entre otras, los modelos de gobernanza portuarias tienen que actuar sobre las necesidades upstream (producción) y downstream (comercialización); así como sobre las operaciones facilitadoras de la cadena logística.

Las reformas institucionales de los puertos cubren, en consecuencia, varios aspectos: a) la liberalización de los servicios portuarios; b) las reformas laborales; y c) la restructuración de la gestión. En consecuencia, las autoridades portuarias deben posicionarse respecto a los actores del mercado y a los actores externos, dados los nuevos entornos y las presiones competitivas procedentes de otros puertos. Una gradación de dichos retos queda expuesta en la tesis de Verhoeven (2009), al explicitar tres funciones para las autoridades portuarias: a) un rol conservador, donde las autoridades portuarias se concentran en la infraestructuras portuarias; b) un rol facilitador, donde las autoridades portuarias se implican en las inversiones, en la interacción con el hinterland, en ganar competividad y desarrollar una estrategia comercial; y c) un rol emprendedor, donde las autoridades portuarias buscan desarrollar funciones logísticas, industriales y urbanas, generando valor añadido tanto a los tráficos como a los desarrollos industriales.

Bajo este análisis se pueden reflejar las diferentes funciones que puedan emprender el sector público y el privado en lo que concierne a los desarrollos portuarios. (Veáse cuadro nº 6).

CUADRO 6: LAS FUNCIONES DEL SECTOR PÚBLICO Y PRIVADO EN EL SECTOR PORTUARIO

Elementos portuarios	Sector público	Sector privado
Suelo	REGULADOR, Responsable del "interés público". Control del "dominio público" y de la "sostenibilidad". Objetivo de ser efectivos en función de las reglas. Cooperador con otros organismos reguladores. Asistencia y control de medidas. Asistencia técnica (expertise) dentro y fuera del puerto. PLANIFICADOR Desarrollo del puerto integrado en planes, Objetivos comerciales Asistencia para implantación y seguimiento en los posicionamientos.	OPERADOR. Eficiencia en las operaciones portuarias. Gestión de recursos humanos y materiales. Inter-operabilidad funcional con modos de transporte marítimo y terrestre. PRESTADOR DE SERVICIOS. Atender requerimientos de la demanda en torno a los servicios portuarios. Asunción de competencias en calidad y costes. Servicios logísticos y de valor añadido sobre la mercancía. Integración en redes de servicios globales.
Infraestructura (Diques, muelles, redes internas, atraques,….).		

Superestructura (Grúas y equipos de manipulación de carga, material móvil, ….)	FACILITADOR. Active "real state" broker. Basado en un uso dinámico del suelo. Presta servicios generales. Socio en proyectos. Control de tarifas/tasas. Formación y Promoción I+D +i.	PROMOTOR. Proporcionar recursos financieros asumiendo riesgos. Implantar tecnología. Contribuir a la sostenibilidad.
Servicios (Practicaje, remolcador, amarrador, manipulación de mercancías, servicio a pasajeros,….)		

Fuente: Elaboración propia.

6. LOS RETOS ACTUALES Y DE FUTURO.

La Comisión Europea debe asegurarse que los puertos europeos sean capaces de atender con eficacia a la demanda. Las nuevas revisiones se centran en dos elementos: la transcendencia estratégica de los puertos y el marco de acceso al mercado de servicios portuarios y la transparencia financiera de los puertos. En la mayoría de los trabajos que hacen mención a la política portuaria europea se insiste en dichos planteamientos, pero, al mismo tiempo, se reconoce la gran dificultad de abordarlos ya que el propio sector portuario europeo no es homogéneo y reposa en varios modelos organizativos privados y públicos diferentes (Chlomoudi & Pallis,2002; Pallis,2002,2007; Psaraftis,2005; Verhoeven, 2006,2009; Petit et al. 2008; Guillaume,2011; Verhoeven & Vanoutrive,2012).

En lo que atañe a la transcendencia estratégica, la Comisión Europea publicó una Comunicación titulada: "los puertos motores del crecimiento de los puertos", (COM(2013) 295. Respecto a ello, se estima que los puertos pueden contribuir a la recuperación económica y a la competividad de la industria europea en los mercados mundiales, aportando al mismo tiempo valor añadido y puestos de trabajo en las regiones costeras. A fin de controlar los progresos se plantean nuevas iniciativas: plena utilización de las nuevas orientaciones de la RTE-T y de los instrumentos financieros de la UE para mejorar las conexiones de los puertos con su interior y promover la política portuaria europea; el control de la aplicación directa del derecho de la UE aplicable a las concesiones y a los puertos; la prestación del apoyo administrativo y técnico necesarios al diálogo social a escala de la Unión; la presentación de las nuevas iniciativas para seguir simplificando los procedimientos administrativos de los puertos, en especial los procedimientos aduaneros; y la promoción de las tecnologías ambientales y del transporte de corta distancia mediante principios comunes sobre la modulación de los gravámenes de infraestructuras portuarias.

En lo que hace referencia al marco para la prestación de servicios portuarios y normas comunes sobre la transparencia financiera de los puertos, la iniciativa comunitaria está reflejada en el Reglamento 352/2017. Bajo esta iniciativa se especifican las distintas categorías de servicios portuarios (suministro de combustible; manipulación de carga; dragado; amarre; servicios de pasajeros; instalaciones receptoras portuarias; practicaje; y remolque) y las normas y el ámbito de aplicación en los puertos de la Red Transeuropeas de Transportes. Destacan varias consideraciones notables: a) no impone un modelo específico de gestión de los puertos; b) no afecta a la competencia de los EEMM para prestar, de conformidad con el derecho de la Unión, servicios no económicos de interés general; c) los prestadores de servicios deberán gozar de libertad para prestar sus servicios; d) no deben ponerse limitaciones al organismo gestor o a la autoridad competente a la hora de establecer sus sistemas de cobros de tasas, siempre que sean transparentes, fácilmente identificables, no discriminatorias y contribuyan al mantenimiento y desarrollo de infraestructuras e instalaciones se servicios a la prestación de servicios que sean necesarios para realizar o facilitar las operaciones de transporte dentro de la zonas portuarias o en las vías navegables que dan acceso a dichos puertos..

Sin embargo, a pesar de los pasos dados, no es fácil articular una política portuaria común en una Europa donde existe una amplia variedad de modelos de titularidad y de gestión portuaria (Pallis,2002; González-Laxe,2002; Brooks,2004; Brooks & Cullinane,2007; González-Laxe, Sánchez, García,2016)). Y donde la aplicación de medidas europeas puede llegar a tener impactos muy dispares entre los EEMM, e incluso dentro de los mismos puertos. Por el contrario, los ejemplos de titularidad estatal se concentran en el sur de Europa. En Italia, el Plan Estratégico de Puertos y de la Logística, adoptado en 2015, previó la creación de zonas económicas especiales y establecía 24 puertos nacionales gestionados por Autoridades Portuarias bajo el control del Estado, a la vez que también existen puertos regionales. En el año 2016, simplifica su estructura y el número de autoridades portuarias disminuye de 24 a 15. En Francia, tras la reciente reforma de 2008, existen 7 grandes puertos marítimos gestionados bajo el control del Estado y un número mayor de puertos regionales bajo la responsabilidad de los Departamentos. En España se contabilizan un total de 46 puertos de interés general gestionados en régimen de autonomía por 28 Autoridades Portuarias, donde el Organismo Público Puertos del Estado es el responsable de la coordinación, gestión y control del sistema portuario de interés general. En Alemania se define una Estrategia Nacional Portuaria, en 2015, donde se establece un proceso de concertación entre el Estado, los Landers, el sector privado y las organizaciones sindicales.

Los modelos portuarios evolucionan atendiendo a las características económicas de cada país, de las ventajas comparativas de los hinterland y de las apuestas estratégicas de cada gobierno. Cada uno, posee una potencial de crecimiento diferenciado. Tal profusión de estrategias nacionales facilita la elaboración de una nueva configuración de las funciones del sector público y del privado. Los debates en cada país en torno a la necesidad de afrontar unas reformas portuarias son constates y, en consecuencia, las inquietudes sobre las mismas aumentan a medida que se van adaptando el nuevo sistema oceánico mundial (Ferrari, Parola, Tei, 2015; Brooks & Pallis,2017).

Los programas de reformas pueden adoptar diferentes formas, aunque la mayor parte de las mismas convierten la delegación o transferencia de las operaciones y gestión de activos hacia un enfoque más comercial; en un segundo término, a que las autoridades portuarias posean más autonomía institucional; y, en un tercer lugar, a que exista un marco legal donde se puedan desarrollar esas competencias (Ng & Pallis,2010). De ahí la trascendencia de los marcos reguladores nacionales y las consecuencias de las dinámicas de devolution. La apuesta española, contemplada en la Ley 33/2010, es una buena referencia para el análisis y evaluación internacional.

Este análisis refleja la importante mutación que experimentan las funciones de las Autoridades Portuarias (cuadro nº 7). La dimensión económica se centra en recoger e incorporar las necesidades de los agentes integrantes de la comunidad portuaria, apostando por situaciones diferenciadas y evitando los distintos tipos de congestión. A fin de preservar la dimensión competitiva de los puertos se comprometen a sostener y a mantener excelentes relaciones tanto con los agentes de la zona portuaria como con los del hinterland anexo y próximo. Busca, en consecuencia, optimizar los procesos productivos y de servicios y lograr la máxima eficiencia en lo que atañe a la utilización de la infraestructura, la integración de las plataformas logísticas, la promoción de un sistema de transporte multimodal eficaz y el desarrollo de un marco de relaciones estratégicas con el hinterland. Muchas Autoridades Portuarias van más allá de sus propias fronteras y límites geográficos, desarrollando iniciativas relacionadas con la implementación de Alianzas Interportuarias, creando sociedades específicas para el desarrollo de dichos fines. Por tanto, las progresivas modificaciones y adaptaciones del rol de las Autoridades Portuarias afectan tanto a las necesidades de financiación de las nuevas infraestructuras de base (nuevos terrenos, lugares para la implantación de fábricas o de industrias) como a los impulsos dedicados a generación de servicios que comportan añadidos adicionales a las fuentes generadoras de valor.

CUADRO 7: TRANSFORMACIONES QUE EXPERIMENTAN LAS FUNCIONES DE LAS AUTORIDADES PORTUARIAS

ROL TRADICIONAL DE LAS AUTORIDADES PORTUARIAS EN LOS PUERTOS-HERRAMIENTA	ROL ACTUAL DE LAS AUTORIDADES PORTUARIAS EN LOS PUERTOS-PROPIETARIO
1.- Gestión portuaria	**1.- Gestión portuaria**
Aplicación de la legislación; seguridad; medioambiente.	Aplicación de la legislación; seguridad; medioambiente; concesiones.
2.-Organización portuaria	**2.- Organización Portuaria**
Administracion; mano de obra; aduanas.	Administración, facilitación de la mano de obra; facilitación de los procedimientos aduaneros;

	optimización de los procesos logísticos.
3.- Infraestructuras portuarias	**3.- Infraestructuras Portuarias**
Mantenimiento del acceso marítimo; Desarrollo y mantenimiento de las infraestructuras de terminales, desarrollo del mantenimiento de las infraestructuras.	Mantenimiento del acceso marítimo; Desarrollo y mantenimiento de las infraestructuras de las terminales. Desarrollo del mantenimiento de las infraestructuras portuarias; desarrollo y mantenimiento de las vínculos internacionales y las redes del hinterlands.
4. -Estrategia Portuaria	**4. Estrategia portuaria**
Capacidad; eficiencia.	Capacidad; eficiencia; capacidad de las redes; capacidades de los servicios intermodales, estrategias integradas de los puertos en tanto que pivote de cadenas logísticas

Fuente: Elaboración propia.

7. REFLEXIONES FINALES

La presión de la competencia internacional ha aumentado considerablemente como resultado de la globalización. La Unión Europea es consciente de que es necesario contar con un planteamiento político adecuado que permita garantizar el funcionamiento continuo del transporte marítimo de la Unión Europea, y su contribución a la recuperación y desarrollo económico.

Las políticas de la Unión Europea deben tener presente que, para que el transporte marítimo y los puertos puedan cumplir su misión, es necesaria una infraestructura perfectamente preparada para dar respuesta a la demanda, el mejor empleo de las instalaciones existentes mediante el incremento de la productividad portuaria, y unos servicios de calidad. Pero, no debemos olvidar que la globalización y la externalización fuerzan nuevas soluciones logísticas mucho más flexibles y sensibles que repercuten, entre otras cosas, en una mayor volatilidad del tráfico marítimo-portuario.

Por otra parte, uno de los objetivos de la Unión Europea consiste en establecer un verdadero mercado del transporte en el que participen la Unión Europea y sus vecinos. Para fomentar el transporte marítimo y obtener el máximo beneficio de unas relaciones comerciales más estrechas entre la Unión Europea y dichas regiones, las interconexiones de la Red Transeuropea de Transporte con dichos países son esenciales.

Por su posición geoestratégica, Europa desempeña un rol transcendental en la integración económica internacional; a la vez que es defensora del tríptico portuario: desarrollo hacia el interior (Hinterland), relaciones puerto-ciudad; y hacia la conectividad marítima (foreland). La Unión Europea apuesta, en consecuencia, por abrir los servicios portuarios a los mercados; y evitar la presión creciente de los operadores portuarios en lo que hace referencia a los equipamientos y servicios portuarios. Por tanto, busca aplicar normativas en las que los servicios queden bajo marcos comunitarios; y que se pueda garantizar la libertad de establecimiento en los mercados y en aquellos puertos que movilicen más de 3 millones de toneladas o 500.000 pasajeros. No obstante, la Comisión Europea admitiría aquellas propuestas nacionales que hagan mención a las cualificaciones profesionales del prestatario; al número de autorizaciones por espacios, por capacidad disponible de infraestructuras, o por cuestiones de seguridad. La filosofía es de eliminar las distorsiones en la competencia entre los puertos a través de la liberalización de los servicios y de la transparencia de los costes comerciales, tratando de evitar la confusión existente derivada de los flujos de financiación procedentes de las ayudas públicas o de los ingresos procedentes de las prestaciones exclusivamente comerciales (Guillaume,2011).

En este sentido, la Unión Europea busca reforzar los vínculos entre los territorios costeros. No hay que olvidar que los grandes puertos han contribuido a desarrollar el crecimiento de las grandes ciudades. Y, dada la amplia capacidad de movilización y de resistencia que tuvieron y continúan teniendo las ciudades-portuarias (recordemos el desarrollo hanseático o las ciudades libres de comercio); no es menos cierto que poner todo el acento en las políticas liberalizadoras significaría relegar el papel de los puertos en el nuevo renacimiento económico. De ahí, la estrategia europea de ordenación territorial y los postulados de la Red Trans-Europea de Transportes (RTE-T). En suma, la RET-T desempeña un nuevo papel para: a) mejorar la interconectividad por medio de la definición de los corredores de transportes terrestres y de los ejes fluviales; b) refuerza el corazón o núcleo económico europeo; c) abre opciones de desarrollo a los espacios periféricos; y d) contribuye a

descargar los tráficos en los espacios congestionados, por medio de la apuestas por las Autopistas del Mar y el Transporte Marítimo de Corta Distancia

Europa es, además, testigo del fuerte crecimiento que están protagonizando distintas economías emergentes. La Unión Europea necesita una estrategia de futuro que le permita reforzar su importante papel en el entorno internacional. Las bases están siendo formuladas mediante la combinación de tres sub-modelos: el económico (que busca la satisfacción y compatibilización con las aspiraciones del cliente); el de gestión (que tiene como compromiso la obtención de rentabilidad y el logro de niveles de eficiencia); y el de relación (que se manifiesta a través de la gobernanza y los vínculos con los objetivos de promoción y alianzas).

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Problems with sustainable fisheries management in the reform of the Common Fisheries Policy of the EU – a review

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ABSTRACT

The Common Fisheries Policy (CFP) of the European Union is since decades under pressure to develop effective forms of sustainable fisheries management. The CFP-reforms from 2002 and 2013 and the present blue growth strategy for the maritime sector are reviewed in this paper. Research on sustainable fisheries from different disciplines and research fields and policy documents from the CFP-reforms are analysed, to assess progress in achieving the global sustainability goals to which the European countries are committed. It is concluded that the CFP-reform process has three major deficits which limit the achievement of sustainability: new and more effective policy instruments for participatory and integrated fisheries management are lacking; new forms of fisheries governance required for the transformations towards sustainability, discussed in ecological research, are not adopted; networking and integration of the CFP with international regimes of environmental governance of the oceans is insufficient.

Keywords: Common Fisheries Policy, European Union, policy reform, sustainable development, sustainable fisheries.

JEL classification: F15, Q20, Q22.

1. INTRODUCTION – THE DEVELOPMENT OF THE COMMON FISHERIES POLICY OF THE EU IN A SUSTAINABILITY PERSPECTIVE

The oceans were long time seen as inexhaustible resource and food reserve for a growing global population. Shortly after the modernisation of fisheries through large fishing fleets in the second half of the 20the century many fish stocks in the oceans were overfished. This triggered the development of sustainable fisheries. The European Union (EU) adopted sustainable development as the guiding idea of all its policies, with the consequence that sectorial policies became more complex in their goals and implementation processes, required coordination and integration of social, economic and environmental aims. Today the policy-relevant view of sustainable development is formulated by the United Nations (UN) in seventeen goals that are continuous challenges in governmental policies to manage the complex sustainability process.

This review of the sustainability-oriented policy reforms of the Common Fisheries Policy (CFP) of the European Union since 2002 has the aim to identify the problems and difficulties to deal with in the political sustainability process. It is guided by the questions (1) what are the problems in the implementation of sustainable fisheries, and (2) how can the difficulties met in the transition to sustainability be overcome? The CFP shows in its development similarities with the Common Agricultural Policy (CAP) of the EU. Modernisation of European fisheries and agriculture in the second

half of the 20th century, under the guidance of EU-policies, had as consequence that both sectors became environmental polluters, especially through greenhouse gas emissions, and overused the natural resource base. After the modernisation and industrialisation of fisheries and agriculture, supported by the EU through subsidies for modernising and innovating technologically the production processes, other regulatory activities began to limit overfishing and overproduction.

Overfishing happened before, but ecological sustainability became an issue only at the end of the 20th century, in a situation of ocean pollution and overfished fishing grounds, under unfavourable conditions for transition to sustainability. Traditional forms of small-scale agriculture and fisheries, more environment-friendly, with limited production and catch capacities and locally adapted forms of farming and fishing were marginalised in the modernisation process guided by EU-policies. The reforms of the CFP in 2002 and 2013 showed the adoption of sustainability as guiding idea. In the present "Horizon 2020" programme, the strategy of sustainable, smart and inclusive "blue growth" continues with the efforts to reconcile economic and ecological principles of resource use in a broader perspective, including other sectors of the maritime economy: aquaculture, marine biotechnology, coastal tourism, ocean energy and seabed mining.

In the reforms of the CFP a reconciliation of two paradigms of natural resource was attempted: an economic paradigm that dominated hitherto, and an ecological paradigm, which has to be implemented in future more consequently. The first follows a rationality of maximising yields; the second follows an ecological rationality regarding the biological growth of fish stocks and maintenance of ecosystem functions to avoid overfishing. How to specify, connect and balance the two contrasting principles is investigated in social-scientific and ecological research. Yet, controversies continue until today, for example, about the economic principles of "maximum economic yield" and "maximum sustainable yield", their differences and consequences (Squires and Vestergaard 2016). Further difficulties come with the integration of fisheries policies into the broader sustainability processes. The natural resource use processes connect with social, economic and ecological processes that need to be accounted for and monitored in the policies, as well as the local specificities of resources and species, of ecosystems, and of interests and practices of producers.

Sustainability requires a long-term development perspective of natural resource use, beyond the temporal horizon of planning, to envision possible sustainable futures and pathways of change. Finally, fisheries management needs to become part of the global sustainability policy that has developed as Earth System governance (Heinrichs and Biermann 2016). The term governance refers to the broadening of the "policy space" through the inclusion of non-governmental actors through consulting, participation and cooperation. In the future sustainability process the difficulties that became visible in the CFP-reforms need to be dealt with. The global assessments of the state of the Earth System since the Millennium Assessment from the United Nations in 2005 show little progress and improvements in terms of reducing environmental pollution and preventing overuse of natural resources and functional disturbance of ecosystems. What has advanced since then is environmental research and sustainability research that can help in the search for improved strategies and knowledge tools for sustainable resource management.

2. MATERIALS AND METHODS

This review aims to identify the problems and knowledge requirements in the policy-guided transition of European fisheries towards sustainability, focussing on the implementation process, the policy instruments, the integration of knowledge, and the time frames of the transition, asking: *with which tools and in which time can a transition of natural resource management towards sustainability be achieved?* This was unclear at the beginning of the transition process and is still not sufficiently known after two decades of reform which showed only the process is more complicated and takes longer time than expected, the next phase projected until 2030. How to proceed has to be found out through new knowledge production and learning in science and politics, through cooperation and policy experiments, in the transition process itself. The guiding questions formulated above in the introduction, regarding problems in the transition towards sustainable fisheries, and how difficulties met in the process can be overcome, are oriented too new tools, policy instruments and knowledge practices to improve policy processes. Some instruments and practices are developing through environmental and resource management research: participation of stakeholders in the decision-making processes, conflict mitigation and mediation, cooperation between scientists and decision-makers, inter- and transdisciplinary knowledge integration,

ecosystem assessment, joint learning of the actors, knowledge and power sharing. With such tools the policy process becomes a governance process of cooperation, learning, capacity building and knowledge production - in parallel to science. The building of regulative and transformative capacity for sustainable development requires more than information and awareness building: advice, education and training, cooperation and networking, making the policy and decision-making processes more complicated.

In the transition of fisheries management to sustainability knowledge from different disciplines and research fields is available; its integration and application creates methodological problems in science and in policy and causes new controversies. The following review includes knowledge from two sources important in the sustainability-oriented reform of the CFP: scientific knowledge produced through independent, policy related fisheries research, and knowledge produced in the policy process itself, in policy documents from the implementation and review of the CFP. The integration of different knowledge forms in the policy process is a major challenge in the further development of the CFP within the integrated policy of the EU that requires managing fisheries together with other maritime sectors and resource use processes (Cavallo et al 2019).

Many scientists and politicians, resource managers and resource users are not well prepared to deal with the problems, challenges and difficulties in the transition to sustainability. Widespread are still perceptions of science and politics similar to that characterized by Sarewitz (1999) as "excess of objectivity", including simple views of knowledge transfer as: science produces valid knowledge and policy make it applicable. Closer cooperation between scientists, decision makers and practitioners seem necessary with regard to the growing complexity of the governance processes that cannot be successfully managed through traditional forms of policy advice and evaluation.

3. KNOWLEDGE SOURCES FOR SUSTAINABLE FISHERIES GOVERNANCE

3.1. Scientific knowledge - research on sustainable fisheries

Fisheries research, traditionally oriented to data about fish stocks as the decisive knowledge for fisheries management, broadened in the past decades through social-scientific, ecological and interdisciplinary research on sustainable resource management, and research in sustainability science (Kates et al 2001). From this research is reviewed the policy-oriented about common pool resources, co-management, conflicts and property rights.

New research about access to and ownership of mobile and living resources like fish, for which it is difficult to establish private property rights, may finally help to develop refined tools and models. The conclusions from the research about problems of commons and common pool resources (McCay and Acheson 1987, Ostrom 1990, 1999) are in exemplary form drawn by Ostrom (2009): "no panaceas" - no generally optimal form of property can be found; site- and situation-specific management models need to be developed to deal with the complexity of marine ecosystems. Fisheries management failed in the past because of simplistic, general and inexact approaches and models that do not reflect the complexity of marine ecosystems, their ecological communities and connecting social communities of humans. The knowledge for sustainable development is less achieved through theories or "big data", more through new combinations of knowledge and management practices, for example, varying combinations of community based, government based, and market based resource management. Individually transferable quotas to approach private property and market-based management in fisheries were introduced early in some countries, spread only slowly, and did not prove to be universally applicable means, especially not in sustainability regimes. In some cases, they helped to reduce overfishing and collapse of fish stocks, but often resulting in unwanted concentration when large companies buy up quotas and accelerate the decline of small-scale fisheries.

Research on co-management of fisheries through governmental institutions and representatives of fishermen was often reviewed and discussed (Wilson et al 2003, Symes 2006, Mikalsen and Jentoft 2008, Berkes 2009, Linke and Bruckmeier 2015). The research took up neglected social processes in fisheries management, institutional hindrances, and methodological difficulties to introduce participation. The transfer of this knowledge in the practice of fisheries management is tough. The CFP took up the knowledge from co-management research to a limited degree and selectively, in attempts to organise regional advisory councils and fisheries local action groups that did not always work well. To develop participation and deal with the complexity of systems and processes,

uncertainty of knowledge, and differing interests of stakeholders requires more advanced tools and processes of cooperation than the limited regionalisation of the EU policies. Further forms of dealing with the complexity and uncertainty in environmental decision-making are discussed as adaptive management and governance (Allan and Stankey 2009).

Resource use conflicts in fisheries became part of the environmental conflict research developing since the 1990s (reviewed in Stepanova and Bruckmeier 2013); the majority of these conflicts are local, non-violent conflicts, although the possibility of violent conflicts through global environmental change increases (Dyer 2011). New conflicts between fishing and wildlife protection appeared in many European countries that were not experienced before. These conflicts show a continuous deterioration of water and ecosystem quality which resulted in conflicts between fishermen and animals that hunted also for fish, for example, endangered species as seals and cormorants in the Baltic and the North Sea, or fish otters (Klenke et al 2013). As a consequence of this research conflict analyses and conflict mitigation procedures to reconcile fisheries and species protection become gradually used in fisheries and marine governance; paradigmatic transfer projects were the Swedish on sustainable coastal zone management (SUCOZOMA; Bruckmeier 2005) and the Portuguese on maritime governance (MARGOV; Vasconcelos 2015). An overview of environmental conflict research in different fields of natural resource use is found in the recent anthology by Almered Olsson and Gooch (2019). For conflict mitigation in the sustainability process new policy instruments are not yet widely practiced, not in fisheries management, where the conflicts are intensive, and not in other fields of natural resource use, where economic and ecological distribution conflicts need to be solved. Beyond the more traditional forms of political regulation, court decisions, legal repression and sanctioning, or public administration and planning, the new instruments include informal cooperation and negotiation that develop also for other purposes in environmental policy: co-management, adaptive governance, civil society action, mediation, participation, negotiation,

Social-scientific research from recent years about the development of European fisheries draws attention to insufficient knowledge use and contextualisation of transition processes to sustainability. Linke and Jentoft (2014: 159f) conclude from their analysis of the situation in the CFP, and the unsuccessful attempts to establish participatory management in the Baltic Sea, that social-scientific research, where value-orientation and phronetic knowledge (practical, ethical, experience- and, context-based) are important; this is articulated in the governance debate, but not yet included in the instrumental and science-based EU fishery policy. The CFP is dominated by natural-scientific knowledge about what happens “under the water”. Social and environmental sustainability would, however, require including the knowledge from the social sciences about that what happens on and “above the water”, asking also, who are the winners or losers from a specific decision or regulation. Saunders et al (2017: 779f), discussing the knowledge requirements for environmental governance for the Baltic Sea the authors argue for further re-arranging the science-policy interaction through the use of less instrumental and more reflexive knowledge practices; they draw attention to knowledge negotiation and selection, where credibility, usability and acceptability of knowledge need to be created in the particular local, regional or national domains of action. In fisheries management the uncertainty of knowledge about fish stocks and ecosystems is experienced since long and helped to accept inexact knowledge, probabilities or scenario-based estimations, and to open the policy process for involvement of stakeholders. Yet, the advances are slow, political decision-makers still tend to follow the old routines, ask for concrete data and estimates, and show unwillingness to accept uncertainty. In Gilek et al (2016) the knowledge requirements of environmental governance in the Baltic Sea, are discussed on a broader basis, including fisheries, invasive species, eutrophication, pollution through chemicals and oil spills, to support reflexive knowledge practices in governance through regional cooperation, risk communication and integration of knowledge from specialised research. The authors highlight the requirements for integrated approaches in environmental and sustainability governance: coordination, integration, interdisciplinarity, precaution, deliberation, communication and adaptability.

3.2. The policy process as knowledge source - monitoring, evaluation, reviews of the CFP-reforms

The Green Paper of the EU-Commission from 2001 was followed by a reform in 2002 to approach sustainable fisheries management with two basic ideas: firstly combinations of policy instruments to regulate fisheries, for example, defining fishing areas and quotas of fishing, limiting catches, restrictions in gear (such as size of meshes of fishing nets), economic subsidies and compensation payments for losses; secondly fleet management to achieve a balance between the intensity and effort of fishing and the availability of fish, which included reduction of economic subsidies,

ecosystem-based management and long-term management perspectives, supported by a strengthening of stakeholder participation (the fishermen, environmental organisations, and further actors) and a regionalisation of fisheries management through regional advisory councils for advising the EU Commission and the member states on fisheries in defined areas (Larsson 2019: 56 f). The reform did not achieve the goals; difficulties continue with contrasting measures to satisfy the dominant economic interest of the fishing industry and to introduce catch limits to approach sustainability.

The Green Paper from 2009 (Commission of the European Communities 2009: 4) highlighted as reasons for the failing of the earlier reform five deficits that should be dealt with in a new reform: (1) continuing overcapacity of fishing fleets, (2) inexact policy objectives that made decisions and the implementation of the reform failing, (3) a short-term perspective for decision-making, (4) attributing insufficient responsibility to the fishermen, and (5) lack of politically enforcing compliance with the rules. As a major difficulty to deal with in the reform process was mentioned the diversity of forms of fisheries in terms of size of boats, type of gear, areas and species fished; this made fisheries management complex and expensive. The diversity of fisheries was discussed since longer time, since the 1990s especially for two contrasting types of fisheries in European countries: small-scale local fisheries, especially in coastal waters, and large-scale commercial fisheries and trawling which was seen as mainly responsible for overfishing and disturbing coastal ecosystems. The small-scale professional fishery is further declining in Europe, whereas new forms of small-scale fisheries such as leisure time and sports fishery develop.

The Green Paper and the later synthesis paper of the CFP-reform (European Commission 2010), formulated the requirements for a more consequent reform in terms of sustainability: introducing multi-annual and multi-species plans for fishing, focusing on maximum sustainable yield, reinforcing the significance of research, and improved collection, sharing and use of data; introducing landing obligations and ban of discarding fish (that happened earlier, when the fishermen had to throw back in the sea the catch beyond their quota), and a strengthening of regional, decentralised forms of fisheries management where advisory councils of stakeholders became more important for decision-making. The process of fisheries management became more flexible; the EU-legislation defined only the general framework and goals and gave the member states more freedom in choosing adequate instruments and measures to implement the policy and achieve the goals. How far the reform from 2013 (Box 1) succeeds is not yet finally clear.

Box 1: The CFP-reform since 2013

The new reform created expectations of significant improvements in sustainability efforts; also, critical environmental movements as Greenpeace saw it as breakthrough and historical triumph of sustainable development. The reform seemed to end the disaster of the earlier policy dominated by principles of "efficiency, technological modernization and a notion of development that privileges economic growth over ecological sustainability" (Engelkamp and Fuchs 2016: 2). The authors of this analysis are not sure whether the reform achieves its promises: the policy guiding narratives show changes, but not clearly towards sustainability. Their analysis of the reform process (Engelkamp and Fuchs 2017: 25) shows, that the adoption of the sustainability principle is complicated and controversies about the main concepts (MSY, multiannual plans, totally allowable catch) continue.

After the early narratives dominated by objectives of rationality, efficiency, productivity followed a phase where sustainability, monitoring and control of fishery appeared as new objectives; more recently, with the new reform, came ideas of self-governance, orientation to results, rights and responsibility of the fishing industry – these ideas can be interpreted as a prioritising the business interests of the fishing industry, as neglecting the wellbeing of people, citizen, consumers, or as giving in to the neoliberal market logic. Difficulties of regionalisation and stakeholder participation are highlighted by the authors: not all stakeholder have the resources and possibilities to make their interests effective in the policy process, participation privileges particular stakeholders (Engelkamp and Fuchs 2016: 16).

The preparatory documents and the regulation 1380-2013 on which the reform is based show significant deficits in clarifying the requirements of sustainability fisheries. In the synthesis paper for the reform the knowledge base for the CFP is described shortly and vaguely, listing ideas from different stakeholders

without specifying the application. With regard to scientific knowledge the statement, "the CFP must be based on the best available scientific knowledge" (European Commission 2010: 10) says nothing about the difficulties of knowledge use in the sustainability process. Similarly, short and diffuse is the description of the integration of the CFP in the broader maritime policy context, highlighting the necessity of holistic and ecosystem-based approaches (European Commission 2010: 10). The synthesis paper of the consultation with the stakeholders does not give clear ideas about the further reform, lists only different views of the consulted stakeholders, where rarely consensus is visible – they are vague, many of them contradicting others, no concrete knowledge requirements and practices are specified.

The vagueness of the knowledge base and the principles of the reform reappear in the regulation 1380-2013 for the CFP that lists as main principles of good governance: measures should follow best available scientific advice, a long term perspective, administrative cost efficiency, appropriate involvement of stakeholders, consistency with other Union policies, use of impact assessments as appropriate. None of the principles includes explicitly environmental sustainability (only a long-tern perspective can be interpreted in this sense) that is described in the objectives and in the scope of the reform, where it is stated that the policy shall cover the conservation of marine biological resources. In the concrete parts of the regulation the scientific knowledge base is mainly specified with regard to the data demanded from the member states; regarding research and scientific advice only the coordination of research between the member states and the EU and possibilities of funding are mentioned; as important scientific knowledge is seen that of the state of marine resources, which indicates a neglect of social-scientific and interdisciplinary knowledge. Important new instruments are multiannual plans connected with an ecosystem-based approach. Regarding the fishing of EU fleets outside waters of the member states the regulation highlights that the same criteria should be applied as in waters under Union law and in the areas of the CFP. Regarding the implementation of sustainability principles and compliance of the rules the new policy shifts responsibility to the member states and the fishing industry: payments to member states can be interrupted and operators can be subjected to temporary or permanent bans when they violate sustainability principles.

The evaluation of the reform is not yet done. The Commission has to report to the European Parliament in December 2022. Monitoring reports about the progress in implementing the principle of MSY should be provided for the parliament annually. The monitoring report from 2017 is cautious in the conclusions with regard to achieving the goal of managing all stocks according to the principle. The "ad hoc"-report from 2019 repeats these conclusions: in line with the CFP-monitoring from 2017 and 2018 there is a trend towards reduction of the overall exploitation rate in the North-East Atlantic, but many stocks remain overfished and/or outside safe biological limits. The progress achieved seems too slow to ensure that all stocks will be rebuilt and managed according to the MSY-principle in 2020. The stocks in the Mediterranean and Black Sea (traditionally not part of the CFP) are insufficiently monitored, but the report concludes that they remain in a very poor situation (European Commission 2019: 13).

Source: mentioned in the text.

So far the reform has not achieved significant progress in sustainable fisheries management; instead of transition management the CFP becomes continuous crisis management. Furthermore, other sustainability-oriented policies linked with fisheries management, especially the EU-policy of integrated coastal zone management, did not succeed, for similar reasons as the fisheries policy: lack of clarity of principles and goals, of enforcement, compliance and cooperation of the member states. The reform documents show selective learning in the established routines of the EU-policy processes; the dramatic effects of global economic and environmental change are mentioned, but no conclusions are drawn from that; the reform is limited to the weaknesses identified from policy analysis and evaluation. The CFP reform is trapped in the problems, conflicts, controversies, vested interests that made the global discourse and process of sustainable development necessary. A recent study mandated by the European parliament on the latest developments and future challenges of European fisheries (European Parliament 2019) broadens the narrow policy perspective somewhat, summarising many of the problems discussed in this review, highlighting the necessity of trans-sectorial integration and multi-scale approaches in fisheries governance, also looking behind the

European horizons and discussing the interaction and connections of European and global fisheries and resource use in the oceans. Yet, it does not show concrete alternatives to deal with the dilemmas, lists - or shifts - these as challenges to deal with in the future governance of fisheries.

3.3. The strategy of "blue growth"

The "blue growth" strategy is discussed in the EU since 2006 and became the guiding idea in the framework of an integrated maritime policy (European Parliament and Council 2008) that included also the CFP-reform from 2013 (Box 2).

Box 2: The EU-strategy of "blue growth"

Blue growth is the strategy for the marine sector in Europe, oriented to "smart, sustainable and inclusive growth"; it includes beyond fisheries, and more important than these, other forms of natural resource use in the oceans. More than the reforms of the CFP say the blue growth strategy and the Marine Framework Directive (European Parliament and Council 2008) about the future of fisheries and aquaculture. Fishery does not count, as the other components of aquaculture or biotechnology, as innovative and high-potential maritime sectors, remains rather a relic from the past that has no safe future. In the discussion of the blue growth strategy the Commission argues that fisheries can only exist as long as it can be profitable. Insofar the development of the CFP is seen as a - temporary - success with regard to its change from a loss-making position in 2008 to a high profitability in 2016, formulating the aim of the CFP as "to support the traditional European fisheries sector by making fishing sustainable and thereby improving the economic and social situation of fishermen in the Union" (European Commission 2017: 6). How long this can last is unclear, taking into account the other resource use activities in the sea that are seen as the future of the maritime economy.

The fisheries review of the OECD (2017), arguing similarly as the EU-documents, supporting reforms in the member countries "to improve the profitability and sustainability of their fisheries" (OECD 2017: 7), shows the trends clearer than the EU-documents. The harvest of wild fish is declining in the OECD-countries, as consequence of declining stocks and greater control and reduction of overfishing; the future of fish production is seen in aquaculture, already exceeding fisheries when aquatic plants are included and is growing fast; globally seen fisheries has not succeeded to advance to sustainability, about 40% of the fish stocks with measurable management targets did not meet the targets, and many more stocks are not measured and assessed accurately (OECD 2017: 7).

In the report on blue growth (European Commission 2017: 42f) no operational forms of sustainable growth and no indicators for measuring sustainability are presented, so that it is difficult to control the growth process: when does it stay within ecological limits, as all advocates of blue growth, including the EU, the OECD and the FAO, emphasise repeatedly. The answer is again left to science and to the ex-post evaluation - found out only after, not before or during the process. Also with regard to international cooperation the document of the Commission refers to research and communication activities, no significant efforts to build a multi-scale governance system for ocean management are described. Requirements of developing and funding sustainable fisheries were defined in a workshop of researchers and decision–makers in 2018 in Stockholm where the necessity of transparency, coherence, and improved monitoring of project impacts is highlighted (Blasiak et al 2019).

Source: mentioned in the text.

The blue growth strategy shows mainly new challenges for European fisheries that come with the integrated marine policy. Integrated assessments of the social, economic and ecological conditions of fisheries and of fish stocks are still not achieved, also not the reduction of overcapacities; overfishing and pollution of coastal and ocean waters continue – plastic pollution of the oceans becomes a severe problem for fish, seabirds, and humans, because the plastic is now in the food chain; integrated, multi-scale and multi-criteria management of fisheries are not achieved. Although blue

growth is part of an integrated strategy, the Marine Framework Strategy, which met some resistance among the EU member states (Cavallo et all 2019), it strengthens less the efforts to seek new and improved forms of resource management to achieve sustainability, more the efforts to create new economic growth. The problems with economic and ecological principles continue in the old formula of balancing social, economic and environmental sustainability - without knowing how to do it.

Seeking new opportunities, spaces and natural resources to renew economic growth, the blue growth and integrated marine strategy shift social and ecological boundaries of resource use, opening up new spaces and the global commons of the oceans for growth-based resource use. The oceans and the deep sea are the last spaces not yet fully integrated in the global economy – the last spaces to conquer, appropriate and exploit economically, promising continued growth through intensification of resource use. In fisheries, however, growth stagnates, and yields decline in the long run. It is difficult to see, how the idea of sustainable growth is transformed into effective measures for sustainable fisheries management and operationalised, making progress towards sustainability measurable. The sustainable development goal 14 of the UN (life below water) connects to the integrated marine policy and blue growth, but needs to be translated in concrete objectives and instruments. This is only done for some of its components, especially with the MSY-principle that reduces ecological sustainability to a specific form of an economic principle.

Eikeset et al (2018: 178f), reviewing the history of the blue growth concept in the Rio+20-process and the emerging research about it, show the difficulties of fisheries management according to the idea of sustainable growth, especially the poor knowledge and understanding of implementing integrated management and socially optimal use of ocean resources. They refer to the complexity of ocean systems; the limitations of data and management capacity that make all management pragmatic, working with some rules of thumb; the lack of knowledge about cross-scale dynamics causing uncertainties in projecting fisheries development and in implementing adaptive management systems. Pauly, who developed earlier the concept of "fishing down the food web" (Pauly et al 1998), turns the arguments for sustainable growth against industrial fisheries that he sees as not capable to become sustainable, whereas small-scale fisheries often possess these capacities would be a potential candidate for blue growth, if the total fishing effort is not increased. But small-scale fisheries are the most neglected, by the EU and other governments. More than uncertainties and lack of knowledge the analyses presented by Eikeset et al (2018) show, how unclear the concept of blue growth still is, with different and contrasting interpretations. Clear seems only that the blue growth strategy is shifting the limits to growth spatially from the land to the oceans and temporarily from present to future generations. The resource use practices discussed under the strategy imply an intensification of natural resource use in the oceans and in the deep sea, may not reconcile economic and ecological management principles, but non-intendedly accelerate the overuse of resources, disturb ecosystem functions, and transgress ecological limits of resource use.

4. Obstacles in the reform of European fisheries

Little progress has been achieved in the transition towards sustainable fisheries after two decades of reforms of the CFP. The causes can be found in the lack of adopting knowledge from sustainability research, the deficits in the policy process and the policy instruments used, but also in the long term consequences of prior modernisation processes that overshadow the reforms until today. Globally seen the level of subsidising fisheries to enhance catch capacities, resulting in overfishing, is still high, as the data show (Sumaila et al 2019): the EU is among the top five subsidisers that provide 58% (USD 20.5 billion) in 2018 of the estimated global subsidies for fisheries; the continuing subsidies for modernisation of fisheries accelerate presently the debates about an agreement of the World Trade Organization to eliminate capacity-enhancing subsidies.

In the CFP-reforms the vague sustainability principles of the EU have not been specified, as can be seen from the policy documents reviewed. Sustainable development is seen as an open process, with vague visions, without specifying a final state to achieve through the reform, transition phases, methods and tools to deal with the social and ecological complexity of change. As a consequence of this the CFP is falling back behind the continuing sustainability discourse and research, where meanwhile more demanding concepts of change are formulated under the perspectives of innovation, transition and transformation (Bruckmeier and Pires 2018). In the broader sustainability discourse a breakthrough happened during the past decade, addressing two critical issues that account for limited success of the fisheries policy and other policies of the EU: (a) not clarifying the

nature of sustainable development as a long-term process of transformation of coupled social-ecological systems, and (b) not sufficiently reacting to the increasing critique of resource-intensive forms of economic growth as a main cause of overuse and depletion of natural resources. Efforts to develop forms of growth that do not deplete the environment are insufficient. The growth-critical discussion has achieved the point to question the predominance of economic goals in the broader context of natural resource use in coupled social and ecological systems, asking for better (re-)combinations of economic and ecological goals in spatially and temporarily specified forms of fisheries management and their continuous improvement. Ecological indicators, showing the risks of harvesting more and more energy and biomass from ecosystems by humans through economic growth, are underused. The ecological intensity of human wellbeing has not been reduced through economic growth in the past decades (Jorgenson and Dietz 2015); the energy used by humans in the sociosphere has reached and can in future exceed the energy capture in the biosphere (Lenton et al 2016); the resource flow in the economy and in social systems is gradually exceeding the resource flow in ecosystems or the contributions of ecosystems in terms of services to people (Andersen et al 2019). For local ecosystems and local fisheries more and more specific ecological indicators need to be selected, evaluated and combined to assess the sustainability of resource use (Bundy et al 2019). The size of marine areas to manage in integrated policies may also create difficulties, as the example of the National Strategy of Portugal shows, where an area of about four million km2 is to manage (Salvador, 2018:1).

The limits of the reforms can be seen more concretely in the policy-instruments chosen. These are conventional instruments as described above: defining fishing areas and quotas of fishing, limiting catches, restrictions in gear, economic subsidies, and instruments to balance economic and ecological principles to achieve sustainable fisheries: multiannual management plans, fleet management to match catch capacity and the availability of fish, and some new instruments for regionalisation and participatory such as advisory councils and support networks (FARNET), also news evaluation practices (FAME). The participation process did so far not work well. In terms of the global scenario debate the models for transitions to sustainability in the CFP can be described as "business as usual" or "policy reform", with limited changes compared with ecologically oriented transition models; in theoretical terms the transition models include elements of ecological modernisation strategies of the rich countries in the Global North (Mol et al 2009).

Innovative instruments that develop with the broadening of the conventional view of policy to governance and new knowledge practices based on inter- and transdisciplinary research are hardly used in the EU policies; they will be needed more when the sustainability process advances. One knowledge-based instrument is already intensively discussed for transfer and application into policy practices and fits well for fisheries: the multi-tier framework elaborated by Ostrom (2009) which can have different functions in the policy process, including its use for sustainability assessment (Partelow 2016). Developing fisheries policy as part of broader, multi-scale environmental governance processes can support the introduction of new instruments that are already discussed in ecological research, to deal with the complexity of the interconnecting systems and processes: adaptive management and co-management, policy as experiments, long-term governance of social-ecological systems with the help of scenarios. Certain instruments in the transformation process to sustainability will not mainly be used in political decision-making and resource management, more in everyday life and civil society action that will become an important component of the sustainability process: for example, agent-based models for households to innovate life- and consumption styles (Allen et al 2019). Generally, education, organised learning and training will gain importance. Resource sharing, a core component of sustainable development, is badly developing. The publications about different forms of sharing and sharing economy (Ryu et al 2019), show that the forms of sharing investigated are limited, often such that develop through internet communication.

5. Discussion and conclusions

The reform process of the CFP shows difficulties with the management of multiple criteria, with contradicting principles of development and modernisation, in attempts and efforts to balance social (livelihood), economic (maximum of yields), and ecological criteria (ecosystem based resource use). The difficulties can be systematised as (a) formulating principles of integrated and sustainable resource management, (b) finding combinations of policy instruments for managing fisheries towards sustainability, (c) developing new governance practices for the transition towards sustainability (multi-scale governance, adaptive management and governance, participatory governance).

The search of sustainability criteria in the policy process was so far a trial-and-error process of different compromises between economic and ecological rationality of fisheries, trying to maintain the guiding principles of profit and growth-based resource management although economic growth creates less and less advantages and improvements for less and less humans, their welfare and wellbeing. Agriculture and fisheries have during their modernisation been dependent from different forms of governmental support, subsidies, production and catch regulation: the profitability and the economic principles were already confined; profitable fisheries was only possible under specific conditions, temporarily and for parts of the enterprises, for example, in the open access areas of the oceans, the least for small-scale fisheries. For the strategy of blue growth, it is not clear how it works in practice, what the consequences are, and whether it can be developed into improved and lasting principles for fisheries and marine resource use. Regionalisation, participatory management, local management, or ideas as the territorial paradigm, also valid for the regional policy and structural funds of the EU (de los Angeles Pineiro-Antelo et al 2019) are not sufficient to achieve sustainability. They are necessary for dealing with the specific local situations of fisheries but need to be improved through continuous seeking of workable combinations of criteria and means to deal with social- and eco-systemic complexity. The analysis of pluri-dimensional sustainability assessments by Van Holt et al (2016) shows, that no exact tools and methods are available for fisheries to assess and measure the interrelations and interactions between social, economic and environmental sustainability, in spite of a broadening debate of sustainability assessment that tries to support the integration of sustainability principles in decision-making and policies (Dijk et al 2017). The question, how far the fisheries policy advances in terms of ecological learning and building of ecological transformation capacity, was repeatedly answered in the literature reviewed here, in a summarising form by Voss et al (2017: 2): the policy continuously neglected long-term ecological goals and scientific advice, deviating in the annual definitions of totally allowable catch regularly from long-term objectives in favour of short–term economic considerations.

Fisheries and agriculture are today in transition to genetically modified food production, which brings dramatic changes of the sectors that will influence the development of both sectors more than the reforms implemented so far. For agriculture this is discussed controversially with regard to genetically modified organisms in plant and animal production; for fisheries in the technological development of aquaculture and breeding of fish in the laboratory that is replacing the catch of wild fish. Aquaculture is rapidly growing and in some European countries already the prevailing form of fish production. In the long run fisheries as catch of wild fish may phase out, also in the presently dominant form of large-scale industrialised fishery. It would, however, be another form of maladaptive change in natural resource use, if the silent conclusion from the so far failing attempts to develop sustainable fisheries is: when the oceans are plundered and overfished the new big business of fish production and breeding in the laboratory can be developed.

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The Integrated Maritime Policy in the European Union and the portuguese experience over the past 14 years

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Abstract

The EU IMP was launched in 2007, with the Blue Book and its foundations laid in Portugal 3 years before, when the crosscutting work of the Strategic Commission for the Oceans was published. The aim of this paper is to contribute to the analysis of the IMP in Portugal and at the European level. The IMP today shows a substantial degree of formalism and complexity, although it has been constituted as a policy for coordination and synergies. Experimentalism has been one of the main processes involved in the IMP evolution, with successful results. This more informal way of governing suggests a need to deepen the role of the European Parliament. Portugal had a central role in almost every moment for the EU IMP formulation and some positive results are visible in every IMP instruments implementation at national level, although they are modest. The multi-level dynamics are likely to assume greater relevance in the future, namely with the UN Agenda 2030. Additionally, the sustainable ocean economy can be a linking element between this Agenda's different objectives. In this new (global) framework the EU IMP could play a more central and supportive role in the future. The Portuguese EU presidency, in 2021, could be a landmark on the strategic reflection for the future of the IMP international dimension.

Keywords: European Union, Integrated Maritime Policy, Portugal
JEL classification: H, H7, H55.

1. General framework and objective

The sea has played a key role in Europe's history and development, but policies, or rules for their governance, have long been established on a sectoral basis: examples being policies on fisheries and maritime transport.

In 2006, however, during José Manuel Barroso's Presidency, a Green Paper entitled "Towards a future Maritime Policy for the Union: A European vision for the oceans and seas" (Commission of the European Communities, 2006) was launched at the European Union (EU), starting a broad public debate based on the following questions: "Should the EU have an integrated maritime policy? How can the EU add value to the many national, local and private initiatives which already exist in the maritime field?

This initiative was inspired by the publication, in the same year, of the Commission's Communication, "On the review of the Sustainable Development Strategy: A platform for Action" (Commission of the European Communities, 2005). In this line, the Green Paper assumed that "the EU now has the opportunity to apply sustainable development to the oceans" (Commission of the European Communities, 2006).

Bringing the principle of sustainable development to the Europe's new relationship with the sea, had promoted a more balanced approach between the economic, social, and environmental components, and between the short- and long-term policy objectives.

The recognition that the fragmentation of marine and maritime policies, both in the EU and worldwide, was a reality, and that this was jeopardizing the desired sustainable development, paved the way for the birth of a new European maritime policy: the Integrated Maritime Policy (IMP).

From the outset, it was also recognised that "oceans and seas cannot be managed without cooperation with third countries and in multilateral fora" (Commission of the European Communities, 2006).

This was the starting point for the search for new forms of governance, multi-level articulation, experimentation and learning processes in the context of European public policies for the sea.

The foundations of the EU's IMP were laid in 2007, 14 years ago, in the Communication from the Commission of the European Communities entitled "An Integrated Maritime Policy for the European Union". Commonly known as the Blue Book, it was the result of wide-ranging discussion (Commission of the European Communities, 2007a, 2007b, 2007c).

Portugal is part of the EU and has long been an intrinsically maritime country. There was an important milestone, at national level, in the strategic thinking towards an integrated vision for sea management, when an influential document was published in 2004. This document shows that the key for defining a National Ocean Strategy is an integrated vision for the ocean and its relevance (Strategic Commission for the Oceans, 2004b). The same group of individuals as proposing a mission, highlighting the Portugal`s role as a maritime nation in the European Union (Strategic Commission for the Oceans, 2004a). It could be said that the foundations for an integrated maritime policy, and the role it should play at European level, were laid in Portugal 3 years before the Blue Book's publication.

The aim of this paper is to contribute to the analysis of the Integrated Maritime Policy in Portugal and at European level.

2. The EU Integrated Maritime Policy, a policy of policies

2.1. Definition of the Integrated Maritime Policy

The IMP is "based on the clear recognition that all matters relating to Europe's oceans and seas are interlinked, and that sea-related policies must develop in a joined-up way if we are to reap the desired results" (Commission of the European Communities, 2007a).

Nevertheless, it is within the European Directive that establishes a framework for maritime spatial planning that a definition for the EU IMP is found: "Integrated Maritime Policy' (IMP) means a Union policy whose aim is to foster coordinated and coherent decision making to maximise the sustainable development, economic growth and social cohesion of Member States, and notably the coastal, insular and outermost regions in the Union, as well as maritime sectors, through coherent maritime-related policies and relevant international cooperation" (Directive 2014/89/EU).

The IMP seeks a more coherent approach in dealing with marine and maritime affairs in the EU by increasing coordination and cooperation between the various policy areas. The IMP is a cross-sectoral and interdepartmental policy, geared towards internal policy but also towards the external affirmation of the EU.

The Blue Book defines the foundations of the IMP:

- Defining a new governance framework for the seas and oceans in the European Union.
- Establishing a set of specific instruments for an integrated policy applied to the seas, oceans and coordination with the coastal zone.
- Identifying a series of areas for action and concrete actions, which are part of an action plan, that are sectoral in nature and follow a more integrated and cross-sectoral approach.
- Presenting a new approach to regional and inter-regional cooperation in coastal regions.

The following instruments were instituted as specific to the IMP:

- Marine data and information (integrated)
- Maritime Spatial Planning (MSP)
- Integrated Maritime Surveillance (IMS)

An analysis of the language currently found in European Commission/Council texts shows that these three instruments are now identified as cross-cutting policies, in addition to the EU initiative to promote "Blue Growth" and the integrated approach to cooperation according to "Sea Basin Strategies".

The Blue Book also states that the EC will "propose a strategy for the external projection of the Union's Maritime Policy through a structured dialogue with major partners" (Commission of the European Communities, 2007a).

Today, international governance of the sea is gaining importance regarding the IMP, affirming the EU on the maritime front and reinforcing multi-level and multilateral governance. This is especially the case with organisations linked to the United Nations (UN), such as the International Maritime Organisation, regional fisheries organisations, and regional environmental organisations, such as OSPAR in the Atlantic (European Union, 2019).

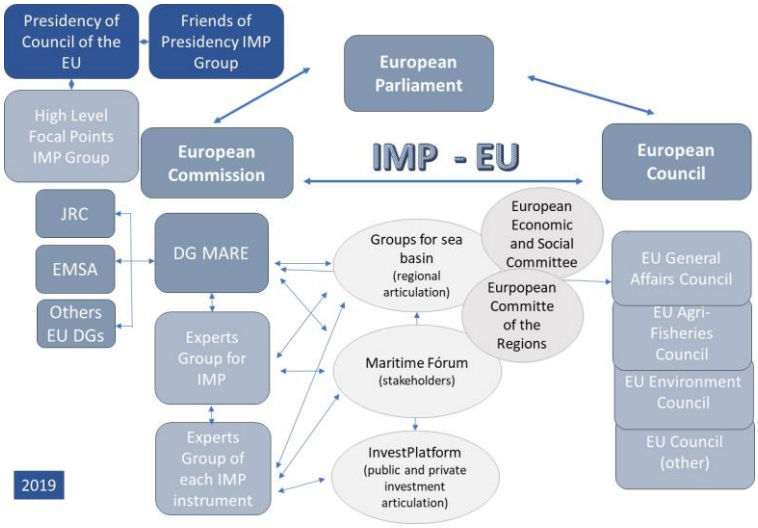
2.2. Governance and policy coordination model

The Blue Book assigns a central role to the EC in the implementation of the IMP. Namely, the EC is responsible to ensure inter-service coordination, within the EC, and coordination with specialized EU Agencies, with marine or maritime activities. Additionally, the need for consultation with civil society and stakeholders is included.

The EU's establishment of conditions to promote cooperation, exchange of experiences and good practices is a constant throughout the process of developing the IMP and of structuring its governance model. The result is a product built on common standards and mutual consent as, in most cases, participation in the work is voluntary in nature and without associated sanctions. To date, there are few examples where specific IMP work has resulted in hard law.

Albeit in a simplified form, Figure 1 presents schematically the governance model currently implemented at the EU IMP.

FIGURE 1: INTEGRATED MARITIME POLICY GOVERNANCE FRAMEWORK IN THE EUROPEAN UNION



Source: Self-elaboration.

The EC, through the Directorate-General for Maritime Affairs and Fisheries (DG Mare), continues to play a leading role, in some cases, while ensuring just supporting conditions, in others. An example of the first situation is the IMP Expert Group, where the DG Mare leads the work and liaises with the other Commission services, including EU specialised agencies. Examples of the second situation are groups dedicated to sea basins governance.

The IMP does not have a dedicated EU Council of Ministers and, as a rule, subjects are discussed and approved in the General Affairs Council, where the Ministers of Foreign Affairs sit.

As for the European Parliament, it has also played an important role, as mentioned in the IMP assessment in 2009, which states: The European Parliament's attention to and support of maritime policy has been very positive (Commission of the European Communities, 2009). In addition, the European Parliament's adoption of a resolution on IMP in 2010, which confirms the validity of an integrated approach to maritime affairs and invites the Commission to develop the maritime dimension of European Strategy 2020, should be highlighted (European Commission, 2012d).

Furthermore, as regards the rotating Presidency of the EU, there is the IMP Friends of the Presidency, a group in which the various subjects of interest to the IMP are discussed, very much in line with the Commission's priorities, but also with the priorities of the Presidency each semester. Although they do not meet often, depending on the priority of each presidency, there is still the IMP High Level Focal Point Group.

The European Economic and Social Committee and the European Committee of the Regions have been present in the IMP governance model since the beginning, ensuring that the interests they represent are included in the decisions.

The groups dedicated to sea basins all have different governance models, as will be explained later; and, in some cases, have evolved since the publication of the Blue Book. It should be noted that these groups are led by Member-States (MS), although representatives of the regions play a role here, ensuring a voice at all decision-making levels.

To support ocean economy development, the BlueInvest Platform Initiative was launched in 2019, seeking to bring together financiers, namely public and private funds, in a logic of cooperation and promotion of blend financing. The BlueInvest Platform community is open to entrepreneurs, investors, companies, and innovators interested in the ocean economy.

A Maritime Forum has been set up by the EC with the aim of improving communication between EU stakeholders in maritime affairs. This Forum is a significant element for the dissemination of work, ideas, and methodologies within the EU, but also at an international level, ensuring a single point for consultation and with English as a lingua franca.

The IMP specific instruments are supported by a dedicated governance model, usually an Expert Group specifically set up for this purpose, led by the DG Mare, as described in the following sections.

2.3. Specific instruments of the Integrated Maritime Policy

2.3.1. The Blue Growth Initiative

The economic climate in which the Blue Book was developed and launched was different from that which would be experienced in Europe in the years to come, and which led to the promotion of the economy and employment as central priorities. Although IMP, as it was founded in 2007, has greatly emphasised a group of actions related to the maritime sectors, it does not address the ocean economy (or blue economy in EU terminology) and its growth as a policy or a specific initiative.

However, the change in the economic situation led the EC to publish, in September 2012, a Communication dedicated to "Blue Growth: Opportunities for sustainable marine and maritime growth" (European Commission, 2012b). It also prompted the EU Council of Ministers, responsible for the IMP, to sign in October of the same year, under the Presidency of Cyprus, a declaration dedicated to establishing a marine and maritime agenda for growth and jobs: the Limassol Declaration (Cyprus Presidency, 2012).

With these two documents, the maritime branch of the Europe 2020 strategy was established and has been gaining importance and momentum ever since. The Communication dedicated to Blue Growth and the Limassol Declaration show a strong sectoral identification; with aquaculture, coastal tourism, marine biotechnology, ocean renewable energy and seabed mining identified as the sectors with the greatest potential to date.

Ocean economy in the Blue Book is considered differently from that adopted in the Declaration on Blue Growth, six years later. While the Blue Book states that the EC "prepare the database on Community funding available for maritime projects and coastal regions" (Commission of the European Communities, 2007a), the Declaration takes a more active stance by calling on the European institutions to support the sustainable development of maritime and marine activities in terms of the Multiannual Financial Framework 2014-2020, which was being prepared. Thus, the maritime component is brought to the centre of the Cohesion Policy and the European funds that

support it, namely the Cohesion Fund, the European Regional Development Fund, and the European Social Fund.

This change in approach is substantial, given the view of the maritime component as essential in Cohesion Policy makes the IMP a central element in EU regional policy, and in its multi-level articulation mechanisms. From that point onwards, regions and institutions representing their interests have had a stronger claim on a place in the IMP governance structures.

Guaranteeing articulation across the funding chain and within the funding community, in parallel with improving sectoral regulation, much in the Blue Book's focus, is the most striking aspect in the cross-cutting Blue Growth initiative to promote the ocean economy. If, in 2012, the focus was mainly on European funds, and is expected to be so again in the preparation of the Multiannual Financial Framework 2021-2027, the launch of the BlueInvest platform initiative is indicative of the effort to extend and organise the whole financing ecosystem that can support the economy of the sea in the European area.

In terms of funding, IMP's work led to the publication of the Principles for a Sustainable Blue Economy (EC, WWF, PW, EIB, 2017; WWF, 2015), the result of a partnership between the EC, WWF - World Wide Fund for Nature, an international non-governmental organisation; the World Ocean Resources Institute, an international research organisation representing a major economic community in the marine field; and the European Investment Bank. Setting out such principles is an example of soft law that IMP has been adopting, seeking to impose principles of sustainability and more inclusive policies through financing rules.

Monitoring ocean economy results is usually carried out between the DG Mare, the EU's statistical department, EUROSTAT, and the EU Joint Research Centre. To date, two integrated ocean economy monitoring reports have been published in the EU (European Commission, 2018c; 2019b). The analysis of good practices developed to date in some countries has been a constant and the future availability of uniform and transparent criteria at EU level for benchmarking between regions, MS or sectors will undoubtedly be an important IMP instrument to promote an innovative, sustainable and inclusive ocean economy.

To realise the full potential identified for Blue Growth, the importance of innovation is growing at IMP (EESC, 2014; European Commission 2014; European Commission, 2012b). In 2014, the EU set up a Blue Economy Business and Science Forum, which was launched in 2015. This Forum was established as a platform for business, science, finance, and policy representatives to exchange knowledge and experience and discuss opportunities and barriers to innovation. In December 2019, for example, this Forum announced the Roadmap for the Blue Bioeconomy publishing.

The Valletta Declaration, dedicated to Blue Growth and signed on 26 June 2017, by the EU Ministers during the Maltese Presidency (Council of the European Union, 2017) is highly relevant here; as is stressing that the context had changed substantially from that of 2012, when the Limassol Declaration was made.

In early June of that year, the first United Nations' conference dedicated to the ocean had been held in New York, focussing on the implementation of Agenda 2030 for sustainable development; in particular, the objective regarding the ocean (Objective 14).

In the Valletta Declaration, there is a clear return to the foundations of the Blue Book, but with more emphasis on environmental sustainability. It recommends undertaking additional work to make the value of a healthy and productive ocean for the economy of the sea more visible.

This Declaration gave a new direction to Blue Growth promotion. The importance of all sectors of the ocean economy is recognised and those that have not yet done so are encouraged to develop products and services in this area. A set of cross-cutting principles and concepts are affirmed: circular economy, cleaner technologies, best available practices, resource efficiency, renewable energies, and decarbonisation. The value of ecosystem services and innovation are pointed out as drivers of the ocean economy.

The Valletta Declaration calls for further integration of Blue Growth in the discussion and implementation of Objective 14 of Agenda 2030, considering the interdependence of the economic, social, and environmental dimensions, which is admittedly a political position at EU level. The emphasis on the added value of regional cooperation at sea basin level, those in which Europe participates, shows the importance given to such strategies in promoting dialogue and cooperation between coastal states, including countries outside the EU. It is also significant as a channel for spreading the EU's policy ideas and setting common priorities for sustainable development linked to the ocean and the ocean economy.

Using regional cooperation to promote such priorities could ensure a broad regional and global coverage if we look at the countries that share the Mediterranean, Atlantic, Baltic or Black Sea with the MS of the EU; not to mention other areas of the globe where the outermost regions of some EU coastal states are located.

2.3.2. Sea Basin Strategies

Territorial management at IMP level has evolved substantially since the publication of the Blue Book, which focused mainly on the importance of the ocean for the coastal regions' quality of life that follow the logic of looking out to sea from land. The establishment by the EC of a sea basin approach to implement the IMP would appear later.

Sea basin strategy implementation was considered the right way to guarantee action on a larger scale, and a deeper maritime dimension in the approach followed. A wider space was opened for cooperation within the EU and with third countries sharing the same sea basin, together with an opportunity to tackle regional problems and common priorities.

The following basins are currently defined at the EU IMP level: the Adriatic and Ionian Sea; the Atlantic Ocean; the Arctic Ocean; the Baltic Sea; the Black Sea; the Mediterranean; the North Sea and Outermost Regions. It should be noted that the governance model adopted to implement their respective strategies is not uniform for all these basins, and several models have been tested over time for some basins.

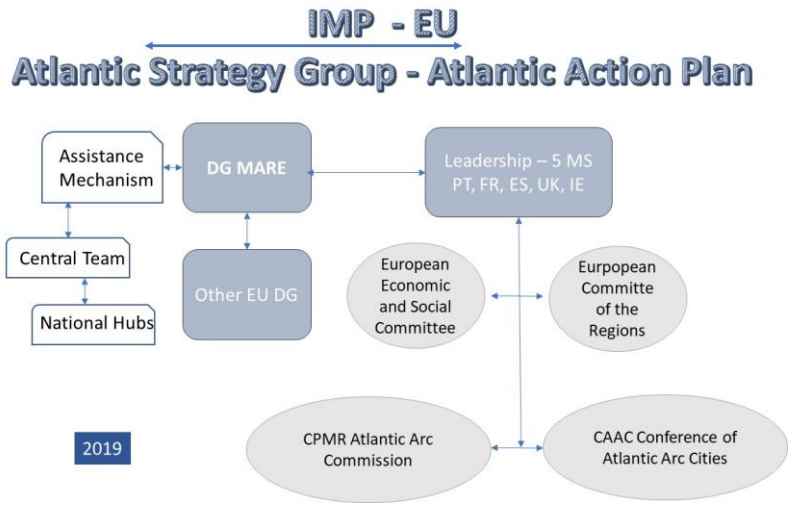
In the Atlantic basin, the level of formalisation of a governance model has been less than in other basins, namely without a dedicated ministerial involvement. Nor has the possibility of participating countries outside the EU been foreseen, currently involving only Portugal, France, Spain, Ireland and the United Kingdom, a situation that is even more important after Brexit.

In a first phase, and after the publication in 2011 of the EU Strategy for the Atlantic Area (European Commission, 2011a), the Atlantic Forum (European Commission, 2012a) was set up by the EC to involve all stakeholders, in addition to the MS and their organisations, in order to define a Strategy and Action Plan (European Commission, 2013), which was then published in 2013. A political level leadership group, supported by an operational group, was established at that time, mainly representing MS and in dialogue with the EC. The European Parliament also played an important role in terms of listening to and involving stakeholders.

To implement the EU Action Plan for the Atlantic, it was necessary to ensure further institutionalisation of its governance model, and the Atlantic Strategy Group was set up, as outlined in Figure 2. This group is chaired by one of the five MS, on a rotating basis, and the EC has contracted an external service to ensure the existence of an Assistance Mechanism, which supports the group's work and the involvement of stakeholders, who can develop projects within the objectives of the Action Plan. The European Committee of the Regions and regional representative bodies, such as the CPMR (Conference of Peripheral Maritime Regions) and the CAAC (Conference of Atlantic Cities) are permanent members of the Atlantic Strategy Group. This group is a governance body where cooperation and multi-level articulation of interests and priorities are a reality.

The mid-term review of how the EU Action Plan for the Atlantic was implemented, carried out in 2018 by an independent entity, identified the strengthening of the governance model and a better involvement of the regions as future objectives (European Commission, 2018a). Changes in the governance model of the EU Strategy and Action Plan for the Atlantic basin are therefore expected.

FIGURE 2: GOVERNANCE FRAMEWORK IN THE ATLANTIC BASIN, IN TERMS OF THE INTEGRATED MARITIME POLICY, SINCE 2015



Source: Self-elaboration.

2.3.3. Marine data and knowledge

The confluence, on a single, duly harmonised platform, of marine data collected by multiple entities at European level has been highlighted as a fundamental support in implementing the IMP.

The Blue Book stated that the EC should “take steps in 2008 towards a European Marine Observation and Data Network, and promote the multi-dimensional mapping of Member States' waters, in order to improve access to high quality data” (Commission of the European Communities, 2007a).

This European Network, called EMODnet (European Commission, 2018b), is implemented through a consortium of partner organisations that gather marine data in Europe. It covers bathymetry, geology, seabed habitats, physical, chemical, and biological marine parameters and maritime activities. EMODnet has come to operationalise the Marine Knowledge 2020 - Marine Data and Observation for Smart and Sustainable Growth strategy, published under the IMP (Comissão Europeia 2010; European Commission, 2010b, 2012c).

This consortium is supported by an external entity, contracted by the Commission, and its governance model is based on a voluntary and collaborative relationship between peers involved in the partnership. One of the advantages of this partnership is the integrated data processing, mapping and analysis services at regional level, following the EU INSPIRE regulation, on spatial data.

2.3.4. Maritime Spatial Planning

To operationalize this IMP instrument, the Blue Book simply proposed that the EC "develops a roadmap in 2008 to facilitate the development of Maritime Spatial Planning (MSP) by Member States" (Commission of the European Communities, 2007a).

This roadmap was published (Commission of the European Communities, 2008). In the course of this work, an MS expert group, led by the EC, was set up to discuss the need for a Directive in this area. Other non-permanent entities, such as the Committee of the Regions, the CPRM, representatives of EMODnet, among others, were invited to participate in this group. Depending on the topic, the aim was to involve stakeholders and regional entities, ensuring synergies between policies and instruments within the IMP sphere. This Directive was published in 2014 (Directive 2014/89/EU).

Although MSP has evolved into a formulation of hard law, the Directive leaves the way open for MS to implement it. The MS' own competences are a key aspect of how the governance model is structured at European level for the implementation of MSP, maintaining cooperative and good practice identification and sharing format. The governance model is closer to that adopted for sea basin management, as described above, than the one that exists for implementation, for example, of the Marine Strategy Framework Directive (MSFD) (Directive 2008/56/EC), which is based on a common implementation strategy at European level.

For the development of this specific IMP instrument, the EC has been supporting, with European direct management funds, a large number of projects developed by MS, notably of a cross-border nature, in which the most important feature is the cooperative work to harmonise working methods, data systems, development of guide documents and examples of good practices. A European MSP Platform has also been made available online as a gateway, or a sharing forum, for all parties involved in maritime spatial planning in Europe.

2.3.5. Integrated Maritime Surveillance

The IMP's IMS instrument is designed to ensure that entities with maritime surveillance responsibilities, such as border control, security, control of fisheries, goods and people, and defence, have the conditions and means for exchanging information and data in a more effective and efficient way. This is operationalised through CISE – the Common Information Sharing Environment –, which the EC and MS have been jointly developing for several years. The CISE aims at interoperability between all maritime surveillance systems, based on a standardised reference model.

The Blue Book defines the EC as "promoting improved cooperation between Member States' Coastguards and appropriate agencies" and as "taking steps towards a more interoperable surveillance system to bring together existing monitoring and tracking systems used for maritime safety and security, protection of the marine environment, fisheries control, control of external borders and other law enforcement activities" (Commission of the European Communities, 2007a).

The CISE has been cooperatively developed by the MS and the respective authorities, mapping best practices and sharing experiences (European Commission, 2010a; Council of the European Union, 2008; European Commission, 2017, 2019a), anchored by a IMS Expert Group. One of the aspects discussed has been the governance model to be adopted for the CISE, leading to greater involvement of the European Maritime Safety Agency (EMSA). The EMSA website states that "as from April 2019, EMSA is engaged in the setting up and enabling, in close coordination with the Member States, the Transitional Phase, ensuring a coherent evolution of the CISE network and to achieve an operational CISE"[1].

3. PORTUGAL IN THE DEFINITION AND IMPLEMENTATION OF AN INTEGRATED MARITIME POLICY

3.1. Main Portuguese actions and priorities in the European process of the Integrated Maritime Policy

In 2007, Portugal took over the rotating Presidency of the EU Council from 1 July to 31 December and highlighted maritime affairs among its priorities, which enabled substantial progress to be made in this area.

It was during the Portuguese Presidency that the EC communication entitled "An Integrated Maritime Policy for the European Union" (Commission of the European Communities, 2007a) was published.

An important moment was the Ministerial Conference on Maritime Policy held in Lisbon on the 22 October 2007, the results of which served as a basis for the conclusions of the December European Council that year, which states that "the future integrated maritime policy will ensure synergies between the various sectoral policies, while respecting the principle of subsidiarity and the specific characteristics of each Member State" (Council of the European Union 2008b; Portugal, 2007).

It is assumed that the future Integrated Maritime Policy "should be designed as a tool to address the challenges to Europe's sustainable development and competitiveness" (Council of the European Union 2008b). Work on MSFD, "which is the environmental pillar of this policy" was also completed (Council of the European Union 2008b).

The European Council of December 2007 invited the EC to present the initiatives and proposals contained in the IMP action plan and to report to the European Council at the end of 2009 on the progress achieved in this area, thus operationalising the IMP's work (Council of the European Union 2008b).

[1] http://www.emsa.europa.eu/cise.html (15/04/2020)

Portugal has sought from the outset to take a leading position in the European process, capitalising on the existing dynamics at national level, created by the work of the Strategic Commission for the Oceans and the publication in 2006 of a National Strategy for the Sea, in addition to promoting a policy coordination logic related to maritime affairs.

In 2008, the Slovenian Presidency organised the 1st meeting of Focal Points for Maritime Affairs, based on a proposal made by the Portuguese Presidency to create an informal consultation mechanism to monitor the implementation of the IMP in Europe. The first European Maritime Day took place that year: a proposal of the then President of the EC, aiming to promote the ocean in the various MS and highlighting the importance of the sea in the EU (MNE/DGAE, 2009).

An informal meeting of ministers responsible for European affairs in 2008 recognised the need to strengthen maritime governance, particularly with regard to the coordination of European agencies (EMSA - European Maritime Safety Agency, FRONTEX - European Agency for the Management of Operational Cooperation at the External Borders, CFCA - Community Fisheries Control Agency and EDA - European Defence Agency). The aim was to impose a regional approach based on the sea basins and to develop the role of High Level National Focal Points for the Maritime Affairs group, set up by the Portuguese Presidency to monitor the implementation of the IMP (MNE/DGAE, 2009).

In 2009, Portugal demonstrated its support for the EU IMS efforts and participated, in partnership with Spain, France, Greece, Italy and Malta, in a pilot project on the integration of maritime surveillance systems in the Mediterranean and its Atlantic approaches, called Bluemass-Med. The project, led by France, was a decisive step towards the European "architecture" of the IMS and led to CISE implementation at European level, as well as CISE nodes at national level (MNE/DGAE, 2010).

The IMS is one of the areas of recurrent Portuguese IMP commitment, and this theme is highlighted in all reports on Portugal in the EU between 2007 and 2015 (MNE/DGAE, 2008, 2009, 2010, 2011, 2012, 2013, 2014, 2015, 2016). The emphasis given to the IMS within the IMP, and its interconnections with other dynamics and dossiers, such as the EU Maritime Safety Strategy, is probably related to the governance model established in Portugal, considering that, until 2010, the IMP was directly followed at the Ministry of National Defence level.

In 2010, the endeavour of the Spanish Presidency, supported by Portugal, led to the General Affairs Council Conclusions of June including a specific reference to the Atlantic; and the Commission was asked to present a Communication on an EU Strategy for the Atlantic by June 2011. Portugal was particularly committed to this dynamic and, together with France, Spain and Ireland, and the United Kingdom in the final phase, formally presented a document entitled "A European Union Strategy for the Atlantic Area" (MNE/DGAE, 2011) to the Commission, in December 2010.

November 2011 saw the Atlantic Strategy been launched in Lisbon, a recognition of the role that Portugal played in defining this document. The event was attended by the Portuguese President and Prime Minister, as well as the Minister with responsibility for Maritime Affairs in Portugal, clearly showing a national political commitment at the highest level (MNE/DGAE, 2012).

However, Portugal's vision for the Atlantic, according to the Secretary of State for the Sea at that time, had a special focus on deep sea and showed a broader vision that also involved the South Atlantic and highlighted the importance of the community of Portuguese-speaking countries, the outermost regions, and the 5 European countries involved in the EU Strategy for the Atlantic. And it is a vision that includes the deep sea (Firmino, 2011).

At that stage, Portugal was deeply engaged in the discussion at European level of the IMP's funding opportunities, namely through funds under direct management by the DG MARE. This proved fruitful for Portugal, which saw several projects approved in the IMS field and participated in other European MSP projects (MNE/DGAE, 2012).

This seems to have been an important learning process for Portugal in the integrated approach to the financing of maritime affairs, which was decisive in discussions on the future Partnership Agreement between Portugal and the EC in this field, involving areas such as blue growth, at that time.

In 2012, Portugal once again affirmed the importance of the deep sea and sought European leadership in this field by organising, within the Atlantic Forum, an event entitled "Coastal and Deep Sea Natural Resources". Portugal has always attached great importance to knowledge of the marine environment, which led to its participation in the public consultation launched by the EC in the Green Paper, "Knowledge of the Marine Environment 2020: from fund mapping to oceanographic forecasting" (MNE/DGAE, 2013).

The second Atlantic Conference, hosted by Lisbon in 2013, was decisive in identifying opportunities in both the EU framework and the Action Plan for the Atlantic. This was also the case with the National Ocean Strategy, and its respective developing Action Plans, which aimed to promote smart, sustainable, and inclusive growth across the Atlantic and its coastal zones (MNE/DGAE, 2014).

In 2013, the National Ocean Strategy 2013-2020 (ENM 2013-2020) was published (Governo de Portugal, 2014b). This revision of the 2006 National Ocean Strategy sought to align itself with the new IMP European dynamics and the discussion of the new European financial framework 2014-2020. It should be noted that the Blue Book had already identified the importance of the MS developing national integrated maritime policies.

The ENM 2013-2020 has an overly ambitious national agenda in terms of territory and improved knowledge of the marine environment and its resources, clearly influenced by Portugal's proposal to the United Nations in 2009 to extend its continental shelf.

However, as a result of the economic crisis in Portugal and European influence, the ENM 2013-2020 proposed a "sustained" development model, "guided by the vision of the European Commission for the maritime sector: the "Blue Growth" (Governo de Portugal, 2014b). Because of this, just one quantitative target was established by this Strategy: to increase, by 2020, the direct contribution of the maritime sector to the national Gross Domestic Product by 50%.

This drove Portugal to develop new methodologies for monitoring the ocean economy, as well as for coordinating this monitoring of ocean economy with other dynamics: 1) assessment of marine water usage and how its development is foreseen, in terms of the MSFD; 2) monitoring the MSP process results; and 3) analysing the results of the blue growth incentive measures.

Since then, Portugal has been playing a leading role by pioneering the development and implementation of the first Satellite Account of the Sea, in connection with the National Accounts published by the National Institute of Statistics. This methodological discussion continues today at international level (OECD, 2016).

In the following year, 2014, the Partnership Agreement between Portugal and the EC was signed. This meant the implementation in Portugal of the European Structural and Investment Funds (ESIF), of shared management, Portugal 2020. This initiative explicitly recognises the importance of the IMP and the EU Atlantic Strategy, besides the leading role played by the ENM 2013-2020 at national level for its implementation. It also recognizes that the ENM 2013-2020 (ENM) implementation, as the overarching public policy instrument for maritime affairs in Portugal, needs to involve not only the support provided by the European Maritime and Fisheries Fund (EMFF), but also the mobilisation of the cohesion policy funds (Governo de Portugal, 2014).

In Portugal, the Ministry responsible for maritime affairs, at that time, was also responsible for the marine environment and regional development policies. It is, therefore, possible that the Portuguese institutional model then set up to accompany the IMP dossier had a decisive influence on multi-level articulation at national level, and on the coordination between environmental and economic analysis.

One remarkable result of this multi-level national articulation is the way the sea themes are addressed in the Regional Smart Specialization Strategies (RIS), an ex-ante condition of the ESIF. In Portugal, all the NUT II regions have a maritime border, which naturally makes this articulation significant. Results of the interaction with stakeholders during the RIS process showed a high degree of importance attributed to sea-related themes. This proved to be a decisive step, in the following years, for the implementation of European funding for the sea at national level.

The integrated view adopted by Portugal on the implementation of the ESIF for the sea led to the definition of the Integrated Territorial Investment at Sea (ITI Mar) in 2015 (Decreto-Lei nº 200/2015, 16 th. September). This instrument made it possible to monitor the integrated implementation of the ESIF for the sea, through a commission that was made up of all the management authorities of programmes within Portugal 2020, as well as the coordinating body for cohesion policy funds and the EMFF. This is another area in which Portugal has stood out and contributed with innovative governance models at European level, having participated and shared its experience in several forums at the invitation of the EC.

Still in 2014, and after the dynamics created during the previous two years by the Atlantic Forum, Portugal assumed the first Presidency of the Atlantic Strategy Group. As President, Portugal stressed the need to identify and promote projects on a larger scale, appropriate to the reality of the Atlantic Basin, namely focusing on the use of liquefied natural gas in maritime activities, marine renewable energies, marine biotechnology and Atlantic nautical projects (MNE/DGAE, 2015).

In view of the above, and taking 2007 as a starting point, 2013 and 2014 can be seen as the high points of Portuguese-EC interaction and mutual influence in the IMP's work.

From 2015 onwards, Portugal would be strongly involved in the dynamics created for the Mediterranean basin, namely participating in the WESTMED Initiative, including at ministerial level. The WESTMED Initiative focused on local and regional challenges in the western part of the Mediterranean, based on the promotion of blue growth initiatives involving the 10 5+5 Dialogue countries (France, Italy, Portugal, Spain, Malta and Algeria, Libya, Mauritania, Morocco, Tunisia).

The Maltese Presidency of the EU in 2017 was particularly active in maritime affairs, placing emphasis on international ocean governance. Once again, Portugal participated at ministerial level, seeking to strengthen its position in matters of international ocean governance.

It was in October 2017, during the Malta Presidency, that the EU hosted the annual edition of Our Ocean Conference, in the wave of the international dynamics created in June of that same year by the first United Nations Ocean Conference, which took place in New York. Portugal confirmed 13 voluntary commitments at these events, covering a wide range of areas, such as combating marine debris, establishing protected marine areas, investing in the conservation of marine biodiversity, in ocean literacy, in sustainable consumption of fish and promoting an active network of collaboration in the field of research and innovation, through the promotion of the emblematic projects of the Port Tech Cluster and the Atlantic Observatory. In this international agenda, Portugal and Kenya were to be responsible for organising the second United Nations Ocean Conference, scheduled for Lisbon in June 2020, but which has been postponed due to the global pandemic of COVID 19.

The review of the EU Action Plan for the Atlantic Area was already under preparation in 2018, with the EC having promoted a public consultation that included a set of workshops in the countries covered by the geographical area of the EU Strategy for the Atlantic Area. One of these workshops held in Portugal was dedicated to ocean renewable energy technologies, ports as hubs for the blue economy, blue careers in cooperation between education and industry and ocean literacy, in a clear allusion to Portugal's main priorities in that period.

The 2019 European Maritime Day was celebrated in Lisbon, in a co-organization between Portugal and the EC, and was dedicated to the theme of blue entrepreneurship, research, innovation and investment. The number of participants and exhibitors reached a European record, showing the importance of the event.

In 2019, Portugal assumed the Presidency of the Atlantic Strategy Group, for the second time. It was a particularly significant year, finalising discussion of the revision of the Action Plan of the EU Strategy for the Atlantic Area and its governance model. With Brexit, and taking other examples of sea basin strategy governance in Europe, Portugal launched a debate on the feasibility of new members joining the Atlantic Strategy Group, including non-EU countries and countries outside the European area, a move Portugal has always been in favour of.

The annual Atlantic Stakeholders Conference, in 2019, took place in Porto, as part of the Business2Sea dynamic: an annual event organised by the Portuguese Sea Cluster. This event included a session on Digital Solutions, run by Portugal, and a session dedicated to the Atlantic Blue Tech Accelerator, based on the Port Tech Cluster initiative, and the Portuguese Ministry of the Sea's respective Blue Tech Accelerator. This session, attended by numerous Portuguese and foreigners, was particularly inspiring for the future of collaborative work on the EU Strategy for the Atlantic Area.

Portugal maintains its participation in the Blue Invest Platform, as a potential financier through the Blue Fund, a national fund, which, in association with other funds, may have a multiplying effect on the financing of Portuguese ocean related projects.

Last year (2019) clearly saw a very dynamic Portugal in the IMP's European agenda, including the agenda for the Atlantic, particularly with the aim of promoting the ocean economy, including ocean innovation.

On what concerns the current year (2020), it began with France assuming the rotating Presidency of the Atlantic Strategy Group and counting on the strong support and commitment of Portugal, which seeks to ensure the dynamics promoted during its 2019 Presidency continue. Nevertheless, the group's work has been conditioned due to the COVID 19 pandemic.

3.1.1. Main results in Portugal from the Integrated Maritime Policy instruments implementation

In terms of using European funds (ESIF), an amount of around EUR 1,069.7 million in projects related to the sea had been approved in Portugal up to 31 December 2018. The European Regional Development Fund is responsible for 50.4% of this total, revealing the importance of the sea for regional development and the need to promote multi-level cooperation on maritime affairs. About 45.8% of the operations related with the ocean approved under Portugal 2020 are aligned with the priorities of the EU Strategy and respective Action Plan for the Atlantic (Comissão de Implementação do Investimento Territorial Integrado no Mar, 2019).

According to EC data, Portugal is among the MS considered to have a significant national ocean economy (MS that shows an ocean economy importance of between 3 and 5% of the national GVA total), since it represented 2.4% of the national economy in 2017. This compares with an EU average of 1.3%. The same source states that Portugal is among the MS where the expansion of the ocean economy between 2009 and 2017 was around 30%, only exceeded by Malta and Ireland, which showed an accumulated increase in this period of around 50% (European Commission, 2019b).

Several Portuguese public organizations are EMODnet partners in areas such as bathymetry, geology, biology, chemistry, and coastal zone mapping. The Situation Plan[2], developed by Portugal in the framework of the national MSP process, identifies EMODnet as a source for underwater cable and habitats mapping. Portugal is thus a partner of EMODnet as a data supplier, but also as a client of the services produced.

In 2014, the framework Law on Maritime Spatial Planning was published in Portugal (Law nº 17/2014, 10th. April. Additional legislation was published in 2015 to support the implementation process and to transpose the European Directive on this matter into national law (Decree-Law nº 38/2015, 12th. March). In 2019, the National Maritime Spatial Planning Situation Plan was approved for the Continent's subdivisions, Madeira, and the Extended Continental Shelf (MRC nº 203-A/2019, 30 th. December). Portugal is thus endowed with this important IMP instrument.

As regards the IMS, Portugal participated in the EUCISE2020 initiative, involving 15 MS, with the aim of operationalising the sharing of information on EU maritime surveillance through the integration of CISE bodies. The NIPIM@R project implemented the national CISE node in Portugal, ensuring interoperability between the maritime surveillance systems of a range of entities.

Portugal, 14 years after the IMP had been launched, shows some positive results from all the IMP instruments implementation at national level, although they are modest.

4. DISCUSSION OF THE GOVERNANCE MODEL AND COORDINATION/INTEGRATION OF POLICIES IN THE EUROPEAN CONTEXT OF THE INTEGRATED MARITIME POLICY

The analysis of the IMP approach to governance should be contextualised in a more global movement to discuss the role of the state in governance, and in maritime governance particularly. Duku (2014) notes that there has been a clear shift in the instruments and philosophy of maritime policy. According to this author, legislative simplification, functionality and 'governance without government' are postmodern objectives of maritime policy. He goes on to say that the concept of "governance without government" is widespread in maritime nations and considers that how structural and legal change operates from the traditional framework is still an issue, in the sense that the state affirms itself on a "softer" and more "voluntary" basis.

Taking this analysis as a starting point for the discussion, it can be said that the approach being followed at EU level, with the definition and implementation of the IMP, is innovative and could be important in putting the EU and its MS at the forefront of paradigm shift in maritime governance.

Since the publication of the Blue Book, a broad consultation of civil society and stakeholders has taken place, and the governance model initially established for the IMP has evolved into a more appropriately named model of maritime governance, in which the MS and EU governance bodies have designed, tested and implemented organisational models that include sectoral interest groups, epistemic communities, and international non-governmental organisations, as well as regional ones.

The adoption of working methodologies based on voluntary participation and the adoption of incentive instruments, as opposed to command and controls ones, is a constant. The publication of

[2] https://www.psoem.pt/geoportal_psoem/

manuals of good practices, benchmarking, and adoption of common principles of action are some examples.

Internally and externally of Europe, the EU IMP has a strong multi-level governance dimension, both in the establishment of sea basin governance, involving states outside the EU, and at global level, with the EU presence in multilateral fora, such as the United Nations and its agencies and organisations. This is also one of the strongest mechanisms to disseminate the EU's maritime governance models, principles, and policies internationally.

Nowadays, the EU IMP has a line of work related to the EU's external action, which not only seeks to affirm the EU as a maritime global actor but is also one of the most powerful tools for the diffusion of its maritime governance options. This action is often accompanied by the EU's financial instruments for cooperation for development.

Sabel and Zeitlin (2010) describe in detail the new forms of governance by experimentalism in the EU, where the architectures of decision-making call into question the democratic process itself, as it is not the democratically elected representatives who are responsible for the final decision. The deliberative processes eventually involve the communities of experts and others, which are destabilising factors in the democratic process. In addition, other accountability processes are developed, with external reviews and evaluations, which go some way to legitimize this process. The government is seen as "informal". But this informality is more apparent than real. It is sometimes these new "elites", not elected by representative democratic systems, many of them of a technical nature, who, by defining, for example, standards that may appear in legal instruments, have significant power in the decision-making process.

This governance by experimentalism, according to the same authors, appears as multi-level governance, because it links national administrations with each other and with the EU, without establishing a hierarchy between them. Multi-level consultation seeks to avoid the power of veto and the blocking of decisions at the central level in the EU.

To conclude, it seems that experimentalism has been one of the main processes involved in the IMP development, with success, despite mechanisms of diffusion have been widely used. This more informal way of governing may suggest a need to deepen the role of the European Parliament in the coming stages of the IMP development and implementation.

5. FINAL REMARKS

The IMP today has reached a point that shows a substantial degree of formalism and complexity, although it has been constituted as a policy for coordinating and seeking synergies between sectoral policies, and for the application of a few specific integrating instruments such as IMS, MSP and the integrated Marine Data and Knowledge.

If, on the one hand, multi-level ocean governance, at regional or global level, which challenges are often complex and of a wide scale, is strengthened by the international governance actions of the EU IMP, on the other, the EU MS' role can be called into question in this game of chess.

These multi-level dynamics, and the way decisions are taken, are likely to assume greater relevance in the future, considering the publication of the UN Agenda 2030 for sustainable development that has a standalone goal dedicated to the ocean. Additionally, the sustainable ocean economy can be considered a linking element between this Agenda's different objectives, opening new opportunities for jobs and well-being, despite additional challenges to limit its impacts on the marine environment.

Portugal will take over the EU Presidency again in 2021. Next year needs to be a landmark on the reflection exercise on the future we want for the European IMP, bearing in mind main challenges the society will face in the coming years, not just in Europe but worldwide. The ocean and the ocean economy within the climate agenda, the need to improve our knowledge and monitoring of the ocean, the dimension that might arise from the European Green Deal marine interpretation, the need for better coordination at regional and global level, including to regulate (ocean) economy development, namely through sustainable finance (finance for a sustainable development), are just a few examples that might be relevant in the IMP Agenda way forward.

That is why it is foreseen a more central role for the international dimension of the IMP, making the diffusion mechanisms central to spread the European policy vision for a healthy ocean and a sustainable ocean economy. Hard work will be expected to strengthen multilevel cooperation and to

reinforce multilateralism on the ocean, including on the financing dimension. Just in following this path the EU will be a regional or a global block that works not to let anyone behind.

(Re)thinking Portugal's role within the IMP framework, in the EU context as well as in the (new) global context, is of high relevance. Portugal is one of those countries of the EU in which the ocean economy has more relevance at national level, having been showing a good performance (European Commission, 2019b). Additionally, at EU level Portugal has the third biggest Economic Exclusive Zone[3], not considering the extended continental shelf. For Portugal it is strategic a vison to contribute for a healthy ocean and for a society that builds their wellbeing from a healthy ocean.

Portugal with its maritime dimension can play a central role on the ocean and climate agenda, considering observation, forecast, monitoring and protection. That means Portugal can be a strategic partner on regional and global observation and monitoring systems and can boost, at the same time, a kind of national "open and deep oceanic economy" (e.g. platforms, robotics, sensors, communications, data science and data services), in synergy with space economy and with EMSA` role. European funds have not been dedicated to support MS ocean monitoring efforts. But when these efforts are not related to MS human pressures and impacts on the marine environment, and are more devoted to contribute to the regional and global ocean monitoring, including the UN Global Assessment of the State of the Marine Environment, it makes sense a deeper effort at European level involving MS and their expertise.

Considering the desired interlinkage between different goals of the Agenda 2030, the ocean can be central to provide an alternative source of freshwater in the future, when shortages are expected to be more often and severe. Portugal has significant knowledge in different sectors (e.g. naval industry, water industry, metal mechanics, electrical, textile and ceramic industries) that combined could develop and produce desalination solutions for small/medium size coastal communities worldwide, powered by local marine renewable energies produced in association. These could be relevant for overcome future challenges in national territory, considering a broader concept of water resources and energy management, and a fundamental piece to promote cooperation for development in external relationships. For many worldwide coastal communities, most depending on artisanal fisheries, including in small islands, to have fresh water available and local energy produced, at a lower price, are central for wellbeing, including the possibilities it might offer to food preservation. This will permit Portugal to have, in fact, a relevant role in the sustainable development agenda and a contribute to not let anyone behind.

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[3] https://worldinfigures.com/rankings/index/2

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The EU blue economy in the world

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ABSTRACT

The European Union was the first global region that gave emphasis to the Blue Economy in its own development strategy. In 2007, the European Commission recognised the importance of the sea, and launched a comprehensive consultation and analysis of how Europe relates to the ocean. The conclusion of this consultation is that there is an enormous potential in the seas. It also provided a multitude of ideas as to how Europe can rise to meet this challenge. Building on this valuable input, the Commission proposed an Integrated Maritime Policy (IMP) for the European Union, based on the clear recognition that all matters relating to Europe's oceans and seas are interlinked, and that sea-related policies must develop in a joined-up way to meet the desired results.

In the world, various regions also have plans to benefit from the ocean. This Blue Economy opportunity is also relevant for all the world regions and continents.

The paper studies the state of the Blue Economy in the world and its future foreseeable evolution with particular emphasis on the trends of the EU Blue Economy in the context of the world oceans' strategies.

It also analyses the EU Blue Economy during the time-period 2009-2017, by main industries and Member States, which allows, on one hand, to identify the different paths and specialisations and, on the other hand, the similarities and common stakes.

Keywords: Ocean economy. Integrated Maritime Policy. European Union.
JEL classification: F02, F50, F69.

1. THE STATE OF THE MAIN BLUE ECONOMY INDUSTRIES IN THE WORLD

1.1. Maritime transport, ports, and logistics

The growth of global economy in recent years has not been strong. As most of the world load volume is transported by sea, the maritime transport is heavily impacted by the evolution of the global economy.

While oil and gas, as well as bulk cargoes, continue to be the most transported types of maritime cargo, containerised cargo is growing.

In terms of maritime trade, between 2006 and 2016, there was a change in the relative importance of developed economies to developing economies. In 2006, the developed economies accounted for around 53% of the tons of cargo transported by sea, which dropped to 35% in 2016.

However, the weight of developing economies in 2006 was 46%, rising to 64% in 2016. This is mainly because Europe has dropped from a weight of 27% in 2006 to 20% in 2016, while Asia has risen from a weight of 48% in 2006 to a weight of 60% in 2016.

From 1980 to 2017, dry cargoes and container ships gained weight relative to oil tankers and general cargo vessels.

Greece, Japan, China, Germany, and Singapore are the countries that concentrate most of the ships' ownership. Denmark, Switzerland, France, China, Germany, and Taiwan are the countries where the main shipping companies are located. Panama, Liberia, Marshall Islands, China (Hong Kong SAR) and Singapore are the countries with the largest ship registration.

The ten largest container ports in the world are in Asia and seven of them are Chinese. And the five largest ports operators in the world are based in China or Singapore.

1.2. Shipbuilding, maintenance, and equipment

Portfolio orders at shipyards registered growth, between 2003 and 2008, but from this last year until 2012, declined. Between 2013 and 2015, this trend was reversed. However, from 2016 onwards, it dropped again, and the drift continued in 2017.

By the end of 2017, 37.2% of the ship orders referred to solid dry cargoes, immediately followed by orders for oil tankers (29.2%).

In 2017, China continued to be the country with the highest volume of ship orders (35.4%), followed by South Korea (20.9%) and Japan (19.2%). Fourth, the European Union-28 appeared with 13.1%.

In that same year, Asia (China, South Korea, and Japan) accounted for almost 84.4% of the vessels production completed that year, at the levels of 34.3%, 30.5% and 19.6% respectively.

Worldwide shipbuilding has been declining since 2010. China, India, Bangladesh, and Pakistan are the countries where there is more ship dismantling.

FIGURE 1: WORLD SEABORNE TRADE IN 2006-2016, BY TYPE OF CARGO, COUNTRY GROUP AND REGION (MILLIONS OF TONNES)

Region/Country	Year	Goods unloaded (million tonnes)				
		Total	Crude	Petroleum products and gas	Dry cargo	Share of Total
World	2006	7,878	1,931	894	5,053	100%
	2015	10,016	1,910	1,187	6,919	100%
	2016	10,282	1,990	1,233	7,058	100%
Developed Economies	2006	4,165	1,282	536	2,347	53%
	2015	3,734	994	531	2,209	37%
	2016	3,633	991	534	2,109	35%
Transition Economies	2006	71	6	3	62	1%
	2015	59	0	4	54	1%
	2016	62	0	5	57	1%
Developing Economies	2006	3,643	644	355	2,644	46%
	2015	6,224	916	652	4,657	62%
	2016	6,587	999	695	4,893	64%
Africa	2006	350	41	39	269	4%
	2015	486	39	72	374	5%
	2016	493	39	81	373	5%
Americas	2006	1,522	551	216	756	19%
	2015	1,409	355	203	851	14%
	2016	1,406	349	223	834	14%
Asia	2006	3,770	772	333	2,665	48%
	2015	5,977	1,000	567	4,410	60%
	2016	6,140	1,087	599	4,454	60%
Europe	2006	2,133	541	285	1,307	27%
	2015	1,984	488	321	1,176	20%
	2016	2,084	490	311	1,283	20%
Oceania	2006	103	26	20	57	1%
	2015	160	29	24	108	2%
	2016	159	25	21	113	2%

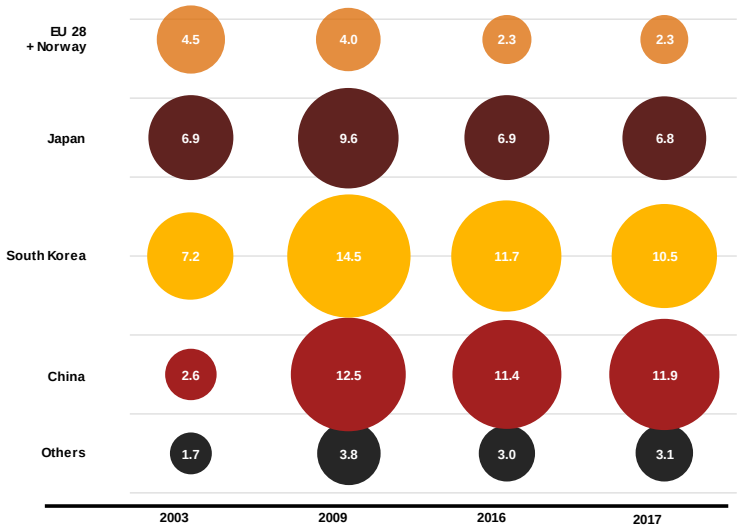
Source: UNCTAD (2017).

FIGURE 2: TOP 20 CONTAINER TERMINALS AND THEIR THROUGHPUT

Port name	Country	2015	2016	Percentage change 2015/2016
		million TEUs		
Shanghai	China	36.5	37.1	1.6%
Singapore	Singapore	31.0	30.9	-0.1%
Shenzhen	China	24.2	24.0	-0.9%
Ningbo	China	20.6	21.6	4.7%
Hong Kong	Hong Kong (China)	20.1	19.6	-2.7%
Busan	South Korea	19.3	19.4	0.4%
Guangzhou	China	17.5	18.9	8.0%
Qingdao	China	17.5	18.1	3.3%
Dubai	UAE	15.6	14.8	-5.3%
Tianjin	China	14.1	14.5	2.9%
Port Kelang	Malaysia	11.9	13.2	10.7%
Rotterdam	Netherlands	12.2	12.4	1.2%
Kaohsiung	Taiwan	10.3	10.5	1.9%
Antwerp	Belgium	9.7	10.0	4.0%
Xiamen	China	9.2	9.6	4.7%
Dalian	China	9.4	9.6	1.4%
Hamburg	Germany	8.8	8.9	0.8%
Los Angeles	USA	8.2	8.9	8.5%
Tanjung Pelepas	Malaysia	8.8	8.0	-8.8%
Cat Lai	Vietnam	6.9	7.5	10.0%
Total top 20		**312**	**317**	**1.8%**

Source: UNCTAD, 2017.

FIGURE 3: COMPLETIONS IN GLOBAL SHIPYARDS (IN MILLIONS OF CGT)



Source: Sea Europe, 2018.

1.3. Offshore energy

In 2004, next to the Middle East and North America, Europe was the third largest oil and natural gas producing region in the world.

In 2017, more than 48% of the world's proven gas reserves belonged to Iran, Qatar, and Russia. And Saudi Arabia, Qatar, and Norway were the top three offshore oil and gas producers.

Since the end of 2014, the price of a barrel of Brent crude oil has been below USD 100 (in the middle of 2018, it was slightly above USD 75). Lowering the price of oil made the profitability of offshore farms harder, which became more expensive than onshore holdings.

Offshore wind power capacity in the world is led by three countries (UK, Germany, and China), which represent 79.6% of the total installed capacity in the world. Fourthly, Denmark represents 6.76% of that capacity.

1.4. Naval security, piracy, and maritime disasters (oil spill)

In 2018, the country with the biggest number of large-scale navy equipment (aircraft carriers, frigates, destroyers, corvettes, and submarines) was China with 192, immediately followed by Russia with 163. The United States of America occupied third place, with 161 large naval equipment.

In 2017, Indonesia was the country that suffered the most pirate attacks. Between 2010 and 2017, more than 4,000 people were targeted by sea piracy attacks, with more than 3,800 hostages taken and 31 killed.

Accidents involving oil spills have been occurring over time, all over the world.

FIGURE 4: TOP 25 PRODUCING COUNTRIES OF OFFSHORE OIL & GAS (MILLION BBL.)

Country	2010	2011	2012	2013	2014	2015	2016	2017
Saudi Arabia	1,119.85	1,124.04	1,134.84	1,270.25	1,406.24	1,526.08	1,574.49	1,551.03
Norway	1,351.86	1,279.44	1,306.47	1,242.76	1,253.16	1,322.69	1,335.74	1,370.08
Qatar	1,155.13	1,314.76	1,354.03	1,356.70	1,335.25	1,348.33	1,323.62	1,319.82
Iran	668.19	665.88	655.01	684.91	714.70	885.15	976.88	1,113.30
Brazil	747.58	763.79	774.18	766.98	847.18	924.73	959.58	1,027.42
USA	1,001.37	845.28	767.15	735.82	777.31	809.26	826.39	823.32
Mexico	864.41	844.56	847.25	855.41	845.62	801.62	764.62	709.05
UAE	567.49	608.05	622.47	616.27	613.61	636.30	683.82	695.27
Nigeria	728.43	714.40	712.56	653.90	646.57	685.22	589.97	610.05
Angola	645.18	613.56	639.53	624.32	610.31	641.21	622.15	598.30
Malaysia	588.97	565.63	573.56	579.50	587.79	600.43	582.02	587.35
United Kingdom	749.63	615.12	522.64	481.33	483.79	551.15	563.17	556.19
Australia	424.93	388.83	407.01	403.65	423.45	410.71	435.2	508.90
China	379.08	363.36	350.21	341.63	357.78	422.18	409.21	402.81
Azerbaijan	463.27	417.4	409.84	409.45	411.47	408.12	398.72	382.42
Russia	196.50	209.58	210.74	214.63	224.2	251.81	290.05	326.64
Indonesia	427.54	400.73	379.33	363.90	355.52	355.44	336.57	311.22
India	425.85	385.5	339.83	289.14	277.79	282.91	296.80	307.02
Thailand	236.52	221.11	250.56	249.29	247.57	252.58	257.79	248.73
Egypt	353.8	341.13	314.49	302.16	271.54	237.39	200.32	213.12
Trinidad and Tobago	276.95	262.97	263.55	267.63	251.10	228.22	202.32	202.19
Venezuela	253.83	240.09	231.97	223.20	214.50	204.75	197.02	161.53
Vietnam	148.52	142.21	160.46	157.75	166.00	176.33	162.36	154.03
Equatorial Guinea	156.88	148.57	162.19	150.17	150.93	143.52	133.22	130.21
Myanmar	74.88	75.69	75.35	78.81	100.77	114.70	109.65	107.43
Other Countries	1,425.79	1,366.28	1,365.80	1,377.94	1,312.90	1,209.18	1,234.22	1,313.24
Total	15,432.43	14,917.96	14,831.02	14,697.50	14,887.05	15,430.01	15,465.90	15,730.67

Source: Rystad Energy Ucube, 2018.

1.5. Fisheries and aquaculture

Between 2004 and 2016, in a scenario of world population growth, there was an increase in the consumption of fish and other sea food products per capita.

In 2004, world per capita consumption was 16.2 kg, which increased to 20.4 kg, in 2016. This increase in per capita consumption was mainly achieved through thanks to the growth in aquaculture production.

The production in inland and marine aquaculture in 2004 was around 27.8 and 18.1 million tons, respectively, reaching a production of 51.4 and 28.7 million tons, in 2016.

Catches of fish at sea, although they continued to represent the largest contribution for the fish supply, have not increased in recent years, with a reduction between 2015 and 2016.

The top 10 countries, at the fisheries level, are led by China with 19.2% of catches, account for about 60% of total global fisheries.

The Pacific Ocean is the ocean where most of the fishing is done, accounting for about 58% of the total. The fifteen main species caught represent about 1/3 of the total.

In 2016, Asia represented 80% of the world aquaculture production. Despite the fact of being the main continent responsible for the huge growth of aquaculture globally, the 2014 levels were maintained.

Inland aquaculture was the main contributor to aquaculture growth, with China being the most relevant country, accounting for 62% of global production.

From 1974 to 2015, there was an increase in the pressure on fish stocks, causing a significant increase in the number of species with overfishing or in the limit of acceptable fishing.

Africa and Latin America are the regions of the world with the lowest per capita consumption of fish and other seafood.

FIGURE 5: MARINE CAPTURE FISHERIES: MAJOR PRODUCER COUNTRIES (MILLION TONNES AND % CHANGE)

2016 *Ranking*	Country	2003	2011	2012	2013	2014	2015	2016	Weight 2016	Percentage Change 2015/2016	Percentage Change 2003/2016
		(million tonnes)							(percentage)		
1	China	12.20	13.50	13.90	14.00	14.80	15.31	15.25	19.23%	-0.44%	24.97%
2	Indonesia	4.30	5.30	5.40	5.60	6.00	6.22	6.11	7.71%	-1.72%	42.07%
3	USA	4.90	5.10	5.10	5.10	5.00	5.02	4.90	6.18%	-2.43%	-0.06%
4	Russia	3.10	4.00	4.10	4.10	4.00	4.17	4.47	5.63%	7.05%	44.06%
5	Peru	6.10	8.20	4.80	5.80	3.50	4.79	3.77	4.76%	-21.15%	-38.13%
6	India	3.00	3.30	3.40	3.40	3.40	3.50	3.60	4.54%	2.92%	19.97%
7	Japan	4.60	3.70	3.60	3.60	3.60	3.42	3.17	3.99%	-7.48%	-31.15%
8	Vietnam	1.60	2.30	2.40	2.60	2.70	2.61	2.68	3.38%	2.72%	67.38%
9	Norway	2.50	2.30	2.10	2.10	2.30	2.29	2.03	2.56%	-11.34%	-18.68%
10	Philippines	2.00	2.20	2.10	2.10	2.10	1.95	1.87	2.35%	-4.26%	-6.75%
11	Malaysia	1.30	1.40	1.50	1.50	1.50	1.49	1.57	1.99%	5.92%	21.08%
12	Chile	3.60	3.10	2.60	1.80	2.20	1.79	1.50	1.89%	-16.07%	-58.36%
13	Morocco	0.90	1.00	1.20	1.20	1.40	1.35	1.43	1.81%	6.08%	59.00%
14	South Korea	1.60	1.70	1.70	1.60	1.70	1.64	1.38	1.74%	-16.04%	-13.94%
15	Thailand	2.70	1.60	1.60	1.60	1.60	1.32	1.34	1.69%	1.97%	-50.26%
16	Mexico	1.30	1.50	1.50	1.50	1.40	1.32	1.31	1.65%	-0.30%	0.85%
17	Myanmar	1.10	2.20	2.30	2.50	2.70	1.11	1.19	1.49%	7.05%	7.73%
Total 17 major countries		**56.80**	**62.40**	**59.30**	**60.10**	**59.90**	**59.28**	**57.55**	**72.60%**	**-2.90%**	**1.33%**
Rest of the World		**22.90**	**20.20**	**20.40**	**21.20**	**21.60**	**21.97**	**21.72**	**27.40%**	**-1.14%**	**-5.14%**
World total		**79.70**	**82.60**	**79.70**	**81.00**	**81.50**	**81.25**	**79.28**	**100.00%**	**-2.43%**	**-0.53%**
Share 17 major countries (%)		**71.30**	**75.50**	**74.40**	**73.80**	**73.50**	**72.96**	**72.60**			

Source: FAO, 2018.

FIGURE 6: MAIN PRODUCERS OF FARMED AQUATIC ANIMALS (THOUSAND TONNES AND TOTAL WORLD SHARE)

Producer	Total aquatic animals production				Share in total world
	2010	2012	2014	2016	2016
China	36,734	41,108	45,469	49,244	62%
India	3,786	4,210	4,881	5,700	7%
Indonesia	2,305	3,068	4,254	4,950	6%
Vietnam	2,683	3,085	3,397	3,625	5%
Bangladesh	1,309	1,726	1,957	2,204	3%
Norway	1,020	1,321	1,333	1,326	2%
Egypt	920	1,018	1,137	1,371	2%
Chile	701	1,071	1,215	1,035	1%
Top 8 subtotal	**49,458**	**56,607**	**63,643**	**69,455**	**87%**
Rest of the World	9,504	9,859	10,141	10,576	13%
World	**58,962**	**66,466**	**73,784**	**80,031**	**100%**

Source: FAO, 2018.

1.6. Entertainment, sport, tourism, and culture

The turnover associated with the cruise activity has been increasing during the last decade. North America and Europe are the markets where cruise activity is most representative.

The Caribbean continues to be the region with the largest market share in the world cruise industry, followed by the Mediterranean and the rest of Europe.

The number of people participating in cruise travel has been increasing (Figure 7).

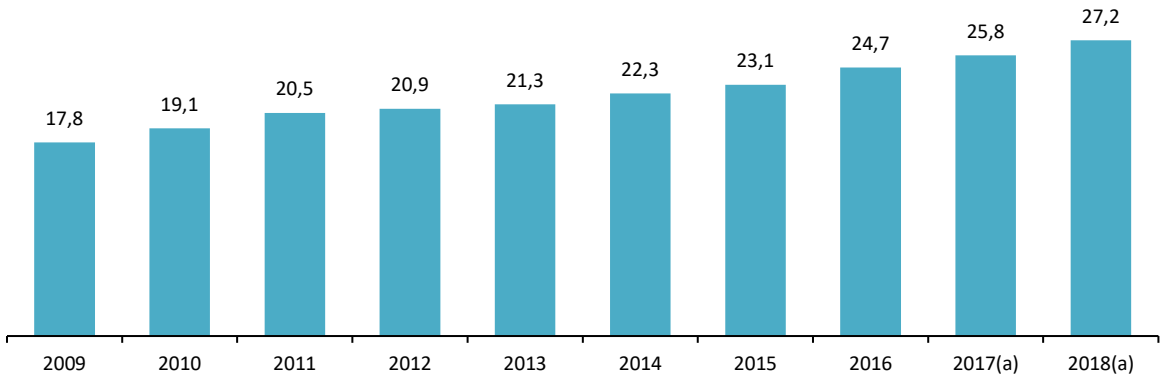
The United States of America is the country with the largest share of passengers in the cruise industry. Next, but with a significant distance, appear China, Germany and the United Kingdom.

The United States of America, Australia, New Zealand, Italy, France, and the United Kingdom are reference countries in terms of marinas and recreational craft industry.

In the last four Olympic Games, Europe was the continent with the most medallists in canoeing, with Germany leading the way with 32 medals. In sailing, the European countries, led by the United Kingdom, with 19 medals in the last Olympic Games remained well classified, Australia appeared second place in the ranking with 11 medals. In the rowing, the UK led with 24 medals, soon followed by Australia (15), New Zealand, and Germany (12 each).

In recent years, Australia and the United States of America have led in surfing.

FIGURE 7: NUMBER OF CRUISE PASSENGERS, GLOBALLY (IN MILLIONS)

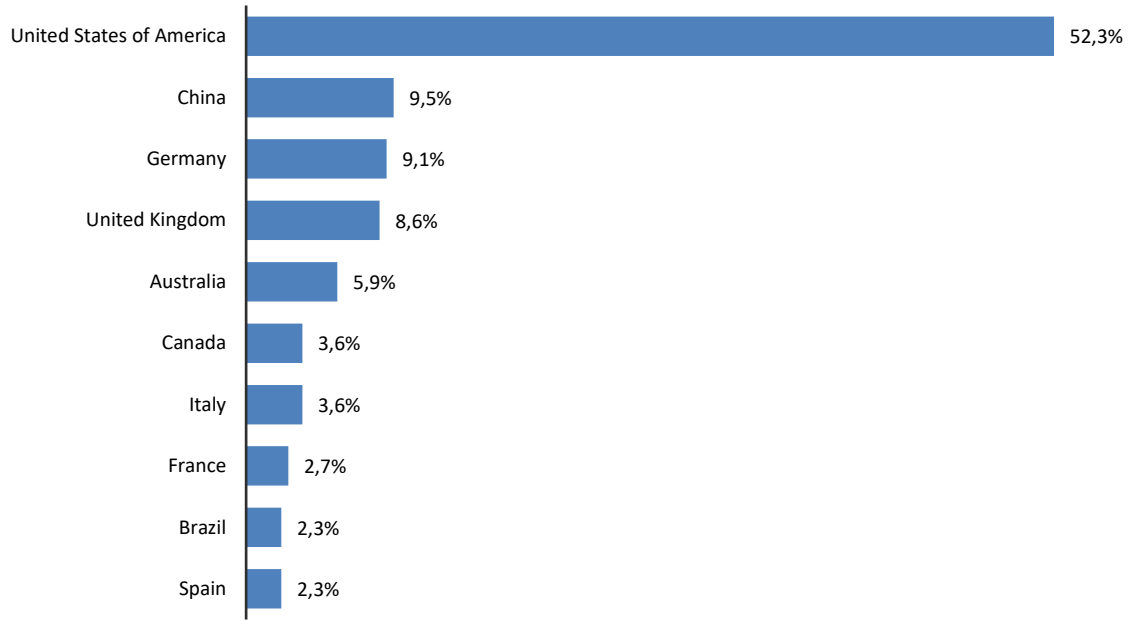


(a) projection

Source: CLIA, 2017.

FIGURE 8: LEADING PASSENGER SOURCE COUNTRIES IN THE GLOBAL CRUISE INDUSTRY IN 2016

World passenger share



Source: Cruise industry, 2017.

1.7. The state of the main blue economy industries in the world conclusion

During the 2005-2017 period, the global financial and economic crisis led to a decrease in the overall maritime Gross Domestic Product.

In the last decade Asia, and China, in particular, took the lead in fishing, aquaculture, cargo handling in ports and shipbuilding.

The ten largest content ports in the world are in Asia and seven of them are Chinese.

In 2016, Chinese fishing and aquaculture accounted for 19% and 62% of the world's total fisheries and aquaculture, respectively.

It is only in offshore energy production, ownership and operation of merchant ships, tourism (cruises) and sport that America and Europe manage to be ahead of Asia.

Africa and Latin America are regions of future opportunities in the field of the economy of the sea. Australia and New Zealand are references to the ocean economy in Oceania and the World.

This period was also a time of environmental tension and of maritime piracy. Between 2010 and 2017, more than 4,000 people were targeted by sea piracy attacks, with more than 3,800 taken hostage and 31 killed. Over the years analysed, Somalia, Nigeria, and Indonesia, were the countries with high attack intensity.

As for the defence sector, Russia, China and the United States of America had the three largest navies on a global scale, in 2017.

The five oceans (the Atlantic Ocean, the Indian Ocean, the Pacific Ocean, the Arctic Ocean and the Antarctic Ocean), and the other seas of the world, are valuable assets that must be enjoyed by humankind in a sustainable way. Many industries operate on this vast natural resource, producing wealth and generating jobs.

In order to take advantage of all this wealth, in a sustainable manner, it is fundamental to know it better and in an integrated way, that is, as important as knowing each one of the industries, it is important to know how they interact with each other, what evolution they have had and how intensely they use the Sea in different parts of the globe.

According to the 'Ocean Economy in 2030 OCDE Report', overall Ocean Economy represents 2.5% of the world Gross Value Added.

2. THE STATE OF THE BLUE ECONOMY IN THE EUROPEAN UNION

2.1. The European Union Integrated Maritime Policy

The European Union was the first global region that gave emphasis to the Blue Economy in its own development strategy.

In 2007 the European Commission recognised the importance of the sea and launched a comprehensive consultation and analysis of how Europe relates to the sea. The conclusion of this consultation was that there was an enormous potential of the seas. It also provided a multitude of ideas as to how Europe can rise to meet this challenge.

Building on this valuable input, the Commission proposed an Integrated Maritime Policy for the European Union, based on the clear recognition that all matters relating to Europe's oceans and seas are interlinked, and that sea-related policies must develop in a joined-up way to meet the desired results.

According to the European Commission the definition and scope, the reason, the agenda, and the funding opportunities are as follows:

i) Definition and Scope

The Integrated Maritime Policy seeks to provide a more coherent approach to maritime issues, with increased coordination between different policy areas. It focuses on:

- *Issues that do not fall under a single sector-based policy e.g. "blue growth" (economic growth based on different maritime sectors).*
- *Issues that require the coordination of different sectors and actors e.g. marine knowledge.*

Specifically, it covers these cross-cutting policies:

- *Blue growth*
- *Marine data and knowledge*
- *Maritime spatial planning*
- *Integrated maritime surveillance*
- *Sea basin strategies*
- *It seeks to coordinate, not to replace, policies on specific maritime sectors*

ii) Reasons

- *To take account of the inter-connectedness of industries and human activities centred on the sea. Whether the issue is shipping and ports, wind energy, marine research, fishing or tourism, a decision in one area can affect all the others. For instance, an offshore wind farm may disrupt shipping, which in turn will affect ports.*
- *To save time and money by encouraging authorities to share data across policy fields and to cooperate rather than working separately on different aspects of the same problem.*
- *To build up close cooperation between decision-makers in the different sectors at all levels of government – national maritime authorities, regional and local authorities, and international authorities, both inside and outside Europe. Many countries are recognising this need and move towards more structured and systematic collaboration.*

iii) Agenda and Funding

A Marine and Maritime Agenda for Growth and Jobs was adopted in 2012 by European Ministers for maritime policy and the European Commission, at a conference in Limassol organised by the Cypriot Presidency. Five years after the launch of the EU Integrated Maritime Policy, the Member States and the Commission reaffirmed that a dynamic and coordinated approach to maritime affairs enhances the development of the EU's 'Blue Economy' while ensuring the health of seas and oceans.

The EU provides funding for the political priorities for the Integrated Maritime Policy expressed by the Commission, the Council and the European Parliament under Regulation 508/2014. The funding is implemented through:

- *Annual work programmes with a total budget of EUR 259 million for the 2014-2020 period.*
- *EUR 71 million for the 2014-2020 period within the framework of the EMFF operational programmes .*

In addition, maritime policy is implemented through European Investment and Structural Funds:

- *Horizon 2020*
- *LIFE+*
- *COSME"*

According to the EU Blue Economy Report (2019), the Blue Economy definition and sectors are as follows: "*The Blue Economy includes all economic activities related to oceans, seas and coasts. It covers a wide range of interlinked established sectors (sectors with long-term proven contribution to the economy) and emerging sectors (new sectors showing high potential for future development). The Blue Economy can be leveraged by enablers.*

Established sectors: Aquaculture, Fisheries, Fish Processing Industry, Ports, Warehousing and Water Projects, Shipbuilding and Repair, Coastal Tourism, Marine Extraction of Oil and Gas and Maritime Transport.

Emerging Sectors: Desalination, Coastal and Environmental Protection, Offshore Wind Energy, Ocean Energy and Blue Bioeconomy/Biotechnology

Enablers: Common Skills, Shared Infrastructure, Sustainable Use of the Sea, Environmental Protection, Maritime Spatial Planning, Maritime Security and Marine Data".

2.2. The European Union blue economy

The European Union Blue Economy Gross Value-Added (GVA) amounts to 179,759 million euros and represents 1.3% of the total European Union Gross Value Added.

From the six groups of Blue Economy sectors defined by the European Commission, the main sector in terms of Gross Value Added is coastal tourism, representing 36.2% of the total.

FIGURE 9: EU BLUE ECONOMY GROSS VALUE ADDED IN 2017

GVA (EUR million)	2017	% BE GVA
Coastal tourism	65,116	36.2%
Marine living resources	20,681	11.5%
Marine non-living resources	22,757	12.7%
Ports and water projects	34,440	19.2%
Shipbuilding and repair	14,821	8.2%
Marine transport	21,944	12.2%
Blue Economy GVA (EUR million)	**179,759**	**100.0%**
EU GVA (EUR million)	13,751,000	
Blue Economy (% of GVA)	**1.3%**	

Source: The EU Blue Economy Report, 2019.

However, the sum up of the sectors that are capital intensive and that need big and complex water platforms and infrastructures, together with Marine non-living resources, Ports and water projects, Shipbuilding and repair and Marine transport, still represent 52.3% of the total EU Blue Economy Gross Value Added.

FIGURE 10: EU BLUE ECONOMY GROSS VALUE ADDED IN 2017

GVA (EUR millions)	2017	% BE GVA
Coastal tourism	65,116	36.2%
Marine living resources	20,681	11.5%
Shipbuilding, Ports, Shipping and Oil &Gas	93,962	52.3%
Blue Economy GVA (EUR millions)	**179,759**	**100.0%**

Source: Own calculations based in 'The EU Blue Economy Report 2019' data.

2.3. The top ten EU member states in terms of the blue economy

To analyse the importance of the Blue Economy per EU Member State, one must prioritise the ranking of the following variables: Gross Value Added, Blue Economy (BE) GVA and the percentage of the Blue Economy Gross Value Added in the total GVA' Member State.

Rank A = % of country Gross Value Added in the Total European Union Gross Value Added

Rank B = % of country Blue Economy Gross Value Added in the Total European Union Blue Economy Gross Value Added

Rank C = % of country Blue Economy Gross Value Added in the country Gross Value Added

Some relevant conclusions can be taken from these three rankings:

- 10 out of 28 countries represent 86.5% of total EU GVA
- 10 out of 28 countries represent 88.3% of total EU BE GVA
- Although 7 out of 10 countries are in Rank A and in Rank B, only 1 out 10 maintain its ranking position
- Only 2 out of 10 are in Rank A and Rank C
- Only 4 out of 10 are in Rank B and Rank C

In terms of relative Gross Value Added, it seems that the Blue Economy Gross Value Added is more relevant for smaller coastal countries than for bigger countries and more relevant for more southern countries than for the northern countries.

However, in absolute terms, big northern countries have a higher Blue Economy Gross Value Added than southern countries.

FIGURE 11: THE EUROPEAN UNION TOP 10 (TOTAL GVA AND BLUE ECONOMY GVA)

	Rank A		Rank B		Rank C	
Rank	Country	% of Country GVA in Total EU GVA	Country	% of Country BE GVA in Total EU BE GVA	Country	% of Country BE GVA in Country Total GVA
1	Germany	21.5%	UK	20.1%	Croatia	7.7%
2	UK	15.1%	Spain	14.6%	Greece	3.8%
3	France	14.9%	Germany	12.8%	Cyprus	3.7%
4	Italy	11.2%	France	11.2%	Denmark	3.5%
5	Spain	7.7%	Italy	11.0%	Malta	3.4%
6	Netherlands	4.8%	Netherlands	5.7%	Estonia	3.3%
7	Sweden	3.1%	Denmark	4.9%	Spain	2.5%
8	Poland	3.0%	Greece	3.3%	Portugal	2.4%
9	Belgium	2.8%	Sweden	2.3%	Latvia	2.0%
10	Austria	2.4%	Portugal	2.3%	UK	1.7%
	Top 10 EU	86.5%	Top 10 EU	88.3%		
	Others	13.5%	Others	11.7%		
	Total EU 28	100.0%	Total EU 28	100.0%		

Source: Own calculations based in 'The EU Blue Economy Report 2019' data.

2.4. The blue economy industries in the top 10 EU blue economy

The sectoral structure of the Blue Economy varies from Member State to Member State:

FIGURE 12: THE BLUE ECONOMY SIX MAIN INDUSTRIES IN THE TOP 10 MS (2017)

	Coastal tourism	Marine living resources	Marine non-living resources	Port activities	Shibuilding and Repair	Maritime transport	Total Blue economy
Denmark	28.3%	10.1%	18.9%	7.9%	3.1%	31.6%	100.0%
Germany	20.3%	10.1%	8.2%	28.7%	13.0%	19.7%	100.0%
Netherlands	10.3%	11.1%	18.7%	39.6%	7.1%	13.1%	100.0%
UK	22.5%	7.7%	32.8%	20.7%	8.1%	8.3%	100.0%
Sweden	46.9%	10.8%	4.9%	8.5%	9.5%	19.4%	100.0%
France	43.6%	14.4%	6.7%	20.0%	10.5%	4.8%	100.0%
Italy	35.8%	13.7%	9.0%	11.1%	10.5%	19.8%	100.0%
Greece	55.6%	10.6%	0.9%	12.8%	3.1%	17.0%	100.0%
Portugal	66.3%	18.7%	1.8%	8.4%	3.0%	1.7%	100.0%
Spain	66.7%	13.5%	1.7%	11.6%	3.3%	3.2%	100.0%

Source: Own calculations based in 'The EU Blue Economy Report 2019' data.

One can identify three types of countries in the top 10 EU Blue Economy Member States:

- Countries where Shipbuilding, Ports, Shipping and Oil & Gas represent about 2/3 of their Blue Economy (Denmark, Germany, Netherlands, and the UK).

- Countries where Coastal Tourism represent about 2/3 of their Blue Economy (Greece, Portugal, and Spain).
- Countries where Shipbuilding, Ports, Shipping and Oil & Gas have almost the same representation than Coastal Tourism (Sweden, France, and Italy).

The Marine Living Resources GVA weight is about 10% in almost all Top 10 EU Blue Economy countries.

FIGURE 13: THE BLUE ECONOMY THREE MAIN INDUSTRIES IN THE TOP 10 MS (2017)

	Coastal tourism	Marine living resources	Shipbuilding, Ports, Shipping and Oil &Gas	Total Blue economy
Denmark	28.3%	10.1%	61.5%	100.0%
Germany	20.3%	10.1%	69.6%	100.0%
Netherlands	10.3%	11.1%	78.6%	100.0%
UK	22.5%	7.7%	69.8%	100.0%
Sweden	46.9%	10.8%	42.3%	100.0%
France	43.6%	14.4%	42.0%	100.0%
Italy	35.8%	13.7%	50.4%	100.0%
Greece	55.6%	10.6%	33.8%	100.0%
Portugal	66.3%	18.7%	14.9%	100.0%
Spain	66.7%	13.5%	19.8%	100.0%

Source: Own calculations based in 'The EU Blue Economy Report 2019' data.

2.5. The EU blue economy industries evolution

Although total EU Gross Value Added has increased 23.7%, between 2009 and 2017, the growth of the Blue Economy Gross Value Added was only 7.9%. As such, the weight of the Blue Economy in the total EU Gross Value Added declined from 1.5% to 1.3%.

There were Blue Economy industries that declined between 2009 and 2017 (Marine non-living resources and Marine transport), others that grew below the average (Shipbuilding and repair and Ports and water projects) and finally, others that grew above the average (Marine living resources and Coastal tourism).

FIGURE 14: THE EVOLUTION OF THE BLUE ECONOMY SIX INDUSTRIES (2009-2017)

GVA (EUR milion)	2009	% BE GVA	2017	% BE GVA	Var% BE GVA 2009 - 2017
Coastal tourism	51,631	31.0%	65,116	36.2%	26.1%
Marine living resources	16,631	10.0%	20,681	11.5%	24.4%
Marine non-living resources	34,719	20.8%	22,757	12.7%	-34.5%
Ports and water projects	28,245	17.0%	34,440	19.2%	21.9%
Shipbuilding and repair	12,816	7.7%	14,821	8.2%	15.6%
Marine transport	22,548	13.5%	21,944	12.2%	-2.7%
Blue Economy GVA (EUR milion)	**166,590**	**100.0%**	**179,759**	**100.0%**	7.9%
EU GVA (EUR million)	11,116,000		13,751,000		23.7%
Blue Economy (% of GVA)	**1.5%**		**1.3%**		

Source: Own calculations based in 'The EU Blue Economy Report 2019' data.

The sum up of the Gross Value Added of all capital intensive Blue Economy industries shows that the group of 'Shipbuilding, Ports, Shipping and Oil & Gas' had a reduction in the GVA.

FIGURE 15: THE BLUE ECONOMY EVOLUTION IN THE TOP 3 EU INDUSTRIES (2009- 2017)

GVA (EUR million)	2009	% BE GVA	2017	% BE GVA	Var% BE GVA
Coastal tourism	51,631	31.0%	65,116	36.2%	26.1%
Marine living resources	16,631	10.0%	20,681	11.5%	24.4%
Shipbuilding, Ports, Shipping and Oil & Gas	98,328	59.0%	93,962	52.3%	-4.4%
Blue Economy GVA (EUR million)	**166,590**	**100.0%**	**179,759**	**100.0%**	**7.9%**

Source: Own calculations based in 'The EU Blue Economy Report 2019' data.

In the last decade, in the European Union, countries that were dependent on the Shipbuilding, Ports, Shipping and Oil & Gas industries had a worst performance than countries that were dependent on Coastal tourism, which is in line with the world Blue Economy growth, with the rising Asia, particularly in the Shipbuilding, Ports and Shipping industries.

FIGURE 16: THE BLUE ECONOMY EVOLUTION IN THE TOP 10 EU COUNTRIES (2009-2017)

Rank	BE GVA in million	2009	2017	Var % BE GVA
1	UK	35,825	36,111	1%
2	Spain	22,091	26,284	19%
3	Germany	23,271	22,953	-1%
4	France	19,394	20,177	4%
5	Italy	17,217	19,766	15%
6	Netherlands	10,763	10,272	-5%
7	Denmark	10,431	8,884	-15%
8	Greece	4,569	6,014	32%
9	Sweden	3,022	4,151	37%
10	Portugal	2,827	4,081	44%

Source: Own calculations based in 'The EU Blue Economy Report 2019' data.

It is easy to see that Portugal was the member state of the European Union whose Blue Economy GVA grew the most between 2009 and 2017 (+44%).

3. CONCLUSION

In the last decade Asia, and in particular China, took the lead in fishing, aquaculture, cargo handling in ports and shipbuilding. The ten largest content ports in the world are in Asia and seven of them are Chinese. In 2016, China accounted for 19% and 62% of the world's total fisheries and aquaculture, respectively. It is only in offshore energy production, ownership and operation of merchant ships, tourism (cruises) and sport that America and Europe manage to be ahead of Asia.

This was also a period of environmental tension and maritime piracy. Between 2010 and 2017, more than 4,000 people were targeted by sea piracy attacks, with more than 3,800 taken hostage and 31 killed. Somalia, Nigeria and Indonesia were the countries with high attack intensity.

As for the defence sector, Russia, China and the United States of America have the three largest navies on a global scale (2017).

The five oceans, and the other seas of the world, are valuable assets that must be exploited in a sustainable way. Many industries operate in this vast natural resource, producing wealth and generating jobs. In order to take advantage of all this wealth in a sustainable manner, it is fundamental to know it better and in an integrated way. That is, as important as knowing each one of the industries, it is important to know how they interact with each other, what evolution they have had and how intensely they use the sea in different parts of the globe.

According to the 'Ocean Economy in 2030 OCDE Report', overall, Ocean Economy represents 2.5% of the world Gross Value Added.

The EU was the first global region that gave particular emphasis to the Blue Economy in its own development strategy. In 2007 the European Commission launched a comprehensive consultation and analysis of how Europe relates to the sea. The conclusion was that there was an enormous potential. It also provided a multitude of ideas as to how Europe can rise to meet this challenge. Building on this valuable input the Commission proposed an EU Integrated Maritime Policy, based on the recognition that all matters relating to Europe's oceans and seas are interlinked, and that sea-related policies must develop in a joined-up way to meet the desired results.

The European Union Blue Economy Gross Value Added amounts to 179,759 million euros and represents 1.3% of the total European Union Gross Value Added.

Blue Economy Gross Value Added is more relevant for smaller coastal countries than for bigger countries and more relevant for more southern countries than for northern countries. However, overall, bigger countries than smaller countries and more northern countries that southern countries represent more Blue Economy Gross Value Added, in absolute terms.

The mix of Blue Economy Industries per country in the European Union is very different. 10 out of 28 countries represent 88.3% of total EU BE GVA.

The sum up of the GVA of all the Blue Economy industries that are capital intensive reveals that, for the top 10 EU Blue Economy countries there are, at least, three types of countries.

Countries where Shipbuilding, Ports, Shipping and Oil & Gas represent about 2/3 of their Blue Economy (Denmark, Germany, Netherlands and UK).

Countries where Coastal Tourism represent about 2/3 of their Blue Economy (Greece, Portugal and Spain)

Countries where Shipbuilding, Ports, Shipping and Oil & Gas have almost the same representation than Coastal Tourism (Sweden, France and Italy).

The GVA weight of the Marine Living Resources is about 10% in almost all Top 10 EU Blue Economy countries.

Although the total EU Gross Value Added increased by 23.7%, between 2009 and 2017, the growth of the Blue Economy GVA was only 7.9%. As such, the weight of the Blue Economy in the total GVA declined from 1.5%, in 2009, to 1.3%, in 2017.

There were Blue Economy industries that dropped between 2009 and 2017 (Marine non-living resources and Marine transport), others that grew bellow total GVA (Shipbuilding and repair and Ports and water projects) and finally, still others that grew above GVA (Marine living resources and Coastal tourism).

The sum up of the GVA of all the Blue Economy capital intensive industries shows that together Shipbuilding, Ports, Shipping and Oil & Gas had a reduction of its Gross Value Added.

In the last decade, the EU countries that were more dependent on Shipbuilding, Ports, Shipping and Oil & Gas had a worst performance than countries that were mainly dependent on Coastal tourism.

Portugal was the member state of the European Union whose Blue Economy GVA grew the most between 2009 and 2017 (+44%).

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Notice to European Sea Navigation - The Continental and Atlantic Approaches to a Common Sea

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ABSTRACT

Europe, more than a common space, is a unique space. The European policy has challenged the Europeans since the 1950s to go side by side towards a common space but, at the same time, it fosters the integrity preservation of their autonomous units - the States that make it up. History has taught that the geometries of the several dimensions, in which we can analyse the relationship between European States, are complex. In fact, being considered as an "old continent", it carries the individual legacy of each State, as well as the tensions and alliances experienced among them. Being the access to new resources fundamental nowadays, especially with the increasingly technological demand, the search for these goods is shifting from the traditional comfort zone, the continental territories, to the depths of the oceans where resources' sanctuaries are still unexploited. Evident sign of this fact is the increasing number of oceanographic campaigns to investigate, identify and inventory the sea bottom resources. The key issue to be addressed in this article is how Europe, as a single unit, looks at a hypothetical common European Sea, where two major sets of states, the Continental and the Atlantic, challenge themselves to maintain uniqueness within the European Union and its exclusive national interests. A practical and very current example is the continental shelf extension processes underway within the Commission on the Limits of the Continental Shelf which may change the current European geopolitical paradigm.

Keywords: European Sea, Extended Continental Shelf, UNCLOS, European Atlantic geopolitics.
JEL classification: N, N4, N44, N5, N54, Q, Q3, Q34.

1. INTRODUCTION

It is unquestionable that the establishment of the European space has, since its inception, moved closer and closer to a unified system. Despite the failure of the European Constitution in 2005, the Treaty of Lisbon mitigated this discontinuity in the overall process of union. Today, we have examples of this present state of union, such as: (1) a single currency, (2) the European Directives and (3) the Common Sector Policies. The three levels of competence that resulted from this treaty (exclusive, shared and supported) aim to integrate the union effort into one document, limiting some sovereign powers of its member states.

In the maritime component, where Portugal was proactive in the strategic thinking process and in the definition of policies related to the Ocean (Duarte, 2015), the relevance of this asset - the Sea - was reinforced in a still continental Europe. Examples of such reinforcement are the design of the Green Paper (European Commission, 2006) of the European Union Integrated Maritime Policy - Blue Book (European Commission, 2007), a key document for the enhancement and development of the Sea, the Framework Directive for the Marine Strategy (European Commission; European Parliament, 2008) and the new Maritime Strategy for the Atlantic Area (European Commission, 2013).

Also, in accordance with the Treaty of Lisbon, the European Union promotes territorial cohesion, equality between member states and the preservation of the biological resources of the sea[4] (European Parliament and Council of the European Union, 2013). Considering the existence of geographically disadvantaged member states in terms of maritime territory, i.e. without direct access to marine biological resources, this common policy ensures the sustainability of this "common" European heritage (Teixeira, 2009). However, from the point of view of domestic policy and access to marine resources, geographically disadvantaged states have been reluctant to support geographically favored states continental shelf extension processes in the efforts to have broad areas of jurisdiction recognized. In this way, the geographically disadvantaged states seek to contain the reduction of the geographical dimension of the Area[5] and, as a result, to ensure access by tender[6] to other sources of marine resources.

In a parallel approach, the United Nations Convention on the Law of the Sea - UNCLOS (United Nations, 1982), provides States with increased rights and duties, especially on their territorial waters and on living and non-living resources in the soil and subsoil of theirs continental shelves[7]. In accordance with Article 77 of UNCLOS, the State exercises exclusive sovereign rights over living and non-living resources in the seabed and subsoil, namely over living organisms belonging to sedentary species. As the European Union and all its member states are signatories to the UNCLOS[8], a conflict of sovereign powers could be found in this regard. For instance, at the supranational European level, the competence of Member States before the UNCLOS might be limited, once the EU represents all members' state with one voice only.

Although at the national level the issue of the European Sea has been introduced (Adriano Moreira, 2014), no other geopolitical references are found elsewhere in relation to the elaboration of a thesis for the constitution of a "European Sea", except under the Common Fisheries Policy where the concept of "Union waters" is defined. However, this is a relevant subject that deserves to be debated with the primary objective of assessing the opportunities and consequences for Portugal in the face of such doctrine and preparing the best path for safeguarding the national interest.

From the dualist approach, the position of States towards the UNCLOS results in a number of questions that need an answer that satisfies not only the sovereignty granted by the UNCLOS, but at the same time fulfills the geopolitical issues set out in the various competences of the Treaty of Lisbon.

2. THE TERRITORIAL DIMENSION OF THE EUROPEAN UNION

The definition of state, from a classical legal conception, is based on three basic elements: (1) the territory, (2) the population and (3) the political power. In addition, as stated in the Montevideo Convention[9], there is a fourth element to be considered: (4) the ability to relate to other States (Montevideo Convention 1933). Focusing on the first element, the Territory, this is legally defined by Kelson (2007) as the spatial domain of an effective state legal order. Sovereign states define this element at the Constitutional level, describing the spatio-geographical components that make up their national territory[10].

In a supranational integration process, such as the case studied here, the starting point of the whole territory will be the sum of the parts designated at a national level. In this sense, two contradictory views can still be posed - the same as Charles de Gaulle postulated in 1958. On the one hand, de Gaulle aimed at a "European Europe" to counterbalance both the United States and the Soviet Union. In that sense, sovereign states would have to cede greater autonomy to the Union. On the

[4] Common Fisheries Policy

[5] Maritime domain that lies beyond the continental shelves of coastal states and is considered a common heritage of humanity.

[6] Through the International Seabed Authority.

[7] Both short and beyond 200 nautical miles.

[8] The EU ratified UNCLOS on 1 April 1998.

[9] Montevideo Convention on the Rights and Duties of the States - Article 1 - The State as a person of international law b) a defined territory; c) government; and d) capacity to enter into relations with other states.

[10] As stated in the Constitution of the Portuguese Republic, in its article 5, the national territory comprises the territory historically defined on the European continent, as well as the archipelagos of the Azores and Madeira. The maritime spaces adjacent to the emerged territory are also part, namely the territorial waters and the exclusive economic zone. Likewise, it is stated in this same article, the rights of Portugal on the seafloor contiguous to its territory, namely the continental shelf.

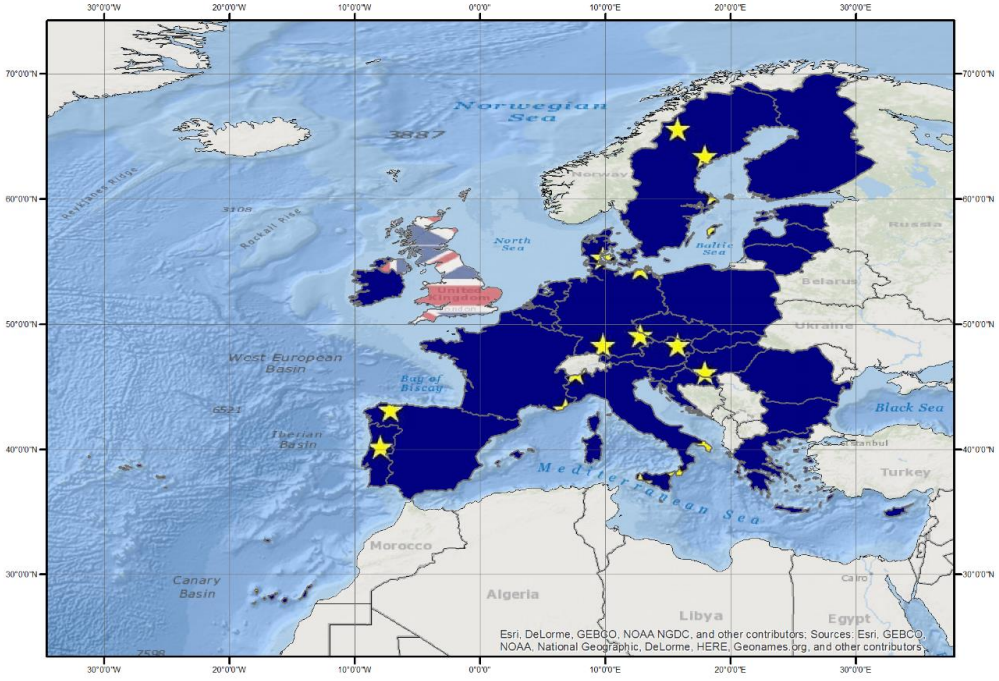
other hand, de Gaulle was anxious to maintain Europe as the 'Europe des Etats', a community in which each member would maintain intact its national sovereignty. This fact, that characterized the French approach to the integration of the European process, is one of the biggest contradictions in European Foreign Policy (Bindi, 2010). This reality continues to this day and is the central problem of this study - the dualistic approach to the same object.

2.1. The territorial establishment of the European Union

The geographical reality of Europe is changing. In fact, this reality is actually quite different from that originally conceived in the late 1950s, when the European Economic Community (EEC) was established under the Treaty of Rome (1957). The original EEC[11], very focused on the European continental axis, quickly extended beyond continental Europe12, leading to the so-called European enlargement (Bindi, 2010). Successively, with the democratization of the political regimes in Greece (1974), Portugal (1974) and Spain (1975), Europe expanded to twelve[13]. At the time, it was believed that this 'Europe-by-twelve' format would be enduring because it was, to some extent, the mirror of Western Europe. Given this territorial stabilization, the focus was now on structural reforms to promote the internal market (Bindi, 2010). Noteworthy is the Single European Act (1986) which, among other things, promotes common foreign policy initiatives, which was later reinforced by the Maastricht Treaty[14] (1992) through the Common Foreign and Security Policy (CFSP).

With the end of the Cold War and the consequent fall of the Berlin Wall[15,] the European political scene changed profoundly, and with it, a new series of enlargements to Eastern countries opened, thus shifting the center of gravity of the new geopolitical reality to the east. Today's 27 + 1[16] Europe (Figure 1) is far removed from the founding ideals of the then realistic Europe of the 1950s, and with it new challenges in the field of common foreign policy are emerging within the now European Union (EU).

FIGURE 1: 27 + 1 EUROPE - THIS IMAGE SHOWS ONLY THE AREA CORRESPONDING TO THE EMERGING PART OF THE EUROPEAN



Source: Self-elaboration using ArcGIS and public domain data.

[11]France, Italy, West Germany, Belgium, the Netherlands and Luxembourg.

[12]At the so-called "First European Enlargement" in 1972, the United Kingdom, Ireland and Denmark were joined by the EEC, forming Europe of the Nine.

[13]Greece joined in 1981 and Portugal and Spain in 1986.

[14]Among other things, this treaty aimed at the political stability of the continent. The treaty established the so-called three pillar structure in Community policy, which remained until the Treaty of Lisbon.

[15] November 9, 1989.

[16] The 27 + 1 countries of the European Union correspond to the current 28, but considering the UK in the process of leaving.

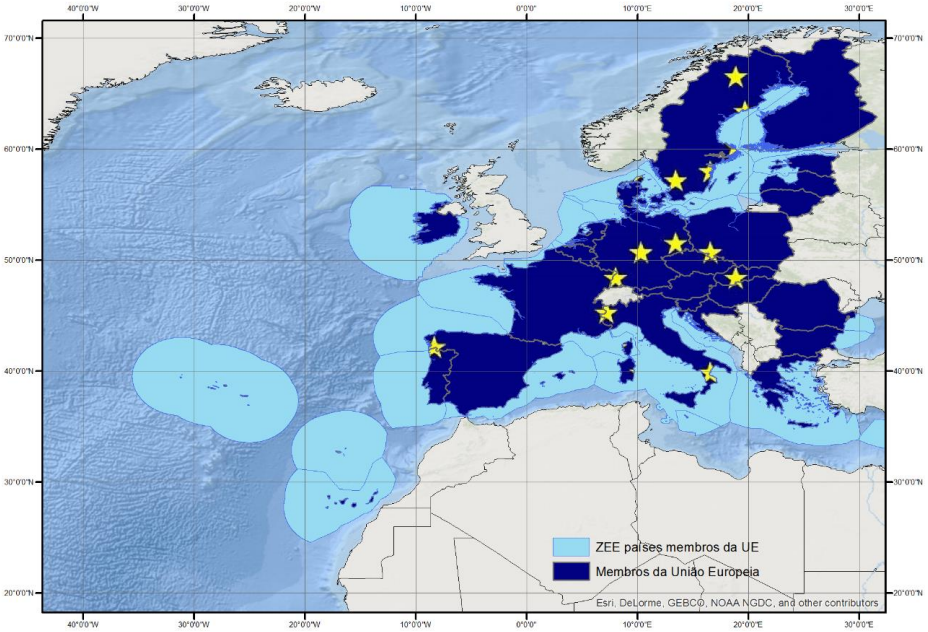
3. THE TERRITORIES OF THE STATES OF THE EUROPEAN UNION

At first glance, it could be assumed that the territory of the European Union would be equal to the sum of the territorial spaces of the states of the European Union. Indeed, this is the case for the emerged part of the territory. However, and in the light of the United Nations Convention on the Law of the Sea (UNCLOS), coastal States may, under certain geographically and physiographically favorable conditions, demarcate the maritime spaces provided for by UNCLOS. These include the Territorial Sea (TS), the Exclusive Economic Zone (EEZ) and the Continental Shelf (CS) beyond the 200 nautical miles. In practice, these maritime spaces are unilaterally declared by coastal states[17], which, after publishing the laws regulating and delimiting these maritime spaces at a national level, submit those spaces for publicity to the United Nations Secretary-General[18] (United Nations, 1982). On the basis of the United Nations publicizing their national legislation, the other States may challenge the layout of the established Maritime Spaces or, in the case of continental shelf extension processes, submit a verbal note that may ultimately inhibit the consideration to an extension proposal by the Commission on the Limits of the Continental Shelf (CLCS). It should be noted that there are several cases of EU Member States that have contested the maritime spaces demarcation of other EU Member States.

The question of the establishment of maritime spaces is almost as pertinent as the old unresolved land border issues between EU states. However, for maritime spaces, the resolution of boundaries goes beyond the bilateral (or trilateral) relationship. In this case, the UNCLOS, and the States-Parties[19] to this Convention, shall supranationally regulate the matter, and the States parties to the Convention shall adopt the principles of the Convention.

Let's consider now the exercise of including the maritime component of the Member States of the European Union in the territorial area of Europe 27 + 1. Considering the sum of the territories of the states of the European Union, where clearly some geographically most favored countries have considerable maritime space dominance, then the spatial and territorial outcome of the European Union is necessarily widened to the west (Figures 2 and 3). This type of enlargement, unlike the inclusive or integrative enlargement that was described in the previous point, is nonetheless of added importance for the European Union, as it is a broader geographical area of access to living and non-living resources in the marine biosphere.

FIGURE 2: EUROPEAN UNION 27 + 1 CONSIDERING THE MARITIME SPACES OF ALL STATES. THIS FIGURE ONLY CONSIDERS THE TERRITORIAL SEA AND THE EXCLUSIVE ECONOMIC ZONE.



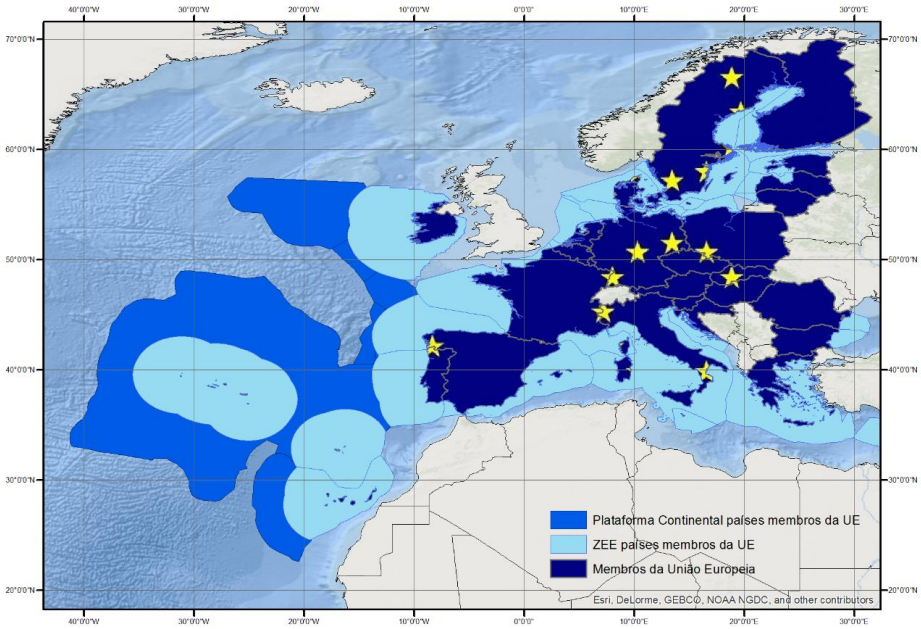
Source: Self-elaboration using ArcGIS and public domain data.

[17] As previously described, these maritime spaces as well as the territorial components

[18] In the form of a large-scale Nautical Chart or coordinate lists describing maritime spaces.

[19] Group of States that have ratified the United Nations Convention on the Law of the Sea.

FIGURE 3: EUROPEAN UNION 27+1 CONSIDERING MEMBER STATES' MARITIME SPACES AND AREAS OF PROPOSED CONTINENTAL SHELF EXTENSION BEYOND 200 NAUTICAL MILES, SUBMITTED TO THE CONTINENTAL SHELF LIMITS COMMISSION. THE LIMITS OF THE CONTINENTAL SHELF OF IRELAND ARE ALREADY FINAL.



Source: Self-elaboration using ArcGIS and public domain data.

4. EUROPEAN UNION IN THE LIGHT OF UNCLOS - ONE VOICE AND TWO PERSPECTIVES

4.1. The European Union of UNCLOS

The 27+1 member states that currently make up the European Union are simultaneously States Parties to the UNCLOS. As noted, the European Union[20] itself is a State Party to UNCLOS, although with special characteristics. It makes no sense for the EU to apply the provisions of UNCLOS as they are directly enforced by EU Member States. For example, it makes no sense for the European Union to delimit the Territorial Sea or EEZ in the light of UNCLOS because these spaces are resolved at a national level. Similarly, the "European Union State" does not prepare any continental shelf extension project to the CLCS, as it is also a matter for the sovereignty of the member states of the Union. It should be noted that, within the framework of the UNCLOS, the European Union states are geographically distributed among three regional groups[21], which also mirrors the shape of a post-World War II Europe.

4.2. The opposing views within the EU - Continental Shelf

The issue of the extension of the Continental Shelf, in the light of Article 76 UNCLOS, is viewed within the EU from two different points of view. These reflect to some extent Charles de Gaulle's contradictory view of the late 1950s - an European Europe vs. an Europe of States, that is, a united Europe, on the one hand, or a set of sovereignty states, on the other. In the issue of continental shelf extension, by applying the UNCLOS, we have, on the one hand, a group of geographically favored countries to develop extension projects of their Continental Platforms beyond 200 nautical miles, designated by Atlantic Arc countries[22] (Figure 4) and, on the other, the geographically disadvantaged to claim such maritime space.

Within the extension of the Continental Shelf issue, the Atlantic Arc States have common interests - the exclusive right of sovereignty over living and non-living resources in the continental shelf's soil

[20] The European Union was the 124th "State" to ratify UNCLOS on April 1, 1998.

[21] (1) Western European and Others Group - WEOG (where Portugal is located), (2) Eastern European Group, (3) Asia-Pacific Group.

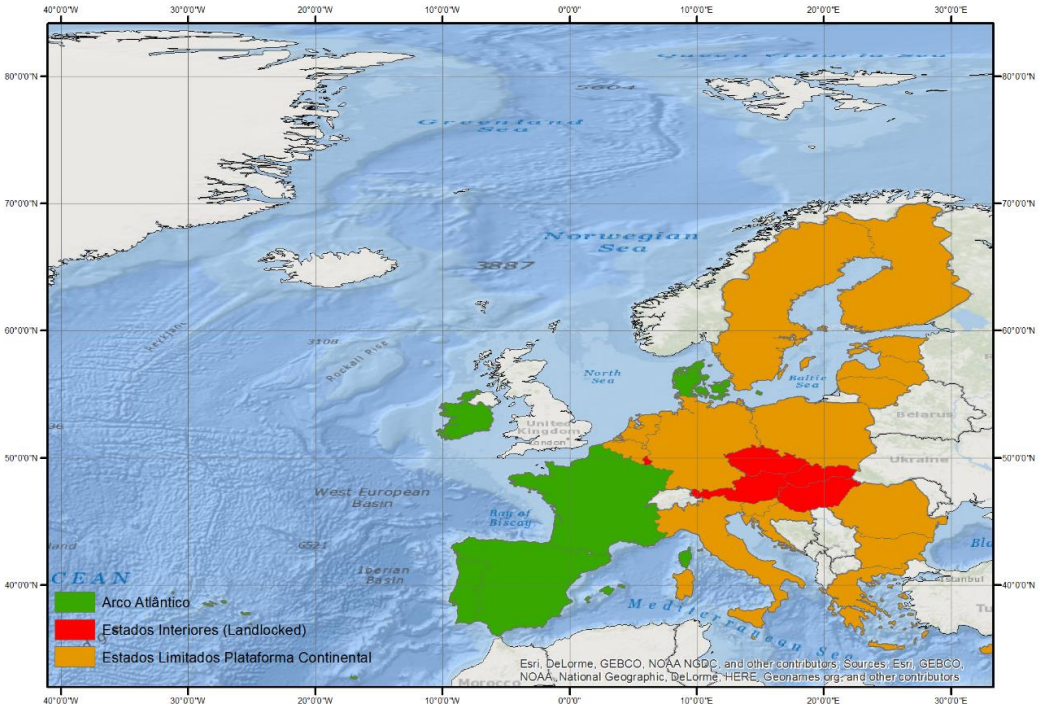
[22] Portugal, Spain, France, the United Kingdom and Ireland. To these countries, and for the purpose of this exercise, is added Denmark (Faroe Islands).

and subsoil. The understanding of these States is that, based on Article 77[23] of the UNCLOS, all "territory" that is recognized through the recommendations of the CLCS is under the exclusive sovereignty of the coastal State that carries out the extension process. In contrast, this "conquest" will subtract space from the Area[24] (soil and subsoil that lies beyond the boundaries of the Continental Platforms, extended or not, and which is also termed as Common Heritage of Humanity[25]). But the European Union has also another set of states that do not have an appropriate geographical situation for the application of the provisions of Article 76 of the UNCLOS. In other words, these States cannot extend their Continental Platforms by geographical limitation, either because they have no coastline or because they are geographically disadvantaged (Figure 4).

It is generally understood by States without an extended continental shelf that the most favorable alternative for their access to seabed resources beyond 200 miles is achieved through exploration in the Area, by concession from the International Seabed Authority[26].

The conflict of interest between states with and without extended continental shelf, therefore, is in the access to the resources of the soil and marine subsoil. Although they are all (sovereign) states of the same Union, those that are geographically disadvantaged "lose" potential exploration area by extending continental shelves. That is, the larger the total extension area of the extended Continental Platforms, the smaller will be the "available" space of the Area - the privileged domain to explore for the geographically disadvantaged states.

FIGURE 4: MEMBER STATES OF THE EUROPEAN UNION WITH DIFFERENT GEOGRAPHICAL POSITIONING. IN GREEN ARE IDENTIFIED THE ATLANTIC ARC STATES THAT ARE GEOGRAPHICALLY FAVORED TO EXTEND THE CONTINENTAL SHELF BEYOND 200 NAUTICAL MILES UNDER THE UN CONVENTION ON THE LAW OF THE SEA. IN YELLOW ARE IDENTIFIED COASTAL STATES, THAT NATURALLY HAVE ACCESS TO THE SEA, BUT THEIR GEOGRAPHICAL CONTEXT DOES NOT ALLOW THE DEVELOPMENT OF EXTENDED CONTINENTAL SHELF. IN RED, INLAND STATES THAT DO NOT HAVE DIRECT ACCESS TO THE SEA.



Source: Self-elaboration using ArcGIS and public domain data.

23 Coastal State Rights on the Continental Shelf.

24 Part XI of the United Nations Convention on the Law of the Sea.

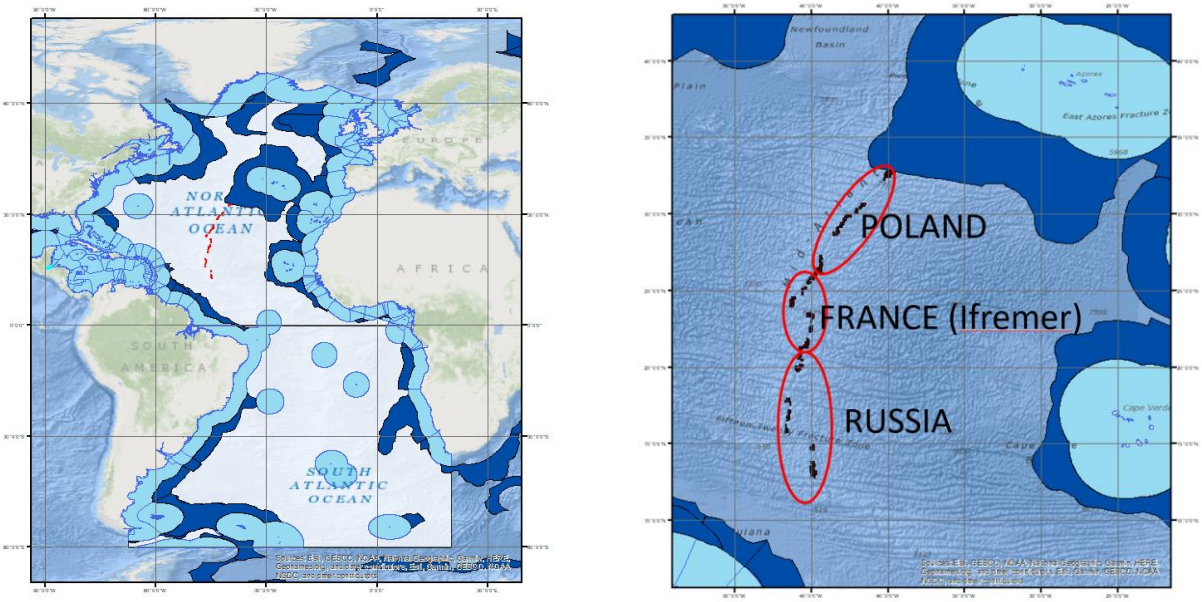
25 See Article 136 of the United Nations Convention on the Law of the Sea.

26 Article 140 1. UNCLOS - Activities in the Area shall, as specifically provided for in this Part, be carried out for the benefit of mankind as a whole, irrespective of the geographical location of States, whether coastal or land-locked, and taking into particular consideration the interests and needs of developing States and of peoples who have not attained full independence or other self-governing status recognized by the United Nations in accordance with General Assembly resolution 1514 (XV) and other relevant General Assembly resolutions.

5. The future challenges of the European Sea

After analyzing the non-linear complexity between the various EU Member States, as far as the sea is concerned, one can add other factors that will certainly be new challenges within the European Union and which will lead to a new formula for geopolitical rebalancing. A first fact is the current Brexit process. As a key country in the Atlantic Arc countries as a whole, the departure of the United Kingdom from the European Union could weaken the joint position of the traditionally Atlantic countries. No less important challenge brings us to the concession of new areas granted by the Seabed Authority for the exploration and exploitation of underwater resources in the Atlantic. In Figure 5 one can observe some of the areas already assigned, where non-traditional actors in the region, some from continental Europe (Poland), others from Atlantic Europe (France), open a new perspective for an enlargement to the south of the European Sea.

Figure 5: The new exploration areas assigned in the Mid Atlantic Ridge by the International Seabed Authority (https://www.isa.org.jm/maps).



Source: Self-elaboration using ArcGIS and public domain data.

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Awaiting new borders: unsettled maritime boundaries and contemporary maritime disputes in the Adriatic Sea

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ABSTRACT

The paper focuses on the Adriatic Sea unsolved maritime disputes. The Adriatic region consists of a semi-enclosed sea, surrounded by EU member states and candidates for Union membership. Maritime disputes have the potential to impact the political and economic balance of the region, influencing or impeding transnational cooperation.

The dimensions of maritime disagreements in the eastern Adriatic Sea are explored, considering its unique geographical, historical, and contemporary political contexts. The main drivers of these disputes are border discrepancies, inherited from the dissolution of former Yugoslavia, and current sea extraction activities.

The role of nationalism and seabed resource-seeking are addressed through an online survey launched to maritime and political experts. Results show that the rhetoric of national identity, rather than the search for offshore living and non-living resources, are perceived as playing the main role in maritime territorial disputes. Respondents also think that these disputes do not have a fundamental impact on the EU integration process.

Keywords: Maritime Disputes; Maritime Borders; Adriatic Sea; Balkans; European Union.
JEL classification: F02, F05, F15.

1. INTRODUCTION: MARITIME DISPUTES IN THE ADRIATIC SEA

The eastern Adriatic Sea spans a territory recently prone to conflict and socio-political division, which defined the pattern of development in the region and its process of integration into the EU. This semi-enclosed sea, as defined by the United Nations Convention on the Law of the Sea (UNCLOS), has

limited water exchanges with the Mediterranean and the Atlantic Ocean. It is characterised by a highly polluted marine environment, due to intense tourism activity, overfishing and coastal degradation. The Basin has also been a site of oil and gas extraction activities for several decades.

This paper focus on significant cases of presently unsolved maritime disputes, alongside a theoretical framework developed by Elizabeth Nyman and Meghan Kleinsteiber. A brief historical excursus will provide a context for understanding the current lack of political agreement on maritime boundaries, which often finds roots in a complicated past of balkanisation, characterised by nationalist tensions and a geographical expression of territorial disagreements.

After a description of the observed maritime disputes and their recent evolution, the last section of the paper presents the results of an online survey, carried out among the maritime region academics and political stakeholders.

Maritime disputes are frequent in Europe and involve numerous countries, not only on the shores of the Adriatic and Ionian Seas, but also in the Mediterranean, Black and Baltic Seas, and in the Atlantic and Arctic Oceans. This article expects to contribute to the EU maritime conflicts and maritime border disputes analysis, providing useful indications for an improved application of the EU Integrated Maritime Policy (IMP).

In effect, there is a gap in the literature regarding this issue. The analysis of maritime disputes is an understudied field, important for understanding the obstacles that challenge regional cooperation.

Improved teamwork among the countries of the Adriatic Sea is a key factor, not only for a progressive EU integration process, but also for the sustainability of a basin which is already under stress, as largely recognised by the scientific community. The importance of cooperation is also emphasised by the Article 123 of UNCLOS, according to which, “States bordering an enclosed or semi-enclosed sea should cooperate with each other in the exercise of their rights and in the performance of their duties under this Convention”.

2. DRIVERS OF THE MARITIME DISPUTES: NATURAL RESOURCE-SEEKING OR NATIONALISM?

Drivers of maritime disputes have different origins and modes of evolution. They can originate from boundary disagreements on land, from where the border of the maritime frontier begins. In other cases, they are also related to domestic politics, or to the desire of states to pursue the use of offshore living and non-living resources (energy and biological, in particular), through the extension of natural elements’ sovereignty.

Studying the reasons behind the maritime claims in the East and South China Seas, Nyman and Kleinsteiber developed two different approaches to this issue.

Nyman (2013) argues that the search for natural resources is the main driver behind maritime conflicts. Focusing on Japan and China’s disputes over the Senkaku/Diaoyu Islands, in the East China Sea, the author claims that the desire for extending regional sovereignty on the Sea seeks to access resources that the new territory makes available. Moreover, Nyman (2015) finds a correlation between oil price and the likelihood of conflicts, taking into consideration the dynamics of the USA offshore oil extraction and the Exclusive Economic Zone extension in the early 1940s and 1950s. So, according to her view, the fluctuation of offshore natural resources’ prices are a predictor of maritime claims and militarised disputes.

A different view was developed by Kleinsteiber (2013), who argues that the fundamental drivers behind maritime disputes arise from domestic politics, rising nationalism, and irredentism. Analysing the maritime conflicts in the East and South China Seas, Kleinsteiber (2013) finds that rising nationalism (through domestic political manipulation), and the use of a narrative of irredentism and historical animosities are key factors for the re-emergence of aggressive actions. According to her view, nationalism has the potential to exacerbate the evolution of maritime disputes, due to the impossibility of separating them from national identity.

Both views are important in the analysis of the factors that catalyse maritime disputes in the eastern Adriatic Sea, given that the region’s past is characterised by nationalist tensions, that reappeared in contemporary times, as well as by oil and gas reserves.

3. NATIONALISM AND BORDERS AFTER YUGOSLAVIA. FROM LAND TO THE SEA

Maritime disputes in the Adriatic region cannot be fully understood without considering the recent history of the former Yugoslavia. Yugoslavia came into existence after 1918, under the name of the 'Kingdom of Serbs, Croats and Slovenes', later changed to 'Yugoslavia' in 1929, and lastly to 'Socialist Federal Republic of Yugoslavia' (SFRY) in 1942.

The main objectives of Marechal Josip Broz Tito, who served as Prime Minister (1944-1963) and later President for life (1953-1980), was to unite all six republics into one union, drawing the regional borders along ethnic and historical lines. The states that made up Yugoslavia shared different cultures, languages and religions, and the management of the union was complex. Tito was aware that keeping the country together and united was a difficult task: an iron fist approach was adopted.

After Tito's death in the 1980s, regional differences violently re-emerged. In the late 1980s, tensions between ethnicities and denominations exploded, especially under the mandate of Slobodan Milosevic, when nationalism was often used as a political weapon with tragic consequences (Finlan, 2004). Calls for regional nationalism became widespread in the Eastern Balkans, leading to the dissolution of the Federal Republic of Yugoslavia, in 1990. This decade completely shaped the region, leading to conflicts and wars between the newly proclaimed states.

The borders' issue became fundamental in the redefinition of the seven new sovereign countries, following the disintegration of Yugoslavia. Today's borders were defined at the International Conference on the Former Yugoslavia, in 1992. The Conference applied the principle of uti possidetis – "the boundaries between Croatia and Serbia, between Bosnia and Herzegovina and Serbia, and possibly other adjacent independent states may be altered except by agreement freely arrived at." "Except where otherwise agreed, the former boundaries (of socialist republics) became frontiers protected by international law." (Gosar, 2010).

Despite these efforts, border disputes continued, turning frontier delimitations into a complex procedure, underwritten by national identity and inter-entity borders. An example is illustrated by the 1995 Dayton Agreement on Bosnia and Herzegovina and the border separating the Croat-Bosnians and the Serbs. According to Gosar (2013), the borderlines established by the US, using GPS measurements, have produced 672 cases of non-compliance with physical or cultural reality on the grounds.

Almost after three decades from Yugoslavia dissolution, border issues are still subject to international political arbitration processes, impacting daily life such as the visa regime (in the case of Kosovo) or the use of the sea and maritime heritage. Croatia has disagreements with Bosnia and Herzegovina, Montenegro, Serbia and Slovenia over the placement of borders. Serbia has border disputes with Croatia regarding the frontier along the Drina river with Bosnia and Herzegovina, as well as over its borders with Croatia and Bosnia; and Kosovo nation-state status is not acknowledged by Serbia.

As sovereignty on the sea has a strong relationship with sovereignty on land, territorial border issues assume a maritime dimension. Generally, a maritime boundary and the identification of the edge of international waters is delineated at distance from a jurisdiction's coastline. During the time of the Social Federal Republic of Yugoslavia (SFRY), administrative maritime boundaries between its federal republics were never formally established. At the moment of independence, it was unclear which exercised de facto jurisdiction over a portion of the "federal territorial sea". Even if the problem was regulated by the principle that "each coastal Republic exercised jurisdiction over the waters in front of its coasts", claims are still made by each former Yugoslav Republic against their neighbours (Caligiuri, 2016).

Even if most of the disputes have been put on hold or, at least in some cases, entered a phase of bilateral negotiations during the EU access negotiations, their presence burdens cross-border cooperation.

4. GAS AND OIL EXTRACTION INDUSTRIES IN THE EASTERN ADRIATIC SEA

The Adriatic Sea has proven hydrocarbon reserves (both onshore and offshore), representing about 6.5% of the entire European continent[27], with proven gas reserves accounting for about 2.1% of the total. The Adriatic and Ionian Sea basins also represent the second area for offshore hydrocarbon

[27] EU member states plus Norway.

installations in Europe (Prontera, 2015). In the Adriatic Sea, offshore production is taking place mainly in Italy and Croatia (Table 1).

Offshore oil and gas extraction activities in the region began in the 1960s, with Italy and Yugoslavia signing bilateral agreements to define each state's continental shelf, a regime then "inherited" by independent Croatia, Montenegro, and Slovenia. In 2005, and later in 2009 and 2013, Italy and Croatia signed further agreements to determine the individual and joint areas of exploitation of these gas fields. A large part of the region' continental shelf has not yet been explored, but according to recent plans formulated by the governments of the EU Adriatic members (Croatia and Greece) and non-EU members (Montenegro and Albania), offshore activities in the Adriatic and Ionian Seas are expected to increase (Prontera, 2015).

TABLE 1: RESERVES OF OIL AND GAS BY COUNTRY

Country	Oil (Bb)	Gas (Tcf)
Italy	0.52	2.20
Croatia	0.07	0.88
Greece	0.01	0.04
Albania	0.17	0.03
Montenegro	0	0
Slovenia	0	0
Tot. Adriatic-Ionian region	0.77	3.15
Tot. EU (+Norway)	12	146
%AI/EU(+Norway)	6.4%	2.1%

Source: US Energy Information Administration (2013).

5. CURRENT DISPUTES

This section briefly describes the characteristics features and evolution of the major unsolved maritime disputes in the Adriatic Sea.

5.1 Slovenia and Croatia

The maritime disputes between Slovenia and Croatia rotate around the Bay of Piran' demarcation and the consequent definition of the use of relevant marine areas, which include fishing rights and access to the high seas.

Slovenia claims sovereignty over the whole bay, arguing that it has historically belonged to the Piran municipality and that population' density on the Slovenian side of the bay legitimates Slovenian control. Slovenia invokes the Art.12 of the 1958 Convention, which provides its access to open sea (international waters), stating that the lines claimed by Croatia would hinder its economy (fishing and tourism) and would not enable free passage towards Kope, the sole Slovenian maritime harbour.

Croatia demands that the maritime border in the Piran Bay should be drawn according to the principle of equidistance, invoking Article 15 of the 1982 UNCLOS.

Part of the dispute around the demarcation of Piran Bay originates on land, from the disagreed boundary line in the lower Dragonja River valley, due to cadastral discrepancies; this line reaches the sea, constituting the starting point of the maritime frontier. In this valley, four villages have contentious status as both Croatia and Slovenia claim sovereignty; the overlapping of land-registry books and the Slovenian population inhabiting the villages that should belong to Croatia, according to the Drnovšek-Račan agreement, characterise the situation (Avbelj and Letnar Cernic, 2007).

Slovenia joined the EU in 2004, while Croatia's request was advanced in 2009. Due to the border disagreement, Slovenia lifted a veto on Croatia's accession to the Union. Croatia agreed to a bilateral agreement, to guarantee its EU accession, accepting Slovenia requests.

Nonetheless, after Croatia accession in 2013, the problems in the Bay of Piran resurfaced. Two years after joining the EU, Croatia abandoned the arbitration process and came back to the old position of not recognising Slovenia conditions.

This unsolved situation is problematic within the EU, as the territorial integrity of every Member State, as well as the acknowledgment of the legitimacy and inviolability of the existing borders, are necessary conditions for membership. The disagreement generates an unstable landscape, as well as an obstacle to cooperation, a widely recognised condition for the creation of synergies to sustainable development as mentioned by the EU Integrated Maritime Policy.

5.2 Croatia and Bosnia

The Adriatic Sea borders Bosnia and Herzegovina. with a shore of only 20 km, which interrupts the continuity of the Croatian coastline, making the southern part of Croatia an enclave disconnected from the EU – and from the Schengen Area.

The dispute is related to the fact that Bosnia's territorial sea is surrounded by Croatian internal waters, meaning that by passing from one side of Croatia to the other, it is necessary to exit the Croatian border, enter Bosnian territory, and finally re-enter Croatia.

Even though police checks are carried out rapidly, it does create various delays on the borders, especially in the touristic summer season. It also affects transports and the logistics chains.

Croatia's irredentist aspirations resulted in the building of a bridge that intends to connect the mainland with the enclave. The project was rejected by Bosnia and Herzegovina, who considers the bridge as a further obstacle for its access to international waters and for building a port.

Following the request of Sarajevo to build a 55-metre-high bridge to ensure free passage of all types of ships underneath (including cruise vessels), Croatia started the construction of the Pelješac Bridge (with EU funds and China contractors), intended for completion in 2022. The political fragility of the bridge is the core of the dispute, given that its opponents argue that the bridge could not be approved before the two countries regulate their border issues.

5.3 Croatia and Montenegro

The maritime dispute involving Croatia and Montenegro is centred in the Prevlaka Peninsula. The Peninsula is 2.5 km long and its land border delimitates the Bay of Kotor – a desirable and easily defensible natural harbour, with waters 45m deep (Blake and Topalovi, 1996)

This dispute originates back to the Federal Republic of Yugoslavia, when the main base for the Yugoslav Navy was in the Bay of Kotor, its north guarded by the Prevlaka peninsula. As the Bay of Kotor was considered to have a strategic position for controlling sea routes in the southern region of the Adriatic Sea, Yugoslavia manifested interest to keep control over the Prevlaka peninsula, ensuring security to its Navy.

In 1991-92, the Croatian city of Dubrovnik, relatively close to the peninsula, was attacked by the Yugoslav army, both by sea and land. Consequently, any manoeuvre by the Yugoslav navy in the Bay of Kotor was seen with considerable suspicion by Zagreb. After the conflict, Prevlaka was placed under the control of the United Nations, but Croatia insisted on keeping the peninsula on its territory.

In 2002, Croatia and the former Federal Republic of Yugoslavia (Serbia and Montenegro) signed a protocol on a temporary border regime, declaring the sea bay of Prevlanka facing Herceg Novi as "no-men's" waters.

After Montenegro's independence in 2006, a commission to settle a border was created, with the idea of bringing the legal case in front of the International Court of Justice. However, disagreements have recently re-emerged, as Croatia has issued a tender for oil and gas exploration in Prevlaka, without Montenegro's approval. Montenegro's Ministry of Foreign Affairs has officially filed a complaint against Croatia – forcing Austrian and US oil companies interested in exploitation to back up.

6. Dimensions of the Adriatic maritime dispute

From the analysis of the features and evolution of maritime disputes, it emerges that both drivers identified by Nyman and Kleinsteiber – nationalism and resource seeking - seem to be active forces in the dynamics of Eastern Adriatic Sea.

Unsettled boundaries on land provoke discrepancies about where the maritime frontiers should be drawn, which generate disputes over water areas and the right to use their maritime territories. Moreover, the lack of agreed border-lines on land has an indirect influence on the maritime borders negotiations: when states consider border settlements as a unique matter, territorial concessions on land and on the sea are treated according to the same arbitration.

In that sense, considering the past of the ethno-nationalist conflict experienced by the region and the consequent territorial ambiguities that crystallised on land, the unsolved maritime disputes on the eastern Adriatic can be considered sensitive to nationalism. State apparatus, territory, and population become packaged together, making it difficult to separate them as independent political categories. During the Vienna Economic Forum, in 2015, most leaders from the Western Balkans brought up nationalism as a possible menace to the stability of the region, as well as to the EU and NATO accessions.

Resource seeking is also acting as a dispute driver. This is particularly visible in the case of Croatia, where the concession of oil and gas' exploration licenses in disputed waters generated an immediate rejection by Montenegro, becoming a matter of direct confrontation. This is also true in the case of the Slovenia-Croatia dispute in fishing.

The process of European integration acts as a further impact factor on maritime disputes. At the time of this research, the States stand in different positions regarding the EU: Slovenia is a EU and Schengen member state; Croatia is a EU member state, candidate to Schengen; Montenegro is implementing internal reforms in order to formalise EU access; and Bosnia and Herzegovina remains a potential candidate country.

These different positions in relation to the EU have been used in the disputes as a dissuasive pressure, promoting solutions over others that impact bilateral relationships.

7. Local perceptions: a survey with experts and stakeholders

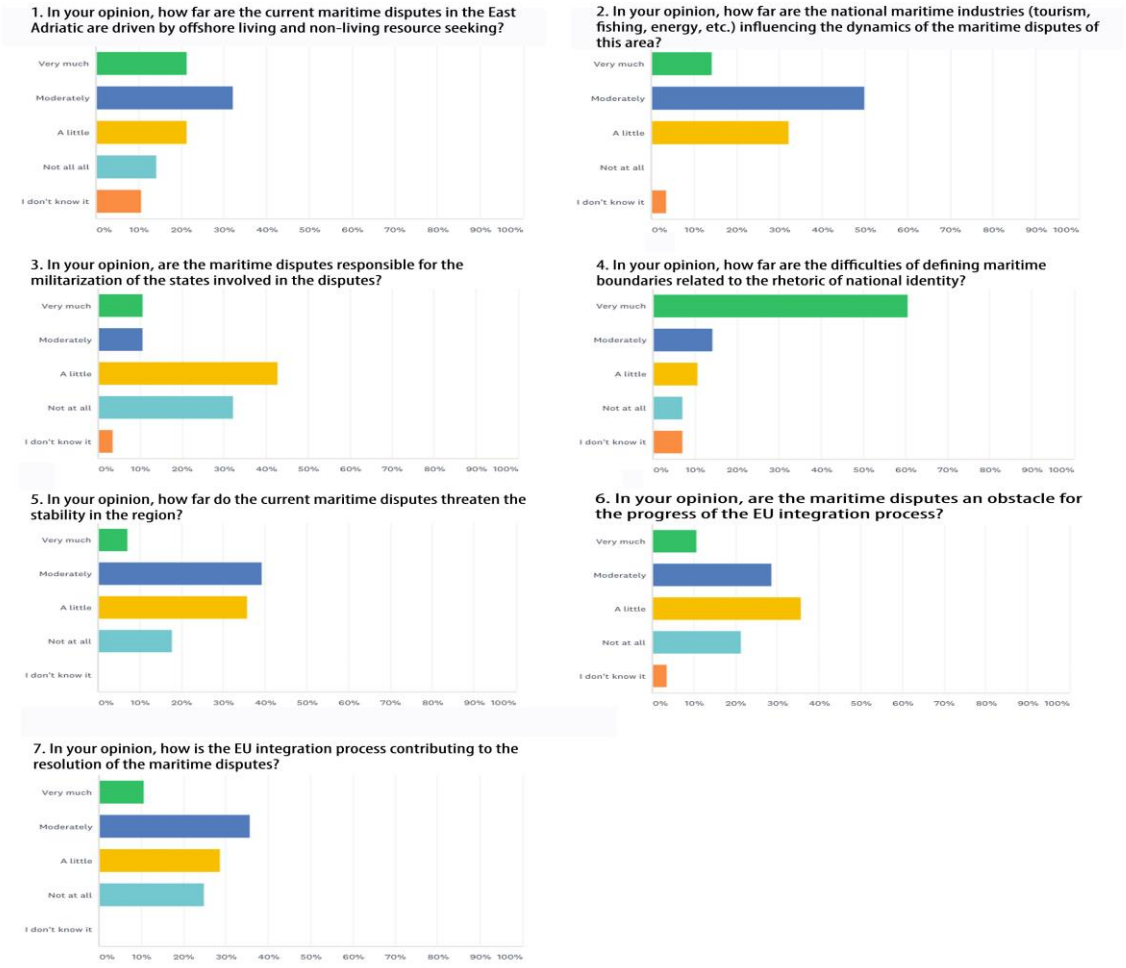
To obtain more clues about these maritime disputes, a brief online survey was launched with local experts and stakeholders.

A 90-subjects sample of convenience (from Slovenia, Croatia, Bosnia and Herzegovina and Montenegro) was designed. It mainly included: region' academics that authored publications on maritime political and environmental issues; and public bodies stakeholders (in particular, from the Ministries of Maritime Affairs, Defence and Transports and from coastal municipalities in the different countries involved).

The survey was conducted anonymously, using a digital platform. It included seven closed questions, focusing on the dispute's drivers and their impacts on regional dynamics, on the equilibrium among the involved states and the process of European integration.

Within a timespan of four weeks, 28 respondents completed the questionnaire. Following, the questions and results are reported:

FIGURE 1: RESULTS OF STAKEHOLDER SURVEYS



Source: Self-elaboration

The most agreed-to question in the survey was question 4 – among the surveyed there was a solid consensus that nationalism plays a major role in the Eastern Adriatic maritime disputes. However, according to those surveyed, there is no clear connection between nationalism and political or military consequences in the region – the majority of respondents consider that maritime disputes are only moderately threatening the stability of the region, therefore not giving rise to the "militarisation of the sea".

The seeking for living and non-living resources is perceived as a moderate driver of the maritime disputes by over a third of respondents (32%). A large majority (50%) believe that national maritime industries are moderately influencing the dynamics of the maritime disputes on this area. Concerning this issue, it is worth mentioning Nyman (2014), according to whom public concern about the impact of natural resources-seeking on maritime disputes can change over time, according to natural resources prices' variation.

The survey' two last questions aimed to obtain a clue on the interaction perception between disputes and the European integration process.

From the responses, it emerged that the majority considers that maritime disputes hold moderate potential to be an obstacle for the EU integration process. However, the EU is perceived as contributing little to the disputes' resolution.

Regarding this issue, it is worth mentioning that the Adriatic maritime disputes have been subject to the Law, under the International Court of Justice. The European Commission has already mediated in the past, as in the case of the Slovenia-Croatia dispute, where it established a three-member committee.

8. CONCLUSIONS

Painting a picture of the major disputes in the region of the eastern Adriatic Sea and engaging with previous research has revealed contrasting results about the origins and catalysts of contemporary maritime conflicts. The focus on nationalism and maritime natural resources-seeking as the main causes of transboundary water disputes in the region was confronted with the results of an online survey launched to regional maritime experts and stakeholders, concerning the drivers and consequences of the disputes.

Across the Balkans coastal countries, where some unsolved border issues on land are influencing the delimitation of their waters, nationalism is an active force, with capacity for impacting the dynamics of maritime disputes. Here, the territorialisation of water works as a geopolitical force, upholding the national ambitions of nation states. The relevance of nationalism as a role player in the disputes was also acknowledged by the regional maritime experts and stakeholders that took part in the survey.

In some of the observed cases, the overlapping conflicts over maritime zones are caused by the intended appropriation of living and non-living resources in the sea. In these cases, disputed lines are an expression of a desire for an exclusive volumetric sovereignty on the sea. Hence, the intention of carrying out exploration and extraction becomes a political trigger that holds potential for awakening previously frozen maritime disputes. This capacity is perceived by the survey' respondents as a moderate power. However, this opinion can fluctuate according to the natural resources' prices which introduces further insecurity for the future.

Finally, the interaction between these maritime disputes' dynamics and the ongoing EU integration process is an interesting and understudied subject. Considering the different status between the countries involved, these sea disagreements have a clear relation with the EU integration process. Further research needs to be done regarding this issue, in order to understand how the experience of regional maritime cooperation promoted by the EU (such as the EU Strategy for the Adriatic-Ionian Region - EUSAIR) can contribute to overcome these disputes; in particular, how a system for shared resources can help put an end to long and complicated negotiations aimed to establish new and anachronic borders.

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Da relevância do Mar na Política Orçamental Portuguesa

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RESUMO

O presente artigo examina a relevância que tem sido atribuída ao Mar, ao longo dos últimos anos, nos sucessivos Orçamentos de Estado em Portugal.

Os sectores analisados são a Marinha, as Pescas e os Portos/Transportes Marítimos.

No passado recente, o esforço orçamental tem sido marginal. As despesas de investimento aumentaram apenas no sector dos Portos/ Transportes Marítimos. Pelo contrário, os investimentos na Marinha, um sector de interesse estratégico para o País, continuaram a ser muito insuficientes. Conclui-se pois, que o Mar não tem sido uma prioridade para a política pública portuguesa.

Palavras-chave: Maritime Disputes; Maritime Borders; Adriatic Sea; Balkans; European Union.
Classificção JEL: H, H50, H89.

1. DA INTRODUÇÃO

Tem sido dito e redito que o Oceano Atlântico é o segundo maior do Mundo, o mais relevante do ponto de vista comercial – já que liga as duas regiões mais desenvolvidas, no contexto internacional – e, inclusive, em termos de reservas conhecidas de combustíveis fósseis.

Vários foram os autores, incluindo o do presente artigo, que procuraram sublinhar a relevância estratégica do Atlântico, constituindo um bom exemplo das análises levadas a cabo sobre essa temática o livro intitulado "O Mar no Futuro de Portugal – Ciência e Visão Estratégica", editado pelo Centro de Estudos Estratégicos do Atlântico, em 2014.

Conforme já referi em artigo anterior[28], o Oceano Atlântico resultou da divisão dos Continentes Africano e da América do Sul, "compreendendo diversas regiões, desde o Oceano Glacial Ártico ao Mar do Norte, ao Mar Báltico, ao Mar da Mancha, ao Mar da Irlanda, à Baía de Hudson, ao Mar da Noruega e ao próprio Mar Negro".

Enquanto o Atlântico Norte liga a América do Norte à Europa, o Atlântico Sul liga a América Latina à Costa Ocidental Africana, a qual integra regiões com grandes potencialidades económicas, com destaque para o que se convencionou designar de Golfo da Guiné.

O Oceano Atlântico é o que apresenta a maior reserva petrolífera (conhecida), sendo, ainda, de considerar os efeitos da ampliação do canal do Panamá, os problemas com que se defrontam as cidades banhadas pelo Atlântico Norte e as características mais significativas apresentadas pelas Bacias ligadas ou integradas no eco-sistema do Atlântico.

[28] SOUSA, António Rebelo de – "A relevância geoeconómica do Atlântico para Portugal" in "O Mar no Futuro de Portugal – Ciência e Visão Estratégica", Centro de Estudos Estratégicos do Atlântico", 2014, pags 183 a 194.

No sobredito artigo, procurei analisar os cenários alternativos de evolução da economia mundial, tendo concluído que se tende a evoluir para um sistema de poderes arquipelágico, com dominância do Atlântico Norte e bem assim de um paradigma económico-político-cultural de tipo Ocidental.

Por outro lado, se é verdade que, num horizonte temporal de trinta anos, o Atlântico Norte continuará a ser dominante em termos de desenvolvimento económico, a nível mundial, também não se apresenta menos verdade que se revestirá da maior relevância para Portugal, não apenas graças à extensão da plataforma continental portuguesa (que poderá vir a corresponder a 82% da área territorial de todos os países da U.E.), como também pela existência de possibilidades de cooperação com outros países da CPLP – Comunidade dos Países de Língua Portuguesa (com destaque para Cabo Verde e São Tomé e Princípe), fazendo sentido desenvolver uma verdadeira parceria com os EUA, a qual poderá contribuir para incrementar a capacidade negocial do nosso país em diferentes contextos.

2. DO OBJECTIVO

O presente artigo pretende estudar um aspecto muito particular, o qual consiste na relevância que se tem vindo a atribuir ao Mar no Orçamento de Estado Português, no decurso dos últimos anos.

Trata-se de uma análise que se pretende original, comportando três áreas distintas, a saber, a da Marinha, a da Pesca e a dos Transportes Marítimos[29].

A área da Marinha abarca a defesa nacional, a fiscalização e as operações de salvamento, compreendendo actividades ligadas directamente à Soberania Nacional.

A área da Pesca compreende, por sua vez, as despesas relacionadas com a actividade da pesca e dos meios aquáticos, nomeadamente com[30:]

- funcionamento dos organismos que apoiam e coordenam directamente as actividades de pesca;
- os subsídios ao desenvolvimento, à modernização e redimensionamento da frota pesqueira;
- a formação profissional dos pescadores;
- a racionalização, o repovoamento, a protecção e a preservação dos pesqueiros[31];
- os programas de apoio financeiro ao desenvolvimento (equipamento da actividade da pesca);
- a construção, modernização e conservação de estruturas portuárias específicas para a actividade da pesca;
- a fiscalização da actividade da pesca e o repovoamento piscícola nas águas interiores.

A área dos Transportes Marítimos corresponde às despesas com:

- funcionamento dos organismos que apoiam e coordenam a actividade em causa;
- a construção, modernização, beneficiação e conservação de estruturas portuárias, vias navegáveis artificiais e de outras instalações portuárias[32];
- a dragagem de rios e de canais;
- auxílio e segurança à navegação (como, por exemplo, os faróis, bóias e outros meios de sinalização);
- apoio financeiro à modernização e desenvolvimento da marinha de comércio, nomeadamente, para renovação das suas frotas;
- os subsídios a empresas que englobam transportes públicos e compensações financeiras, a título de indemnização pela prestação de serviços públicos.

[29] Tem-se em linha de conta o novo esquema de classificação funcional das despesas públicas, estabelecido pelo Decreto-Lei nº 144/94 de 24 de Junho

[30] Excluem-se as despesas com a Escola Náutica Infante D. Henrique.

[31] Entende-se por pesqueiro todo o lugar que possibilite a pesca (mares, rios, lagos e até, porventura, as represas).

[32] Quando estas estruturas se destinam especificamente à actividade da pesca, as despesas devem ser imputadas à subjunção 3.1.6. PESCA.

Importa, agora, analisar as dotações de despesa orçamental associadas às rúbricas de classificação funcional "Defesa Nacional" (Marinha), "Pesca" e "Transportes Marítimos e Fluviais".

3. DAS DOTAÇÕES ORÇAMENTAIS ASSOCIADAS ÀS TRÊS ÀREAS

Se considerarmos as dotações de despesa orçamental associadas às rúbricas de classificação funcional "Defesa Nacional" (Marinha), "Pesca" e "Transportes Marítimos e Fluviais", excluindo as transferências intrassectoriais (2004 a 2018), chegamos à conclusão de que a área da Marinha é, de longe, a mais relevante, mas que os montantes envolvidos se apresentam baixos, correspondendo a uma percentagem reduzida das despesas orçamentais (vide Quadro em anexo).

Não se entrando em linha de conta com o ano atípico de 2011[33], as despesas na área da marinha oscilaram entre os 423 milhões de euros, em 2007, e os 580 milhões de euros, em 2010, sendo, ainda, certo que as despesas globais com as três áreas oscilaram entre os 617 milhões de euros e os 742 milhões de euros[34].

Convirá, agora, analisar a evolução do peso relativo das diferentes áreas na despesa ligada ao mar, procurando-se, entretanto, atender às oscilações ocorridas entre 2004 e 2018 (sendo que o montante correspondente a este último ano corresponde a uma estimativa).

Assim, o peso relativo da área da Marinha no conjunto da despesa ligada ao Mar oscilou entre um valor mínimo de 67%, em 2008, e um valor máximo de 91%, em 2011, enquanto que o peso relativo da área da pesca oscilou entre 5,5%, em 2011, e 21%, em 2016.

Já o peso relativo da área do Transporte Marítimo flutuou entre os 4%, em 2011, e os 20%, em 2006 e em 2007.

Um outro aspecto importante a considerar consiste na análise do peso relativo das despesas com o pessoal na despesa total, por áreas.

Enquanto que o peso relativo das despesas com o pessoal se apresenta elevado na área da Marinha, oscilando entre o valor mínimo de 58,9%, em 2008, e o valor máximo de 70%, em 2012, já na área da Pesca se apresenta muito reduzido, oscilando entre os 5,3%, em 2012, e o valor máximo de 11,6%, em 2018 (valor estimado).

A área do Transporte Marítimo e Fluvial situa-se numa posição intermédia, oscilando entre os 15,3%, em 2016, e os 21,41%, em 2011.

Quanto ao peso relativo do investimento e das despesas com o pessoal na despesa total das três áreas consideradas, importa considerar que, enquanto que no concernente ao investimento o peso relativo oscilou entre os 8%, em 2014 e em 2015, e os 26%, em 2008, as despesas com o pessoal flutuaram entre os 43%, em 2008, e os 59%, em 2014.

Importa, agora, estabelecer uma comparação entre os gastos efectivados nestas três áreas e a evolução da despesa das administrações públicas, bem como com a evolução do PIB a preços correntes.

Alargaremos o âmbito desta análise ao período compreendido entre 1995 e 2017, não considerando o ano de 2018, uma vez que os valores existentes correspondem, para todos os efeitos, a estimativas (vide Quadro I).

[33] No Orçamento do Estado para 2011 foi inscrita uma verba de 1000 milhões de euros, destinada à regularização de responsabilidades financeiras decorrente da entrega de equipamento militar, a saber, dois submarinos. Todavia, este pagamento foi antecipado para 2010 (pelo valor de 1001 milhões de euros), não vindo aquela dotação a ser utilizada em 2011 na finalidade prevista.

[34] Dados da Direcção-Geral do Orçamento de 2018.

QUADRO I

- TOTAL DA DESPESA DAS ADMINISTRAÇÕES PÚBLICAS E PIB A PREÇOS CORRENTES – 1995 A 2017

Anos	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004
Despesa Total	37.951	40.712	43.449	47.560	50.910	54.783	59.518	62.356	66.243	70.189
PIB (pm)	89.037	94.351	102.357	111.385	119.639	128.466	135.828	142.631	146.158	152.372
Despesa (%PIB)	42,6	43,1	42,4	42,7	42,6	42,6	44,1	43,7	45,3	46,1

Anos	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017
Despesa Total	74.054	75.214	78.060	81.093	88.116	93.237	88.112	81.719	85.032	89.598	86.669	83.371	84.606
PIB (pm)	158.653	166.249	175.468	178.873	175.448	179.930	176.167	168.398	170.269	173.079	179.809	185.494	193.049
Despesa (%PIB)	46,7	45,2	44,5	45,3	50,2	51,8	50,0	48,5	49,9	51,8	48,2	44,9	43,8

Fonte: Direcção-Geral do Orçamento

Afigura-se possível constatar que o peso relativo da despesa orçamental no PIB oscilou entre os 42,6%, em 1997, e os 51,8%, em 2014, o que não deixa de se apresentar muito interessante, uma vez que, em 1997, o Executivo Português era socialista (exercendo António Guterrres as funções de Primeiro-Ministro e António Sousa Franco as funções de Ministro das Finanças) e, em 2014, o Executivo era de inspiração liberal-conservadora (sendo Primeiro-Ministro Passos Coelho e Ministra das Finanças Maria Luis Albuquerque).

Em qualquer caso, constata-se que, historicamente falando, o peso do Estado na economia portuguesa, em termos de rácio Gastos Públicos/PIB, sempre foi relativamente elevado.

Se, agora, considerarmos o rácio despesa efectiva global das três áreas/despesa orçamental total, chegamos à conclusão de que, pondo de parte o ano atípico de 2011, o mesmo oscilou entre os 0,69%, em 2014, e os 0,96%, em 2004 e em 2005.

Tal significa que o peso atribuído ao Mar, em termos de despesa orçamental, se tem vindo a apresentar, ao longo de muitos anos, pouco significativo.

E se, agora, considerarmos o peso relativo das três áreas consideradas no PIB, então a conclusão apresenta-se muito mais evidente.

De facto, o peso da despesa realizada com as três áreas que constituem o objecto do presente estudo no PIB oscilou entre os 0,35%, em 2007, e os 0,45%, em 2005, não se considerando, naturalmente, o ano atípico de 2011.

Para quem dispõe da plataforma continental que respeita ao nosso país, trata-se de algo difícil de aceitar, sendo, ainda, de salientar a redução que se tem vindo a constatar de número de unidades pesqueiras e de transporte mercantil, no decurso das últimas décadas.

Convirá, agora, analisar as transferências orçamentais no âmbito do capítulo 50 – investimento do Orçamento de Estado para as Administrações Portuárias – 2011 a 2018.

Apresenta-se possível concluir que os montantes em causa são, de um modo geral, pouco significativos, atingindo os 5 500 000 euros, em 2011, os 3 600 000 euros, em 2012, os 2 600 000

euros, em 2013, os 2 098 884 euros, em 2014, os 6 000 000 euros, em 2015[35], os 4 500 000 euros em 2018[36].

Note-se que o essencial das transferências tem, sobretudo, contemplado os portos do Douro, Leixões e Viana do Castelo, aparecendo numa posição menos destacada – mas, ainda, com alguma relevância – os portos da Figueira da Foz e de Aveiro.

Se, agora, considerarmos o conjunto da despesa do Estado na área da Marinha, da Pesca, do Transporte Marítimo e da Administração dos Portos, chegamos à conclusão que o peso relativo na despesa pública total oscilou, nos últimos 7 anos, entre os 0,71%, em 2014, e 1%, em 2017, não se entrando em linha de conta com o ano atípico de 2011.

E se analisarmos o peso relativo das despesas orçamentais com o Mar no nosso PIB, concluímos que oscilou, no decurso dos últimos anos, entre os 0,36% e os 0,44%, o que nos permite concluir que, em termos de política orçamental, o Mar não tem vindo a constituir uma prioridade para os sucessivos Executivos que o nosso País vem conhecendo.

4. DA EVOLUÇÃO MAIS RECENTE

A evolução operada mais recentemente, i.e., entre 2018 e 2020, não apresentou grandes alterações em relação à situação existente nos anos anteriores, atrás descrita.

Assim, a despesa efectiva total com o Mar (incluindo a Defesa Nacional-Marinha, as Pescas e os Transportes Marítimos e Fluviais) sofreu um incremento da ordem dos 1,45%, entre 2018 e 2019, mas deverá diminuir, previsivelmente, 4,59%, entre 2019 e 2020.

Por outro lado, o, peso das despesas totais com o Mar nas Despesas Efectivas Globais (valores expurgados de transferências intra-sectoriais, i e, transferências entre entidades integradas no perímetro institucional da Administração Central - valores orçamentados sem excluir as cativações) passou de 0,957%, em 2018, para 0,93%, em 2019, devendo quedar-se em 0,85%, em 2020.

O peso das diferentes sub-áreas integradoras da área do Mar sofreu algumas alterações, no sentido de uma pequena redução do peso relativo da Marinha (que deverá passar de 77,3%, em 2018, para 74,3%, em 2020), aumentando as Pescas e os Transportes Marítimos e Fluviais de peso relativo (as Pescas poderão passar de 13,8%, em 2018, para 15,6%, em 2020, enquanto que os Transportes Marítimos e Fluviais deverão passar de 8,9%, em 2018, para 10,1%, em 2020).

Um outro aspecto a referir tem que ver com as despesas com o pessoal na Marinha que deverão passar de 64,2% das despesas totais da sub-área, em 2018, para 65,6%, em 2020, enquanto que as despesas de investimento deverão manter, aproximadamente, o mesmo peso relativo (17,3%, em 2018, atingindo os 17,4%, em 2020).

No sector das Pescas, enquanto que as despesas com o pessoal deverão manter, aproximadamente, o mesmo peso relativo nas despesas globais (11,6%, em 2018, contra 11,5%, em 2020), já as despesas de investimento deverão conhecer uma queda apreciável (47,4%, em 2018, contra 40,4%, em 2020).

Por último, importa referir que as despesas de investimento conheceram uma evolução favorável no sector (ou na sub-área) dos Transportes Marítimos e Fluviais (devendo passar de 14,8% da despesa global da sub-área, em 2018, para 22,1%, em 2020), enquanto que o peso relativo das despesas com o pessoal deverá sofrer uma ligeira diminuição (19,7%, em 2018, contra 19,1%, em 2020).

Em resumo, não se registaram alterações significativas nos últimos anos, continuando a fazer sentido concluir-se que o Mar não constitui uma prioridade para os nossos Executivos.

Em particular, continuam a apresentar-se muito insuficientes as despesas de investimento efectivadas no sector da Marinha, o qual deve ser considerado da maior relevância, numa perspectiva de interesse estratégico para o nosso País.

[35] Havendo, neste caso, a considerar o grande peso relativo do porto de Viana do Castelo.

[36] Trata-se, neste caso, de uma estimativa.

5. DA RELEVÂNCIA DO SECTOR PRIVADO ÀS COMPONENTES DO HYPERCLUSTER DO MAR

De acordo com um estudo coordenado pelo Professor Doutor Ernâni Lopes[37], a importância do sector privado ligado à Economia do Mar, em Portugal, correspondia a apenas 4,20% do PIB, em 2008, valor este que se decompunha da seguinte maneira:

Náutica de recreio e turismo náutico	0,14%
Transportes marítimos, portos e logística	2,10%
Pesca, aquicultura e indústria de pescado	1,70%
Construção e reparação naval	0,26%
TOTAL	4,20%

O sobredito estudo apontava, ainda, para um peso mais significativo do sector privado na Economia do Mar se se entrasse em linha de conta com o que se designava de "efeitos indirectos", podendo, nesse caso, chegar a atingir os 5,6% do PIB.

Projectava-se para 2020 um aumento do peso da Economia do Mar no conjunto da Economia Portuguesa da ordem dos 10 a 11% do PIB, tendo sido, nessa oportunidade, apresentadas três propostas interessantes, a saber:

a) a criação de um Conselho de Ministros para os Assuntos do Mar, presidido pelo Primeiro-Ministro, contando com um Gabinete Técnico de Apoio;
b) a criação de Legislação Especial e Exclusiva, à semelhança do ocorrido no caso específico da Expo 98, em que esteve, em boa verdade, presente um desígnio nacional;
c) a constituição de um Fórum Empresarial da Economia do Mar, envolvendo os principais agentes empenhados nas actividades do hypercluster, Fórum esse que deveria ser dinamizado pela Associação Comercial de Lisboa.

Ainda segundo esse estudo, haveria que considerar a existência de componentes diferenciados da Economia do Mar, com destaque para os seguintes:

1. a cultura marítima;
2. a náutica de recreio e o turismo náutico;
3. os transportes marítimos, portos e logística;
4. a construção e a reparação naval;
5. a pesca, a aquicultura e a indústria do pescado;
6. a energia, os minerais e a biotecnologia;
7. as obras e os serviços marítimos;
8. o ambiente e a conservação da natureza;
9. a defesa e a segurança do mar;
10. o ensino, a formação e a investigação científica / inovação.

Quando se procede à utilização do conceito de "cluster" (numa perspectiva "porteriana"[38]), pretende-se significar um conjunto, particularmente, dinâmico de empresas, ligadas a uma associação empresarial forte que financia Centros de Pesquisa e de Investigação, os quais estão, por sua vez, ligados a estabelecimentos de ensino universitário, permitindo a obtenção de avanços em matéria de inovação, avanços esses que podem ser testados junto do tecido produtivo e do próprio mercado consumidor.

Falar-se, nesta perspectiva, em "hypercluster do Mar" não faz muito sentido, justificando-se, isso sim, falar-se em conjunto de "clusters" do Mar interligados.

Infelizmente, está-se, ainda, longe de se atingir esse desiderato, havendo, por conseguinte, um longo caminho a percorrer.

[37] LOPES, Ernâni – Coord. "O Hypercluster da Economia do Mar", SAER, fevereiro de 2009.

[38] PORTER, Michael – "The Five Competitive Forces that shape strategy", Harvard Business Review, Jan 2008; PORTER, Michael – "Vantagem Competitiva das Nações", Rio de Janeiro, Campus, 1993.

6. DAS POTENCIALIDADES DA PLATAFORMA CONTINENTAL PORTUGUESA

Conforme se disse anteriormente, a Plataforma Continental Portuguesa poderá vir a corresponder a cerca de 82% da dimensão da U.E. (42 vezes a área terrestre de Portugal), 1% da superfície líquida da terra e a 4% do Oceano Atlântico.

Afigura-se possível uma extensão da plataforma continental que venha a comportar um acréscimo de 1,85 milhões de Km2 na área de fundos marítimos sob soberania nacional, podendo os espaços marítimos sob soberania ou jurisdição nacional passar para mais de 3,5 milhões de Km2 .

Tal significa que a aposta no MAR deveria revestir-se da maior relevância para Portugal, tendo em conta não apenas as reservas potenciais existentes de combustíveis fósseis, como também a biodiversidade dos fundos marinhos, o papel que metais como o ouro, a prata, o zinco, o cobalto, o cobre e o níquel poderão desempenhar no desenvolvimento da economia portuguesa e, finalmente, o eventual aproveitamento de energias alternativas (v.g., hídrica, solar ou a partir das próprias ondas do mar).

Conforma nos explica Silva Ribeiro[39], importa sublinhar a afirmação estratégica de Portugal no Mar, não apenas a partir da aprovação da extensão da plataforma marítima, como também assegurando uma efectiva presença nos fora internacionais, garantindo a capacidade de aplicação, sempre que necessário, da força militar, participando no combate às ameaças erosivas e sistémicas e procurando cimentar parcerias com países, igualmente, interessados na vertente atlântica.

Em boa verdade, apresenta-se defensável a tese de que parcerias com países que se situam fora da Europa como, por exemplo, os EUA e o Brasil poderão contribuir para aumentar a capacidade negocial de Portugal no quadro da U.E..

Em resumo, afigura-se primordial sublinhar a relevância do Oceano Atlântico no Mundo e para Portugal, sendo, todavia, de ter presente que se apresenta diminuto o peso da Marinha, da Pesca e dos Transportes Marítimos no Orçamento de Estado e no PIB português.

Como se apresenta muito reduzido o peso das Administrações Portuárias no Orçamento de Estado do nosso País.

Mesmo considerando o sector privado, convirá reconhecer que, infelizmente, existe uma pouco significativa relevância económica do mar no caso português, tornando-se necessário afirmar a importância estratégica do Mar para Portugal.

Parafraseando o poeta Fernando Pessoa, apesar de todos os obstáculos existentes, importa ter fé no futuro, até porque "sem fé não temos esperança e sem esperança não temos propriamente vida".

Nem mais, nem menos …

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[39] RIBEIRO, António Silva – "Desafios Marítimos de Portugal", Palestra proferida no Palácio da Ordem de Malta, a 26 de Abril de 2018, e publicada em brochura editada pelo Instituto Benjamim Franklin em Julho do mesmo ano.

ANEXOS

Administração Central - Dotações de despesa orçamental associadas às rubricas de classificação funcional "Defesa Nacional" (Marinha), "Pesca" e "Transportes marítimos e fluviais", excluindo transferências intrassectoriais - 2004 a 2018

Unidade: milhões de euros

Classificação de despesa			2004	2005	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015	2016	2017	2018
Funcional (a)	Orgânica (b)	Económica (c) (agrupamento económico)															
1.2.0 - Defesa Nacional																	
	Marinha																
		01 - Despesas com o pessoal	299	296	300	290	279	292	319	293	331	340	346	350	333	338	341
		02 - Aquisição de bens e serviços	93	89	82	88	92	108	107	104	100	117	108	103	99	97	95
		03 - Juros e outros encargos															
		04 - Transferências Correntes	0	0	0	0	0	0	0	0	0	0	0	0	0	1	1
		05 - Subsídios															
		06 - Outras despesas correntes	0	0	0	0	9	9	10	10	12	11	2	1	2	2	2
		07 - Investimento	76	99	67	45	94	88	144	91	50	65	40	41	78	98	92
		08 - Transferências de capital															
		09 - Ativos financeiros															
		10 - Passivos financeiros															
		11 - Outras despesas de capital															
	Direção-Geral do Tesouro e Finanças (d)																
		08 - Transferências de capital								1 000							
Subtotal 1 - Despesa total			**469**	**485**	**449**	**423**	**474**	**498**	**580**	**1 498**	**495**	**533**	**496**	**497**	**512**	**535**	**531**
Subtotal 2 - Despesa efetiva (exclui ativos e passivos financeiros)			**469**	**485**	**449**	**423**	**474**	**498**	**580**	**1 498**	**495**	**533**	**496**	**497**	**512**	**535**	**531**
3.1.6 - Pesca	Todas																
		01 - Despesas com o pessoal	8	7	7	7	6	6	8	6	5	5	5	9	9	10	11
		02 - Aquisição de bens e serviços	7	6	4	3	6	6	6	6	4	3	6	8	4	5	6
		03 - Juros e outros encargos	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
		04 - Transferências Correntes	14	12	5	6	8	7	30	13	10	8	9	10	41	28	23
		05 - Subsídios	5	2	2	1	0	0	0	0	0	0	0	0	1	0	0
		06 - Outras despesas correntes	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0
		07 - Investimento	19	21	15	25	24	26	16	13	8	7	4	7	4	4	11
		08 - Transferências de capital	57	54	35	29	68	38	30	53	67	33	37	55	95	51	45
		09 - Ativos financeiros															
		10 - Passivos financeiros	0	0	0	0	0	0	0	2	1	1	1	1	0	0	0
		11 - Outras despesas de capital															
Subtotal 1 - Despesa total			**110**	**102**	**68**	**71**	**112**	**82**	**91**	**94**	**95**	**58**	**62**	**89**	**155**	**98**	**95**
Subtotal 2 - Despesa efetiva (exclui ativos e passivos financeiros)			**110**	**102**	**68**	**71**	**112**	**82**	**91**	**92**	**94**	**57**	**61**	**88**	**155**	**98**	**95**
3.3.6 - Transportes Marítimos e Fluviais	Todas																
		01 - Despesas com o pessoal	18	19	20	19	19	19	15	13	9	7	17	12	12	12	12
		02 - Aquisição de bens e serviços	11	10	14	13	14	13	13	12	13	5	32	31	28	35	32
		03 - Juros e outros encargos	0	0	0	0	0	0	0	0	0	0	3	2	2	1	0
		04 - Transferências Correntes	1	1	1	1	0	1	1	1	1	0	0	0	1	1	1
		05 - Subsídios	10	12	14	13	11	12	13	12	9	9	0	0	0	0	0
		06 - Outras despesas correntes	0	0	0	0	1	1	1	1	1	1	2	2	2	1	2
		07 - Investimento	44	56	68	70	66	23	10	9	7	4	6	6	17	7	9
		08 - Transferências de capital	15	26	10	7	12	27	17	10	8	7	5	10	8	4	5
		09 - Ativos financeiros	0	0	0	0	0	0	0	0	0	0	16	32	42	95	34
		10 - Passivos financeiros	0	0	0	0	0	0	0	0	0	0	0	0	0	55	0
		11 - Outras despesas de capital															
Subtotal 1 - Despesa total			**99**	**125**	**126**	**123**	**125**	**95**	**71**	**59**	**49**	**32**	**80**	**95**	**111**	**211**	**94**
Subtotal 2 - Despesa efetiva (exclui ativos e passivos financeiros)			**99**	**125**	**126**	**123**	**125**	**95**	**71**	**59**	**49**	**32**	**64**	**63**	**69**	**61**	**61**
Total 1 - Despesa total			**678**	**712**	**643**	**617**	**711**	**675**	**742**	**1 651**	**639**	**623**	**638**	**680**	**778**	**844**	**720**
Total 2 - Despesa efetiva (exclui ativos e passivos financeiros)			**678**	**712**	**643**	**617**	**711**	**675**	**742**	**1 649**	**638**	**623**	**621**	**647**	**736**	**694**	**687**