

PRESS RELEASE

7141/91 (Presse 118)

1502nd Council Meeting  
- TRANSPORT -  
Luxembourg, 20 and 21 June 1991

President: Mr Robert GOEBBELS,  
Minister for Transport  
of the Grand-Duchy of Luxembourg

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20/21.VI.91

ngs/MI/ic

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

Belgium:

Mr Jean-Luc DEHAENE

Deputy Prime Minister and  
Minister for Communications

Denmark:

Mr Kaj IKAST

Minister for Transport

Mrs Anne-Birgitte LUNDHOLT

Minister for Industry

Germany:

Mr Wilhelm KNITTEL

State Secretary, Federal Ministry  
of Transport

Greece:

Mr Aristotelis PAVLIDIS

Minister for Merchant Shipping

Spain:

Mr José BORRELL

Minister for Public Works and  
Transport

France:

Mr Paul QUILES

Minister for Infrastructure,  
Housing, Transport and Space

Mr Jean-Yves LEDRIAN

State Secretary for the Sea

Ireland:

Mr John P. WILSON

Tánaiste and Minister for the  
Marine

Mr Séamus BRENNAN

Minister for Tourism, Transport  
and Communications

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Italy:

Mr Carlo BERNINI

Minister for Transport

Luxembourg:

Mr Robert GOEBBELS

Minister for Transport

Netherlands:

Mrs Hanja MAIJ-WEGGEN

Minister for Transport and  
Public Works

Portugal:

Mr Jorge MENDES ANTAS

State Secretary, Ministry of  
Transport

United Kingdom:

Mr Malcolm RIFKIND

Secretary of State for Transport

Mr Christopher CHOPE

Minister of State, Department of  
Transport, (Minister for Roads  
and Traffic)

Commission:

Mr Karel VAN MIERT

Member

LAND TRANSPORT

AGREEMENT WITH YUGOSLAVIA

The Council agreed in principle on the conclusion of the Agreement between the Community and Yugoslavia in the field of transport initialled on 25 March 1991.

It also authorized the signing of that Agreement <sup>(1)</sup>, subject to final approval as soon as the European Parliament and the Economic and Social Committee had delivered their Opinions.

The purpose of the Agreement, which has been concluded for a period of 10 years, is to promote co-operation between the EEC and Yugoslavia in the field of transport, in particular with respect to transit traffic, and, to that end, to ensure the co-ordinated development of transport between and through the territory of the two contracting parties.

The Agreement provides for a cumulative increase of 5% per annum in the total number of authorizations valid for 1991 for the Member States of the Community as from 1 January 1992 <sup>(2)</sup>.

The text of the Agreement also includes provisions to encourage rail transport and combined transport (increased co-operation between railways, inclusion of the Yugoslav railways in the Community railways computer system, better organization of combined transport, etc.).

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(1) The signing will take place on Monday 24 June in Brussels.

(2) In the case of Greece, this calculation will be made on the basis of an increase of one third in the number of transit authorizations for 1991 (the number of authorizations will increase from 30 000 in 1990 to 40 000 in 1991).

The Council also asked the Commission to submit as soon as possible proposals regarding the allocation within the Community of the additional authorizations granted under the Agreement.

- 3rd EEC-Yugoslavia Financial Protocol

The Council also authorized the signing <sup>(1)</sup> of the 3rd EEC-Yugoslavia Financial Protocol, which provides for the Community funding of projects aimed at furthering Yugoslavia's economic development, in the form of European Investment Bank loans totalling ECU 730 million, over a period expiring on 30 June 1996.

Out of this ECU 730 million, ECU 580 million will be used to fund projects concerning transport infrastructures, including development of the main road and rail transit route between the Austrian border and the Greek border.

The remaining ECU 150 million will be used to fund other development projects, in particular in the industrial, environmental, telecommunications and energy sectors.

NEGOTIATIONS WITH AUSTRIA AND SWITZERLAND

The Council decided to renew the Commission's brief in respect of the negotiations with Austria and Switzerland on transit.

The brief will remain in force until the Agreement on the European Economic Area (EEA) is initialled.

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(1) The signing will take place on Monday 24 June in Brussels.

DEVELOPMENT OF THE COMMUNITY RAILWAYS

The Council agreed on the substance of a draft Directive on the development of the Community railways.

The purpose of the Directive is, inter alia, to introduce greater clarity into the relationship between the railways and the State and to guarantee respect for the independence and commercial interests of railway undertakings.

It contains a series of measures to enable railway undertakings to derive the full benefit from the technical advantages of rail by making it possible for them to carry out their activities in accordance with commercial principles.

The Directive applies to railway undertakings which are or will be established in a Member State, except for railway undertakings whose activity is limited to operating urban, suburban or regional services alone.

The Directive provides for:

- reform of the financial structure of railway undertakings;
- separation of the management of railway infrastructure from the operation of transport services, with compulsory separation of the accounts and optional organic or institutional separation;
- contribution by railway undertakings and international groupings of such undertakings to the funding of the railway infrastructure used by means of the payment of a fee to the manager of the infrastructure;

- a right of access to a Member State's national railway infrastructure, in accordance with the necessary arrangements agreed with the manager of the infrastructure used in order to settle matters of regulation and safety relating to the transport services concerned mentioned below:
  - = the right for any international grouping of railway undertakings (made up of at least two railway undertakings established in different Member States) to have access to and to transit via the Member States where the railway undertakings constituting it are established, and transit rights in the other Member States for the provision of international transport services between the Member States where the undertakings constituting the grouping are established;
  - = a right of access for "private" railway undertakings covered by the Directive to the infrastructure of the whole of the Community for the purposes of operating international services for the combined carriage of goods.
- the Commission to submit a report to the Council before 1 January 1995 on the implementation of the Directive, accompanied, if necessary, by appropriate proposals on further Community action for the development of the railways, in particular with respect to the international carriage of goods.

PUBLIC SERVICE IN TRANSPORT BY RAIL, ROAD AND INLAND WATERWAY

The Council adopted an amendment to Regulation (EEC) No 1191/69 on action by Member States concerning the obligations inherent in the concept of a public service in transport by rail, road and inland waterway.

While maintaining the principle of the termination of public-service obligations laid down by the regulation submitted, the Council considered that, in certain circumstances, the public interest might warrant the maintenance of transport services even in the absence of adequate commercial profitability for the operator.

Thus the Council agreed that, in order to guarantee respect for the independence and commercial interests of transport undertakings, the competent authorities of a Member State should have the option of negotiating, within the framework of a contract, the conditions and arrangements for providing such services. Such conditions and arrangements are laid down by the Regulation.

However, the Regulation lays down that, for the purposes of supply of certain services or in the interests of certain social categories of passenger, the Member States should retain an option to maintain or impose certain public-service obligations.



ESTABLISHMENT OF A EUROPEAN COMBINED TRANSPORT NETWORK AND THE CONDITIONS  
REQUIRED FOR ITS SMOOTH OPERATION

The Council took note of a progress report from the Commission on the work of the High-Level Working Group on the establishment of a European combined transport network and the conditions required for its smooth operation.

At its meeting on 30 October 1990, the Council adopted a Resolution on this subject. In that Resolution, the Council invited the Commission to set up a high-level working group and to submit a report before 1 June 1991.

The report gives an account of the work done so far and gives initial recommendations, and states the Commission's intention of submitting a general plan for combined transport to the Council before 31 December 1991.

COMMON RULES FOR THE INTERNATIONAL CARRIAGE OF PASSENGERS BY COACH AND BUS

The Council held an exchange of views on the proposal for a Regulation on common rules for the carriage of passengers by coach and bus.

With a view to implementing a judgment of the Court of Justice of 1985, the proposal is designed to amend the existing Community regulations governing occasional services, shuttle services and regular services, by applying to these types of transport the principle of freedom to provide services, thereby guaranteeing transport undertakings in all Member States access to the international passenger transport market without discrimination on grounds of nationality or place of establishment.

Following the Council's exchange of views, a general approach emerged in favour of the broad outlines of a compromise worked out by the Presidency.

The Council instructed the Permanent Representatives Committee to continue its examination of this dossier in the light of the approach which had emerged.

#### FISCAL HARMONIZATION IN THE FIELD OF ROAD TRANSPORT

The Council took note of the progress that had been made in the discussions on fiscal harmonization in the field of road transport, with a view to the meeting of the ECOFIN Council scheduled for 24 June 1991.

In response to the instructions given by the Rome European Council on 14 and 15 December 1990, the Council must decide to adopt a coherent Community approach on the question of the taxation of road transport, to be implemented at the same time as the process of liberalization of activities in this sector.

#### ROADWORTHINESS TESTS FOR MOTOR VEHICLES - EXTENSION TO PRIVATE CARS

The Council adopted by qualified majority an amendment to Directive 77/143/EEC on the approximation of the laws of the Member States relating to roadworthiness tests for motor vehicles and their trailers, in order to extend its scope to private cars.

Pursuant to this decision, such a test is compulsory four years after the date on which the vehicle was first registered, and thereafter every two years.

The amended Directive will enter into force not later than two years after its notification.

It provides for the possibility of applying the derogations contained in Directive 77/143/EEC until 1 January 1994. However, in Member States where there is no system of vehicle testing comparable to that intended by this Directive as at 31 December 1991, the derogations may be granted until 1 January 1998.

#### DRIVING LICENCE

The Council reached agreement on the substance of a Directive on the driving licence, the aim of which is in particular to ensure mutual recognition throughout the Community of licences issued by a Member State whatever the State of residence of the holder <sup>(1)</sup>.

This directive will be adopted formally in the near future after final legal and linguistic editing of the texts.

Pursuant to this Directive, the holder of a driving licence issued by a Member State would no longer be required, when transferring his residence to another Member State, to exchange his licence for a licence of the host Member State.

The entry into force of this Directive is scheduled for 1 July 1996; on that date the first Community Directive on this subject (80/1263/EEC), which established a Community model national licence and the exchange of licences by holders transferring their place of residence or place of employment from one Member State to another, will be repealed.

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(1) One delegation tabled a provisional reservation.

This new Directive provides for the adaptation of the Community model national licence established by Directive 80/1263/EEC to take account, inter alia, of the harmonization of categories and sub-categories of vehicles and to make licences more readily comprehensible both inside and outside the Community.

The Directive also lays down:

- the minimum requirements for the issue of a driving licence in order to meet road-safety requirements;
- the definition of the knowledge, skills and behaviour connected with driving motor vehicles, and the structure of the driving test based on these concepts;
- the redefinition of minimum standards of physical and mental fitness for driving such vehicles;
- specific provisions to make it easier for physically handicapped persons to drive vehicles.

Member States may continue to apply their national provisions on the withdrawal, suspension and cancellation of driving licences to all licence holders having acquired normal residence on their territory.

#### COMUNITY PROGRAMME ON ROAD SAFETY

The Council and the Representatives of the Governments of the Member States, meeting within the Council, adopted the following Resolution on the implementation of a Community programme on road safety:

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"THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES OF THE EUROPEAN COMMUNITIES, MEETING WITHIN THE COUNCIL,

Having regard to the European Parliament's Resolution of 13 March 1984 on the introduction of a programme of Community measures to promote road safety <sup>(1)</sup> and the Resolution of the Council and of the Representatives of the Governments of the Member States of the European Communities, meeting within the Council, of 19 December 1984 <sup>(2)</sup> relating in particular to 1986 as Road Safety Year in the Community;

Having regard to the European Parliament's 1987 report on Road Safety Year;

Having regard to the Commission communication to the Council of 9 January 1989 entitled "Road safety: a priority for the Community";

Whereas road traffic must be expected to increase, in particular following the completion of the internal market in 1992;

Whereas the human suffering and the social cost of road accidents that each year cause more than 50 000 deaths and more than 1 500 000 injuries are unacceptable not only from the moral and political but also from the economic and social points of view;

Whereas, in this situation, a special effort must be made to improve road safety in all sectors pertinent to the prevention of road accidents, including vehicle manufacture and equipment;

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(1) OJ No C 104, 16. 4.1984, p. 38.

(2) OJ No C 341, 21.12.1984, p. 1.

Whereas action should be taken at Community level to intensify national measures, where joint action is likely to be more effective than measures taken on an individual, unco-ordinated basis by the Member States,

REAFFIRM the importance of improving transport safety, particularly road safety;

REQUEST the Commission to draw up and implement a Community programme of practical measures designed to put into effect new common initiatives and compare existing national experience in the different fields of action and research in the campaign against road accidents and the consequences for the victims of such accidents;

REQUEST the Commission to form a high-level working party of representatives of the Governments of the Member States to define the objectives of, and the detailed arrangements for implementing, this programme, taking into account previous measures and studies as well as initiatives currently being carried out in this area;

CONSIDER that such a working party should undertake a cost-benefit analysis of the measures to be included in the programme;

REQUEST the Commission to submit a report to the Council by December 1991, accompanied, if appropriate, by initial proposals for the implementation of the programme from 1992."

COMPULSORY USE OF SAFETY BELTS IN VEHICLES OF LESS THAN 3,5 TONNES

The Council held an exchange of views on a proposal for a Directive on the approximation of the laws of the Member States relating to the compulsory use of safety belts in vehicles of less than 3,5 tonnes.

The aim of the proposal is to introduce in all Member States uniform rules for the compulsory use of safety belts, which should be introduced:

- for the front and rear seats of vehicles of category M1 (vehicles used for the carriage of passengers and having no more than nine seats), and
- for the front seats of vehicles of categories M2 and N1 (minibuses and lorries of up to 3,5 tonnes).

The Commission also submitted an amendment to its proposal with a view to including provisions relating to restraint systems for children. The European Parliament has not yet delivered an Opinion on this amendment.

The Council instructed the Permanent Representatives Committee to continue its examination of the subject on the basis of the progress made during the discussion, and in the light of the Opinion of the European Parliament.

LIBERALIZATION OF CABOTAGE ON INLAND WATERWAYS

The Council reached a very broad agreement on an outline compromise enabling adoption in the near future of a Regulation laying down the conditions under which non-resident carriers may transport goods or passengers by inland waterway within a Member State (cabotage).

The compromise provides that cabotage on the Community's inland waterways will be liberalized as from 1 January 1993.

The liberalization of cabotage concerns both goods and passenger transport.

However, the following derogations are provided for:

- the Regulation will apply only from 1 January 1995 to transport operations between ports situated within the Länder of Brandenburg, Mecklenburg-Western Pomerania, Saxony, Saxony-Anhalt and Thuringia, as well as Berlin;
- until 1 January 1995, France will be able to restrict cabotage to two trips on the direct return journey following on from an international goods or passenger transport operation;
- until 1 January 1995, the Federal Republic of Germany will be able to restrict cabotage to one single trip on the direct return journey following on from an international goods or passenger transport operation.

It has been laid down that the Member States will not introduce new restrictions on the freedom actually achieved on the entry into force of the Regulation in respect of freedom to provide services.



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The Commission also undertook to examine from the standpoint of Community legislation the position regarding the "tour de rôle" system in force in Belgium, France and the Netherlands, and the system of compulsory tariffs in force in Germany. It will submit a report on these matters, together with proposals if appropriate, by 1 January 1993.

## SHIPPING

### LIBERALIZATION OF MARITIME CABOTAGE

The Council held a detailed policy debate on a draft Presidency compromise concerning a Regulation applying the principle of freedom to provide services to maritime transport with Member States (cabotage).

It instructed the Permanent Representatives Committee to continue its examination of this dossier in the light of the debate.

### LORAN-C RADIO-NAVIGATION SYSTEM

Pending the Opinion of the European Parliament, the Council held an exchange of views on the proposal for a Decision on the LORAN-C radio-navigation system. <sup>(1)</sup>

The aim of the proposal is to encourage Member States to participate in regional agreements to establish a LORAN-C radio-navigation system covering the whole of

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(1) The LORAN-C system is a land-based radio hyperbolic position-fixing system. The system is based upon measurements in the difference in time of arrival of pulses of radio frequency energy radiated by a chain of synchronized transmitters separated by a distance of a hundred miles.

Western, Southern and Central Europe which may be used by ships, aircraft and land vehicles, on the basis of stations provided free of charge by the U.S. Coastguard and those installed in France.

#### AIR TRANSPORT

#### HARMONIZATION OF TECHNICAL REQUIREMENTS AND PROCEDURES APPLICABLE TO CIVIL AIRCRAFT

Pending the Opinion of the European Parliament, the Council held a policy debate on a draft Regulation on the harmonization of technical requirements and procedures applicable to civil aircraft, drawn up on the basis of a Commission proposal.

The aim of the proposal is to harmonize the technical rules and administrative procedures relating to airworthiness, operational approval and maintenance of aircraft, engines and other aircraft equipment through the incorporation into Community legislation of the Joint Requirements (JARs) developed by the Joint Aviation Authorities (JAA) <sup>(1)</sup>.

This proposal is one of the accompanying measures announced by the Commission in June 1989 when it submitted its communication on the second phase of liberalization of air transport in the Community.

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(1) An organization set up under the auspices of the European Civil Aviation Conference (ECAC).

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The Council discussed, inter alia, the machinery for incorporating the JARs into Community legislation (common rules and procedures) and the type of committee which should assist the Commission for the purposes of amending the existing JARs.

At the end of the discussion, the Council instructed the Permanent Representatives Committee to continue its examination of this dossier in the light of the European Parliament's Opinion and the Council's discussion.

MISCELLANEOUS DECISIONS

Facilitation of physical inspections and administrative formalities in respect of the carriage of goods

The Council adopted a Directive amending Directive 83/643/EEC of 1 December 1983 on the facilitation of physical inspections and administrative formalities in respect of the carriage of goods between Member States. The purpose of the amendment is to see that:

- the Member States take the necessary measures to ensure that, in the course of a transport operation, the various inspections and formalities are carried out without delay, as quickly as possible and
  - = as far as possible, in the same place and preferably at the place of departure and/or destination of the goods;
  - = as regards inspections, by means of spot checks, except in duly justified circumstances;
- the minimum period of opening of the most important inspection offices within the Member States should be increased, in order to facilitate the carrying out of the inspections and formalities at the place of departure or destination of the goods.

EEC-Switzerland Agreement (insurance)

The Council adopted a Decision, a Directive and a Regulation concerning an Agreement between the Swiss Confederation and the European Economic Community on direct insurance other than life assurance.

An overall agreement on the text of the Agreement and on the three instruments was reached in September 1989 and the Agreement was signed, subject to approval, in Luxembourg on 10 October 1989.

Approximation of laws relating to machinery

Following the co-operation procedure with the European Parliament, the Council adopted a Directive amending Directive 89/392/EEC concerning machinery with a mobility or lifting function.

The new Directive starts out from the principle that machinery in respect of which specific risks exist due either to their mobility or to their capability of lifting loads, or to both these factors together, must comply both with the general health and safety requirements prescribed by Directive 89/392/EEC and with the health and safety requirements associated with these specific risks.

Transitional arrangements have been provided for enabling Member States to authorize the placing on the market and putting into service of machinery manufactured in accordance with the national rules in force on 31 December 1992.

Vocational training of customs officials (MATTHAEUS Programme)

The Council adopted a Decision on the adoption of a programme of Community action on the subject of the vocational training of customs officials (MATTHAEUS Programme).

This Decision forms part of the action undertaken to strengthen the customs union in the context of the establishment of the internal market. The MATTHAEUS programme aims to ensure, inter alia by means of exchanges of customs officials and training seminars, that customs legislation is uniformly and effectively applied at the Community's external border.

The programme is a follow-up to the pilot scheme of exchanges of officials implemented by the Commission in 1990, in which 578 officials took part.

The MATTHAEUS Programme will enable 1 200 officials to take part in an exchange by the end of 1993 and will constitute an initial step towards the creation of a European customs structure within which officials would be interchangeable.

#### Fisheries

The Council adopted a Decision authorizing the Portuguese Republic to extend until 7 March 1992 the Agreement on mutual fishery relations with the Republic of South Africa.

#### Appointments

The Council

- appointed members and alternate members of the Advisory Committee on Education and Training in the Field of Architecture and
- replaced:
  - = an alternate member of the Advisory Committee on Nursing Training;
  - = a member and two alternate members of the Advisory Committee on the Training of Dental Practitioners.

Bruxelles, le 19 Juin 1991.

NOTE BIO(91) 206 AUX BUREAUX NATIONAUX  
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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### Préparation du Conseil transports (20-21 Juin) (Bruno JULIEN)

Le dernier Conseil de la Présidence luxembourgeoise qui se tiendra à Luxembourg les 20 et 21 Juin abordera de nombreux dossiers dans les divers secteurs de transport.

La communication de la Commission sur une politique communautaire des chemins de fer, les problèmes liés à la sécurité dans le domaine de la circulation routière et le cabotage sur les voies fluviales devraient occuper une place prééminente sur l'agenda de ce Conseil.

- En matière ferroviaire, il est bon de rappeler que 1991 devrait être l'année du chemin de fer, ainsi que l'a annoncé le Commissaire Van Miert. Plus de transparence, ouverture de la concurrence, réseaux européens de TGV et de chemin de fer pour la mise en oeuvre d'une véritable politique communautaire, au même titre que celle qui a été développée en aviation avec les deux paquets aériens déjà adoptés par le Conseil, tels sont les enjeux indissociables de la proposition de la Commission.

Le Conseil devrait être en mesure d'adopter la proposition de règlement sur les obligations de service public qui prévoit une totale transparence dans les relations entre les Etats et les compagnies de chemins de fer pour les engagements de service public, par le biais de contrats de service public négociés entre les Etats et les compagnies et par une distinction comptable des activités de service public dans la compatibilité des entreprises ferroviaires.

Le Conseil devrait être en mesure de progresser sur la proposition de directive relative au développement du système de chemins de fer européens en dégagant les principales options politiques qui serviront ultérieurement à la présidence néerlandaise pour définir les conditions d'enregistrement des compagnies ferroviaires, la distinction entre l'infrastructure et son exploitation, l'amélioration de la santé financière des entreprises ferroviaires et l'ouverture des réseaux aux groupements de compagnies communautaires.

- La Commission présentera au Conseil un rapport intérimaire sur le développement d'un réseau européen de transports combinés. Ce rapport prévoit les domaines dans lesquels des recommandations seront transmises au Conseil à la fin de l'année (établissement de réseaux, expériences pilotes...).

- La circulation routière constituera le deuxième plat de résistance du Conseil avec plusieurs points inscrits à l'ordre du jour dans ce domaine.

. L'extension du contrôle technique aux voitures privées. Cette mesure importante pour la sécurité des usagers de la route devrait être adoptée par le Conseil. Elle permettra d'étendre dans deux années (ou à partir de 1988 pour les Etats membres qui n'ont pas encore de contrôle technique (IR, DK, F, I, P) le contrôle technique aux automobiles avec une périodicité de 4, 2, 2, 2 ans.

**. Le permis de conduire**

Un véritable permis de conduire européen sera vraisemblablement adopté. Il permettra à ses titulaires de ne plus avoir à solliciter un nouveau permis lorsqu'ils se déplaceront de l'Etat où ils ont obtenu le permis dans un autre Etat membre.

Cette reconnaissance mutuelle sera possible grâce à une harmonisation plus poussée des conditions dans lesquelles les permis de conduire seront délivrés (connaissance, aptitude). Le texte prévoit aussi les conditions d'âge et les catégories de véhicules.

L'état des travaux sur ce projet permet d'entrevoir son adoption lors du Conseil.

**. Programme d'action communautaire en matière de sécurité**

Le Conseil examinera un projet de résolution qui réaffirme l'importance de la sécurité et invite la Commission à élaborer un programme communautaire assorti de propositions concrètes.

. En l'absence d'avis du Parlement, le Conseil sera appelé à dégager une orientation commune sur le projet de Directive qui prévoit le port obligatoire de ceintures de sécurité dans les automobiles et sur les sièges avant des minibus et camions jusqu'à 3,5 tonnes ainsi que l'utilisation de systèmes de retenue adaptés pour les enfants.


- Le Conseil devrait être en mesure d'adopter le règlement prévoyant l'instauration du cabotage communautaire sur les voies navigables pour les ressortissants des Etats membres habilités à effectuer des transports internationaux.

- La Présidence tentera de donner une impulsion politique au projet de règlement établissant des règles communes pour les transports de voyageurs effectués par autocars et par autobus, en vue de progresser dans la voie d'une libéralisation progressive dans ce domaine.

- Le Conseil procédera à l'examen de la proposition de Directive relative à l'harmonisation des normes et procédures techniques dans le domaine de l'aviation civile qui consisterait à incorporer dans la législation communautaire les normes (JAR). Système qui repose actuellement sur la certification et l'homologation des procédures d'exploitation et d'entretien des avions ainsi que des personnes ou organismes chargés de leur exécution.

- Le Conseil sera appelé à se prononcer sur le projet de Directive concernant l'acceptation mutuelle des licences de pilotes.

Amitiés,  
Bruno DETHOMAS

M.O. 



MESSAGE # 11  
RCV LN 1

06/21 0327  
64215EURCOM UW

21877 COMEU B  
COMPUTER MESSAGE :

FROM : C.E.C. - G.P.P.  
TO : C.E. WASHINGTON - WASHINGTON  
REF : 1172057738 - 21-06-1991 09:29

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LUXEMBOURG. LE 20 JUIN 1991

NOTE BIO (91) 206 (SUITE 2) AUX BUREAUX NATIONAUX  
CC AUX MEMBRES DU SERVICE DU PORTE-PAROLE

CONSEIL TRANSPORT  
(B. JULIEN)

LE COMMISSAIRE VAN MIERT AVAIT SOUHAITE FAIRE DE 1991 L'ANNEE DU RAIL. CES VOEUX SE CONFIRMENT PUISQUE AVEC L'APPUI DU PRESIDENT DU CONSEIL EN EXERCICE M. GOEBELS. LE CONSEIL EST ARRIVE EN FIN D'APRES-MIDI A UN ACCORD POLITIQUE UNANIME SUR LE PROJET DE DIRECTIVE CONCERNANT LE DEVELOPPEMENT DE LA POLITIQUE COMMUNAUTAIRE FERROVIAIRE.

CET ACCORD PORTE NOTAMMENT SUR L'AUTONOMIE FINANCIERE. ADMINISTRATIVE, ECONOMIQUE ET COMPTABLE DES ENTREPRISES FERROVIAIRES COMMUNAUTAIRES.

LES ENTREPRISES FERROVIAIRES DEVRONT OPERER UNE SEPARATION COMPTABLE ENTRE LES ACTIVITES LIEES AUX INFRASTRUCTURES ET LES ACTIVITES LIEES A L'EXPLOITATION.

LA SANTE FINANCIERE DES ENTREPRISES FERROVIAIRES ENDETTEES SERA PROGRESSIVEMENT AMELIORE.

LES REGROUPEMENTS INTERNATIONAUX DE COMPAGNIES FERROVIAIRES

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COMMUNAUTAIRES AURONT DROIT A L'ACCES AUX RESEAUX DES ETATS MEMBRES. DE MEME LES COMPAGNIES NATIONALES AURONT ACCES AUX RESEAUX DES AUTRES ETATS MEMBRES POUR LE TRANSPORT DE FRET.

CETTE DIRECTIVE S'APPLIQUERA AUSSI BIEN AUX COMPAGNIES FERROVIAIRES EXISTANTES QU'AUX COMPAGNIES QUI S'ETABLIERONT DANS L'AVENIR.

CET ACCORD SERA FINALISE PAR LES JURISTES DANS LES PROCHAINS JOURS ET SOUMIS EN POINT A LORS D'UN PROCHAIN CONSEIL. LE CONSEIL A EN OUTRE ADOPTE LE REGLEMENT QUI PREVOIT LE REMPLACEMENT DES OBLIGATIONS DE SERVICE PUBLICQUE POUR LES COMPAGNIES DE TRANSPORT PAR UN CONTRAT DE SERVICES PUBLICQUE NEGOCIE ENTRE LES GOUVERNEMENTS ET LES ENTREPRISES.

TIRANT LES CONCLUSIONS DU CONSEIL. LE COMMISSAIRE VAN MIERT S'EST FELICITE DE CES ACCORDS QUI MARQUENT UNE AVANCEE SUBSTANTIELLE DE

LA POLITIQUE FERROVIAIRE COMMUNAUTAIRE. UNE OUVERTURE DES MONOPOLES. LA VOIE VERS LE LIBRE ACCES. EN D'AUTRES MOTS. CES PREMIERES DECISIONS PERMETTRONT A LA POLITIQUE FERROVIAIRE COMMUNAUTAIRE DE RATRAPPER LE RETARD QU'ELLE AVAIT ACQUIS SUR D'AUTRES GRANDES VOIERS DE LA POLITIQUE DU TRANSPORT TELS QUE L'AERIEN ET LE ROUTIER.

LE CONSEIL SE POURSUIVA DEMAIN PAR L'EXAMEN DES PROJETS LIES A LA SECURITE ROUTIERE ET AU CABOTAGE MARITIME.

AMITIES.  
B. JULIEN.

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DURATION 443 SECS LISTED 1429 00-05-00

Bruxelles, le 21 Juin 1991.

NOTE BIO(91) 206 (suite 3) AUX BUREAUX NATIONAUX  
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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Conseil transports (Bruno JULIEN)

- Contrôle technique

Dans le domaine de la sécurité routière, le bon état des véhicules est un élément important. C'est pourquoi dès 1988 un contrôle technique a été instauré pour les véhicules commerciaux. Aujourd'hui le Conseil a élargi cette disposition aux véhicules privés en adoptant une modification de la directive existante à une forte majorité.

Le premier contrôle devra être effectué 4 ans après la mise en circulation du véhicule puis ensuite la périodicité du contrôle sera de deux ans. La mise en oeuvre se fera à partir de 1994 dans les Etats membres qui ont déjà adopté le contrôle technique et en 1998 dans les Etats membres qui n'ont pas encore mis en oeuvre le contrôle technique.

- Permis de conduire

Le Conseil a adopté à la quasi-unanimité la proposition de directive sur la reconnaissance du permis de conduire (voir IP 586).  
Le Commissaire Van Miert s'est félicité de l'adoption de cette décision importante en regrettant néanmoins en qualité de citoyen européen que la mise en oeuvre ne débute qu'en 1996.

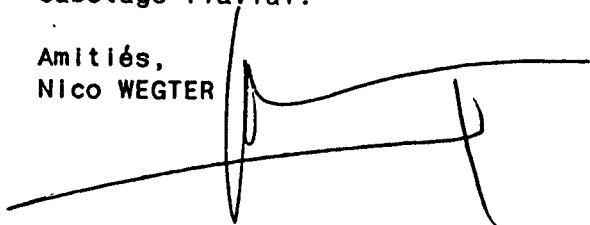
- Résolution du Conseil et des Etats membres sur la sécurité routière

Cette résolution a été adoptée à l'unanimité par le Conseil. Constatant le nombre important d'accidents de la route, cette résolution souhaite qu'un effort particulier soit consacré à l'amélioration de la sécurité routière et que l'action nationale dans ce domaine soit renforcée par une action communautaire. Elle demande à la Commission d'élaborer et de mettre en oeuvre un programme communautaire de mesures concrètes et elle invite à réunir un groupe de travail afin de définir les objectifs et les modalités d'un tel programme. La Commission devrait soumettre avant le mois de décembre 1991 un rapport sur l'exécution de ce programme.

Le projet de directive sur le port des ceintures de sécurité est renvoyé au COREPER pour examen.

Le Conseil se penche maintenant sur le cabotage maritime et sur le cabotage fluvial.

Amitiés,  
Nico WEGTER



Bruxelles, le 21 Juin 1991.

**NOTE BIO(91) 206 (suite 4 et fin) AUX BUREAUX NATIONAUX  
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE**

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**Conseil transports (Bruno JULIEN)**

Le Conseil a renvoyé la proposition sur les ceintures de sécurité pour examen au COREPER.

Le même sort a été réservé au projet de règlement concernant le cabotage maritime.

Les Ministres ont conclu un accord de principe sur le cabotage fluvial, Le libre cabotage sera donc autorisé dans les Etats membres à partir du 1er Janvier 1993. Cet accord comporte des dérogations temporaires (cabotage limité jusqu'en 1995) pour la République Fédérale d'Allemagne et la France en raison de la situation économique des opérateurs de ce secteur dans ces Etats membres.

Amitiés,  
Nico WEGTER



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BRUXELLES. LE 17 JUIN 1991.

NOTE BIO(91) 205 AUX BUREAUX NATIONAUX  
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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CONSEIL SPECIAL TRANSPORTS (17 JUIN 1991 - LUXEMBOURG)

CETTE SESSION SPECIALE ETAIT EXCLUSIVEMENT CONSACREE A L'EXAMEN DES NEGOCIATIONS DE TRANSIT ENTRE LA COMMUNAUTE, L'AUTRICHE ET LA SUISSE. LE COMMISSAIRE VAN MIERT A FAIT LE BILAN DES NEGOCIATIONS QUI SE SONT POURSUIVIES AU NIVEAU POLITIQUE AVEC M. STREICHER ET OGI JUSQU'AU WEEK-END.

M. VAN MIERT A NOTE QUE LA SUISSE AVAIT POUR LA PREMIERE FOIS INTRODUIT UNE CERTAINE FLEXIBILITE DANS SON ATTITUDE EN PROPOSANT LA SEMAINE PRECEDENTE UNE EXCEPTION A LA REGLE DES 28 TONNES. MAIS LA SUBSTANCE DE CETTE OFFRE EST TRES REDUITE CAR LE PASSAGE DE 50 CAMIONS DE 40 TONNES PAR JOUR EST EN FAIT LIMITE PAR UNE SERIE DE MESURES RESTRICTIVES (TRANSPORT DE DENREES PERISSABLES UNIQUEMENT, UTILISATION DES CAISSES MOBILES...).

LE COMMISSAIRE A NEANMOINS SOULIGNE L'EFFORT QUE LA SUISSE ETAIT PRETE A ACCOMPLIR EN INVESTISSANT MASSIVEMENT DANS LE DEVELOPPEMENT DU TRANSPORT FERROVIAIRE. IL A INDIQUE AU CONSEIL QU'IL MAINTENAIT LE CONTACT AVEC M. OGI CAR L'OFFRE ETAIT INSUFFISANTE.

LA DERNIERE OFFRE DE L'AUTRICHE N'EST PAS NON PLUS SATISFAISANTE POUR LA COMMUNAUTE PUISQU'ELLE DEVRAIT SE TRADUIRE PAR UNE DIMINUTION DU NOMBRE DE PASSAGES DE CAMIONS COMMUNAUTAIRES A TERME. OR, LE COMMISSAIRE A RAPPELE QUE LA COMMUNAUTE NE POUVAIT PAS ACCEPTER MOINS QUE LE STATU QUO DANS LE CADRE D'UNE SOLUTION ECOLOGIQUE (ECOPOINTS) SUR LE NOMBRE DE CAMIONS ASSORTI D'UNE FLEXIBILITE TENANT COMPTE DES EFFORTS DE LIMITATION DE POLLUTION, ALLANT AU-DELA DES ENGAGEMENTS PRIS DANS LE CADRE D'UN ACCORD.

TOUTEFOIS, M. VAN MIERT A FAIT PART AU CONSEIL D'UN CERTAIN ESPOIR D'ARRIVER A UNE SOLUTION (STATU QUO + FLEXIBILITE) DANS LES JOURS A VENIR.

ENFIN, LE COMMISSAIRE, RAPPELANT LE LIEN FACTUEL QU'IL Y AVAIT TOUJOURS EU ENTRE LES NEGOCIATIONS SUR L'EEE ET CELLES SUR LE TRANSIT A INDIQUE QUE LE CONSEIL AFFAIRES GENERALES DEVRAIT SE PRONONCER SUR L'AVENIR DE CE LIEN. IL A ESTIME POUR SA PART QUE LE SECTEUR TRANSPORTS DEVRAIT ETRE RETIRE DE L'ACCORD EEE EN CAS D'ECHEC DEFINITIF DES NEGOCIATIONS.

APRES UN LONG TOUR DE TABLE AU COURS DUQUEL LES ETATS MEMBRES ONT EXPRIME LEUR POINT DE VUE, IL EST APPARU QUE TOUS LES ETATS MEMBRES SOUHAITAIENT UN ACCORD SUR LE TRANSIT AVEC LA SUISSE ET L'AUTRICHE MAIS PAS A N'IMPORTE QUELLE CONDITION. SANS QU'UNE OPINION MAJORITAIRE SE DEBASSE, LES MINISTRES DES TRANSPORTS SOUHAITENT QU'EN L'ABSENCE DE POSSIBILITE D'ACCORD, SOIT :

- UN ACCORD SUR L'EEE NE PUISSE ETRE ENTERINE.
- L'ENSEMBLE DU SECTEUR TRANSPORT (Y COMPRIS L'AVIATION) SOIT EXCLU D'UN ACCORD EE POUR TOUTS LES PAYS DE L'AELE,
- L'ENSEMBLE DU SECTEUR TRANSPORT SOIT EXCLU D'UN ACCORD

EEE POUR L'AUTRICHE ET POUR LA SUISSE.

L'ENSEMBLE DES DELEGATIONS S'EST FELICITE DES EFFORTS DE LA COMMISSION POUR ESSAYER D'ARRIVER A UNE SOLUTION ET A SOUHAITE QUE LE COMMISSAIRE VAN MIERT POURSUIVE SES TENTATIVES, EN SACHANT QU'UNE SOLUTION FINALE ENVISAGEABLE NE POURRAIT ALLER AU-DELA DU STATU QUO, PLUS DE FLEXIBILITE POUR L'AUTRICHE ET D'UNE OFFRE AMELIOREE POUR LA SUISSE.

CES CONCLUSIONS DE LA PRESIDENCE DOIVENT ETRE SOUMISES AU CONSEIL AFFAIRES GENERALES DU 18 JUIN.

AMITIES,  
BRUNO DETHMERS

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