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# REPORT OF THE MEETING OF EXPERTS ON THE CREATION OF INTRA-PORT COMPETITION IN THE CARIBBEAN

(Port of Spain, Trinidad and Tobago, 5 December 1991)

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#### A. ORGANIZATION OF WORK

#### Place and date

1. The group of experts on the creation of intra-port competition in the Caribbean met at the subregional headquarters of the Economic Commission for Latin America and the Caribbean (ECLAC) in Port of Spain, Trinidad and Tobago, on 5 December 1991. The meeting was organized in collaboration with the Ministry of Works, Infrastructure and Decentralisation of Trinidad and Tobago.

#### Attendance

2. The meeting was attended by 22 port specialists from members of the Caribbean Development and Cooperation Committee (CDCC). The specialists acted exclusively in a personal capacity. A list of participants appears in appendix 1 to this document.

#### Opening and closing ceremonies

- 3. Mr. Clyde Applewhite, Director of ECLAC subregional headquarters for the Caribbean, welcomed the participants on behalf of the Executive Secretary of ECLAC, and Mr. Philip Nunez, Special Advisor to the Minister of Works, Infrastructure and Decentralisation of Trinidad and Tobago, opened the meeting of experts. In addressing the participants, Mr. Nunez emphasized the importance of improving port productivity, controlling costs and utilizing modern cargohandling technologies to strengthen the competitiveness of each nation's products in international markets. He concluded by expressing the hope that the deliberations of the participants would be fruitful.
- 4. At the end of the meeting, Mr. Applewhite made the closing remarks. He stated that the subregional headquarters saw meetings such as the current one as part of its operational activities in social and economic development, and offered its support to Caribbean countries to strengthen subregional activities in those areas. He also cited the close collaboration of ECLAC with UNCTAD in bringing the TRAINMAR project to the Caribbean to conduct various courses in port management, and stressed the interest of ECLAC in maintaining an open dialogue with member countries. Lastly, he thanked the Maritime Services Division of the Ministry of Works, Infrastructure and Decentralisation of Trinidad and Tobago for the assistance given to ECLAC in organizing the meeting, and thanked the participants for attending.

#### B. THE CREATION OF INTRA-PORT COMPETITION

#### Introduction

5. To orient meeting discussions, Mr. Larry A. Burkhalter of the ECLAC secretariat briefly highlighted the need to redefine the roles of the public and private sectors in Caribbean ports in light of a shift towards export-oriented economic policies and increasing competition in international markets. The information, analyses and recommendations contained in the three meeting documents (see appendix 2) should be taken into account by meeting participants in their deliberations. ECLAC efforts in Caribbean shipping and ports included the preparation of analyses on subjects ranging from specific problems to more global issues facing ports of the subregion. If they so desired, participants might fruitfully follow the discussion guidelines set forth as items for consideration (see appendix 3).

#### General parameters of Caribbean trade

- 6. The Caribbean economic integration movement and efforts to establish a common external tariff were identified as steps taken at the subregional level to encourage trade in goods and services. The ECLAC study entitled Caribbean short-sea transport: its role, challenges and opportunities (LC/R.427, 24 May 1985) measured the economic openness of countries in the subregion by comparing imports and exports as a percentage of gross domestic product (GDP). For example, the study found that Caribbean country imports and exports amounted to 72.4% and 68.2%, respectively, of their combined GDP. In contrast, for all Latin American countries, those trade figures reached only 11.6% and 11.1%, and for the United States of America, 9.9% and 8.5%. Such openness was attributed to a lack of natural resources in most Caribbean countries which might be exploited to create internationally competitive industries, and to the need to import goods and services not produced domestically.
- The growth in the economies of the subregion was seen as a response to the general increase in world trade and to an expansion in imports of consumer items. However, there were numerous exceptions. The participant from Grenada noted that the national economy appeared to be in a depressed state, presumably because of the influence of an agreement with Indonesia regarding nutmeg prices. Consequently, the purchasing power of consumers was reduced and banks suddenly faced a shortage of liquid assets. That had led importers to utilize port storage facilities longer than usual and had resulted in windfall income for the authority. In 1989, the port infrastructure on the island of Montserrat had been damaged by Hurricane Hugo and its cargo-handling capacity had been reduced. That had led to an increase in freight charges to the island, which depended heavily on the importation of construction materials and grocery store supplies. In the case of Trinidad and Tobago, the port of Port of Spain had experienced a reduction in cargoes such as lumber and heavy equipment, but for a different reason: they had begun to be handled by the competing industrial port at Point Lisas. Both Grenada and Trinidad and Tobago had noted an increase in imports of consumer durables and food.

Nevertheless, the volume of exports from Trinidad and Tobago had increased as a result of the economic downturn, which had led a number of businessmen to try to generate additional income from non-traditional exports. Finally, it was pointed out that many of those factors contributed to a lack of confidence in Caribbean economies and depressed imports of capital equipment, durable items and construction materials.

#### Demand uncertainty and a port forum

- Participants reported that the types and volumes of cargo moving through Caribbean ports had been changing in response to an evolution of consumer preferences and an expansion in national economic activities. That trend was evident from the growing volumes of high-value cargoes handled at Caribbean ports. For example, participants from the Port Authority of Trinidad and Tobago noted that cargo volumes at the nation's ports had doubled between 1986 and 1991, but that the increase had been much less in the case of Saint Vincent and the Grenadines (an estimated increase of 3-5% since 1985) and Grenada (an expansion of approximately 3-5% since 1989). In contrast, Dominica, Grenada and Saint Vincent and the Grenadines had all experienced a slight drop in such volumes in 1991, which they were unable to account for. A similar drop in cargo volumes handled at the port of Castries, Saint Lucia, was tentatively attributed to the withdrawal of the services of a liner operator. Nevertheless, the volume of containers handled by certain Caribbean ports was increasing. The port of Port of Spain had begun to emphasize its geographical location vis-à-vis the northern coast of South America and had increased the number of containers handled in transshipment operations to approximately 20% of all units utilizing its facilities. The smaller island countries had all recorded lower levels of transshipment demand.
- One participant saw transshipment as a means of increasing the demand for cargo-handling services and, simultaneously, of ensuring a nation's access to international markets. To those ends, there would have to be a softening of barriers established by Latin American Governments which inhibited the utilization of transshipment services at Caribbean ports. At the same time, however, transshipment services were seen as an extremely unreliable source of The instability of that market led to a reduced capacity to plan and a reluctance on the part of both public and private sectors to make investments in port infrastructure and equipment. It also demonstrated the general vulnerability of Caribbean ports to their own fragile or limited export-based economies and to the product likes and dislikes of customers in other nations. It was felt, therefore, that an examination should be made of other options, such as the establishment of industrial parks which could generate additional cargoes for ports. It was also brought out that ports must structurally adjust their operations -by investing in new cargo-handling technologies, rationalizing labour and training workers- in order to increase productivity and reduce costs. Such structural adjustments would allow them to better match the competition of an emerging global economy and to achieve national macroeconomic objectives.
- 10. Another source of insecurity and vulnerability arose from the demands that shipping lines placed on ports for reduced charges, preferential berthing

and infrastructural investments to accommodate specialized vessels, often with an accompanying threat to discontinue services to the refusing port. light of the ports' small markets, shipping lines could easily play them off against each other. A mutual commitment by Caribbean ports to present a unified front and to negotiate jointly with shipping lines was seen as a means of resolving the problem. It was generally accepted that Caribbean countries should formulate a collective position, possibly through the establishment of a subregional body of port authorities. Such a forum would permit countries to discuss a wide range of problems related to the changing demands for utilization of waterfront properties, marine-related services such as dredging and pilotage, and furnishing of cruise terminals. A participant from the port of Port of Spain stated that the Government of Trinidad and Tobago had been responsive to that type of approach. He also spoke of a commercial focus for managers at the port which facilitated acceptance of the concept. amounted to a fundamental shift in operational philosophy which could be utilized by other ports in the Caribbean. A subregional port policy was seen as a natural outgrowth of such discussions.

- 11. Participants presented and evaluated the advantages and disadvantages of various options for the establishment of a forum to draw up common policies and negotiating positions  $vis-\grave{a}-vis$  shipping lines. Those options included the following: (a) a committee under the auspices of CARICOM which would advise its ministers of transport on port matters; (b) expansion of the activities of the port-authority group (Group B) of the Caribbean Shipping Association (CSA) for the elaboration of joint solutions to common problems; (c) utilization of the newly established Caribbean Group within the American Association of Port Authorities (AAPA); and (d) creation of an entirely new and independent Caribbean port association. One participant -the Vice Chairman of the Caribbean Group of AAPA- requested and received the permission of meeting participants to articulate such concerns at the next AAPA meeting. It was generally agreed that a strong link must be established between Caribbean Governments and the forum, since government support was considered vital to the latter's success.
- 12. Participants felt that Governments were insufficiently aware of the important role ports played in national economic activities and of the problems they faced, and that they must be sensitized to such matters. One method of achieving that goal would be to elicit the support of CARICOM heads of government through the preparation and submission of a study highlighting the topic. Concern was expressed about the level of exposure which problems unique to the Caribbean could gain in a broad forum such as AAPA, and among the varying interests represented in CSA. Caribbean representation at AAPA was considered weak, as only a few Caribbean countries were members. The level of autonomy which Caribbean ports would enjoy within AAPA and CSA was also seen as an issue.

#### Port management

13. Participants saw government interference in port management decisions as a major problem. For example, Governments had begun to adopt policies and issue directives which required that priority should be given to the accommo-

dation of cruise vessels. Governments made such commitments even though expensive infrastructural investments and non-commercial alteration of cargo ships' itineraries might be required. Cruise vessels made almost no financial contribution to ports, as passenger taxes most often accrued directly to Governments and not to ports. Participants agreed that the problems of cruise vessel accommodation could be minimized if passenger ship operators were encouraged to make investments in specialized port installations. Other areas of interference by Governments included the use of non-commercial influences to resolve labour disputes, thereby making port managers vulnerable to the demands of labour unions. Such influence was manifested by gross overemployment, exaggerated rates of pay and inefficient services. In addition, the highly visible government presence on boards of directors and the lack of experience of board members with port matters were seen as major hindrances to the achievement of market-related economic goals.

To deal with the problem of government influence, the port of Port of Spain, Trinidad and Tobago, had successfully utilized concordats negotiated between the port and the Government in areas which have commercial and management implications, such as labour, costs, productivity and technological improvements. Normally, the Government reduced its involvement in such matters. within certain limits, to ensure that the port could provide needed services and achieve financial self-sufficiency. By successfully negotiating such agreements, the port authority had reacquired the commercial management of port operations and built a relationship of mutual trust with the Government. Nevertheless, some participants saw difficulties with the application of that concept to smaller Caribbean island ports, where the long-term entrenchment of certain individuals in the political setting had reduced the bargaining power of port authorities, and competent persons with the strength and vision to undertake such negotiations were difficult to find. The lack of financial resources to make infrastructural investments and payments to compensate workers for a reduction in their number was another obstacle to improving operations. Participants from the port of Port of Spain replied that the Government of Trinidad and Tobago allowed the port to obtain financing in its own name and that the savings which resulted from a rationalization of labour fully justified the repayment of loans obtained for such purposes.

#### Port labour

15. On the issue of labour, the participants noted that most port workers were organized into unions which had become Government-supported monopolies. One participant pointed out that the public-sector cargo-handling monopoly at his port had been transferred to a private stevedoring company, thus obliging shippers, consignees and carriers to pay the high costs which resulted from monopoly rents and inefficient practices. Participants were unaware of any anti-monopoly legislation which could be utilized to prevent such abuses. Labour costs were considered excessive, but port managers lacked the political support and legislative authority to require unions to negotiate new agreements. The per ton bases of worker compensation for unitized cargoes were considered inappropriate because they dissociated the value of the work done from the monetary payments received by dockworkers. Such bases were usually determined by the negotiating strength of labour organizations and the

socio-political goals of Governments. For their part, port workers had reacted to variations in the demand for cargo-handling services by negotiating agreements which permited them to work continuously on a vessel until it departed and gave them the right of first refusal for any subsequent work. Port labourers who worked a second shift --an additional eight hours-- did so at normal or non-overtime wages. Most participants considered that labour productivity could be increased by altering such arrangements to permit the utilization of a shift system. The employment of fresh workers for each eight-hour shift would permit vessels to be turned around more quickly and would allow workers to specialize, thereby making ports more attractive to shipowners.

## The legal environment

- 16. Government laws, regulations and policies were seen by participants as an unnecessary restraint on port activities, rather than as a basis for continuing gains in productivity, cost reductions and technological improvements. The activities which could be carried out at ports were also unnecessarily circumscribed by government willingness to respond to dominant influence groups. Participants considered that government participation in ports was based on non-commercial priorities which reduced managerial autonomy, supported workers by rejecting labour-saving technologies and delayed infrastructural investments. Such matters should be dealt with in port-related negotiations and should be included in the concordats referred to previously. Lastly, all participants agreed that antiquated customs laws, procedures and documentation were hindering the achievement of port efficiency.
- 17. It became apparent that the role of Caribbean Governments in ports varied widely. The spectrum of such involvement ranged from confinement to planning and policy aspects -leaving purely operational activities to autonomous public-sector port managers- to more all encompassing decisionmaking functions in which Governments were involved in day-to-day operations, determined strategy and carried out planning and policy activities. However, the assignment of such roles was in a state of constant evolution. For example, participants from Trinidad and Tobago foresaw the granting of increasing levels of autonomy to public-sector port managers at the port of Port of Spain. Turning to a separate matter, participants evaluated the role of boards of directors at Caribbean ports. Most participants felt that the decisions of such boards were entirely too responsive to the influences of dominant port groups. In order to balance board decisions, it was suggested that all groups providing and receiving services at ports should be represented. Most boards of directors in the Caribbean suffered from problems caused by a lack of prior experience in ports and a high turnover rate of their members, which had a negative influence on the timeliness and suitability of their decisions.

#### Cargo owners and carriers

18. One participant pointed out that shipping was a capital-intensive industry with relatively low margins of profit and explained that the increase in non-traditional and manufactured exports was a trend throughout the

In order for such exports to be competitive in international markets, Caribbean ports must reduce their costs and become more efficient. Goods must be competitively priced to survive in international markets, and a major factor in determining prices consisted of port and transport costs. of which the former was a significant component in most cases. High port charges and low productivity acted as a tax on exports and ran counter to national economic development goals. Those same costs also affected importers, by unnecessarily raising the prices of imported commodities to domestic consumers. For example, ocean liner transport charges between Montserrat and Miami were US\$4,450 for a standard 40-foot container and US\$2,125 for the same unit between Saint Lucia and Miami; the difference was largely owing to the variation in each nation's port costs. Although stevedoring wages were the major component of such costs, Governments must weigh the benefits of cruise and cargo shipping activities, determine priorities and reconcile schedules to avoid invalidating itineraries. He also spoke of measures taken by the Port Authority of Trinidad and Tobago to rationalize labour and to reduce container lashing charges, which had resulted in an all-too-rare reduction of freight rates.

19. Another participant noted that port inefficiencies often resulted from the inopportune completion of activities by parties that provided and received services in ports. For example, the late arrival of a shipper's trade documentation, a carrier's crew list or the payment of a consignee's import duties could all result in higher costs and a demand for more storage space. Most participants felt that the growing utilization of electronic data interchange (EDI) could provide a viable solution to such problems through the extension of the EDI network between customs services, ports, carriers and cargo owners. Most participants agreed that carriers wanted ports to have the latest terminal handling equipment but were not willing to pay higher terminal charges to cover the costs incurred by ports making additional investments. It was common for shipping agents to be major shareholders in stevedoring companies and, at the same time, to operate retail outlets for imported goods. As shipping agents they were paid a percentage commission on the cost of shipments, so they had no incentive to reduce port charges. In addition, reduced terminal charges for imports did not, in practice, translate into cost reductions for consumers, as they were often absorbed by wholesalers and retailers because island consumers had come to expect constant price increases.

#### Sources of intra-port competition

20. Mr. Burkhalter of ECLAC pointed out that a wide range of options existed for shared participation by Governments and private interests in public-sector ports. Those options included private stevedoring companies, management contracts, concessions, joint ventures, authorizing private terminals to handle third-party cargoes, conversion of public-sector ports into limited liability companies and, finally, the sale of individual ports. Without an appropriate institutional framework and a market-oriented labour regime, the participation of private interests could lead to numerous problems. The major elements of such a framework included statutory authority for private participation, deregulation, decentralisation, an anti-monopoly regime and a public-sector

agency for balancing competing interests to ensure that no one group could utilize market mechanisms to obtain a monopoly position. The statutory authority should clearly define standards for approval of private-sector proposals and should operate on the firm conviction that increased participation would benefit the nation through increased competition, which would avoid the the endless problems and delays of trying to satisfy imprecise regulatory requirements. Each Government's involvement in ports with private interests would continue through its institutional framework, the monitoring of private-sector activities, profit-sharing, incentive schemes and contractual arrangements.

21. The idea of private participation in Caribbean public-sector ports met with some reservation. Most participants considered that each Caribbean country had only one port with which to maintain trade relations and that ports were entirely too vital to national interests to be transferred to private investors. Mr. Burkhalter of ECLAC pointed out that the United Nations Charter of Economic Rights and Duties of States responded to those concerns by ensuring national control over domestic assets, including those owned by private interests. One participant suggested that Caribbean Governments should consider becoming "landlord ports" with operational functions carried out by private interests, citing Kingston, Jamaica, as an illustration. That would create intra-port competition, both in the bidding process and between private "port operating companies". The theoretical validity of the concept was accepted by participants, but a certain degree of reservation was expressed at the idea of transferring a unique national asset to private interests, whether domestic or foreign.

#### C. CONCLUSIONS AND RECOMMENDATIONS

- 22. At the end of its analysis of the problems facing Caribbean ports and possible solutions, the group of experts set forth the following conclusions and recommendations:
- 23. Governments should adopt legislation, regulations and policies in order to:
  - a) Define the functions of port authorities and clearly identify the socio-political and commercial objectives that ports must meet;
  - b) Delegate autonomy to port managers, whether public or private, in order to reduce government involvement in day-to-day operations;
  - c) Allow the membership of port boards of directors to include publicsector and private interests in order to balance socio-political and commercial objectives;
  - d) Set priorities for the commercial and urban utilization of port properties;
  - e) Establish lines of communication between ports and government administrative agencies;
  - f) Authorize CDCC ports to formulate positions for the resolution of common problems, either in a new forum or within AAPA, CSA or CARICOM.

- 24. Cargo owners should participate in the activities of national facilitation committees in order to:
  - a) Reduce, simplify and harmonize port, trade and transport documentation and procedures;
  - b) Elaborate and introduce a single customs entry document for all Caribbean ports;
  - c) Initiate the utilization of EDI.
- 25. Carriers should join with Governments, cargo owners and labour to:
  - a) Share the costs and benefits of new port infrastructures and cargohandling equipment;
  - Rationalize vessel itineraries to avoid port congestion and unnecessary investments;
  - c) Carry out the facilitation activities noted in paragraph 25.
- 26. Labour should join with Governments, cargo owners and carriers to ensure that:
  - a) Labour agreements permitted the attainment of commercial goals;
  - b) Shift-working practices could be instituted;
  - c) Pay bases provided an incentive for productivity, cost-effectiveness and technological innovation.

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#### Appendix 2

#### LIST OF DOCUMENTS

#### WORKING DOCUMENTS

1. The restructuring of public-sector enterprises: the case of Latin American and Caribbean ports (LC/R.1066, 25 October 1991).

## REFERENCE DOCUMENTS

- 2. Structural changes in ports and the competitiveness of Latin American and Caribbean foreign trade (LC/G.1633-P, October 1990), and
- 3. Guidelines for the evaluation of transshipment opportunities: the case of St. Lucia (E/CEPAL/G.1273, 4 January 1984).

#### Appendix 3

#### ITEMS UNDER CONSIDERATION

## THE CREATION OF INTRA-PORT COMPETITION IN THE CARIBBEAN

#### I. Order of the day

0830 Registration of participants

0900 Opening of meeting

1000 Coffee break

1230 Lunch

1400 Resumption of meeting

1500 Coffee break

1700 Closure of meeting

# II. Introduction -Role of ports in Caribbean commercial exchanges

- A. What activities have Caribbean Governments undertaken at the national and subregional levels to encourage trade in goods and services?
- B. Are Caribbean economies open according to the criterion of measuring each country's foreign trade (imports and exports) as a percentage of GDP?
- C. What types and volumes of goods (imports and exports) are moving through Caribbean ports?
- D. How do the above factors influence the demand for port services in the Caribbean?

#### III. The creation of intra-port competition

- A. Government laws, regulations and policies
  - Is there recognition and protection of monopolies for groups providing and receiving services at ports (i.e., for labour and carriers)?
  - 2. Are there laws and regulations allowing dominant influence groups to play a major or minor role in government decisions related to ports?
  - 3. What are the effects of the existing legal environment on the services offered by Caribbean ports?

## B. Port management

- 1. What roles do Governments play, either directly or indirectly, in the selection of key personnel and in the negotiation of labour agreements?
- 2. Do port labour and carriers influence the adoption and utilization of modern cargo-handling technologies and labour-saving work practices?
- 3. Do port managers have the authority to utilize non-union labour?
- 4. Do port managers have the flexibility to alter operations in order to take advantage of trade opportunities?
- 5. How do the above factors affect the services offered by Caribbean ports?

#### C. Port labour

- 1. Is port labour accorded monopoly benefits?
- 2. Do labour costs conform to international standards?
- 3. Are there any formal or informal limits on productivity?
- 4. Are workers willing to adopt modern technologies?
- 5. What is the overall impact of port labour on the services offered by Caribbean ports?

## IV. The lack of intraport competition

- A. The implications for importers, exporters and consumers
  - 1. Does the lack of intraport competition reduce sales?
  - 2. Does it lead to an increase in costs?
  - 3. Does it limit trade opportunities?
- B. The implications for carriers
  - 1. Does the lack of intraport competition lead to an increase in costs?
  - 2. Does it reduce productivity through unnecessary increases in vessel turnaround time and container dwell time?
  - 3. Does it create a false need for additional containers and vessels?
- C. Are there any consequences for other groups?

# V. Sources of intra-port competition

A. Can a market-oriented institutional framework be adopted which is applicable to the entire port community? Are the following possible elements of such a framework?

- 1. Statutory authority for private participation and freedom of entry and exit
- 2. deregulation
- 3. decentralisation
- 4. anti-monopoly laws
- B. Is an administrative agency needed to monitor the framework?
- C. What is the continuing role of Governments in ports -i.e., as owners, investors, partners, facilitators and regulators?
- VI. Conclusions and recommendations: What steps should the following groups take to create intraport competition?
  - A. Governments
  - B. Cargo owners
  - C. Carriers
  - D. Labour