

The Major Transport Issues in the Maghreb 2003-2004

Mustapha El Khayat

Director

Centre de Recherches et d'Études sur les Transports, les Technologies de l'Information et la Logistique
Université Hassan II, Mohammedia

The Mediterranean is one vector of flow of Euro-Mediterranean and transatlantic exchange. It is an interface between the countries located on its shores, a strategic platform and a significant force to be reckoned with for all the great powers. It is a "transport surface," a forced passage between countries along its shoreline and also a transit space between other maritime areas. Nevertheless, this space suffers from several deficiencies, notably the lack of infrastructure: "we might say that, on the shores of the Mediterranean, we have network systems typical of under-developed areas," especially on the southern shore. Only the Mediterranean can deal with these deficiencies and only they are able to change them into opportunities for the development of regional trade and the establishment of alliances between operators and institutions on both shores of this "Mare Nostrum."

While one of the priorities in developing this enormous Mediterranean logistics centre is currently the development of a network of transport infrastructure, this will need to be accompanied by measures facilitating the flow of goods between the inhabitants of the Mediterranean shoreline. The REG-MED network, coordinated by CETMO (Transport Study Centre for the Western Mediterranean) has been a genuine laboratory for the analysis of concrete situations as far as transport between the two sides of the Mediterranean is concerned, and have

enabled obstacles to be identified, together with the efforts underway to overcome them.

Customs procedures and checks on goods at borders are the main obstacles to the fluidity of exchange. Customs clearance documentation, complex nomenclature and the lack of reliable, up-to-date and simplified information are acting as restrictions on transportation movement. The countries on the Southern side of the Mediterranean are buckling down to change their customs systems to make them conform to the Kyoto Convention and the agreements on international road transport, precisely in order to diminish these obstacles and to join World Trade Organisation (WTO) and Free Trade Area agreements.

Operators unanimously agree that the major customs barrier is at the borders of the Maghreb countries. Notwithstanding this criticism, the Moroccan customs system has made remarkable progress, but other links in the logistics chain have unfortunately not followed this example. Information technology can reduce customs clearance times, while also improving the quality of checking procedures. The three Maghreb countries each have their own systems: BADR (Morocco), SIGAD (Algeria) and SINDA (Tunisia). In Morocco, advance submission of customs declarations is possible for all products. In Tunisia, this procedure is currently being established. In Algeria, this procedure does not exist yet. Similarly, Morocco is the only country in the Maghreb which runs physical spot-checks on goods using a selective verification approach based on an objective risk analysis technique. In Algeria, physical spot-checks are almost an integral part of the customs procedure.

The problem comes when health and

phytosanitary and, more recently, security checks are involved. The procedures for these checks are weighty, uncoordinated and cost time and money, which the laudable efforts of the customs service alone cannot offset.

The TIR (International Road Transit) system, in spite of its advantages, has been under-used in the Maghreb countries for various reasons: in Morocco, TIR carnets are not very much used, in Tunisia, TIR traffic represents a very small percentage of Tunisian transport companies' operations and in Algeria the system has been suspended.

Secondly, there are aspects of maritime transport services and passage through ports which restrict transport fluidity in the region. The main feature of maritime transport between Mediterranean countries is the presence of national ship-owning companies with multiple, conflicting regulatory systems. In the Maghreb, the existence of a large enough national ship-owning concern is considered to be a precondition for any liberalisation of the maritime transport sector. At present, these countries' fleets are very old, cost too much to run and their performance is mediocre. However, new provisions regarding security and safety (deriving from the International Maritime Organisation [IMO], the EU, the International Ship and Port Facilities Security Code [ISPS Code], etc.) have significantly raised the costs of renovating the fleets. The Maghreb countries consider the costs of entering the maritime transport sector as transport operators very high, so officials responsible for the sector are trying to find a regulatory framework which might enable private national ship-owning to compete with their competitors on the Northern shore of the Mediterranean.

There are various types of passage through ports on the Southern and Eastern shores of the Mediterranean. Nevertheless, the bottlenecks are more or less the same: concentration of traffic in a reduced number of ports, bureaucratic delays, long waits in the roadstead or in dock, intermodal transfer between the ship and the quayside warehouses (as is the case in most Moroccan ports), insufficient draught, involvement of several agents, which is a source of conflict and time-loss, cranes and plant that are too few and/or badly-maintained (Tunisia and Algeria) or which do not conform to international standards (Goulettes-Radès, Algiers), cramped container terminals, institutions and regulations which are badly suited to the development of port services optimised for globalisation, working hours which do not meet the requirements of the maritime sector, badly-integrated information systems, the problem of illegal immigration, poor allocation of port space, etc.

Praiseworthy efforts have been made to overcome these obstacles, such as major investment, the reorganisation of passage through ports, regulatory provisions to keep passage through ports fluid, BOT (Build, Operate, Transfer) concessions and privatisations. Partnerships between port agents and their customers are being forged and firmed up in various ways: the de-monopolisation of the port services sector, with the separation of port management from commercial management (law of 1998, in Algeria; draft legislation for Moroccan ports, 2005), creation of one-stop offices, installation of scanners (Algeria, Morocco), of gantries and video surveillance (Morocco), privatisation of handling (Tunisia, Morocco, Turkey, etc.), efforts to change systems (Lebanon and Syria) to overcome excessive bureaucracy, the concession of new global ports to mega carriers (Port Tangier-Med Port, in Morocco) and efforts to federate all parties involved in passage through ports by creating Port Communities (Port of Casablanca).

As far as overland transport is concerned, and more specifically door-to-door transport, various obstacles are holding up the development of multimodal transport. In the Maghreb, overland transport is predominantly by road. In order to dynamise this sector, the Maghreb authorities have completed institutional

and regulatory reforms: there has been a shift from public regulation to regulation by the market (law 16-99 in Morocco). These reforms have resulted in the emergence of a multitude of carriers, unfair competition, problems with professional qualifications, over-capacity, difficulties in finding funding for renovating fleets, etc. As far as international road transport is concerned, it is operated by European carriers. The lack of development of this method of transport on the southern side of the Mediterranean is due to a number of obstacles. In terms of international private law, there is the problem of the inconsistency between the provisions of the CMR (Convention on the Contract for the International Carriage of Goods by Road) and the agreements regulating maritime transport and the inconsistencies between the jurisdiction of the States on either side of the Mediterranean.

At the fiscal level, many problems are yet to be solved: multimodal transport, which by its very nature affects several countries, may often be subject to a great number of duties. In terms of insurance, some states require local importers to be insured locally and this requirement can lead to non-transparent methods of minimising local risk cover.

The flow of goods between the countries of the Mediterranean and the flow of goods which have to cross it have led to the emergence of several logistical centres. Some already exist, others are in the process of being created (in Casablanca, Tangier, Marrakesh, etc.), and yet more are on the drawing board. We should also note that Information and Communication Technologies (ICTs) can play a part in facilitating international transport in the Mediterranean. Such technologies have given rise to new forms of organisation and relations (Supply Chain Management: SCM), through the creation of infrastructures and transversal alliances. Computerised information systems can be linked together, which enables flexibility in the work process and a controlled response by the SCM to just-in-time production. Against this background, port logistics are increasingly being used to help in the fluidity and flexibility needed for international just-in-time production. In this way, logistical chains are becoming more complex in order to respond to any changes

engendered by the information flow. Consequently, the control of information flows is a competitive advantage. Such control involves the establishment of upgradeable EDI (Electronic Data Interchange) systems.

As far as the integration of ICTs into Euro-Mediterranean transport and passage through port is concerned, we can safely say that customs services are obtaining or have already obtained information and communication systems which will reduce customs clearance delays and eventually lead to the computerisation of this operation (the BADR and SINDA systems in Morocco and Tunisia respectively). In terms of the management of ports of call, ICTs have begun to be extended to every activity, for the sake of simplification. The EDI is being installed everywhere. The interoperability of customs and port systems is increasing (one-stop office: Tunisia, Morocco, Spain, France, Italy, etc.). However, in Algeria the systems are still separate.

As far as overland carriers are concerned, there is no common information link scheduled covering Europe and the Maghreb. On the other hand, several liaison projects for railway information are underway in Spain, France, Italy, Tunisia and Morocco.

However, the growth of ITCs poses problems: the legal status of the "e-document" (paper remains king when it comes to respecting the spirit of the law), little understanding of the real needs of port operators and trade flows, resistance to change, lack of information and the difficulty of estimating costs.

Having identified these problems, we can make various recommendations.

In terms of EU conventions, agreements and regulations, it is clear that it is in the interest of the Third Mediterranean Countries to join international conventions and agreements and to harmonise their national regulatory frameworks with the EU regulatory framework. This means it is a necessity to have a thorough knowledge of the international conventions and agreements and the EU regulatory framework.

With regard to international maritime transport services, the opening-up of markets should be accompanied by the upgrading of the southern countries' fleets, with the EU's support.

As far as passage through ports is con-

cerned, an institutional upgrade is necessary, taking into account all the interests of the port community.

Similarly, support is required for the reforms and modernisation of customs management, to enable the total integration of the e-customs system and to reduce customs clearance paperwork to zero through promoting integral customs clearance by the electronic information system.

In terms of customs transit systems, their advantages would need to be optimised in order to clear the congestion in certain southern ports and to harmonise national and EU transit systems so that a transit procedure between the EU and the Maghreb could be drawn up.

It would be necessary to create a legal framework to promote the computerisa-

tion of information and to encourage the formation of electronic port communities through the adaptation of tariff systems to the operators' actual capacities and by facilitating the development of customer-friendly interfaces. We also need to encourage the interoperability of information systems between the ports of both shores.

Finally, for road transport, we need to apply the new regulations as part of a permanent dialogue between administrations and the private sector. For international road transport, we recommend that southern carriers improve their capabilities, that efforts be made to achieve businesses of an optimal size and that the EU sign individual agreements with each non-EU Mediterranean country. Regarding this mode of transport, it would

be necessary to create a uniform terminology among the users of the multimodal logistical chain and to make it into an international framework. This makes the harmonisation of jurisdictions on both sides necessary. Drivers from the south are handicapped by the need to obtain visas. One solution could be to borrow a method used by sailors: professional registration booklets authorised by the ILO (International Labour Organisation) convention.

Finally, rail transport must be included in intermodal transport. This requires connections between rail and maritime services at the ports. Rail will have a place as a competitive transport method in this vision of Maghreb integration.