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3116th Council meeting

Transport, Telecommunications and Energy

Luxembourg, 6 October 2011

President

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Minister for Infrastructure of Poland

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Main results of the Council

*The Council adopted conclusions that emphasise the importance of strengthening transport cooperation with **neighbouring regions**, in particular through the improvement of transport infrastructure and closer integration of transport markets.*

*In the field of aviation, the Council gave the Commission negotiating mandates for a comprehensive air transport agreement with **Azerbaijan** aimed at market opening in parallel with regulatory harmonisation, and for an agreement with the European Organisation for Safety of Air Navigation (**EUROCONTROL**) providing a general framework for enhanced cooperation.*

*Furthermore, ministers held a debate on the proposed revision of the regulation on the **tachograph** to be used by professional drivers. The aim of the revision is to make fraud more difficult and to reduce the administrative burden by making full use of new technologies and introducing a number of new regulatory measures.*

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
- Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
- Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

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Mr Siim KALLAS

Vice-President

ITEMS DEBATED

INTERMODAL QUESTIONS

Transport cooperation with neighbouring regions

The Council adopted conclusions ([14712/11](#)) emphasising the importance of strengthened transport cooperation and better transport connections with neighbouring regions covered by the Enlargement and European Neighbourhood policies, in particular the Western Balkans, the Mediterranean region and the Eastern Partnership countries, with a view to bringing about deeper economic integration and closer political association.

To achieve these goals, the Council advocates improvement of transport infrastructure, especially by better linking of the infrastructure of neighbouring countries with the trans-European transport network, and closer integration of transport markets, in particular by extending the European Common Aviation Area, removing barriers in maritime transport, increasing interoperability of railway systems and streamlining border crossing and administrative procedures. The Council is, however, stressing that closer market integration will depend on neighbouring countries' readiness to do so and on their progress in applying safety, security, environmental and social standards equivalent to those of the EU.

The existing financial resources such as the Neighbourhood Investment Facility, which can leverage funding from international financial institutions, should be used to help those countries make the necessary reforms.

Moreover, the Council welcomes the establishment of an Eastern Partnership Transport Panel, due to be launched at the Eastern Partnership ministerial conference on 24-25 October in Krakow (Poland).

The conclusions come in response to a communication on this topic presented by the Commission in July, outlining short and long-term measures for all transport modes to strengthen transport connections ([13022/11](#)). The communication is a follow-up to the EU's new approach to the European Neighbourhood Policy, which is based on a higher level of differentiation depending on each country's needs, ambition and readiness to cooperate, as set out in a Commission communication adopted this May ([10794/11](#)) and in Council conclusions adopted this June ([11850/11](#)).

AVIATION

Enhanced cooperation with Eurocontrol

The Council authorised the Commission to conduct negotiations with the European Organisation for the Safety of Air Navigation (Eurocontrol) on a high-level agreement aimed at establishing a new and stable framework for enhanced cooperation. The agreement will confirm Eurocontrol as the technical and operational arm of the EU in the development and implementation of its Single European Sky (SES) programme, while positioning the EU as the regulator of this programme.

Eurocontrol is a civil-military intergovernmental organisation with 39 contracting parties from all over Europe, including all EU member states except Estonia. It plays a pivotal role in air traffic management (ATM) in Europe and provides expertise and technical assistance to the EU in this field. It has recently been nominated as ATM network manager for the Single European Sky programme, which is designed to establish a safe and efficient air traffic management system at European level on the basis of a legal framework adopted in 2004 (SES I) and 2009 (SES II).

Air transport agreement with Azerbaijan

The Council gave the Commission a mandate to open negotiations with Azerbaijan on a comprehensive air transport agreement aimed at market opening in parallel with regulatory harmonisation in areas such as aviation safety and security, environmental protection and competition law.

Market opening is expected to yield economic benefits to EU and Azerbaijani airlines and airports and help develop business and foreign investment in Azerbaijan. This needs to be accompanied by a regulatory framework consistent with EU standards.

The agreement will create a legal framework for air transport between Azerbaijan and the Union as a whole, thus ensuring a level playing field for all EU carriers. It will replace the existing twenty-one bilateral air services agreements between individual EU member states and Azerbaijan, which are rather restrictive in particular as regards capacity arrangements. At a more general political level, the establishment of such an agreement is in line with the European Neighbourhood Policy and the Eastern Partnership initiative, in both of which Azerbaijan is involved, and will further the objectives of the Partnership and Cooperation Agreement with Azerbaijan, which is due to be succeeded by an Association Agreement currently under negotiation.

LAND TRANSPORT

Revision of the tachograph regulation

The Council held a public debate on a revision of the 1985 regulation on the tachograph to be used by professional drivers so that compliance with the rules on driving time and rest periods can be checked in the interest of road safety, decent working conditions for drivers and fair competition between transport businesses. The aim of the proposed revision is to make fraud more difficult and to reduce the administrative burden by making full use of new technologies and introducing a number of new regulatory measures.

As examination of the Commission proposal in the Council working party is still at an early stage (see report in [14486/11](#)), the Council focused its discussions less on the details of the proposal than on member states' experiences with the current tachograph system. Ministers acknowledged the crucial role of the tachograph for checking compliance and thereby for road safety. Whilst generally the current system seems to work, ministers emphasized that improvements are required, pointing in particular to vulnerabilities of the system which make manipulation and fraud possible. They also underscored the importance of reducing costs for transport businesses. In this respect, it was stressed that any new measures had to be proportionate and subject to a detailed cost-benefit analysis, with some member states voicing concerns about the costs the measures proposed by the Commission might entail.

The Council's preparatory bodies are now invited to continue examination of the proposal ([13195/11](#)), which contains the following key elements:

As regards use of technology, the current manual recording of the location of the vehicle will be replaced by automated recording through satellite positioning. Moreover, remote communication from the tachograph delivering basic indications on compliance with the rules will enable control officers to better target roadside checks, thereby avoiding unnecessary checks. In addition, a standardised interface of the tachograph will facilitate its integration into Intelligent Transport Systems applications, such as those for fleet management.

On the regulatory side, the requirements to be met by workshops entrusted with the installation and calibration of tachographs will be strengthened and the driving licence will be merged with the driver card to be used with the tachograph, which is supposed to reduce fraud as well as administrative costs. The administrative burden will also be cut by extending the exemption from the obligation to use tachographs, which member states may grant to certain users, mainly small and medium-sized enterprises: for those users, a uniform exemption for transport operations within a radius of 100 km is proposed, whereas hitherto this exemption has been limited to 50 km in certain cases.

Under the Commission proposal, the regulatory measures will apply one year after the publication of the regulation in the Union's Official Journal, whilst application of the new satellite-linked technology will become mandatory four years later, that is probably as from 2017.

The 1985 regulation, which has already been adapted ten times to take account of technological progress, sets technical standards and establishes the rules on the use, type approval, installation and inspection of tachographs. At present, two types of tachographs are used by some 900 000 transport businesses and 6 million drivers: the digital tachograph introduced in vehicles registered after 1 May 2006, and the analogue tachograph, which is still used in older vehicles.

OTHER BUSINESS

Informal meeting of transport ministers on private financing for transport infrastructure

The presidency briefed the Council on the informal meeting of transport ministers in Sopot (Poland) on 5 and 6 September 2011, devoted to the issue of mobilizing private financing for transport infrastructure and focused in particular on member states' experiences with public-private partnerships. The presidency summarised the results of the meeting in a set of conclusions ([14119/11](#)) highlighting public-private partnerships as a useful tool for transport financing, while stressing the key role of public funds in infrastructure development.

Eastern Partnership ministerial conference on transport

The presidency gave information about the conference of transport ministers of EU member states, the six Eastern Partnership countries (Belarus, Ukraine, Moldova, Georgia, Armenia and Azerbaijan) and Croatia which is to take place in Krakow (Poland) on 24 and 25 October 2011 ([14884/11](#)). The aim will be to strengthen transport cooperation with these countries, on the basis of the principles set out in the conclusions on relations with neighbouring regions adopted at this Council meeting. The conference is also due to launch an Eastern Partnership Transport Panel.

Emissions Trading in the aviation sector

The Commission briefed ministers on the state of play, and in particular on consultations with third countries, regarding the application of the EU's greenhouse gas emissions trading scheme (ETS) to aviation, due to start on 1 January 2012.

A number of member states called upon the Commission to step up talks with non-EU countries opposed to the inclusion of international aviation in the Union's ETS, in order to find a solution.

Russian visa requirement for Czech aircraft crews

The Czech delegation briefed the Council on a visa requirement recently introduced by Russia for Czech civil aircraft crew members and asked the presidency and the Commission to raise this issue with the Russian authorities. The Czech Republic does not have a bilateral agreement with Russia on visa waivers.

Blue Belt pilot project

The Commission briefed ministers on the implementation and development of the "Blue Belt" pilot project endorsed by the 2010 December Transport Council, which entered its 6-month operational phase in May this year ([14934/11](#)). The Commission considers the first results of the project promising and intends to continue it in 2012. The Blue Belt concept aims at facilitating maritime transport within the EU by reducing administrative formalities for ship operators, whilst ensuring safety, security and environmental protection as well as customs and tax revenues, through optimal use of maritime monitoring technology.

Event on piracy within the context of World Maritime Day

The Italian delegation briefed the Council on the "World Maritime Day Parallel Event" hosted this year by Italy in Rome on 13 and 14 October ([14889/11](#)). The focus of this meeting of experts and institutional representatives will be on combating piracy. The "Parallel Event" takes place within the context of the World Maritime Day celebrated each year by the International Maritime Organisation (IMO).

OTHER ITEMS APPROVED**JUSTICE AND HOME AFFAIRS****EU-Russia Permanent Partnership Council (PPC)**

The Council adopted an EU position with a view to the fifteenth EU-Russia Permanent Partnership Council (PPC) in the area of justice and home affairs which will take place in Warsaw on 10-11 October 2011. It also approved a set of draft common steps towards visa-free short-term travel of Russian and EU citizens, which will be submitted to the PPC for endorsement.

TELECOMMUNICATIONS**Mobile satellite services**

The Council decided not to oppose the adoption by the Commission of a decision on modalities for coordinated application of the rules on enforcement with regard to mobile satellite services pursuant to Article 9(3) of Decision 626/2008/EC.

The draft decision is subject to the regulatory procedure with scrutiny; now that the Council has given its consent, the Commission may adopt it, unless the European Parliament objects.
