
comercio internacional

Maritime Transport
**Liberalization and the challenges
to further its implementation in
Chile**

José Carlos S. Mattos

María José Acosta



Division of International Trade and Integration

Santiago, Chile, December 2003

This document was prepared by José Carlos Mattos, Economic Affairs Officer of the Division of International Trade and Integration and María José Acosta; consultant of the same Division of ECLAC, Santiago, Chile. The authors would like to thank the comments received from four anonymous reviewers, and from Vivianne Ventura-Dias, Jan Hoffmann and Karsten Fink.

The views expressed in this document, which has been reproduced without formal editing, are those of the authors and do not necessarily reflect the views of the Organization.

United Nations Publication
ISSN printed version: 1680-869X
ISSN online version: 1680-872X

ISBN: 92-1-121430-0
LC/L.2051-P
Sales No.: E.03.II.G.214
Copyright © United Nations, December 2003. All rights reserved
Printed in United Nations, Santiago, Chile

Applications for the right to reproduce this work are welcomed and should be sent to the Secretary of the Publications Board, United Nations Headquarters, New York, N.Y. 10017, U.S.A. Member States and their governmental institutions may reproduce this work without prior authorization, but are requested to mention the source and inform the United Nations of such reproduction.

Contents

Abstract	5
Introduction	7
I. Liberalization of the maritime sector:	
Some elements to consider	9
A. Costs of Transport	9
B. Maritime Transport Services Liberalization.....	11
C. Ports: operation, challenges and the prevailing Model in the Region	13
D. Maritime cabotage traffic	16
II. Chilean Maritime Transport:	
Liberalization and regulation	17
A. Foreign trade and transport cost	17
B. Chilean Liberalization	19
C. Chilean ports	21
D. Regulatory reform and the remaining barriers	22
III. Final considerations	33
Bibliography	35
Serie Comercio internacional: Issues published	37

Index of Tables

Table 1 Freight and insurance expenditures as percentage of imports, CIF	10
Table 2 Challenges for a modern port	14
Table 3 Problems of the traditional port institutions	14
Table 4 Chilean modal split, 2001	18

Table 5 Containers full and empty mobilized by some chilean ports, 2001	22
Table 6. Chilean Cabotage: Main ports, 2001	31

Index of boxes

Box 1 Measures affecting trade in maritime and transport in inland waterways	12
Box 2 Chilean maritime transport regulatory framework	25
Box 3 The “Bottom Line”, evaluation by the private sector of the current barriers	27

Index of Graphics

Graphic 1	Chilean maritime exports in volume	18
Graphic 2	Chilean containedorized trade	19
Graphic 3	TDW of national flag vessels	24
Graphic 4	Chilean crew and officials	24
Graphic 5	Chilean pilotage in the southern channels	28
Graphic 6	Maritime cabotage in Chile	30

Abstract

The liberalization of Maritime Transport is one important element to increase the export competitiveness of a country. In fact, studies remark that, for some countries, the effective rate of protection by the costs of transport is much higher than that of tariffs. One of the most relevant elements in the determination of the costs of maritime transport refers to the efficient management of ports. The global trend towards trade liberalization and integration and economic interdependence led Latin American countries to opt for programs of economic reforms that incorporated the participation of domestic and foreign private agents in sectors of the economy that were previously reserved to the state. Among the most significant of these was the reform of ports. In this area, the most vital seems to be to secure that the competition potential among operators is maximized. In the case of Latin American countries one should consider three factors which concur to the successful implementation of a public/private financing for the ports: a) seeking capital is very important for the financing of investments, since many governments have restricted budgets due to the debt service payments; b) the rapid economic growth has generated new traffic that demands new facilities and more efficient services and, finally, c) the strong competition makes indispensable the improvement of port facilities because otherwise the ports can be displaced by their rivals.

Another problem that affects maritime transport efficiency refers to the regulation of the cabotage traffic. Restrictions to cargo and passenger transport inside the national territory are part of the maritime legislation of nations on a worldwide scale. Several countries still restrict this type of transport to the ships with national flags, and

they establish minimum percentages for crews of national origin. Nonetheless, some countries have liberalized cabotage completely. The liberalization of cabotage traffic brings advantages in terms of: smaller freight costs, better use of idle capacity, higher frequency, higher competition, needlessness of the waivers and more maritime cargo transportation.

Although Chile has been at the forefront of the process of trade liberalization this process has not been without difficulties. In the case of maritime transport Chilean law and regulations have been extensively modified and liberalized. The objective has been the increase of efficiency and the attraction of foreign direct investment. However, there are limits to this process that refer specially to questions of sovereignty, security and simple protectionism. In the area of cabotage and pilotage the evolution of maritime trade liberalization has been an example of the challenges that still face the liberalization process in Chile.

The present document will briefly review the modifications implemented in the Chilean maritime legislation and the difficulties that remain for a more efficient public sector management. Taking into consideration the transformations that happened on a global scale, it discusses some aspects of the maritime transport sector and suggests areas of policy action that may assist the construction of a common regional maritime integration regime.

Introduction

Service activities are becoming the most relevant sector in the world economy. They are incorporated in most of the economic activities, representing around 70% of world value added and 18% of world exports of goods and services. Maritime transport services are one of the main services sectors, together with telecommunications, financial services, business services and tourism.

Trade in services is affected by laws and service regulations that may discriminate against foreign services or foreign services suppliers. Their liberalization is a recent topic, since it entered the multilateral scene at the beginning of the 1980s. The results of negotiations to liberalize services were compiled in the General Agreement on Trade in Services (GATS) under the framework of the World Trade Organization (WTO) that entered into force on January 1, 1995.

It must be stressed that "liberalization of trade in services" means the extension of the multilateral trade system principles to regulation applying to services in each country, i.e., to the widest variety of public policy measures, which must be applied reasonably, objectively and impartially.

The basic principles of GATS are non-discrimination, transparency and progressive liberalization. Non-discrimination refers to twofold principles of most-favored-nation (MFN) and national treatment. The agreement consists of three parts: the main text, which details the general principles and obligations applying to all signatories; the annexes, which deal with regulations applicable to certain sectors; and national schedules of specific commitments, which are arrived at by negotiation and represent the starting point for services liberalization (for details, see ECLAC, 2001).

At the end of the Uruguay Round, an important worldwide movement toward the liberalization of commercial flows was originated. At the same time, the maritime services sector intensified the incorporation of new technologies and began regulatory reforms. As a result, even though there are no multilateral liberalization provisions, this process resulted in the decrease of transport costs.

The liberalization process may also be appreciated at three different levels: unilateral, bilateral and multilateral. According to this characterization, the process of liberalization of transport services in Chile from the middle of the 1970s can be associated to a unilateral opening strategy. Later on, it also incorporated the bilateral and multilateral context. By reviewing this Chilean process of liberalization, we can find examples of the three levels of liberalization. Moreover, the study of the Chilean Maritime Sector can be justified by the extended regulatory reform that this sector has undergone in the country, by the relevance of the sector for the Chilean economy, particularly to its export sector and by the possibility of studying the effects of a more advanced application of regulatory reform in a developing economy.

The present paper will review the modifications implemented in the Chilean maritime legislation and difficulties that remain for a more efficient management of the sector. Taking into consideration the transformations that have happened on a global scale, it discusses some aspects of the maritime transport sector.

The paper is divided in three sections; the first introduces the main issues in the current discussion about liberalization of the maritime transport sector. The second part describes the Chilean legislation of the sector in order to illustrate the changes that have happened as well as the remaining barriers in the Chilean regulation with a view to introducing a greater flexibility in the future. Finally, in the third section the paper suggests areas of policy action that may assist the construction of a common regional maritime integration regime.

预览已结束，完整报告链接和二维码如下：

https://www.yunbaogao.cn/report/index?reportId=5_2792

