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## Port of Antwerp-Bruges to pay more than \$44m in DP World concession dispute

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Port of Antwerp-Bruges

The port of Antwerp-Bruges will have to pay €41.3m (\$44.7m) plus costs and interest to DP World under a ruling in an arbitration case at the International Centre for Settlement of Investment Disputes (ICSID).

The record fine, which could ultimately amount to up to €100m, is the conclusion of a seven-year concession dispute at the Deurganck dock that started almost twenty years ago.

The Deurganck dock opened to shipping in September 2005, with the west side then allocated to MSC-PSA, which together opened the largest container terminal in the port of Antwerp, MPET, while DP World was then given the east side of the dock to build a terminal.

When PSA decided to move all of its container operations to Deurganck, DP World's volumes were lower than anticipated, and the port granted PSA 40 hectares of DP World's concession. The move was not supported by the Dubai group, and in 2017, the state-owned ports giant used the ICSID to settle the dispute.

In April 2021, the tribunal ruled that the decision by the Antwerp port to repossess the land was justified on four accounts. The only outstanding issue, which has now gone in DP World's favour, was whether the compensation already paid was appropriate and realistic under international law.

The port, owned by the two cities, said it would review the decision but that it remains convinced that the 2014 repossession decision safeguarded its international traffic and promoted employment in and around the port area.

"In any case, it is positive that there is now a decision that gives legal certainty to all parties involved," the Antwerp-Bruges Port Authority said in a statement.

Container shipping analysts at Alphaliner said that the judgement raised questions about whether the two sides could find an alternative solution, noting "the optimal and constructive operational cooperation and understanding of DP World, one of the most important terminal operators."