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Report

drawn up on behalf of the Committee on Transport

on problems arising from the transit of goods to
or from the Community through Austria, Switzerland
and Yugoslavia

Rapporteur : Mr A. BUTTAFUOCO

PE 80.098/fin.

On 11 September 1981 the Commission of the European Communities forwarded to the Council a report on problems arising from the transit of goods to or from the Community through certain non-member countries¹. By letter of 3 December 1981, the President of the European Parliament authorized the Committee on Transport to draw up an own-initiative report on this subject. On 26 February 1982, the Committee on Transport appointed Mr Antonio Buttafuoco rapporteur.

Following a discussion on the substance of this report, at its meeting of 25 June, the Committee on Transport decided to deal with the motion for a resolution tabled by Mr Seefeld and others on relations with Austria in the transport sector² in the framework of this report.

The Committee on Transport considered the draft report at its meeting of 23 September 1982 and adopted it unanimously at its meeting of 19 October 1982.

The following took part in the vote :

Mr Seefeld (chairman), Dame Shelagh Roberts, Mr Kaloyannis (vice-chairmen), Mr Buttafuoco (rapporteur), Mr Albers, Mrs von Alemann, Mr Cardia, Mr Gabert, Lord Harmer-Nicholls, Mr K.-H. Hoffmann, Mr Junot, Mr Key, Mr Klinkenborg, Mr Lagakos, Mr Moreland (deputizing for Mr Marshall), Mr M. Martin, and Mr Tolman (deputizing for Mr Vandewiele).

¹ COM(81) 406 final

² Doc. 1-335/82

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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

On problems arising from the transit of goods to or from the Community through Austria, Switzerland and Yugoslavia

The European Parliament,

- A. having regard to the report submitted by the Commission of the European Communities to the Council on 11 September 1981 on problems arising from the transit of goods to or from the Community through certain non-member countries (COM(81) 406 final),
- B. having regard to the motion for a resolution tabled by Mr SEEFELD and others, pursuant to Rule 47 of the Rules of Procedure, on relations with Austria in the transport sector (Doc.1-335/82),
- C. having regard to its resolution of 6 April 1976 on problems of EEC transit traffic through Austria and Switzerland¹ on the basis of the report by Mr GIRAUD (Doc. 500/75), and the debate² held on 24 September 1979, on the basis of an oral question by Mr SEEFELD and others on European solutions to the problems of transit traffic in the Alpine region (Doc. 1-298/79),
- D. referring to its resolution on the common transport policy, adopted on 9 March 1982³ on the basis of a report by Mr CAROSSINO (Doc. 1-996/81), to its resolution on the present state and progress of the common transport policy, adopted on 16 January 1979⁴ on the basis of a report by Mr SEEFELD (Doc. 512/78), and to its previous resolutions on the common transport policy,
- E. having regard to the Council statement of 12 June 1978⁵, in which the Commission was requested to follow up the basic problems affecting transit traffic and to report back to the Council on possible action to be taken by the Community,
- F. having regard to the report of the Committee on Transport (Doc. 1-792/82),

¹ OJ No. C 100, 3.5.1976, p. 12

² Debates of the European Parliament, 1979-1980 Session, sitting of Monday, 24 September 1979, Annex No. 245 to the Official Journal of the European Communities

³ OJ No. C 87, 5.4.1982, p.42

⁴ OJ No. C 39, 12.2.1979, p.16

⁵ See Press Release following the 521st meeting of the Council - Transport - (731/78 - Presse 78)

1. Approves in general terms the objectives set out in the Commission's report of 11 September 1981; takes the view, however, that the overall problems affecting transit traffic through non-member countries only become apparent in individual cases when efforts are made to attain these objectives and considers that formal negotiations with the countries of transit are now essential;
2. Calls on all the Community bodies and the third countries concerned to base their negotiations on matters relating to transit traffic jointly on the principle of a fair balance :
 - where in the relationship between the Community and a non-member country the respective advantages and disadvantages arising from mutual transit traffic are in balance, this balance should be uneven for whatever reason, attempts should be made initially to ascertain whether it can be restored by means of compensatory measures, and only where this proves impossible should the freedom of the parties involved be restricted;
3. Comes to the conclusion that the problems affecting transit traffic through Switzerland, Austria and Yugoslavia are to a large extent interconnected and calls on the Commission to undertake global negotiations with the third countries involved, at their request, on matters which are interdependent;
4. Emphasized the serious situation in transit traffic by road through Austria and believes that the Community must take corrective measures immediately if it does not wish to endanger its freedom on the transit routes which are vital to its welfare;
5. Notes that the mandate to undertake negotiations on transport matters with Austria which the Council gave the Commission at its meeting of 15 December 1981, is totally inadequate, since it does not include negotiations on the Community financial contribution to the building of the Innkreis-Pyhrn motorway, which the European Parliament called for in its resolution of 19 June 1981⁶, and calls on the Council to extend this negotiating mandate when it takes a decision on the proposal from the Commission for a regulation on the granting of limited financial support in the field of transport infrastructure — COM(82) 225 final — as soon as possible so that the Commission can reach agreement with the Republic of Austria on the granting of a financial contribution of this nature before the end of 1982;
6. Welcomes, further to its resolution of 6 April 1976⁷, the progress that has already been made in transport cooperation in the Alpine region and recommends that efforts in this field be stepped up;

⁶ OJ No. C 172, 13.7.1981, p. 133

⁷ OJ No. C 100, 3.5.1976, p. 12

7. Calls on the governments of the Member States of the Community and of Austria and Switzerland to institute practical improvements in international traffic by cooperating pragmatically and calls on the Commission to give whatever support it can to such efforts;
8. Notes that over and above this, any effort to improve transit traffic through the non-member countries geographically enclosed by the Community must begin with the long overdue implementation of the common transport policy, as called for by the European Parliament most recently in its resolution of 9 March 1982⁸, but stresses that the problems affecting transit traffic through the non-member countries must be taken into account when the common transport policy is implemented;
9. Calls on the Council in this connection to adopt formally the Commission's proposal for a directive on the adjustment of national systems of commercial vehicle taxation⁹, which it approved in principle at its meeting of 23 November 1978, and the proposals for directives on the weights and dimensions of goods vehicles¹⁰ and the fuel contained in the fuel tanks of commercial motor vehicles¹¹;
10. Calls on the Commission, until a full solution has been found to this problem, to ensure that the Member States of the Community adopt a common stance in bilateral negotiations and in the ad hoc working party set up by the European Conference of Ministers of Transport to deal with the problem of road taxes imposed by non-member countries;
11. Calls on the Commission, since at its meeting of 10 June 1982 the Council took further decisions to promote combined transport in the Community, to open formal negotiations with Switzerland and Austria on rules governing and the promotion of combined transport and to work for their rapid conclusion; points out that in this connection, too, the Community's interest in expanding combined transport would be well served if it made financial contributions to the improvement of the appropriate infrastructures in the transit countries;

⁸ OJ No. C 87, 5.4.1982, p. 42

⁹ OJ No. C 95, 21.9.1968, p. 44; resolution of the European Parliament of 7.5.1969, OJ No. C 63, 28.5.1969, p. 12

¹⁰ OJ No. C 90, 11.9.1971, p. 25; resolution of the European Parliament of 18.11.1971, OJ No. C 124, 17.12.1971, p. 63; OJ No. C 16, 18.1.1979, p. 3 amended in OJ No. C 268, 20.10.1981, p. 11; resolution of the European Parliament of 7.5.1981, OJ No. C 144, 15.6.1981, p. 82

¹¹ OJ No. C 104, 13.9.1974, p. 96; resolution of the European Parliament of 15.11.1974, OJ No. C 155, 9.12.1974, p. 77

12. Points out the extreme significance of combined transport in the form of container traffic and roll-on/roll-off traffic between Greece and the other Member States of the Community in helping to solve the problems of road transport through Yugoslavia; calls on the Commission to give sympathetic consideration to the plans for improving connections between Greece and Southern Italy and/or Greece and the Northern Adriatic ports, and in this connection to stimulate the requisite investment, where necessary from Community funds;
13. Notes that customs formalities at frontier crossing points also cause unnecessary delays in transit traffic through third countries and calls on the Commission, referring to the proposals set out in its communication on strengthening the internal market - COM(82) 399 final - to make improvements by means of negotiations with the countries of transit; refers also in this connection to the possibility of making considerable improvements by taking pragmatic measures at lower levels;
14. Approves the Commission's efforts to achieve free transit through the countries of transit for the carriage of goods by road which are undertaken on the basis of a Community authorization and in compliance with the rules governing certain aspects of the carriage of goods by road between Member States adopted by the Council; points out, however, that this objective will not be attainable until the countries of transit concerned receive appropriate compensation for the traffic burden imposed on them;
15. Endorses fully the application in all the countries of Europe of the 40 tonnes maximum authorized weight for commercial vehicles used for the carriage of goods by road proposed in its resolution of 7 May 1981¹²;
16. Regards increased efforts to extend and improve combined transport through Switzerland as essential;
17. Calls on the Commission, the Council and the Member States to ensure that uniform rules governing working conditions in the carriage of goods by road enter into force as soon as possible under a revised AETR Agreement in most of the countries of Europe and that these rules are actually applied;
18. Calls on the Commission to devote greater attention to safety in road transport and also to include it in its negotiations with the countries of transit;
19. Notes that in the rail transport sector there is a considerable backlog on the transit routes through Switzerland, Austria and Yugoslavia as regards the improvement of infrastructures and refers specifically to the improvements presently being carried out on the Tauern and Pontebbana routes and to the plans for the construction of low-level base tunnels through the Brenner, Gotthard or

¹²OJ No. C 144, 15.6.1981, p. 82

Splügen, concerning which the appropriate authorities should take a decision at an early date so that construction work on at least one of these projects may be started in the foreseeable future;

20. Welcomes the Council decision of 19 July 1982 on the establishment of tariffs in the international carriage of goods by rail¹³ and encourages the railway undertakings in the Community to conclude agreements with the railway undertakings in the countries of transit on the application of through tariffs on the pattern of the through tariffs applied in the ECSC sector;
21. Welcomes the existing cooperation between the railway undertakings in the Community and the Austrian and Swiss Federal Railways in the extended Group of Ten railway undertakings of the European Community and endorses its strengthening, with particular regard to various objectives set out in the Commission's action programme of 7 May 1982 - COM(82) 237 final - which are also important for transit traffic through non-member countries;
22. Welcomes particularly the fact that 8 railway undertakings of the Community and the Swiss Federal Railways will shortly introduce a common international tariff system and hopes that the German Federal Railways, the Danish State Railways and the Austrian Federal Railways will join this system;
23. Calls on the Commission, considering the significance which routes through non-member countries will take on for transport by inland waterways in the Community once the construction work endorsed by the European Parliament in its resolution of 9 July 1982 on the inland waterways in the Community¹⁴ have been completed, to monitor closely the shipping activities of the COMECON countries in the light of the resolution adopted by the European Parliament on 9 July 1982 on relations between the EEC and the COMECON countries in the field of transport policy¹⁵ and, where necessary, to take into account in future proposals and negotiations the fact that the Community also has an interest in securing free transit routes for inland shipping through certain COMECON countries;
24. Urges the Commission to ensure that due account is taken of Community needs in future negotiations and any agreement signed with third countries on rules governing inland shipping on the Main-Danube Canal;
25. Calls on the Commission, when it takes action in respect of the realization of the Rhine-Main-Danube Canal in the light of the resolution adopted by the European Parliament on 9 July 1982 on the inland waterways in the Community¹⁶, to keep in mind the possibility of constructing a direct inland waterway link with Greece and the Community's transit interests in the Balkan region;

¹³OJ No. L 234, 9.8.1982, p.5

¹⁴OJ No. C 238, 13.9.1982, p. 101

¹⁵OJ No. C 238, 13.9.1982, p. 96

¹⁶OJ No. C 238, 13.9.1982, p. 101 - 9 -

26. Calls on the Commission, when it draws up the overall plan for the development of the Community's waterway network called for by the European Parliament in its resolution of 9 July 1982 on the inland waterways in the Community¹⁷, to take account of the potential of the Isonzo-Save-Danube waterway and in its talks with the Yugoslav Government to seek freedom of navigation on this transit route which will become important to the Community in the future;
27. Instructs its President to forward this resolution to the Commission and Council of the European Communities and to the parliaments of the Member States and of Switzerland, Austria and Yugoslavia.

¹⁷OJ No. C 238, 13.9.1982, p. 101

EXPLANATORY STATEMENT**I. The European Parliament's policy in the past**

1. This report deals with problems which arise in the transport of goods to or from the Community through Austria, Switzerland and Yugoslavia. It is based on a report submitted by the Commission to the Council following two initiatives by the European Parliament.

2. In its resolution of 6 April 1976 on problems of EEC transit traffic through Austria and Switzerland¹, the European Parliament called in particular for :

- the establishment of new and better contacts with Austria and Switzerland for the provision of information;
- the introduction of permanent cooperation for the entire Alpine region in respect of rail and road infrastructures;
- a general effort to eliminate the periodic congestion in transalpine rail traffic and to promote cooperation, especially in the tariff sector, between the railways of the Community, Austria and Switzerland;
- a general effort to close the gaps in the motorway network and for more cooperation in matters of road transport tariffs, transit cards, and harmonization of the social and technical requirements for road transport; in this connection particular attention was drawn to the need to improve frontier formalities applying to freight transport at the Austro-Italian border.

The European Parliament also proposed that a conference on Rhine navigation be held with the main purpose of finding a solution to the problems of infrastructure charging and of preparing with Austria the measures to be adopted with a view to the opening of the Rhine-Main-Danube Canal.

3. In its resolution of 16 January 1979 on the situation and development of the common transport policy², the European Parliament asked that priority be given to improving the transit links through Austria and Switzerland notably through a fair allocation of infrastructure costs, improvements to infrastructure and the promotion of combined transport.

¹ OJ No. C 100, 3.5.1976, p. 12, on the basis of the report by Mr GIRAUD (Doc. 500/75)

² OJ No. C 39, 12.2.1979, p. 16, on the basis of the report by Mr SEEFELD (Doc. 512/78)

4. On 24 September 1979 an oral question with debate, tabled by Mr Seefeld and others³, was raised in the European Parliament on European solutions to the problems of transit traffic in the Alpine region. The following points, in addition to those already mentioned in the preceding paragraph, were raised in the discussion⁴ :

- Greece's accession to the Community would further exacerbate the serious shortcomings of infrastructure in the Alpine regions;
- following Greek accession, similar problems would arise for transit traffic through Yugoslavia;
- plans to improve communications in the Alpine countries should take account of the ecological importance of the Alps for Europe as a climatic factor and water reservoir by switching heavy goods transport through the Alps from road to rail in the medium and long term without, however, neglecting the improvement of road infrastructure;
- the measures and plans of the third countries concerned to levy a tax on transit traffic using the roads raised serious problems for intra-Community transport;
- the northern Italian ports, which represent the point of departure and arrival for a substantial proportion of transport through the third countries concerned, should be rendered sufficiently efficient as to ensure their trouble-free development.

5. The report of 11 September 1981 also constituted the Commission's reply to the mandate given to it by the Council which, at its meeting of 12 June 1978, instructed the Commission to follow up, from the point of view of transit, the basic problems which arise in relation to other third countries and to report back to the Council on possible action to be taken by the Community⁵.

6. On 10 June 1982, Mr Seefeld and others tabled a motion for a resolution⁶ advocating that in the interests of both parties formal negotiations with Austria in the transport sector should be opened without delay and that the mandate given to the Commission by the Council should include a decision on the principle of a Community financial contribution to the construction of the Innkreis-Pyhrn motorway.

II. The Commission's report of 11 September 1981 (COM(81) 406 final)

7. In its report of 11 September 1981, after first defining the subject under consideration, the Commission provides a wide-ranging analysis of the economic

³ Doc. 1-298/79

⁴ Debates of the European Parliament, sitting of Monday, 24 September 1979

⁵ See Press Release issued following the 521st session of the Council - Transport - (731/78 - Presse 78), p. 5

⁶ Doc. 1-335/82

situation in the transit sector. As regards the problems affecting the transit countries, the report examines certain measures which these countries could adopt or have adopted in order to overcome the disadvantages of transit traffic. However, these measures, of a unilateral and restrictive nature, do not favour the development of international trade and therefore conflict with the objectives of the Community.

From a general point of view, the Commission puts forward a list of objectives which should be pursued in order to reach a satisfactory solution :

- care should be taken to ensure that transport can be operated as freely as possible in conditions which make it possible for international trade to develop at minimum cost to the Community, including conditions relating to the safety aspects of transport and environmental protection;
- progressive elimination of administrative and technical restrictions imposed on transit traffic;
- search for solutions to promote a more balanced distribution of traffic both over the different routes involved and between modes of transport and taking account of the extent to which these modes (combined transport, roll-on/roll-off), may complement each other;
- consultation on projects relating to the main transit routes and, where possible within the framework of existing or proposed financial provisions, search for solutions to ensure equitable financial participation in the implementation of projects of common interest;
- charging of infrastructure costs to users on the basis of analogous methods, thereby avoiding double taxation.

8. By and large these objectives are consonant with the general outlines adopted by the European Parliament and can therefore be approved. However, it should also be pointed out that these objectives are considered in an extremely abstract way with no illustration of the practical problems involved - in other words, whether in a specific case the importance of creating a new infrastructure should take precedence over protection of the environment; or which measures could promote combined transport; or the fact that infrastructure charging is a problem which has not yet been solved for transport within the Community itself or for all modes of transport. The individual sectors will thus be considered below against the background of the Commission's proposals.

From a geographical point of view, the analysis covers relations with Austria, Switzerland and Yugoslavia. As the Committee on Transport is also currently drawing up an own-initiative report on relations between the EEC and Yugoslavia (rapporteur : Mr MODIANO), the problems specifically concerning Yugoslavia will be dealt with in the report by Mr MODIANO.

III. Analysis of the individual sectors of the transport policy

A. Sectors covering several modes of transport Transport infrastructure (financing)

9. Traffic infrastructure policy plays a key role in the Community's relations with the countries of transit, especially the demand for Community financial contributions to the projects undertaken in the third countries which have to bear the brunt of transit traffic. For example, the Republic of Austria is not prepared to make transport concessions to the Community until a positive decision is taken on a Community financial contribution to the construction of the Innkreis-Pyhrn motorway¹ which would absorb the transit traffic between the Community and the countries of south-eastern Europe. That being the case, the mandate which the Council gave the Commission at its meeting of 15 December 1981 to undertake transport negotiations with the Republic of Austria is totally inadequate since it contains no reference to possible financial contributions from the Community.

10. It will not be possible to make any general improvements in this area until the Council adopts the Commission's amended proposal for a regulation on support for projects of Community interest in transport infrastructure². Although the European Parliament had repeatedly called on the Council to do so³, it is unrealistic to expect that this regulation will be adopted by the end of this year.

The Commission has, however, submitted a proposal on the granting of limited financial support in the field of transport infrastructure⁴ (limited to the 1982 financial year), under which a decision could still be taken in 1982 on the granting of a financial contribution to the construction of the Pyhrn motorway⁵. The Council should therefore be requested to take the appropriate decision and extend the negotiating mandate it gave the Commission to cover this topic.

¹ See resolution of the European Parliament of 19 June 1981, OJ No. C 172, 13.7.1981, p. 133, containing a request that such a financial contribution be made

² OJ No. C 207, 2.9.1976, p. 9, as amended in OJ No. C 249, 18.10.1977, p. 4 and OJ No. C 89, 10.4.1980, p. 4. Opinions of the European Parliament of 18 November 1976, OJ No. C 293, 13.12.1976, p. 57, and of 4 July 1977, OJ No. C 183, 1.8.1977, p. 15, on the basis of the reports by Mr NYBORG and of 11 July 1980, OJ No. C 197, 4.8.1980, p. 74, on the basis of a report by Mr BUTTAFUOCO

³ Most recently in the resolutions of 9 July 1982 on the inland waterways in the Community, OJ No. C 238, 13.9.1982, p. 101 and of 9 March 1982 on the future of the Community railway network, OJ No. C 87, 5.4.1982, p. 43

⁴ COM(82) 225 final

⁵ See the report by Dame Shelagh ROBERTS (Doc. 1-651/82) on the proposal from the Commission for a Council regulation on the granting of limited financial support in the field of transport infrastructure and the corresponding resolution adopted by the European Parliament on 15.10.1982

11. Some of the statements made in the Commission's report of 11 September 1981 are therefore now out of date. The Commission stated that it would carry out investigations into the bottlenecks on the major transit routes and future trends in transport requirements; sufficient time must now have elapsed for the findings of these investigations to be submitted to the European Parliament. With reference to the improvements in cooperation with the countries of transit in the field of transport infrastructure requested by the European Parliament in its resolution of 6 April 1976⁶, the Commission rightly states that it is not possible to extend the powers of the Community's consultative Committee on Transport Infrastructures⁷ to projects and programmes in third countries. However, the cooperation requested by the European Parliament takes other forms and could be further improved.

Infrastructure charging

12. The problem of infrastructure charging is closely connected with the financing of transport infrastructure. Where infrastructure costs are evenly distributed, every transport operator is subject to taxes or levies at a level which corresponds to its calculated share of the total costs of the construction and maintenance of the infrastructure used by the mode of transport in question. The practical details of such an arrangement are still very vague, and on 31 July 1982, the Commission withdrew its proposal of 29 March 1971⁸. The Commission should, however, be called upon to honour the oral commitment it made to the Committee on Transport and submit a new proposal at an early date.

13. Although at its meeting of 23 November 1978 the Council approved in principle a proposal from the Commission designed to deal with part of this problem, the adjustment of national systems of commercial vehicle taxation⁹, the Italian Government made its agreement to the formal adoption of this directive dependent on the acceptance of the Commission's proposals for directives on the weights and dimensions of commercial vehicles¹⁰. This proposal for a directive limits commercial vehicle

⁶ OJ No. C 100, 3.5.1976, p. 12, cf. point 2 of this report

⁷ Set up pursuant to the Council Decision of 20 February 1978, OJ No. L 54, 25.2.1978, p. 16

⁸ Proposal for a Council decision on the introduction of a common system of charging for the use of infrastructure, OJ No. C 62, 22.6.1971, p. 15

⁹ Proposal for a Council directive of 17 July 1968, OJ No. C 95, 21.9.1968, p. 41; the European Parliament approved this proposal in its opinion of 7 May 1969, OJ No. C 63, 28.5.1969, p. 11, on the basis of a report by Mr BOUSQUET (Doc. 18/69)

¹⁰ Proposal for a Council directive on the weights and measurements of commercial vehicles and supplementary construction and operating provisions, OJ No. C 90, 11.9.1971, p. 25, opinion of the European Parliament of 18 November 1971, OJ NO. C 124, 17.12.1971, p. 63, on the basis of a report by Mr RICHARTS (Doc. 173/71); proposal for a Council directive on the weights and certain other characteristics (not including dimensions) of road vehicles used for the carriage of goods, OJ No. C 16, 18.1.1979, p. 3, opinion of the European Parliament of 7 May 1981, OJ No. C 144, 15.6.1981, p. 82, on the basis of a report by Mr CAROSSINO (Doc. 1-865/80), and the Commission's proposed amendment COM(81) 510 final of 11 September 1981

taxation in intra-Community transport to the imposition of a vehicle tax based on the performance and maximum authorized weight in the country in which the vehicle is registered and to the taxation levied on the fuel in the country in which the vehicle fills up with fuel.

14. If introduced at intra-Community level, such a system might serve as the objective for negotiations on free transit for traffic through the countries of transit in which global compensation might have to be considered for those countries which accept more transit traffic than they send to the countries of the Community. The two proposals referred to in the preceding paragraph and the proposal on the increase in the duty-free admission of fuel contained in the fuel tanks of commercial motor vehicles^{10a} should therefore be adopted as soon as possible.

15. In July 1978 the Republic of Austria introduced a road tax for foreign commercial vehicles; the introduction of a similar tax in Switzerland has already been approved by one of the two Houses of the Swiss Federal Assembly. The imposition of such levies naturally entails enormous administrative costs and considerable delays at frontier crossing points. Efforts to solve this problem are being made within the framework of the ECMT which has set up an ad hoc working party. It is important for the Member States of the Community to adopt a uniform stance in these negotiations and the Commission should be asked to ensure that this is done.

Combined transport

16. At its meeting of 26 March 1982, the Council authorized the Commission¹¹ to open negotiations between the European Economic Community and third countries for the conclusion of agreements which

- prevent combined carriage within the Community from being subject to different arrangements depending on whether the route concerned lies wholly within the Community or between Member States and third countries,
- encourage greater use of this method for the international carriage of goods between Member States and third countries, and
- contribute, by reducing traffic, to improving road safety, while at the same time forming part of an environmental protection measure.

^{10a} OJ No. C 104, 13.9.1974, p. 96; resolution of the European Parliament of 15.11.1974
OJ No. C 155, 9.12.1974, p. 77

¹¹ See Press Release issued following the 698th Council Meeting - Transport - of 26 March 1981 - 5800/1 (Presse 45) - p. 8

17. These negotiations have, however, not yet been formally opened. Nevertheless, since at its meeting of 10 June 1982, the Council approved the proposal for a directive supplementing Directive 75/130/EEC on common rules for combined transport¹² and adopted a regulation supplementing the system for the granting of aids for combined transport¹³, the Community has a clear basis¹⁴ for negotiations which should now be formally opened without delay.

18. These negotiations are all the more important since an increase in combined road/rail transport might solve many of the problems of road transit traffic through the Alpine countries¹⁵. The decision of the Swiss authorities to maintain 28 tonnes as the maximum authorized weight despite the improvements in its road network means in practice that the transit of heavy goods vehicles will have to use the piggyback procedure. A significant increase in goods transport through the Alpine countries by means of combined transport also presupposes an improvement in infrastructures, whether this involves the despatching facilities¹⁶ or the railway routes through the Alps themselves¹⁷, and consequently the problem of infrastructures and their financing will also play an important role in the negotiations between the Community and third countries on combined transport. For example, at present 9 piggyback trains travel the Cologne-Verona route via the Brenner each week in both directions. An increase in this number to 11 pairs of trains per week encountered difficulties, however, despite the existing demand, because the Italian State Railways have no more capacity to accept them. This would certainly be a Community task, as part of the promotion of combined transport, to grant aid for infrastructure improvements (e.g. marshalling yards). Parts of the problem cannot, of course, be tackled until

¹² Commission proposal for a directive on certain measures to promote the development of combined transport, OJ No. C 351, 31.12.1980, p. 37; opinion of the European Parliament of 18 September 1981, OJ No. C 260, 12.10.1981, p. 119, on the basis of a report by Mr GABERT (Doc. 1-395/81); amended Commission proposal of 25 February 1982, COM(81) 71 final

¹³ Council Regulation (EEC) No. 1658/82 of 10 June 1982 supplementing by provisions on combined transport Regulation (EEC) No. 1107/70 on the granting of aids for transport by rail, road and inland waterway, OJ No. L 184, 29.6.1982, p. 1

¹⁴ At present, only the Commission's proposal of 19 October 1981 for an amendment to Directive 75/130/EEC (OJ No. C 312, 1.12.1981, p. 4) in respect of combined transport is still before the Council; the European Parliament adopted an opinion on this matter in its resolution of 18 December 1981 (OJ No. C 11, 18.1.1982, p. 206), on the basis of a report by Mrs von ALEMANN (Doc. 1-835/81)

¹⁵ See points 25-32 of this report

¹⁶ See in this connection the Commission's proposal to give Community financial support to the modernization of the marshalling yard at Domodossola under the granting of limited financial support in the field of transport infrastructure; Dame Shelagh ROBERTS has drawn up a report on this matter for the Committee on Transport (Doc. 1-651/82)

¹⁷ This involves in particular the question of constructing new Alpine base tunnels, under the Brenner, the Gotthard and the Splügen. See in this context also points 33-37 of this report and the report which Mr COTTRELL is drawing up on this matter for the Committee on Transport

decisions on the new routes (Brenner, Gotthard and Splügen base tunnels) have been taken. At all events, the Commission should make every effort to ensure that already practicable short and medium-term measures (such as double track for the Verona-Bologna route, shortening frontier stops for trains travelling through Austria and Switzerland) are taken on the basis of cooperation between the railway undertakings and the appropriate authorities.

19. Combined road-sea traffic could play an important role in transport relations between Greece and the rest of the Community, since this would alleviate the problem of road transit through Yugoslavia. This topical problem is being investigated in the reports currently being drawn up for the Committee on Transport on transport relations with Yugoslavia (rapporteur : Mr MODIANO) and transport problems in Greece (rapporteur : Mr KLINKENBORG). We shall, nonetheless, briefly put forward two possible solutions.

20. Late in June 1982, the Italian Minister for the Mezzogiorno and the Greek Minister of Construction submitted to the Commission the preliminary draft of a development plan¹⁸ to complete and increase the connections between Europe and the Middle East. The route descends from Hamburg through the Federal Republic of Germany, Austria and Italy to Brindisi or Taranto, from there across the Adriatic to Greece and then on to the Middle East. It would be necessary to improve port facilities in southern Italy and Greece to implement this project. According to its supporters, this plan would contribute towards the attainment of greater territorial cohesion in the Community and to the development of many peripheral regions of the fact that there are no grounds for transporting goods to the Middle East from Hamburg to Brindisi by road and then by ship, rather than shipping them directly from Hamburg. On the other hand, it is quite conceivable that a roll-on/roll-off link between southern Italy and Greece across the Adriatic could absorb a considerable part of the goods transport by road which at present crosses Yugoslavia. This would not only alleviate some of the transit problems through Yugoslavia but also lead to greater cooperation between Greece and southern Italy and consequently to improved integration in the Community. The Commission should therefore investigate the possibilities of increasing roll-on/roll-off traffic between Greece and southern Italy and, where appropriate, support it with the requisite measures.

21. Roll-on/roll-off and/or container traffic through the port of Trieste offers a second opportunity for linking Greece more closely with the other Member States of the Community and for solving the problem of transit traffic through Yugoslavia. Trieste is the nearest port for southern Germany and Austria and is consequently well-suited for the combined transport of goods between these areas and Greece for the transfer of goods from the roads to the sea. However, transport links between the port of Trieste and its northern hinterland would have to be considerably improved

¹⁸ See Agence Europe, 24.6.1982, p. 16

before combined transport via Trieste could be increased. With this in mind, the autonomous region of Friuli-Venezia-Giulia has drawn up an integrated operation¹⁹ which includes the improvement of motorway links to Austria including the Montecroce-Carnico tunnel and the Pontebbana railway line between Udine and the frontier with Austria. As long ago as 17 April 1980, the European Parliament recommended that the Community support this integrated operation and, in its resolution²⁰, referred to the problems of transit traffic through Yugoslavia and to the possibility that some of these problems might be solved by using the ports of Trieste and Monfalcone.

22. There is no point in considering here whether the route via Brindisi or that via Trieste is more favourable for combined transport between Greece and the other Member States²¹. Both routes offer the possibility of avoiding crossing Yugoslavia by road, which in some instances causes problems, and also of improving the Community's overall transport network. In the last analysis it is the users who should take a decision on which of the two routes to choose in the light of their requirements. Consequently, the Commission - in conjunction with the appropriate national authorities - should investigate the potential traffic flow on these routes and consider how improvements can be made to combined transport operations on them. Requests for Community financial support for projects in this connection should be given sympathetic consideration.

Formalities at frontier crossing points

23. Transit traffic through third countries also faces problems since the formalities at frontier crossing points are not restricted to the absolute minimum. Nor has this problem been entirely solved in intra-Community transport. In its memorandum of 24 June 1982 on strengthening the internal market²², the Commission forwarded to the Council four proposals for measures in this area²³ together with a number of other

¹⁹ Regione Autonoma Friuli-Venezia-Giulia, Operazione Integrate Trieste - Friuli-Venezia Giulia Europa, Ottobre 1981

²⁰ Resolution of 17.4.1980 on the plan to include the northern Adriatic in the European unification process by using the ports of Trieste and Monfalcone, OJ No. C 117, 12.5.1980, p. 40, on the basis of the motion for a resolution by Mr CECOVINI (Doc. 1-90/80); for the latest developments see the motion for a resolution tabled by Mr CECOVINI on a Trieste-Friuli-Venezia Giulia-Europe integrated operation of 2 July 1982 (Doc. 1-439/82)

²¹ This matter must, of course, also be seen against the overall background of the Community ports policy on which Mr CAROSSINO is at present drawing up a report for the Committee on Transport

²² COM(82) 399 final

²³ - Draft Council resolution on the adoption of specific measures to ease checks on persons at the Community's internal frontiers, OJ No. C 197, 31.7.1982, p. 6;
- Proposal for a Council directive designed to simplify frontier crossings in trade between Member States, OJ No. C 127, 18.5.1982, p. 6; Mr MORELAND is drawing up an opinion for the Committee on Transport on this matter;
- Proposal for a Council regulation simplifying formalities in trade within the Community, COM(82) 401 final;
- Proposal for a 14th Council directive on the harmonization of the laws of the Member States relating to turnover taxes, COM(82) 402 final

proposals²⁴ which have been before the Council for a long time and which in this connection should similarly be adopted.

24. A solution to all these problems in intra-Community transport, only some of which directly concern the transport sector despite having a major practical impact on it, would be a reasonable starting point for the appropriate negotiations with the countries of transit. Until that happens²⁵, the Commission should firstly try to bring the two sides closer together in informal preliminary talks and secondly encourage the taking of pragmatic measures to improve the situation which could be implemented at a lower level by the appropriate departments; for example, as a result of common efforts at the Austro-German frontier crossing point at Kiefersfelden, the average time for checking commercial vehicles was reduced from 82 minutes to 24 minutes²⁶.

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- 24 - Proposal for a Council directive on tax exemptions for certain means of transport temporarily imported into one Member State from another, OJ No. C 267, 21.11.1975, p. 8;
- Proposal for a Council directive on tax exemptions applicable to personal property of individuals on permanent importation from another Member State, OJ No. C 267, 21.11.175, p. 11;
- Proposal for a Council regulation introducing arrangements for movement within the Community of goods sent from one Member State for temporary use in one or more other Member States, OJ No. C 227, 8.9.1981, p. 3;
- Proposal for a Council directive amending Council Directive No. 68/297/EEC on the duty-free admission of fuel contained in the fuel tanks of commercial motor vehicles, OJ No. C 104, 13.9.1974, p. 96

25 The European Parliament will shortly deliver a separate opinion on each of the Commission's new proposals

26 Cf. the statements made by representatives of the Bundesverbände des Deutschen Güterkraftverkehrs (Federal Associations of German Road Hauliers) at the joint hearing held on 12 July 1982 by the Committee on Economic and Monetary Affairs, the Political Affairs Committee and the Committee on Transport on the opening of the Community's internal frontiers

B. Road transport

Infrastructures

25. Road connections through the Alpine countries are comparatively well developed, but there is no satisfactory transit route through Yugoslavia. Now that the Gotthard Tunnel has been opened, the north-south link through Switzerland consists almost entirely of motorway, and the remaining gap in the Canton of Ticino will shortly be closed. The main north-south road through Austria consists entirely of motorway through the Brenner and carries 80% of the total goods traffic which crosses Austria¹. In absolute figures, the total goods traffic using the Brenner increased from 0.64 million tonnes in 1962 to 1.04 million tonnes in 1979. Despite this heavy burden, it is calculated that the Brenner motorway can absorb the increase in traffic expected over the next 15 years. On the other hand, in spite of the construction work on the Tauern motorway, there is no satisfactory motorway link in Austria to southern Europe via Yugoslavia. Progress has been made in drawing up plans for the Innkreis-Pyhrn motorway, but Austria is making a stepping up of construction work dependent on a financial contribution from the Community, since the bulk of the increase in traffic on this route will consist of transit traffic. The European Parliament has already approved a financial contribution of this nature, but the Council has not yet given the Commission a mandate to negotiate financial matters².

Access to the market

26. In its report of 11 September 1981, the Commission sets out as its objective in its negotiations with the transit countries that these countries grant free transit for transport operations carried out under a Community authorization³ and in line with the provisions of the Council Directive of 23 July 1962⁴.

27. This objective should be supported, since its attainment would mean that goods transport, once liberalized within the Community, would also have free transit through third countries, and this would increase the standing of the Community authorizations. This would be in accordance with the principles approved by the European Parliament which declared in its resolution of 12 March 1982⁵, for example, that a substantial

¹ See Helmut LAMPRECHT, Brenner transit route, significance, development and problems, Swiss Transport Journal, Volume 35, No. 3, 1980, p. 27

² See points 9-11 of this report on the granting of Community financial support for the construction of the Pyhrn motorway

³ Resolution embodying the opinion of the European Parliament on the proposal from the Commission of the European Communities to the Council for a regulation amending Regulation (EEC) No. 3164/76 on the Community quota for goods transport between Member States, OJ No. C 87, 5.4.1982, p. 131

⁴ First Council Directive on the establishment of common rules for certain types of goods transport between Member States, OJ No. 70, 6.8.1962, p. 2005, as last amended by Council directive 82/50/EEC of 19 January 1982, OJ No. C 27, 4.2.1982, p. 22

⁵ On the basis of Council Regulation (EEC) No. 3164/76 on the Community quota for the carriage of goods by road between Member States, OJ No. C 87, 5.4.1982, p. 131, as recently increased by Council Regulation (EEC) NO. 663/82 of 22.3.1982, OJ No. L 78, 24.3.1982, p. 2

increase in the Community quota, together with a reduction in bilateral authorizations, would contribute to a common transport policy. It should, however, be pointed out that the countries of transit would only agree to free transit for commercial vehicles on the basis of Community authorizations if they received compensation for the increased traffic on their roads either in the form of Community contributions to the financing of transport infrastructure projects⁶ or as part of a general system of infrastructure charging⁷.

28. So that free transit for Community commercial vehicles through third countries under Community authorizations may lead to the abolition of formalities at frontier crossing points, and hence to a tangible speeding up of transport operations, the abolition of road taxes levied by third countries⁸ and an appropriate despatch procedure for transit through third countries are essential, and the Commission must also work towards that goal. With regard to formalities at frontier crossing points, efforts should be made to conclude agreements with the transit countries which facilitate measures similar to those proposed by the Commission on 16 April 1982 for intra-Community transport⁹.

Weights and dimensions

29. It would be in the Community's interest to reach agreement on a uniform system for the weights and dimensions of commercial vehicles with the countries of transit so that vehicles which are authorized in all Community countries are not excluded from the countries of transit on technical grounds.

30. It appears that this ideal solution cannot be attained because Switzerland intends to maintain its maximum authorized weight for commercial vehicles at 28 tonnes, whereas the trend for harmonization in the Community is based on the 40 tonnes limit¹⁰ proposed by the European Parliament¹¹. It would therefore probably be best for the Community, as the Commission also proposes in its report of 11 September 1981, to try to achieve in the long term a considerable expansion of combined transport operations for transit traffic through the Alpine countries¹².

⁶ See points 9-11 of this report

⁷ See points 12-14 of this report

⁸ See point 14 of this report; with regard to the problems facing road haulage undertakings in the Community in this connection, see also Written Question No. 723/82 by Mrs BOOT to the Commission

⁹ Proposal for a Council directive on the facilitation of formalities and inspections in respect of the carriage of goods between Member States, OJ No. C 127, 18.5.1982, p. 6

¹⁰ Amended Commission proposal COM(81) 510 final, of 11.9.1981; Report given by the President-in-Office of the Council, Mr de CROO, at the meeting of the Committee on Transport of 24.6.1982 on the meeting of the Council of Transport Ministers of 10.6.1982

¹¹ Resolution of 7.5.1981, OJ No. C 144, 15.6.1981, p. 82, on the basis of the report by Mr CAROSSINO (Doc. 1-865/80)

¹² See in this context points 16-18 of this report

Working conditions

31. In its report of 11 September 1981 the Commission demonstrated clearly that the aim of Community policy is to create uniform rules as part of the efforts made to amend the AETR Agreement which also covers the countries of transit. The Commission should be supported in its efforts, and the Council and the governments of the countries of transit involved should be requested to do their utmost to ensure that the revised AETR Agreement may enter into force at an early date.

Safety

32. The unsatisfactory situation concerning the inadequate and divergent rules governing safety in road transport in the countries of Europe also adversely affects transit traffic through third countries. Without wishing to anticipate the basic report on this topic at present being drawn up by Mr BAUDIS for the Committee on Transport, it should be emphasized that in this sphere a solution must be found which extends beyond the boundaries of the Community and includes at least the major countries of transit. The Commission should no longer neglect this issue and include it in its negotiations with the countries of transit, especially since many technical provisions - such as weights and dimensions - are also vital factors for safety in road transport.

C. Rail transport

Infrastructures

33. In line with the main trend in Europe in the period after the Second World War, which favoured road construction and criminally neglected improvements in rail infrastructures¹, in their overall conception the railway routes through Austria, Switzerland and Yugoslavia which carry transit traffic to and from the Community have remained much as they were at the turn of the century². In particular, the topography of these routes, with tight bends and in some cases steep gradients, is incompatible with modern requirements in terms of speed and frequency.

34. The laying of tracks which would meet these requirements is at present technically possible on the transalpine routes, for example by the construction of longer and lower-level base tunnels under the Brenner, Gotthard and Splügen, and by the improvement and modernization on the Munich-Salzburg-Villach-Zagreb-Belgrade-Salonika (Tauern, Yugoslavian routes) and Villach-Udine-Trieste (Pontebbana) axes. A start has already been made on the implementation of the latter two measures, but on the other hand the construction of new Alpine base tunnels is still at the drawing-board stage, and at this juncture a political decision on which project should have priority would be welcome³.

35. In the current economic climate the financing of such projects is, of course, particularly difficult. It must, however, be pointed out that improvements in railway infrastructures are productive investments which should not be judged from the purely transport angle because of their positive environmental and energy impact. What is more, the general remarks concerning the financing of transport infrastructure also apply here⁴.

¹ Investment intended for the railways frequently benefited road transport, for example, in the form of the construction of bridges or underpasses instead of level crossings

² The basic document dealing with the improvement of railway infrastructure is the report by Mr GABERT on the future of the Community railway network (Doc. 1-982/81) and the subsequent resolution adopted by the European Parliament on 9 March 1982, OJ No. C 87, 5.4.1982, p. 43

³ See in this connection Mr GABERT's report (Doc. 1-982/81) especially point 25 thereof; this matter will be dealt with in greater detail in the report on the improvement of railway routes through the Alps which Mr COTTRELL will shortly be drawing up for the Committee on Transport

⁴ See points 9-11 of this report

Establishing tariffs

36. Like all matters relating to the market, arrangements for the establishment of tariffs in rail transport through the countries of transit depend on the establishment of an intra-Community system. A good example for this is the establishment of tariffs for the international carriage by rail of coal and iron and steel products. On 21 March 1955 the representatives of the governments of the Member States of the ECSC meeting in Council concluded an agreement on the introduction of through international railway tariffs⁵. On 28 July 1956 an agreement on the introduction of through railway tariffs for the carriage of coal and steel in transit through its territory was concluded with the Swiss Federal Assembly⁶ and on 28 July 1957 a similar agreement was concluded with the Austrian Federal Government⁷.

37. On 19 July 1982 the Council adopted decision No. 82/529 /EEC on the establishment of tariffs for the international carriage of goods by rail⁸. This decision empowers the railway undertakings in the Community to establish their tariff rates in this sector as commercial undertakings independently and on their own responsibility, and in this context also to agree on international through tariffs⁹. It would be gratifying if the railway undertakings in the Community could succeed in concluding agreements with the railway undertakings in the countries of transit which included transit traffic in these through tariffs. If in the requisite negotiations the influence of the governments of the third countries involved obstructed the conclusion of the desired agreements, the Commission should offer the railway undertakings negotiating support in order to find a solution to this problem, possibly within the framework of one of the global packages agreed with the respective government. Whether this method is feasible really depends on how the Council Decision of 19 July 1982 succeeds in intra-Community practice.

⁵ OJ ECSC No. 9, 19.4.1955, p. 701

⁶ OJ ECSC No. 17, 29.5.1957, p. 223

⁷ OJ ECSC No. 6, 20.2.1958, p. 78

⁸ OJ No. L 234, 9.8.1982, p.5

⁹ Matters concerning the establishment of transport tariffs in intra-Community rail transport are dealt with in greater detail in a report which Mr GABERT is at present drawing up for the Committee on Transport

Cooperation between railway undertakings

38. The Commission's report of 11 September 1981 states that the Group of Ten railway undertakings of the Community has drawn up various common action programmes on the basis of the Council Decision of 20 May 1975 on the improvement of the situation of railway undertakings¹⁰ and that the Austrian and Swiss Federal Railways are cooperating in the extended Group of Ten railway undertakings of the European Community. What is more, there is cooperation between the railway undertakings of all countries of transit within the framework of the expert committees of the International Union of Railways (UIC). It should also be noted that on 7 May 1982, the Commission submitted to the Council a communication on an action programme in the field of international cooperation between railway undertakings¹¹. At its meeting of 10 June 1982, the Council responded positively to this programme and asked the Commission to submit practical proposals for the implementation of this programme as soon as possible.

39. The European Parliament has not yet adopted a general stance on the action programme of 7 May 1982. With regard to transit traffic through non-member countries, the following objectives of the action programme deserve specific support:

- a reduction in the delays at frontier crossing points to be achieved by technical improvements in the inspection of vehicles, in the exchange of locomotives, in marshalling operations and in internal procedures and by means of agreements along the lines of the draft directive on the carriage of goods between Member States¹²;
- the establishment of new high-speed, maximum comfort rail links;
- the establishment and extension of a European high-speed network;
- the introduction of an international tariff system independent of national tariff systems.

¹⁰ Decision No. EEC/327/75, OJ No. L 152, 12.6.1975, p. 3

¹¹ COM(82) 237 final

¹² Proposal for a Council directive on the facilitation of formalities and inspections in respect of the carriage of goods between Member States, OJ No. C 127, 18.5.1982, p. 6

40. We may regard as progress along the path towards improved cooperation between the railway undertakings in the Community and those of the transit countries the fact that eight railway undertakings of the Community and the Swiss Federal Railways are planning to introduce a common international tariff system in the near future. It would be helpful if the German Federal Railways, the Danish State Railways and the Austrian Federal Railways were to join this system.

D. Inland waterways

Transit problems on existing and future waterways

41. At present there are no major inland waterway routes to and from the Community through third countries. This situation will change on the completion of the projects for the construction of new inland waterways in Europe which the European Parliament approved in its resolution of 9 July 1982¹. Once the Rhine-Main-Danube Canal and the Isonzo-Save-Danube waterway have been completed, inland waterway vessels serving intra-Community transport will also be using routes through third countries.

42. At present, it is not possible to forecast accurately what specific problems will arise for Community inland shipping in transit through third countries which, except for Austria, are all members of an economic bloc quite different from the European Community. It is quite probable that the freedom of shipping principle applying to the Rhine will not be maintained because of the aggressive trade policy pursued by the inland waterway undertakings of the COMECON countries on man-made waterways². We must therefore fear that certain transit countries will take restrictive measures against Community inland shipping on these parts of the route which cross their territory, insofar as the agreement signed in 1948 on Danube shipping³, which is indeed much less liberal than the Rhine shipping agreement, does not prevent this. The shipping activities of third countries on the Main-Danube Canal are to be regulated through the conclusion of bilateral agreements. When it signed the second additional protocol to the Convention of Mannheim, the Federal German Government placed on record that it regarded this stretch of canal as a national inland waterway since it ran through German territory and was financed from German resources. Pursuant to Articles 75 ff of the EEC

¹ Resolution on the inland waterways in the Community, OJ No. C 238 of 13.9.1982, p.101 adopted on the basis of a report by Mr K. -H. HOFFMANN (Doc. 1-323/82); see also the motions for resolutions by Mr LÖÖ and others (Doc. 1-907/80), Mr GOPPEL and others (1-315/81) and Mr PETRONIO (Doc. 1-797/79);

² According to the second additional protocol to the Convention of Mannheim on Navigation on the Rhine signed on 17 October 1979, only Rhine shipping vessels are to be included which have a genuine connection with the signatory states of the Mannheim Convention. On this basis restrictions could be imposed on shipping undertakings from COMECON countries - see in this connection the report by Mr K. -H. HOFFMAN (Doc. 1-323/82, point 84)

³ Published in the Revue Générale de Droit International Public 1949, p. 549

Treaty, it is subject to the powers of the European Community, and there is no doubt that the rules governing inland shipping adopted to date by the Community are applicable to the new section of the Canal. according to the principles of the case law established by the European Court of Justice⁴, the Community must therefore participate in any agreement with third countries on rules governing traffic on the canal.

43. The Commission should, therefore, keep a close watch on future developments in this area, in particular on the shipping activities of the COMECON countries in the light of the resolution adopted by the European Parliament on 9 July 1982⁵ and in future proposals and negotiations take into account, where necessary, that the Community is also interested in free transit routes for inland shipping through certain COMECON countries. The Commission should further ensure that the Community's interests are taken adequately into account in the negotiations and in any agreements concluded with third countries on rules governing inland shipping on the Rhine-Main-Danube Canal.

Significance of the Rhine-Main-Danube link for transit traffic through non-member countries

44. The aforementioned projects for the construction of inland waterways must also be assessed on the basis that they will contribute towards alleviating the problem of road transit to and from the Community through various south-eastern European countries. Accordingly, the Rhine-Main-Danube Canal, once completed, will not only absorb a significant amount of traffic between various Member States of the Community and Austria, but at the same time it is the obvious transport route for bulk goods en route between Central Europe and the Balkan countries. The planned waterway link between Salonika and Belgrade via the Axios/Vardar-Morava-Danube rivers would also link Greece directly to the network of major European waterways.

⁴ Judgment of the Court of Justice of 31 March 1971 in Case 22/70 (AETR), ECR 1971, p. 263

Opinion 1/76 of the Court of Justice of 26 April 1977 (laying-up fund), ECR 1977, p. 741

Opinion 1/78 of the Court of Justice of 4 October 1979 (International Agreement on Natural Rubber), ECR 1979, p. 2871

⁵ Resolution of the European Parliament on relations between the Community and the COMECON countries in the field of transport policy, OJ No. C 238, 13.9.1982, p. 101, adopted on the basis of the report by Mr K. -H. HOFFMANN (Doc. 1-203/82)

45. The Commission should, therefore, in its efforts to ensure that the Rhine-Main-Danube Link is completed as called for in the resolution adopted by the European Parliament on 9 July 1982⁶, also keep in mind the possibility of a direct waterway link with Greece and the Community's transit interests in the Balkan region.

Significance of the Isonzo-Save-Danube Link for transport through non-member countries

46. A waterway link between the Danube and the northern Adriatic would open up the Adriatic ports to the whole Balkan region. It might, however, be more significant for the Community that such a waterway would provide a cheaper transport route for bulk goods (e.g. coal) between the ports of the northern Adriatic and southern Germany and/or Austria which would be considerably shorter than the route via the North Sea ports. In this way the potential of the northern Adriatic ports could be better utilized for the benefit of the Community.

47. In assessing the significance of the Isonzo-Save-Danube link in the context of the elaboration of an overall plan for the development of the Community's waterway network, which the European Parliament called for in its resolution of 9 July 1982⁶, the Commission should take proper account of the potential of this transit route and, in its negotiations with Yugoslavia, already be striving for freedom of shipping on this route which will be important for the Community in the future.

⁶ Resolution on the inland waterways in the Community, OJ No. C 238 of 13.9.1982, p. 101, adopted on the basis of the report by Mr K. -H. HOFFMANN (Doc. 1-323/82)

IV. Summary and conclusions

48. A summary of the problems in transit traffic in the various sectors of the transport policy demonstrates that large areas of this report amount of necessity to no more than a general view of the (few) achievements and the (many) failures of the common transport policy¹. In virtually all matters it appears that the solution of problems existing in transport traffic through third countries initially demands that the European Community develops a common transport policy. Every effort to improve the situation in transit traffic by the third countries which are geographically surrounded by the Community must therefore begin with the long overdue elaboration of a common transport policy. At the same time, the problems arising in transit traffic through these third countries must be borne in mind when the common transport policy is being given practical expression so that the Community does not create internal solutions which are unacceptable to the transit countries on the grounds of their justified interests.

49. If we attempt to list the problems in order of priority according to the third countries concerned, we recognize that they are different in structure and importance according to the country concerned. There are no serious problems in transit traffic through Switzerland; the road network has been thoroughly improved, and there are no unacceptable burdens caused by the carriage of goods by road from the Community; bottlenecks in the carriage of goods by rail on the Gotthard route arise not because of inadequacies in Switzerland, but rather because of the inadequate capacity of railway facilities on the Italian side; improvements as regards despatch and the implementation of combined transport operations are being developed consistently.

¹ The lack of action on the common transport policy and the responsibilities therefore are set out in detail in the report by Mr CAROSSINO (Doc. 1-996/81) on the common transport policy on which the resolution adopted by the European Parliament on 9 March 1982 was based (OJ No. C 87, 5.4.1982, p. 42); the conclusions from this are drawn in the report by Mr SEEFELD on the institution of proceedings against the Council of the European Communities for failure to act in the field of transport policy (Doc. 1-420/82) and the resolution to be debated by the European Parliament on 16 September 1982.

50. On the other hand, the situation in the Republic of Austria has become serious because of the burden of road transit to and from the Community; because of the 28 tonnes limit in force in Switzerland, the bulk of heavy goods transport by road between the Federal Republic of Germany, Belgium, the Netherlands, Denmark and the United Kingdom on the one hand and Italy and Greece on the other, as well as transit traffic to the non-member countries of south-eastern Europe, crosses Austria; to that must be added the burden imposed by passenger traffic on the so-called 'Gastarbeiteroute' ('guest-worker route'). Apart from the Brenner route the infrastructures are totally inadequate to cope with this traffic. This causes corresponding dangers to health and life, not only for road users but above all for the people living along these routes. What is more, because of the importance of the Alpine region as a natural water reservoir and a factor in the ecological balance, improvements to transport infrastructure cannot be based solely on transport requirements. The burden imposed on Austria by transit traffic to and from the Community is therefore now at the limit of the tolerable, and the Community must take immediate corrective measures if it does not wish to endanger the freedom of the transit routes which are so important to its welfare. An essential first step is the immediate granting of a financial contribution to the construction of the Innkreis-Pyhrn motorway.

51. In the context of transport relations with Yugoslavia, problems of transit traffic have become acute, especially in the framework of the negotiations on amendments to the existing cooperation agreement² and the agreement of the international carriage of passengers by road by means of occasional coach and bus services (ASOR)³. In addition, Yugoslavia is extremely interested in a financial contribution from the Community for the improvement of its transport infrastructure⁴.

² See in this context the report by Mrs Kalliopi NIKOLAOU on behalf of the Committee on External Economic Relations (Doc. 1-123/82) which includes the opinion of the Committee on Transport on the transport aspects of the cooperation agreement.

³ See in this connection the resolution of the European Parliament of 16 June 1982, OJ No. C182 of 19.7.82, p. 27 adopted on the basis of the report by Mr BUTTAFUOCO (Doc. 1-182/82)

⁴ The problems of the Community's transport relations with Yugoslavia will shortly be dealt with in an own-initiative report which Mr MODIANO is drawing up for the Committee on Transport

52. The variety of the problems arising seems at first sight to justify the approach selected by the Commission⁵ which consists of conducting separate negotiations on each problem with the transit country concerned. On the other hand, the transit countries have on various occasions expressed their interest in global negotiations. The following should be borne in mind so that the talks are not hindered or delayed from the outset by disagreements on the conduct of the negotiations. The statements made in this report have demonstrated that in many instances the problems in transit traffic through Switzerland, Austria and Yugoslavia are closely linked and that it would be inopportune to separate them artificially. For example, the excessive burden imposed on Austria by the carriage of goods by road can only be understood in connection with the Swiss 28 tonnes limit, and any proposed measure must take account of that. The Commission should, therefore, in the light of these considerations review its attitude and, where appropriate, accept the request of the third countries and negotiate globally on interconnected problem areas⁶.

53. All negotiations and efforts to solve the problems of transit traffic through non-member countries should take as their common basis the principle of a fair balance. Where there is a balance in the advantages and disadvantages of mutual transit traffic between the Community and a third country, this balance should be used as a basis for the freest possible system. Where this balance is uneven for whatever reason, attempts should be made to ascertain whether it can be restored by compensatory measures, and only where this proves impossible should the freedom of the countries involved be restricted. The Community bodies and the third countries concerned should be called upon to accept this principle.

⁵ This position, adopted by the Commission in its report of 11 September 1981, was endorsed by the Commission's representatives at the committee meeting of 14 July 1982

⁶ A further example of inappropriate separation is the negotiating mandate given by the Council to the Commission at its meeting of 15 December 1981 for negotiations with Austria which excludes financial matters and is therefore inadequate. To that extent criticism must be levelled at the Council and not at the Commission (see points 9 and 10 of this report)

54. In the context of transport relations with the two non-member countries which have the closest geographic and cultural links with the European Community, i.e. Switzerland and Austria, we should recall a demand made in the resolution adopted by the European Parliament on 6 April 1976⁷, but as yet unfulfilled, namely the demand for permanent cooperation to be introduced for the entire Alpine region with respect to the improvement of existing rail and road systems. It has become clear that the framework of the ECMT is too broad and too cumbersome to cope with this cooperation⁸. At all events, existing forms of cooperation in the field of transport in the Alpine region of the Federal Republic of Germany, France, Italy, Austria and Switzerland should be further developed and improved.

55. These efforts, should at the same time be designed to promote pragmatic, case-by-case cooperation locally between the countries involved. The success of efforts made, for example, at the border between the Federal Republic of Germany and Austria and Switzerland, to achieve practical improvements in international traffic at a level well below the diplomatic level and avoiding bureaucratic procedures provides an example of how future efforts to improve transit traffic through third countries made at a high level must be supplemented by corresponding efforts at a lower level. The Commission should, therefore, ensure that the spirit of European unification filters down as far as the offices of the implementing administrations of the Member States of the Community; we appeal to the transit countries to recognize that the common socio-cultural heritage of Europe must also find expression in the valleys of administrative practice in order to provide the citizens of Europe with the maximum freedom of movement in this area which, despite all political frontiers, forms an indivisible whole because of its common history.

⁷OJ No. C 100, 3.5.1976, p. 12, on the basis of a report by Mr GIRAUD (Doc. 500/75); see in this context point 2 of this report

⁸The European Conference of Ministers of Transport (ECMT) did adopt a report on the carriage of goods by road on 5 November 1979 - CM (79) 5 (final), but this contains virtually no new conclusions and takes no account of the very close cooperation required in the Alpine region.

MOTION FOR A RESOLUTION

DOCUMENT 1-335/82

tabled by Mr SEEFELD, Mr KEY, Mr KLINKENBORG, Mr ARNDT, Mr ALBERS,
Mr GATTO, Mr NIKOLAOU and Mr LAGAKOS

pursuant to Rule 47 of the Rules of Procedure
on relations with Austria in the transport sector

The European Parliament,

- A having regard to its motion for a resolution of 9 June 1981 (OJ C 172, 13 July 1981)
- B having regard to the Council decision of 15 December 1981 on the opening of negotiations between the European Community and the Republic of Austria on transport matters,
1. Reaffirms the importance of further improving the relations between the Community and Austria in the transport sector;
 2. Welcomes the fact that on 15 December 1981, the Council authorized the Commission, in consultation with the Member States, to begin comprehensive negotiations with the Republic of Austria on matters relating to overland transport, with particular reference to possible solutions for the problems of traffic in transit;
 3. Notes that in this context the Council has taken no decision of principle at the present stage on the question of a financial contribution by the Community to the construction of the Innkreis-Phyrn motorway but that a step-by-step approach in this matter has not been ruled out;
 4. Notes that the Commission offered to negotiate with the Republic of Austria on 17 December 1981 and has since defined the terms of reference for such negotiations but that no reply has yet been received from Austria;
 5. Strongly favours an early start to formal negotiations so that steps can be taken in the interests of both parties to achieve the mutually acceptable solution which is so urgently required.