

COUNCIL OF THE EUROPEAN COMMUNITIES GENERAL SECRETARIAT



PRESS RELEASE

7601/85 (Presse 105)



1018th Council meeting
- Transport -

Luxembourg, 24 June 1985

Presidents: Mr Claudio SIGNORILE Minister for Transport

and

Mr Gianuario CARTA Minister for Merchant Shipping of the Italian Republic - 2 -24.VI.85

The Governments of the Member States and the Commission of the European Communities were represented as follows:

Belgium:

Denmark:

Mr Herman de CROO Minister for Transport, Post and

Mr Arne MELCHIOR Minister for Public Works

Telecommunications

Mr J.L. HALCK State Secretary, Ministry of Public Works

Germany:

Greece:

Mr Werner DOLLINGER Federal Minister for Transport Mr Alexandre ROUSSOPOULOS Secretary-General. Ministry of Transport

France:

Ireland

Mr Jean AUROUX State Secretary attached to the Ministry for Town Planning, Housing and Transport, with responsibility for Transport

Mr D.B. FITZPATRICK Assistant Secretary Department of Communications

Italy:

Luxembourg:

Mr Claudio SIGNORILE Minister for Transport

Mr Marcel SCHLECHTER Minister for Transport, Public Works and Energy

Mr Gianuario CARTA Minister for Merchant Shipping

Netherlands:

United Kingdom:

Mrs N. SMIT-KROES Minister for Transport and Public Works

Mr Nicholas RIDLEY Secretary of State for Transport

Commission:

Mr Stanley CLINTON DAVIS Member

SHIPPING

The Council held an initial discussion on the Commission communication "Progress towards a common transport policy - maritime transport".

It expressed satisfaction at work done in this field and agreed in principle with the main ideas set out in the communication. It broadly approved the analysis of the present situation in the Community's shipping industry and shared the Commission's serious concern at the substantial drop in the Community fleet's share of the world shipping market and the adverse effects on employment and foreign trade.

The Council pointed to the desirability of giving closer consideration as soon as possible to all the aspects, both internal and external, covered by the Commission communication.

The Council proposed to examine the six proposals in the communication, giving a degree of priority to those on co-ordinated action to safeguard free access to cargoes in ocean trades, freedom to provide services in sea transport, unfair pricing practices in maritime transport and detailed rules for the application of Articles 85 and 86 of the Treaty to maritime transport.

It asked the Permanent Representatives Committee to press ahead with discussions on the matter and refer the outcome to its next meeting so that the first conclusions could be arrived at before the end of the year.

REVISION OF THE SOCIAL REGULATIONS APPLYING TO ROAD TRANSPORT

The Council arrived at a common approach concerning adjustments to the social regulations in road transport, particularly as regards greater flexibility over daily driving time, an increase in the average weekly rest period and rearrangement of the daily rest period.

DEVELOPMENT OF THE COMMON TRANSPORT POLICY

The Council discussed how action should be taken to implement the judgment of the Court of 22 May 1985.

RELATIONS WITH AUSTRIA

The Council took note of the results of talks held by the Commission with the Austrian Government for a resumption of transport negotiations.

It took note of the Commission's intention of proposing a framework for co-operation with Austria and asked the Permanent Representatives Committee to prepare the necessary measures by the end of July 1985.

SECURITY IN AIR TRANSPORT

The Ministers for Transport approved the following Declaration:

"The Ministers for Transport, meeting in Luxembourg on 24 June 1985,

- noting the resumption of terrorist activity against civil aircraft and airports,
- firmly condemn any criminal interference whatsoever in civil aviation and
- hope, in view of the seriousness of the problem, that the next European Council in Milan will consider the problem of terrorism at the highest political level,
- resolve, through action by Member States in the competent bodies, to renew the determination of Community Governments to implement the necessary measures to ensure the highest possible level of security in civil aviation."

The Commission representative, also present at the meeting, welcomed the Declaration.



MISCELLANEOUS DECISIONS

Export credits

The Council adopted in the official languages of the Communities the Decision on the application of the Understanding on Guidelines for Officially Supported Export Credits for Large Civil Aircraft (Large Aircraft Sector Understanding).

Commercial policy

The Council adopted in the official languages of the Communities the Regulation laying down the arrangements applicable to imports of products originating in Yugoslavia.

It likewise adopted the Regulation imposing a definitive anti-dumping duty on imports of certain ball bearings and tapered roller bearings originating in Japan.



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DE : C.C.E. BRUXELLES - GPP46 - G.P.P. A : C.E. WASHINGTON - WASHINGTON

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REF. NO. 117186-BIO P/1 B 1/19

NOTE BIO + LUXEMBOURG 3231

BRUXELLES, LE 21 JUIN 1985
NOTE BIO (85) 228 TO NATIONAL OFFICES
CC TO MEMBERS OF THE SPOKESMAN'S SERVICE

PREPARATION TRANSPORT COUNCIL (JUNE 24) (M. BERENDT)

MAIN ITEM ON THE AGENDA WILL BE THE QUESTION OF DRIVERS HOURS ON WHICH THE COMMISSION WARNED THAT IT WOULD WITHDRAW ITS PROPOSAL IF MINISTERS WERE MOVING TOWARDS A COMPROMISE WHICH PROVIDED MORE FLEXIBILITY I.E. LONGER WORKING HOURS WITHOUT A CORRESPONDING INCREASE IN MINIMUM REST PERIODS. THIS REMAINS THE POSITION OF THE COMMISSION.

THE PRESIDENCY HAS NOW PUT FORWARD A PAPER WHICH WILL FORM THE BASIS OF DISCUSSION IN THE COUNCIL. THIS ENVISAGES A FOUR WEEK PERIOD OF 180 HOURS AS THE FRAMEWORK FOR A COMMUNITY REGULATION WITH A MAXIMUM OF 48 HOURS WORKING TIME PER WEEK AND A MINIMUM REST PERIOD OF 48 HOURS PER WEEK. SEVERAL MEMBER STATES ARE STILL INSISTING ON A MINIMUM 42 HOURS REST AND THIS PROMISES TO BE THE MOST CONTENTIOUS ISSUE IN THE DISCUSSIONS.

OTHER ITEMS ON THE AGENDA INCLUDE THE MEDIUM TERM INFRASTRUCTURE RESOLUTION WHICH MAY WELL BE ADOPTED AND WHICH WILL LAY DOWN BASIC CRITERIA FOR PROJECTS WHICH WOULD QUALIFY FOR FINANCE FROM COMMUNITY FUNDS.

THE COUNCIL WILL ALSO DISCUSS THE IMPLICATIONS OF THE COURT OF JUSTICE JUDGEMENT WHICH RULED THAT THE COUNCIL SHOULD WITHIN A REASONABLE TIME ADOPT COMMON RULES ENSURING FREEDOM TO PROVIDE SERVICES IN INLAND TRANSPORT AND CONDITIONS UNDER WHICH NON-RESIDENT CARRIERS MAY OPERATE TRANSPORT SERVICES WITHIN A MEMBER STATE. DELEGATIONS ARE DIVIDED AS TO HOW TO REACT AND NO CONCRETE DECISIONS CAN BE EXPECTED. THE COMMISSION WILL BE PRESSING FOR A MORE INTENSE WORK PROGRAMME IN THE COUNCIL TO ENSURE THAT THE NECESSARY LEGISLATION CAN BE ADOPTED TO MEET THE COURT'S RULING WITHOUT JEOPARDISING THE PACE OF OTHER WORK.

THERE WILL BE A BRIEF DISCUSSION ON THE COMMISSION'S PROPOSALS ON MARITIME TRANSPORT AND COMMISSIONER STANLEY CLINTON-DAVIS WILL REPORT ON HIS TALKS WITH THE AUSTRIAN GOVERNMENT.

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SIO (85) 228 (SUITE 1 ET FIN) AUX BUREAUX MATIONAUX CC: AUX MEMBRES DU SERVICE DU PORTE-PAROLE

TRANSPORT COUNCIL OF 24 JUNE (M. BERENDT)

≠1. DRIVERS' HOURS

THE COUNCIL 'S MAIN ACHIEVEMENT WAS TO SETTLE THE QUESTION OF DRIVERS'HOURS . FINAL AGREEMENT WAS REACHED AFTER MEGOTIATIONS IN

THE COMMISSION MAINTAINED A TOUGH POSITION. MINISTERS MOVED A GOOD BEAL CLOSER TO THE COMMISSION'S PROPOSALS THAN IN THEIR MAY COUNCIL: BUT TOOK THEIR FINAL DECISIONS BY UNANIMITY ON THE BASIS OF A PRESIDENCY PROPOSAL. THE COMMISSION'S PROPOSALS REMAINED UNCHANGED.

THE COUNCIL'S AGREEMENT WAS ON THE BASIS OF A 180 HOURS WORKING PERIOD OVER FOUR WEEKS: WITH A MAXIMUM OF 90 HOURS OVER TWO WEEKS AND A MAXIMUM OF SIX COMSECUTIVE WORKING DAYS. THE WEEKLY MAXIMUM WORKING TIME THUS DISAPPEARS FROM THE REGULATION. THE DAILY MAXIMUM FOLLOWS THE COMMISSION PROPOSAL OF NIME HOURS: OR TEN HOURS, THICE A WEEK.

ON PINIMUM REST PERIODS: THE COUNCIL ACCEPTED 45 HOURS WEEKLY: AGRINST THE CURRENT MINIMUM OF 40 AND THE COMMISSION'S PROPOSAL OF

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FOR DRILY REST PERIODS: A MINIMUM OF 12 HOURS WHICH COULD BE SPLI

INTO SEPARATE PARTS (FRACTIONNEHENT) OR 11 HOURS UNSPLIT HAS AGREE

MANY DETAILS OF THE PROPOSALS ARE YET TO BE DETERMINED: BUT THIS AGREEMENT PROVIDES THE BASIC LINES FOR A DETAILED REGULATION TO MAKE THE LEGISLATION GOVERNING DRIVERS! HOURS MORE FLEXIBLE. IT WILL COME INTO EFFECT AS FROM JANUARY! 1586.

MR STANLEY CLINTON DAVIS SAID AFTER THE DECISION: I AM GLAD TO SAY THAT BY DIN! OF HARD NEGOTIATING WE ACHIEVED SOME SUBSTANTIAL IMPROVEMENTS ON THE REST PERIODS MOOTED IN THE PROJECTED COMPROWISE OF FOUR WEEKS AGO. BUT I WOULD HAVE BEEN HAPPIER IF THE COUNCIL HAVE ACCEPTED OTHER ASPECTS OF OUR PROPOSAL "NOTABLY THE EQUIVALENT OF A FULL WEEK-END'S REST FOR DRIVERS AND A BETTER SYSTEM FOR THE CONTROL AND ENFORCEMENT OF THESE REGULATIONS. WE SHALL KEEP A CLOSE EYE ON HON THESE PROPOSALS TRANSLATE INTO PRACTICE!!

2. MARITIME TRANSPORT

MINISTERS ALL WELCOMED THE COMMISSION'S MEMORANDUM AND PROPOSALS IN THE MARITIME TRANSPORT SECTOR: WHICH HAVE NOW BEEN CONSIDERED IN THE COREPER. THEY HAVE ASKED COREPER TO PREPARE DECISIONS IN THIS SECTOR BY THE END OF DECEMBER1985.

ALMOST ALL DELEGATIONS STRESSED THE NEED FOR URGENT ACTION IN THE MARITIME TRANSPORT SECTOR; WHERE THE COMMUNITY'S FLEET IS DECLIAING IN THE FACE OF THIRD COUNTRY COMPETION. THE DUTCH MINISTER SAID .
THAT UNTIL THE COMMUNITY HAD ADAPTED ITS OWN RULES TO ALLOW THE COMMON MARKET TO WORK IN THE MARITIME TRANSPORT SECTOR; IT WAS ABSUAD

TO GO. JOSTALIRA COUNTRIES AND ASK THEN TO REGOTIATE MORE LIBERAL MERSURES, IT FUT THE COMMUNITY IN AN INTOLERABLE SITUATION. THE BRITISH SAID THAT UNLESS ACCESS WAS IMPROVED FOR THE COMMUNITY ! SHIPPING INDUSTRY TO THE MARKETS OF ALL MEMBER STATES: THE BRITISH GOVERNMENT MIGHT BE FORCED TO TAKE ACTION CLOSING BIRITSH CORSTS TO VESSELS FROM OTHER MEMBER STATES.

THE FRENCH DELEGATION AND THE ITALIAN PRESIDENCY WARNED AGAINST OVER-HASTY ACTION: BUT FAVOURED THE ADOPTION OF PROPOSALS BY THE END OF THE YERR.

THE MAIN PROPOSALS UNDER DISCUSSION WILL BE FREE ACCESS TO CARGOES FOR COMMUNITY SHIPOMNERS, FREEDOM TO PROVIDE SERVICES IN MARITIME TRANSPORTS APPLICATION OF RULES OF COMPETITION TO THE MARITIME SECTOR AND ACTION ON UNFAIRE PRICING PRACTICIES IN MARITIME TRANSPORT.

3. AUSTRIA

COMMISSIONER STANLEY CLINTON DAVIS SUCCESSFULLY PRESSED THE COUNCIL TO ACCEPT THE COMMISSION'S RECOMMENDATION THAT A NEW APPROACH SHOULD BE ADOPTED IN TALKS WITH AUSTRIA. UNDER THIS APPROACH: DISCUSSIONS WILL BE OPENED ON COOPERATION IN THE SECTORS OF COMDINED TRANSPORT AND RAILWAY. THE COMMISSION WILL NOW PROPOSE A FRAMEWORK FOR TALKS WHICH COREFER WILL ADOPT AS A REGOTIATING MANDATE FOR THE COMMISSION BY THE END OF JULY.

4. COUNCIL RESPONSE TO THE COURT OF JUSTICE JUDGEMENT

THE COUNCIL ARGUED LONG OVER THE RESPONSE IT SHOULD ADOPT TO THE COURT OF JUSTICE JUDGEMENT ON THE COUNCIL'S FAILURE TO ADOPT ASPECTS OF THE COMMON TRANSPORT POLICY A TEXT WAS AGREED BY MINE DELEGATIONS THIS NOTE: THE COMMUNITY LEGISLATION NECESSARY TO IMPLEMENT THE JUDGEMENT AND CONCLUDED WITH A REQUEST TO COREPER TO SUBMIT. FOR ABOPTION BY THE COUNCIL BY THE END OF 1985. THE INSTRU-MENTS NECESSARY TO GIVE EFFECT TO THE JUDGEMENT OF THE COURT! SO AS TO MAKE IT EFFECTIVE AT THE LATEST BY JANUARY 1 1988.

THE BUTCH DELEGATION WAS UNABLE TO ACCEPT THIS TEXT. ITS OBJECTIONS REFLECTED THE DIFFICULTIES OF THE DEBATE DURING WHICH SOME DELEGATIONS SOUGHT AN UNEQUIVOCAL COMMITMENT TO RAPID IMPLEMENTATION OF COMMUNITY LEGISLATION IN THE SECTORS SUBJECT TO THE JUDGEMENT AND OTHERS SAN THE NEED TO DRAW ON ANCILLARY MEASURES TO MAKE A BROADER PACHKAGE.

THE CONMISSIONER SAID IT WAS VERY DISAPPOINTING THAT THE COUNCIL WAS NOT ABLE TO AGRE EVEN A TIMETABLE FOR ADOPTING DECISIONS TO GIVE EFFECT TO THE RECENT JUDGEHENT OF THE EUROPEAN COURT.

THE COMMISSION RELIVES THA

T ACTION IS THE MOST ELOQUENT RESPONSE TO THE COURT'S JUDGEMENT. SUCH AN INABILITY TO DECIDE HAS TO BE SEEN IN THE LIGHT OF ONE OF THE COURT'S CONCLUSIONS- THAT IT IS NOT ACCEPTABLE TO CITE POLITCAL : TECHNICAL OR ECONOMIC DIFFICULTIES AS EXCUSES FOR INACTION. IT DOES NOT AUGUR WELL FOR THE FUTURE!!.

24.6.19856