

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

7702/86 (Presse 96)

1090th Council meeting

- Transport -

Luxembourg, 18/19 June 1986

President: Mrs N. SMIT-KROES

Minister for Transport
and Public Works

of the Kingdom of the Netherlands

Presse 96 - G

**Includes continuation of the 1090th meeting on 30 June 1986*

PRESS RELEASE

7883/86 (Presse 104)

COR to COR 1 (E)

CORRIGENDUM

to the

CORRIGENDUM

to the press release
for the 1090th meeting of the Council
- Transport -

Luxembourg, 30 June 1986

On page 5, third line, replace the phrase "including the overall transit needs of all Member States" by "including the full transit needs of all Member States".

18/19.VI.86

Luxembourg:

Mr Marcel SCHLECHTER

Minister for Transport, Public
Works and Energy

Netherlands:

Mrs N. SMIT-KROES

Minister for Transport and
Public Works

Portugal:

Mr Gonçalo Manuel BOURBON
SEQUEIRA BRAGA

State Secretary for Transport
and Communications

United Kingdom:

Mr John MOORE

Secretary of State for Transport

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For the Commission:

Mr Stanley CLINTON DAVIS

Member

Mr Peter SUTHERLAND

Member

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SHIPPING

The Council continued its discussion of the four proposals on shipping.

On completion of its discussions it was able to note that solutions had been found for most of the problems arising in the area of proposals relating to application of the rules of competition to shipping, co-ordinated action to safeguard free access to cargoes in ocean trades and measures to combat unfair pricing practices.

However, the Council was unable to resolve certain outstanding questions of principle relating to the proposal on applying the principle of freedom to provide services to maritime transport.

The Council agreed to resume discussion of these proposals at its next meeting.

PROOF OF COMPLIANCE OF VEHICLES WITH DIRECTIVE 85/3/EEC

The Council agreed to the draft Directive on proof of compliance of vehicles with Directive 85/3/EEC. In order to facilitate checks the Directive lays down the principle of recognition of the information contained on the manufacturer's plate as proof of compliance and provides, as an additional means of proof, for the establishment of a document containing the same information as that which appears on the plate.

TRANSPORT INFRASTRUCTURES

To enable it to take a decision at the earliest opportunity the Council invited the Commission to submit to it by 1 September 1986:

- a communication on an indicative programme of significant transport infrastructure projects of Community interest which could be completed in the medium term;
- a proposal for a Regulation on the implementation of the programme and providing for commitment of the appropriations shown in the 1985 and 1986 budgets for transport infrastructures.

RELATIONS WITH AUSTRIA

The Commission representative submitted a statement on the discussions the Commission had had with the Austrian authorities on the basis of the instructions given by the Council on 14 November 1985. He stated that the Commission would shortly be submitting to the Council a report on the outcome of the discussions.

The Council agreed to initiate a substantive discussion on relations with Austria in the sphere of transport in the context of consideration of the indicative programme for medium-term projects of Community interest. It asked the Permanent Representatives Committee to prepare for the Council's proceedings on this basis.

EASING OF BORDER FORMALITIES FOR THE CARRIAGE OF GOODS

The Council agreed to the text of the draft Directive amending Directive 83/643/EEC on the facilitation of physical inspections and administrative formalities in respect of the carriage of goods between Member States. The aim of the Directive is to move one step closer towards abolition of inspections and formalities at the Community's internal frontiers on the way towards completion of the internal market planned for 1992.

The text adopted by the Council provides for the following improvements to the 1983 Directive on the facilitation of inspections:

- the possibility of adjusting the minimum opening hours of customs offices at airports in the light of traffic flow;
- the introduction of a procedure for informing the national and Community authorities of problems when crossing frontiers;
- the possibility of delegating to the authorities represented at customs offices the power to carry out certain summary inspection tasks when the authorities responsible are not available;
- the payment of the sums due on accomplishment of inspections and formalities by means of guaranteed or certified international cheques expressed in the currency of the Member State concerned.

The Council agreed to instruct the Permanent Representatives Committee to finalize the text of the draft Directive in order to submit it to the Council for adoption as an "A" item at one of its forthcoming meetings.

RAIL TRANSPORT

The Council agreed to continue its discussions on the Commission proposal for improving the financial situation of railway undertakings and thought it desirable that the undertakings concerned should enter into consultations on the subject with their respective governments.

ORGANIZATION OF THE HAULAGE MARKET

WEIGHTS AND DIMENSIONS

AIR TRANSPORT

The Council agreed to resume discussion of these items at its next meeting, which would be convened for 30 June 1986 at 10.00.

MISCELLANEOUS DECISIONS

Further decisions relating to transport

The Council adopted the Resolution on the extension of the system for observing the markets for the carriage of goods by rail, road and inland waterway between the Member States.

Under the Resolution

- the system of experimental monitoring of the markets for the carriage of goods by rail which had been gradually introduced beginning in 1978 and extended for the first time in 1981 would be extended for a further period ending on 31 December 1988;
- before 1 July 1988 the Council, acting on a proposal from the Commission and following an in-depth review of the existing system, will take a decision on the establishment of a system adapted to the final arrangements for organization of the inland transport market, taking into account the needs of users and the need to reduce running costs to a minimum.

The Representatives of the Governments of the Member States of the ECSC, meeting within the Council, adopted the Fifth Supplementary Agreement amending the Agreement of 21 March 1955 on the establishment of through international railway tariffs for the carriage of coal and steel.

The new Supplementary Agreement constitutes a limited revision of the 1955 Agreement to enable the German railways to carry out a reform of their national tariff system.

Agriculture

The Council adopted in the official languages of the Communities the Regulation amending Regulation (EEC) No 857/84 adopting general rules for the application of the levy referred to in Article 5c of Regulation (EEC) No 804/68 in the milk and milk products sector.

Fisheries

The Council adopted in the official languages of the Communities the Decision on the conclusion of an Agreement in the form of an exchange of letters concerning an interim extension of the Protocol annexed to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal for the period 1 to 31 May 1986.

Customs union

The Council adopted in the official languages of the Communities the Regulation temporarily suspending the autonomous Common Customs Tariff duties on a number of industrial products.

The Council also adopted in the official languages of the Communities the Decision accepting on behalf of the Community the Recommendation of the Customs Co-operation Council of 16 June 1982 concerning the use of a code for the representation of modes of transport.

Environment

The Council decided to sign the Convention for the Protection, Management and Development of the Marine and Coastal Environment of the Eastern African Region and the two Protocols annexed thereto, subject to its conclusion at a later date.

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

7883/86 (Presse 104)

Continuation of the 1090th Council meeting

- Transport -

Luxembourg, 30 June 1986

President: Mrs N. SMIT-KROES
Minister for Transport
and Public Works
of the Kingdom of the Netherlands

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

Belgium:

Mr Herman de CROO Minister for Transport and
Foreign Trade

Denmark:

Mr Arne MELCHIOR Minister for Public Works

Germany:

Mr Werner DOLLINGER Federal Minister for Transport

Greece:

Mr Georges PAPADIMITRIOU Minister for Transport and
Communications

Spain:

Mr Abel CABALLERO Minister for Transport and
Communications

France:

Mr Jacques DOUFFIAGUES Minister attached to the
Minister for Infrastructure,
Housing, Town and Country
Planning and Transport with
responsibility for Transport

Ireland:

Mr Jim MITCHELL Minister for Communications

Italy:

Mr Claudio SIGNORILE Minister for Transport

Luxembourg:

M. Marcel SCHLECHTER

Minister for Transport,
Public Works and Energy

Netherlands:

Mrs N. SMIT-KROES

Minister for Transport and
Public Works

Portugal:

Mr OLIVEIRA MARTINS

Minister for Public Works,
Transport and Communications

United Kingdom:

Mr John MOORE

Secretary of State for Transport

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For the Commission:

Mr Stanley CLINTON DAVIS

Member

Mr Peter SUTHERLAND

Member

30.VI.86

ROAD HAULAGE

The Council continued its discussions of 18 and 19 June on road haulage, and reached the following conclusions:

Intra-Community road haulage

"THE COUNCIL,

Having regard to its conclusions of 14 November 1985,

Whereas a free intra-Community market in road haulage without quantitative restrictions should be created by 1992 at the latest;

Whereas the elimination of distortions of competition in transport should be completed during the transitional period,

HAS ADOPTED THE FOLLOWING CONCLUSIONS:

1. Organization of the market

(a) Definitive organization of the market

A free market without quantitative restrictions should be created in intra-Community road haulage by 1992 at the latest.

(b) Transitional phase

- In order to permit progressive adjustment during the transitional period to the free market to be created by 1992 at the latest and to ensure that transition to the new system is as smooth as possible, the annual increase in the Community quota must be higher than the present 15%. As from 1987 the annual increase will therefore have to be brought up to 40% (cumulative) until the introduction of the final phase, subject to the provisions of point 2(b) on page 6.

30.VI.86

- The system of bilateral quotas applied during the transitional period must meet the requirements of trade and transport between the Member States concerned, including the overall transit requirements of all the Member States.

(c) Main features of the definitive organization of the market

The organization of the free market will comprise the following features:

- a system of Community authorizations issued on the basis of purely qualitative criteria, viz.:
 - = subjective requirements for access to the profession (professional competence, solvency and good repute).

The practical application of these requirements in the various Member States will be harmonized as far as necessary; their content will be further specified.

- = sufficient experience in national haulage;
- monitoring of compliance with the provisions enacted on road safety and social conditions, on a uniform basis for all Member States;
- the introduction of Community measures to cope with serious disruption of the market or part of the market; a Community system for monitoring the market will provide the necessary data.

Taking the above as starting points, discussion of this matter will continue on the basis of the Commission proposal of 15 June 1983.

2. Conditions of competition

During the transitional period, work on the elimination of distortions of competition should be expedited. Now that agreement has been reached on the revision of social legislation and directives have been adopted on the harmonization of the weights and dimensions of certain road vehicles, including the load on the drive axle, the fiscal aspects remain to be settled. Fiscal harmonization will be studied further in co-operation with the Ministry of Finance on the basis of a comprehensive note on motor vehicle taxation, excise duty on fuel and road tolls to be submitted to the Commission.

The Council calls upon the Commission:

- (a) to submit a proposal amending Regulation (EEC) No 3164/76 to bring the annual increase in the Community quota to 40% (cumulative);
- (b) to ascertain whether this annual increase and the allocation of the Community quota between the Member States will have sufficient effect to allow easy transition to the final phase in 1992 at the latest, and to submit an initial report on this point by 1 January 1988;
- (c) with a view to the completion of the internal market, to study the problems of Community transit through third countries and to submit appropriate proposals, as soon as possible and by 1 January 1987 at the latest;
- (d) to submit, as soon as possible and by 1 January 1987 at the latest, a study on motor vehicle taxation, excise duty on fuel and road tolls and the correlation between them."

Weights and dimensions - Prescribing the weight on the driving axle
of a 5 or 6-axle combined vehicle

The Council agreed:

- to set at 11,5 tonnes, with effect from 1 January 1992, the weight on the driving axle of 5 or 6-axle combined vehicles;
- to grant Ireland and the United Kingdom, because of the inadequacies of their road infrastructure, the right to derogate from this requirement temporarily, as laid down in the basic Directive, particularly with regard to the maximum weight of the laden vehicle.

In this connection, the Irish and United Kingdom Governments undertook to take steps to ensure that 5 or 6-axle combined vehicles used in trade with other Member States did not, on their territory, have a weight on the driving axle of more than 10,5 tonnes and a total laden weight of more than 38 tonnes.

AIR TRANSPORT

The Council had a wide ranging and detailed discussion on the development of a civil air transport policy in the Community.

At the end of its debate it agreed to the following general conclusion :

"The Council, taking into account the conclusions of the European Council of 26 and 27 June 1986, in the field of air transportation :

- confirms the need for a coherent Community air transport system based on a balanced set of instruments promoting increased competition in intra-Community air services as regards tariffs, capacity and market entry, in conformity with the competition rules of the Treaty ;
- agrees in this context that such a system should be established gradually. To that end, the Council agrees on an initial period of application of 3 years, during which the Council will review developments and take decisions on further steps in order to achieve the objective of the completion of the internal market by the year 1992. "

The Council instructed the Permanent Representative Committee to continue its work on the various aspects of this policy and report to the Council at its next meeting.

DIFFERENTIATION OF SPEED LIMITS

The Council discussed the question of making greater use of motorways under more equal conditions. It referred in this connection to the 1984 Resolution of the Council and the Member States on road safety and to the recent letter from Mr CLINTON DAVIS on this subject.

In conclusion, the President noted that the Member States, which were primarily responsible for road safety, were encouraged in their thinking on this matter and would endeavour, where infrastructure permitted, to promote the use of motorways by establishing, between the speeds authorized on motorways and those permitted on ordinary roads, a distinction that was recognizable as such on a European scale.

The Commission was urged to bring its study of this question to a swift conclusion.

MISCELLANEOUS DECISIONS

Relations with the ACP States and the OCT

The Council adopted, in the official languages of the Communities, the Decision on the association of the OCT with the Community.

In addition, the Representatives of the Governments of the Member States of the European Coal and Steel Community, meeting within the Council, adopted in the official languages of the Communities the Decision on the arrangements for trade between the Community and the OCT in ECSC products.

The Council also adopted, in the official languages of the Communities, the Decision reallocating the unexpended balance of the resources set aside under the Fifth EDF for the stabilization of the export earnings of the overseas countries and territories.

Finally, the Council adopted, in the official languages of the Communities, the Regulations opening, allocating and providing for the administration of Community tariff quotas for rum, arrack and tafia falling within subheading 22.09 C I of the Common Customs Tariff, originating in:

- the African, Caribbean and Pacific States (ACP): exemption from customs duties for the period from 1 July 1986 to 30 June 1987 for 170 000 hectolitres of pure alcohol, allocated as follows:
United Kingdom - 101 650 hl; Benelux - 9 100 hl; Denmark - 2 970 hl; Germany - 49 330 hl; Greece - 50 hl; Spain - 260 hl; France - 2 750 hl; Ireland - 3 110 hl; Italy - 750 hl; Portugal - 30 hl;
- the overseas countries and territories associated with the European Economic Community: exemption from customs duties for the period from 1 July 1986 to 30 June 1987 in respect of 16 899 hl of pure alcohol, allocated as follows: Benelux - 10 139 hl; Denmark - 1 190 hl; Germany - 1 840 hl; Greece - 30 hl; Spain - 330 hl; France - 680 hl; Ireland - 680 hl; Italy - 330 hl; Portugal - 330 hl; United Kingdom - 1350 hl.

Relations with the EFTA countries

The Council decided to sign, subject to their conclusion, the Additional Protocols to the Agreements in the form of Exchanges of Letters with the EFTA countries, consequent on the accession of Spain and Portugal.

Environment

The Council decided to proceed with the signing of a Protocol amending the Convention for the Prevention of Marine Pollution from Land-based Sources by including provisions on the prevention of pollution through the atmosphere.

Agriculture

The Council adopted, in the official languages of the Communities, the Regulations:

- on the rules for calculating the monetary compensatory amounts applicable in the pigmeat and eggs and poultry sectors;
- amending the Regulation (EEC) fixing the conversion rates to be applied in agriculture.

(See Press Release 7827/86 (Presse 102) of 24/25 June 1986, page 4).

Fisheries

The Council adopted, in the official languages of the Communities,

- the Regulations opening, allocating and providing for the administration of Community tariff quotas for
 - = cod, wet, salted, falling within subheading ex 03.02 A I b) of the Common Customs Tariff
 - = saithe (*Pollachius virens*), salted, whole, and filets of saithe, salted, falling within subheadings ex 03.02 A I f) and ex 03.02 A II d) of the Common Customs Tariff
 - = deep-frozen filets and minced blocks of Alaska pollack (*Theragra chalcogramma*) falling within subheadings ex 03.01 B I n)2 and ex 03.01 B II b)17 of the Common Customs Tariff
 - = deep-frozen filets and minced blocks of hake (*Merluccius hubbsi*) falling within subheading ex 03.01 B II b)9 and ex 03.01 B I t)2 of the Common Customs Tariff

(See Press Release 7882/86 (Presse 103) of 25/26 June 1986, page 8)

- the Decisions

- = on the international mutual inspection programme of the North-West Atlantic Fisheries Organization
- = on the Arrangement in the form of an Exchange of Letters between the European Economic Community and the Government of Canada on the establishment of the scientific observation programme in the Regulatory Area of the NAFO Convention.



COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT



PRESS RELEASE

7883/86 (Presse 104) COR 1
(i, nl, e, dk, gr)

C O R R I G E N D U M

to the press release
for the 1090th meeting of the Council
- Transport -
Luxembourg, 30 June 1986

Please substitute the attached text for pages 4, 5
and 6.

ROAD HAULAGE

The Council continued its discussions of 18 and 19 June on road haulage, and reached the following conclusions:

Intra-Community road haulage

"THE COUNCIL,

Having regard to its conclusions of 14 November 1985,

Whereas a free intra-Community market in road haulage without quantitative restrictions should be created by 1992 at the latest;

Whereas from the transport policy point of view distortions of competition should be fully eliminated during the transitional period,

HAS ADOPTED THE FOLLOWING CONCLUSIONS:

1. Organization of the market

(a) Definitive organization of the market

A free market without quantitative restrictions should be created in intra-Community road haulage by 1992 at the latest.

(b) Transitional phase

- In order to permit progressive adjustment during the transitional period to the free market to be created by 1992 at the latest and to ensure that transition to the new system is as smooth as possible, the annual increase in the Community quota must be higher than the present 15%. As from 1987 the annual increase will therefore have to be brought up to 40% (cumulative) until the introduction of the final phase, subject to the provisions of section 2(b) on page 6 below.

- The system of bilateral quotas applied during the transitional phase must meet the needs of trade and transport between the Member States concerned, including the overall transit needs of all Member States.

(c) Main features of the definitive organization of the market

The organization of the free market will comprise, inter alia, the following features:

- a system of Community authorizations issued on the basis of purely qualitative criteria, viz.:

- = subjective requirements for access to the profession (professional competence, solvency and good repute);

The practical application of these requirements in the various Member States will be harmonized as far as necessary; their content will be further specified.

- = sufficient experience in national haulage;

- monitoring of compliance with the provisions enacted on road safety and social conditions, on a uniform basis for all Member States;
- the introduction of Community measures to cope with serious disruption of the market or part of the market; a Community system for monitoring the market will provide the necessary data.

Taking the above as starting points, discussion of this matter will continue on the basis of the Commission proposal of 15 June 1983.

2. Conditions of competition

During the transitional period, distortions of competition should be fully eliminated. Now that agreement has been reached on the revision of social legislation and that the Directives on the harmonization of the weights and dimensions of certain road vehicles, including the load on the driving axle, have been adopted, the fiscal aspects remain to be settled. Fiscal harmonization will be studied further in co-operation with the Finance Ministers on the basis of a comprehensive note on motor vehicle taxation, excise duty on fuel and road tolls to be submitted by the Commission.

The Council calls upon the Commission:

- (a) to submit a proposal amending Regulation (EEC) No 3164/76 to bring the annual increase in the Community quota to 40% (cumulative);
- (b) to ascertain whether this annual increase and the allocation of the Community quota between the Member States will have sufficient effect to allow easy transition to the final phase in 1992 at the latest, and to submit an initial report on the question by 1 January 1988;
- (c) with a view to the completion of the internal market, to study the problems of Community transit through third countries and to submit appropriate proposals, as soon as possible and by 1 January 1987 at the latest;
- (d) to submit, as soon as possible and by 1 January 1987 at the latest, a study on motor vehicle taxation, excise duty on fuel and road tolls and the correlation between them."

Note BIO + Luxembourg

433

Bruxelles, le 17 juin 1986

NOTE BIO (86) 171 AUX BUREAUX NATIONAUX
CC AUX MEMBRES DU SERVICE DU PORTE-PAROLE

TRANSPORT COUNCIL, Luxembourg 18/19 June 1986

Transport ministers will be meeting for a two-day session in Luxembourg. The most substantial points on the agenda concern maritime transport and civil aviation, where fundamental decisions are required to establish Community policies.

Maritime transport

The Council is discussing four Commission proposals, two of which relate to the commercial practices of third countries and the Community's ability to resist such practices and two to the Community's internal policies.

A regulation concerning free access to cargo in ocean trades is almost finalised. This would give the Community the capacity to react against practices such as cargo reservation, when a third country government gives privileged access to its own shippers. The counter-measures proposed could include diplomatic action, refusal of landing rights, imposition of quotas or even the levying of taxes on shippers from the country concerned. The main outstanding problem is to define exactly who should benefit from the protection offered. On unfair pricing practices used by third countries, a few technical problems remain. The measure would allow provisional duties to be imposed on third country ships if they were benefiting from special non commercial advantages provided by their government.

No detailed rules have ever been laid down for the application of the competition articles of the Treaty (articles 85 et 86) to sea transport and the Council will be discussing a proposed regulation. Member States are requesting various different exemptions from the full rigour of the competition rules. Freedom to provide services is the most vexed aspect of the maritime transport dossier. It would apply to carriage of goods or passengers between ports in one Member State (cabotage), shipping services between Member States, and services between a Member State and a third country (cross-trading). In the proposed regulation, a 10 year transition would be provided for the phasing out of cabotage and a five year period for abolishing restrictions in cross-trading with state-trading countries or covered by bilateral agreements.

It seems that agreement will only be possible if cabotage is removed from the scope of this regulation, since five Member States (Spain, Greece, Italy, Portugal and France) seek various types of exclusion. The Spanish are demanding more limited criteria for Community shippers than the Greeks, who already have general Council acceptance that the expression "shipowner", rather than "shipping company" should be used. The Council may decide to take half the regulation, dealing with cabotage at a later date. It is not yet clear whether countries like the UK and Denmark would accept such a breaking up of the package.

Civil aviation

The Dutch presidency has made strenuous attempts to achieve progress on this difficult dossier, but there are still substantial differences of view between the Member States, and the Commission has its own reservations about the compromise proposals which have been discussed. At present no Community regulations exist to determine the application of the competition rules of the Treaty to the civil aviation sector. The Commission proposals in Memorandum n. 2, presented in 1984, would lay down detailed ground rules stating which practices could be accepted and the conditions under which special arrangements on capacity tariffs and other types of agreement between airlines can be exempted under the competition legislation.

The judgment of the European Court of Justice in the *Nouvelles Frontières* case has provided a timely - if complex - definition of Community law in this sector. The Court determined that the competition rules already applied to civil aviation, but in the absence of detailed Community legislation, it was incumbent on Member States themselves to apply those rules to any agreements or restrictions between airlines. It was up to the Commission to ensure that governments fulfilled this obligation. The judgment of the Court will be an important element in Council discussions.

The Commission believes that a more competitive civil aviation sector will be for the benefit of travellers in the Community, allowing lower prices and more varied services, although the Commission had never proposed untrammelled deregulation. Ministers from those Member States who wish to see a more competitive environment (including the Dutch, the British and the Irish) favour a legal framework which would give ample room for price cutting; other Member States (such as Greece, France, Italy and Spain) want the framework to be much more limited, with broad exemptions from the competition rules.

The significant issues to be discussed will include the conditions under which discount and deep discount fares can be fixed, the extent to which competing airlines can increase their share of a particular market and the way in which arbitration would work.

Attention DIS - The Commission will take civil aviation as the first point on its agenda Wednesday June 18 and seek to establish a detailed position before the Council which will deal with the dossier on Thursday. End DIS.

The Council will also be discussing drive axle weights of heavy lorries, where the presidency has produced a compromise proposal of 11.5 tonnes from 1992. Britain, Denmark and Ireland all have difficulties with this proposal. Measures for speeding up border controls on road transport within the Community will be further discussed and the presidency has also added speed limits to the agenda.

MATERIEL DIFFUSE AU R.V. DU 16 JUIN

IP 289 Declaration Narjes au PE concernant la situation en Afrique Australe.

IP 292 Europe des citoyens.

MEMO 745 Visite officielle de M Cheysson en Turquie.

MATERIEL DIFFUSE AU R.V. DU 17 JUIN

MEMO 76 Conseil transport.

MEMO 77 Visite du Vice-Président du Guatemala.

MEMO 78 Cooperation mixte CE/Finlande.


IP 293 Resume discours M. Sutherland au Colloque industriels europeens.

IP 294 Litige peche entre France et Espagne.

IP 295 Renouvellement accord textile CE/Perou.

P 47 Concours du Fonds Regional.

Amitie

H. Paerlen, Comeur 

Brussels, 19 June 1986

NOTE BIO(86) 171 (suite 1) AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

TRANSPORT COUNCIL, LUXEMBOURG 18-19 JUNE 1986
(dictated by phone by M. BERENDT)

Wednesday's session was devoted to maritime transport, but the negotiations were inconclusive. It was clear from the beginning that there was no chance of adopting the proposed regulation on freedom to provide services. Neither Greece nor Italy could contemplate accepting the arrangements for cabotage (i.e. shipping between two ports in one Member State), despite a proposed 10 year transition period. They were not willing even to discuss possible formulae to resolve the problem. Other Member States had their own difficulties with this regulation. However, the presidency did try to achieve agreement on one aspect of this regulation, concerning trade between the Community and third countries. A text was proposed which would lay down rules for cargo sharing arrangements and bilateral agreements. If adopted, they would make it possible for the Community as a whole or individual Member States to conclude such arrangements.

The Ministers had come close to agreement on three other measures, concerning free access to ocean cargoes, unfair commercial practices by third countries, and the application of the competition rules to shipping. Ministers were moving towards a decision on this more limited package, but the Spanish renewed their insistence that only ships owned, registered and managed by a company within the Community could benefit from the Community legislation. This would thereby exclude those ships, especially Greek, which were owned by Community nationals and flew a Community flag but were managed by a company established outside the Community. This issue came to a head towards the end of the day and led to the breakdown of the discussions.

Commissioner Stanley Clinton Davis said after the meeting that in other respects Member States were not far apart. "Behind all this lies the stark fact that we have an industry in deep decline. We do not have time to indulge in sterile debate. The Community owes it to its own industry, to its sea-farers and to its wider trading interests to ensure that we can make progress on this highly significant dossier". The Commissioner said he would be visiting the capitals concerned in the near future "to see whether reconciliation is possible in the interests of the credibility of the Community".

Today's session will concentrate on civil aviation and the other matters on the agenda.

Regards,



H. PAEMEN, Comeur////

Bruxelles, le 20 juin 1986.

NOTE BIO (86) 171 (SUITE 2 ET FIN) AUX BUREAUX NATIONAUX
cc. aux Membres du Service du Porte-Parole

TRANSPORT COUNCIL (M. Berendt)

The Transport Council broke up abruptly in mid-afternoon on June 19 without discussion of the civil aviation dossier; a new Council is to be convened in Luxembourg on June 30. The issue had been discussed by ministers over dinner on Wednesday evening, when the Commission had presented its positions, and was also examined by a high-level working group late that night, but the President, Mrs Neelie Smit-Kroes, decided to postpone formal Council negotiations.

When Council had ended, Commissioners Clinton Davis and Sutherland spoke jointly to the press. They both expressed their disappointment at the decision to end the Council without discussing civil aviation and said that the Commission would have to reflect on this unexpected development. "It would have been perfectly appropriate for ministers to have had discussions today," said Mr Clinton Davis. Procrastination could mean that the public would never get the benefits of a new policy on air fares. "The Commission takes the clear view that its proposals are to the advantage of the travelling public." Mr Sutherland stressed the Commission's commitment: "There is no reduction in our resolve to see through the proposals we have put to the Council", he said.

Lorry weights and dimensions

The United Kingdom and Ireland continued to block an agreement on an 11.5 tonne maximum load for the driving axle of lorries despite a proposal derogation which would allow them to continue at 10.5 tonnes until 1992. Denmark lifted its earlier reserve and was prepared to accept 11.5 tonnes as from 1992, together with nine other member states. The question will be taken at the Council of June 30, when the Commission will have prepared a report analysing the implications of higher weights for road and bridges.

Plating directive

The Council adopted the directive which provides for a plate to be fitted to the side of a goods vehicle indicating its weights and dimensions.

Free market in road transport

The Council has already decided that a free market in road transport should operate from 1992. Ministers discussed a presidency proposal for the transitional phase, which would include as from 1987 a compound annual increase of 33 per cent in the number of Community quotas which entitle lorries to drive throughout the Community. As from 1992 there would be a system of

Community authorisations based on qualitative criteria, while during the transitional period work would continue on elimination distortions of competition including differing taxation arrangements.

Simplifying customs procedures

By unanimous decision in the face of Commission opposition, Council agreed the text of a directive to simplify customs procedures for lorry traffic which fell far short of the original intention of the proposed directive. Ministers dropped one of the essential features of the original proposal, which provided for customs offices and other services within a member state to be kept open for 40 hours a week, so allowing more customs formalities to be carried out at the beginning or end of a journey rather than at the border. In a declaration to the Council, Mr Clinton Davis pointed out that this was counter to a decision only recently taken by the Ecofin Council of June 16 1986. He said that the Commission would now be putting further proposals to Council to put this right.

Amitiés 
H. Paemen. Comeur ////

Bruxelles, le 27 juin 1986.

433

NOTE BIO (86) 183 AUX BUREAUX NATIONAUX
cc. aux Membres du Service du Porte-Parole

PREPARATION DU CONSEIL TRANSPORT (M. Berendt)

Monday's session of the Transport Council in Luxembourg will be a continuation of the Council of June 18/19. Two of the major items which could not be decided last week, namely civil aviation and road transport, are the only items on the agenda.

On road transport the Commission is expected to propose an axle weight of 11.5 tonnes for the driving axle of lorries, so the Council can consider adopting this as from 1992 with some form of derogation for the United Kingdom and Ireland. Ministers will also discuss the increase in Community quotas which provide licences for lorries to move freely throughout the Community. The Commission has proposed that existing bilateral quotas should be transformed into Community quotas, but this has not been incorporated in the compromise proposed by the Presidency, which simply puts forward an annual increase of 33 % per annum in Community quotas without touching the bilaterals.

On civil aviation, Ministers will begin the discussions which they failed to have last week. They will have before them the detailed Commission proposals, Presidency proposals, Franco-German paper and a British paper.

MATERIEL DIFFUSE AU COURS DU RENDEZ-VOUS DE MIDI DU 27 JUIN 1986 1.

IP 321 : M. Cheysson rencontre Mme Aquino, Présidente des Philippines.

Amitiés,

C. Stathopoulos. Comeur ////



note bio (86) 183 aux bureaux nationaux
cc aux membres du service du porte parole

transport council on 30.6.1986 in luxembourg

the council ended without significant progress on civil aviation but with some important decisions on road transport.

a package was agreed which settles after many years of negotiations the main elements of a community directive on the weights and dimensions of lorries. the council agreed that the weight on the drive axle should be 11.5 tonnes as from 1992 in all member states except the united kingdom and ireland which will have a derogation. the commission will propose legislation on the period of the derogation and a procedure for reviewing this derogation before june 30, 1987 and the council will decide on these proposals before june 30, 1988.

ministers also settled the broad principles of policy on intra-community road haulage. they decided on an increase in community quotas of 40 o/o compound per annum beginning next year and on the system to be used when the free market in road transport comes into effect in 1992. after that date, the bilateral quotas will disappear and only community quotas will remain. these give the right for operators to travel anywhere within the community.

the existing bilateral quotas will be 'adjusted to the needs of trade and transport between member states'.

the discussions over civil aviation centered on the proposals of the commission and an analysis presented by the presidency when went some way to reflecting the commission's policy line, but left several issues unresolved.

several delegations favoured a franco-german approach which was more restrictive than that proposed by the commission. for example, it aimed for a 45/55 division of capacity on a particular route and strict criteria for applying discount fares. these could only be offered by an airline under an automatic system if the return journey was for 6 days or included a sunday.

the british minister who assumes the presidency for the 2nd half of the year said that he might convene a council for september to allow further discussion of the issue.

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m. berendt

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