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Erhvervsudvalget

Danish Parliament, Christiansborg  
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Denmark

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## RE: "MARKET ACCESS" IN DANISH STRAIT PILOTAGE

Dear,

**We are writing to you in order to explain our concerns regarding the planned reform to open up the Danish strait pilotage to full market access on 1<sup>st</sup> January 2020.**

*EMPA, the European Maritime Pilots' Association, is a professional, non-profit organisation, with office in Belgium since 1963. EMPA represents about 5.000 maritime pilots from 25 European countries with the aim of promoting efficient and safe pilotage in European ports and fairways. EMPA has been appointed by the European Commission as a member of the European Ports Forum.*

We enclose our hearing response letter of 17 January 2014, in which EMPA advised against the amendments proposed to the Danish pilotage act at that time. We still emphasize that **pilotage is a service of public interest**, that involves safety of life, port infrastructure, navigation and protection of the environment. Open competition will compromise the professional integrity that is essential for service providers performing these critical tasks in a safe and highly qualified manner, thus endangering safety at sea. Our understanding is that the legislative process in 2014 was based on the presumption that the EU would compel pilotage to be open to market access. As we expand on in the following paragraphs, this presumption was not correct.

Across Europe, maritime pilotage is carried out by professional pilots operating with full integrity, on behalf of the society. All other nations recognise that their domestic pilotage services represent **important safety critical infrastructure, which is regarded as imperative to retain under full national sovereignty.**

The European Union has recently emphasized this public service role of maritime pilots, by rejecting proposals to introduce commercial market philosophies to pilotage.

The justification tabled by European lawmakers in the legislative process of the Port Services Regulation explains this very clearly:

*“Pilotage provides an essential and unique service to the shipping industry, which if open to competition would jeopardize maritime safety and security, the protection of the environment and the efficiency of ports”<sup>1</sup>.*

These same principles of indispensable professional integrity, and the public service role of maritime pilots that apply to port pilotage in Europe under the scope of the Port Services Regulation, should of course also apply to the challenging strait pilotage in the important fairways of the Danish territorial waters; the straits and the belts.

**On this background, EMPA has written to Minister Simon Kollerup and advised the Danish government to reconsider the implementation of market access of the pilotage services in the Danish straits and belts.**

**With reference to the ongoing service check of the pilotage act, we kindly ask you to consider our arguments and assist us in finding an appropriate and sustainable solution for this Danish critical infrastructure.**

EMPA remains at your disposal if additional information or dialogue is required on these subjects.

Sincerely,  
EMPA – The European Maritime Pilots’ Association



Capt. Stein Inge Dahn  
President



Aileen Van Raemdonck  
Secretary General

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1 enclosure: Hearing response from EMPA, 17<sup>th</sup> January 2014

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<sup>1</sup> [Justification Amendment 533](#)