

# European Communities

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EUROPEAN PARLIAMENT

# Working Documents

1981 - 1982

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5 May 1981

DOCUMENT 1-183/81

## Report

drawn up on behalf of the Committee on Transport

**on the proposal from the Commission of the European Communities to the Council (Doc. 1-849/80) for a decision setting up an information and consultation procedure for relations and agreements with third countries in the field of transport by rail, road and inland waterway**

**Rapporteur: Mr G. TRAVAGLINI**

1.2.1



By letter of 29 January 1981 the President of the Council of the European Communities requested the European Parliament, pursuant to Article 75 of the EEC Treaty, to deliver an opinion on the proposal from the Commission of the European Communities to the Council for a decision setting up an information and consultation procedure for relations and agreements with third countries in the field of transport by rail, road and inland waterway.

The President of the European Parliament referred this proposal to the Committee on Transport as the committee responsible.

On 30 January 1981 the Committee on Transport appointed Mr Travaglini rapporteur.

On 22 April 1981 the Committee on Transport considered the draft report and unanimously adopted the motion for a resolution and the explanatory statement.

Present: Mr Seefeld, chairman; Mr Carossino, vice-chairman; Mr Travaglini, rapporteur; Mr Albers, Mr Buttafuoco, Mr Cardia, Mr Doublet, Mr Gendebien, Lord Harmer-Nicholls, Mr K-H. Hoffmann, Mr Klinkenborg, Mr Moorhouse, Mr Moreland, Mr Ripa di Meana, Mr Veronesi (deputizing for Mr Martin) and Mr Voyadzis.

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The Committee on Transport hereby submits to the European Parliament the following motion for a resolution, together with explanatory statement:

MOTION FOR A RESOLUTION

embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a decision setting up an information and consultation procedure for relations and agreements with third countries in the field of transport by rail, road and inland waterway

The European Parliament,

- having regard to the proposal from the Commission of the European Communities to the Council (COM(80) 809 final),
  - having been consulted by the Council pursuant to Article 75 of the EEC Treaty (Doc. 1-849/80),
  - having regard to the report of the Committee on Transport (Doc. 1-183/81),
1. Notes that the present Commission proposal complies with the desire it has frequently expressed for a greater measure of convergence between the Member States in their relations with third countries;
  2. Notes with regret that the common transport policy, clearly considered in the treaties as fundamental to the economic integration of the Community has not so far been developed in the way its importance merits;
  3. Emphasizes, moreover that a greater measure of convergence, and if possible a Community standpoint, between the Member States in their relations and agreements with third countries is of fundamental importance to the improvement of the situation regarding Community traffic in transit through certain non-member countries and to the realization of an integrated European transport infrastructure network;

4. Is convinced that the introduction of the proposed procedure, the basis of which is prior consultation, will definitely help to strengthen the position both of the Member States and of the Community as an entity in the field of external transport policy;
5. Approves the Commission's proposal.

EXPLANATORY STATEMENTI. INTRODUCTION...

1. The European Parliament's Committee on Transport has always systematically requested the implementation of a coherent Community transport policy and accordingly once again asks the Council to adopt a more consistent approach to action in this field.

Relations between the Community and third countries in the transport field are of course an essential component of such a Community policy.

2. In view of this fact the Committee on Transport welcomes the proposal for a decision setting up an information and consultation procedure for relations and agreements with third countries in the field of transport by rail, road and inland waterway, but feels bound to remark on its lateness.

3. As a matter of fact the Commission has undertaken initiatives in this direction in the past, a specific example being its proposal which led to the Council decision of 21 March 1962 instituting a procedure for examination and prior consultation in respect of certain laws, regulations and administrative provisions concerning transport proposed in Member States<sup>1</sup>. This decision was replaced on 20 February 1978 by the decision concerning investments in the field of transport infrastructure<sup>2</sup>, which goes a great deal further than the first decision, being responsible for, among other things, the creation of a Committee on Transport Infrastructures at the Commission.

Furthermore, similar decisions were taken on 13 September 1977 and 20 December 1979 concerning relations with third countries in the shipping<sup>3</sup> and air transport<sup>4</sup> sectors respectively.

It is at all events to be hoped that the procedures under discussion will take the form of prior consultations, i.e. they should be instituted before agreements are drawn up, in accordance with the Commission's proposal.

II. AIMS AND ADVANTAGES OF THE PROPOSED PROCEDURE

4. The aims of the present Commission proposal are:

- (i) to promote the development of an effective Community transport policy on the basis of coordinated action by the Member States;

<sup>1</sup>OJ No. 23, 3.4.1962

<sup>2</sup>OJ No. L 54, 25.2.1978

<sup>3</sup>OJ No. L 329, 17.9.1977

<sup>4</sup>OJ No. L 18, 24.1.1980

- (ii) to facilitate the expansion of trade and thereby the growth of transport by rail, road and inland waterway between the Member States and third countries, which will probably continue to increase in the future;
- (iii) to create a Community instrument whereby bilateral agreements between the Member States and third countries can be examined to determine their common interest and their conformity with the transport provisions contained in the EEC Treaty;
- (iv) to avoid the conclusion of bilateral agreements between a Member State or States and third countries which are incompatible with Community law or run counter to common transport interests.

5. In addition to furthering a Community transport policy the institution of such a procedure offers the following advantages:

- (i) both the Member States and the Commission will receive through this procedure reliable information on transport policy measures envisaged with respect to third countries and their possible implications for Community transport;
- (ii) greater coherence, if not a common standpoint, between the Member States in their relations with third countries such as will:
  - strengthen the position of the individual Member States;
  - consolidate the position of the Community in the world, and
  - have a restraining effect on the pressure which certain third countries exert on this or that Member State or on the Community as an entity in certain transport sectors.

### III. FEATURES OF THE PROPOSED PROCEDURE

6. Since the details relating to the implementation of the proposed procedure are dealt with exhaustively in the memorandum attached to the Commission proposal, the following paragraphs merely provide a summary of the features of this proposal.

7. The proposed procedure consists in holding at the proposal of the Commission or of a Member State, meetings between representatives of the Member States and the Commission under the chairmanship of the latter during which ideas and information would be exchanged concerning relations with third countries and bilateral agreements envisaged with the latter insofar as they concern transport by rail, road or inland waterway.



On the basis of such meetings the Commission would have a specific period of time within which to issue an opinion on a particular draft bilateral agreement and to express any objections it might have to it from the point of view of the development of Community transport policy.

8. The proposed information and consultation procedure does not, however, apply to agreements concluded within the framework of international organizations (paragraph 5 of the draft decision).

The Commission takes the view that it is not necessary for the procedure to apply to such agreements since on the one hand most of the work undertaken in the framework of specialized international organizations already falls within the Community's purview and, on the other hand, as far as the remainder is concerned, 'informal exchanges of information and consultation already exist'.

#### IV. COMMENTS

9. The Committee on Transport furthermore considers that the setting up of the proposed information and consultation procedure is of exceptional importance for:

- (i) improving the situation of Community transit traffic through certain third countries, particularly Austria and Switzerland, which has of course assumed considerably more importance with the recent accession of Greece;
- (ii) developing a comprehensive European infrastructure network for transport by rail, road and inland waterway.

10. In connection with these aspects, the Committee on Transport refers to the initiatives undertaken by its predecessor in the matter of transit traffic, namely the report by Mr Noe' on the improvement of transport infrastructures across the Alps (Doc. 85/73) and the report by Mr Giraud on the problems of EEC transit traffic through Austria and Switzerland (Doc. 500/75).

It wishes to draw the Commission's special attention once again to the suggestions and recommendations to this effect contained in the report by Mr Cottrell on relations between the Community and Greece in the field of transport (Doc. 1-684/80), and to its views as expressed in the reports by Mr Klinkenberg on the Commission's Memorandum on the role of the Community in the development of transport infrastructure (Doc. 1-601/80) and Mr Helms on relations with Austria in the transport sector and a Community financial contribution to the building of a motorway (PE 72.191).

The present report does not go into these reports in greater detail but the Committee on Transport requests the Commission to take adequate account of the relevant recommendations which they contain when drawing up its external transport policy.

V. CONCLUSIONS

11. With a view to the eventual creation of an effective Community transport policy and to the achievement of the aims and advantages referred to in this report, the Committee on Transport approves the Commission proposal for a decision setting up an information and consultation procedure for relations and agreements with third countries in the field of transport by rail, road and inland waterway.