

SEMINAR ZUR VERKEHRSPANUNG MIT EXKURSION

# PROTOKOLL

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Die Europäische Verkehrspolitik

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# 1. THE PERMANENT REPRESENTATION OF AUSTRIA TO THE EUROPEAN UNION

## 1.1. Introduction

The permanent Representation of Austria to the European Union is a body present in Brussels since Austria joined the European Union, in 1995. It is headed by the Permanent Representative. The present ambassador is Hans Dietmar Schweisgut.

With a staff of more than 60 national experts, the Permanent Representation to the EU is Austria's largest diplomatic mission and consists of representatives of all Federal Ministries, the representative of the Austrian 'Länder', the Austrian Association of Cities and Towns, the Austrian Association of Municipalities, Social Partners and the Austrian National Bank.

## 1.2. The mission

The main task of the Permanent Mission is to represent the Austrian positions at the different institutions of the European Union and to ensure that Austrian interests find their way into the policy of the Union. The functions of the Permanent Representation of Austria to the EU cover the following items:

- To represent the Austrian Federal Government in its relations with the Member States and the European Institutions and to act on the basis of instructions
- To represent Austria in the preparation of the legislative decision-making process within the Union on the level of ambassadors and deputy ambassadors as well as in Working Parties
- To negotiate compromises with other Permanent Representatives, the European Commission and with the European Parliament (e.g. budget, co-decision procedure...)
- To draw up reports, analyses and previews to provide a precise basis for the formulation of Austrian positions in the Council of Ministers

## 1.3. Targets

One of the main concerns of the Permanent Representation is to bring Austria's role in the European Union closer to the Austrian citizens. Therefore, the Permanent Representation offers special services for visitors from Austria, which consist on lectures and some discussion with different experts on EU issues.

In addition, the Permanent Representation attends the relations with the press, which has to get a transparent view of the decision-making process of the Union, for its citizens. It has a decisive role through the organization of press releases, conferences and briefings before and after Councils or other major events like the European Council, and preparing background information and answering requests as well. This way, the Permanent Representation of Austria tries to contribute to a comprehensive media-coverage of the European Union.

#### 1.4. Working methodology

Decisions, which concern the European Union's issues, are taken by the European Council, and by the Ministers in the Council of Ministers. The decision-making process of the European Communities starts with a proposal of the European Commission. The deliberations until the final adoption of the proposal are divided into three phases:

1. Examination and discussion of the proposal by the responsible Council Working Group (*"Ratsarbeitsgruppe", RAG*)
2. Examination and discussion of the proposal by COREPER I or II (*"Ausschuss der Ständigen Vertreter", AStV I and II*)
3. Decision by the Council of Ministers (*"Ministerrat"*).

Delegates from the Permanent Representation, if necessary supported by experts from the capital, present Austria's position in their Working Groups (about 260 different formations hold more than 4000 meetings per year). After the treatment of the proposals in these Groups, the European proposals are forwarded to the Committee of Permanent Representatives.

In COREPER can be recognized two configurations; on the one hand, COREPER II, on the level of the Permanent Representatives, which meets weekly and deals with the interinstitutional, international, financial and budgetary questions, development co-operation and issues concerning justice and home affairs. The meetings of the COREPER II are prepared by the "Antici"-group, named after the Italian diplomat who was the first chairman of this group.

In these issues, Austria is represented by the permanent Representative.

On the other hand, COREPER I, on the level of Deputy Permanent Representatives, deals with the following issues: internal market, consumer protection, tourism, transport, telecommunications, research, industry, energy, social affairs, health, education, youth, culture, environment and fisheries. The meetings are prepared by the "Mertens"-group, named after the Belgium diplomat, who became the first chairman of this group.

The work of the Agriculture Council meeting is mainly prepared by the Special Committee on Agriculture (SCA).

National ministers meet in the Council of ministers, which is made up of the relevant line Ministers of EU Members. The Council meets in nine different configurations about 100 times per year. Four times a year, the European Council takes place. It provides the EU with the necessary support for its development, by means of the definition of political, economic and social guidelines for all the activity reports of the European Union.

## 2. EUROPEAN TRANSPORT PLANNING

Transport is an important task in the European Policy. A good and sound transport policy is necessary not only for each country, but also in a European standard. Recently it has been proved as a result of the volcanic ash, which has represented a European transport crisis. Thus, a good organization and cooperation between the different members of the European Union is essential in order to avoid or minimize the negative impact of these facts.

The main goal of the transport policy is to promote and develop the different kinds of transport, which cover from road to rail, air or sea transport. However, it is not only important to develop transport, but also taking into account efficient transport, which is the lifeblood of the European economy.

On the other hand, transport policy also takes part developing innovative technologies in order to gain a competitive edge, or enhance service quality. An example of these initiatives is the Galileo Program. Galileo is a global navigation satellite system (GNSS) currently being built by the European Union and European Space Agency. The project, whose budget is estimated around 3.4 billion euro, is an alternative and complementary to the U.S. Global Position System (GPS) and the Russian GLONASS. It will be operational by the year 2014.

Nowadays, a great effort to achieve an environmental European transport policy and not only stated-owned policies is trying to be made. The way to achieve this target is through intermodal measures, which are focused on road transport, since the road is often the preferred transport mode, despite the increase of road traffic volumes means more congestion, more pollution and higher costs. This situation requires solutions based on intermodality, so as to contribute to a better utilization of the existing infrastructure and services by integrating different transport modalities. Moreover, member states of the European Union cannot provide alone an optimal solution to the growing problems of international transport and freight by road. One of the most important initiatives in this field is the Marco Polo Program.

### **Marco Polo Program**

Marco Polo is a program managed by the Executive Agency for Competitiveness and Innovation (EACI) on behalf of the European Commission's Directorate-General for Energy and Transport.

It helps to reduce traffic congestion on Europe's crowded roads and promotes environment-friendly means of transport. This program is based on the transfer of transport's freight to the other modes; it promotes traffic avoidance, awarding grants to road hauliers and manufacturers who devise new practices to reduce the need for road transport in the first place. While roads are overused, rail and sea often have spare capacity and in the most of cases, they pollute less. One of the main aims of Marco Polo is to boost greener alternative, for this reason air transport is not covered by Marco Polo because this mode of transport is not deemed to provide for less external costs than road transport. Likewise, modal shift from air freight to rail or waterborne transport is not eligible in Marco Polo, only road freight shifted

or avoided is covered. The immediate consequence from this program is an environmental, economical and social benefit. In addition to direct modal-shift projects, Marco Polo also funds projects that provide supporting services, including management systems, integrated cargo control or common IT platforms to facilitate inter-operability between partners and between modes.

Successful participation in a Marco Polo project enhances a company's green credentials. So far more than 400 companies have benefited from funding. The current program runs until 2013, with an annual budget for grants of about €60 million. Only projects concerning freight transport services may be supported by the Marco Polo program. Infrastructure projects, research or study projects are not eligible for support.

National routes are not eligible because based on the subsidiary principle the Marco Polo Regulation can only support projects with international routes.

From day one of the program undertakings from EU Member States; currently the following countries are fully participating in the Marco Polo program: Liechtenstein, Iceland and Norway. Croatia has signed a Memorandum of Understanding with the European Commission.

## 2.1. Transport policy

Through an overview of the current transport policy, it can be known how it works in practice, its development, and what are the role and functions of the Commission. Thus, it comes to the conclusion that the whole transport policy is "co- decided" and experience is also taken into account in all the treated subjects, since there is a lot of experience from the past.

Embassies are responsible for roughly 80% of the political tasks and decisions. Embassy's functions are classified into two parts. The first one deals with justice, economical affairs, transport, energy and international policy; on the other hand, the second one takes care about what is discussed in Councils or in the European Parliament.

The organizations which are able to take part in the decision making process below the General Direction for Mobility in a European level, are the following:

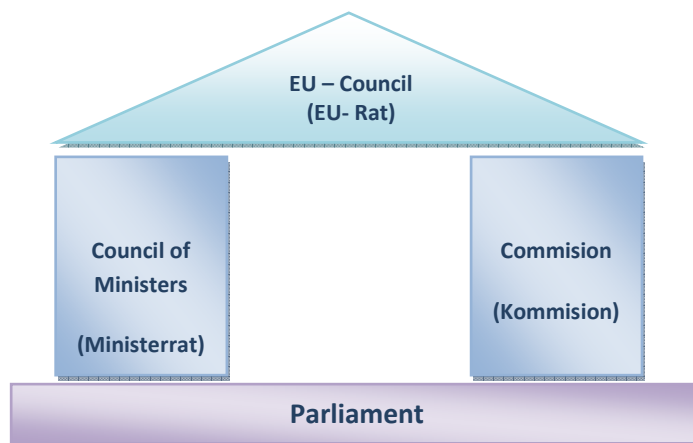
- DG MOVE (Direction for Mobility in the European Commission)
  - o Staff
  - o Units
- EP (European Parliament)
  - o TRAN-Commission
  - o Plenum
- Council
  - o Council of Ministers
  - o COREPER I
  - o RAG

The decision making means are the Parliament and the Councils.

## 2.2. Proposals in a European level

The main items are focused to encourage the use of streets and public transport, to develop Intelligent Infrastructures (IT) in the street's configuration.

Following different proposals, the directives are drawn up, which are later carried to the European Parliament or to the Councils. The role of the Commission is to devise Proposals. In the figure below this structure is sketched.



Each level has to be consistent with the local culture in order to avoid misunderstanding problems in some laws or about some interests. There is a big context, which has to be respected. Laws must lay down compromises and priorities as well.

Each member state has its own priorities and interests; each member has its own interpretation and develops its transport policy on its context.

For example, the European transport policy tries to bet on ecological transports modes, meanwhile, nowadays there are some countries which are suffering the economical effects of the crisis and they need new and more infrastructures, and at the moment, ecology is not their priority.

### Proposal's procedure

1. Commission, which is divided in General Directions (Work Groups). Each group works the proposals which are related to its field.
2. RAG/TRAN (in Parliament)
3. COREPER I / TTE- Councils/ Plenum. In this level are drawn up the guidelines.
4. Public Official Register
5. Implementation MS

### 2.3. Transport situation

By means of analysis of the current transport state, different alternatives can be developed, but it is necessary to know as much information as possible about the different topics which are related to transport, for instance:

- External costs: transport produces external costs as noises, pollution (carbon dioxide, NOx emissions, etc.), traffic jam... Different directives are focused on these issues and their goal is to minimize these negative impacts. This act supposes also an improvement in the quality of citizen's life
- Road accidents.
- Working time, which is the time spent in the displacement from home to work.
- Motor industry.

Belgium is going to be the next country to be president of the European Union, and one of its tasks will be to reduce the external costs of transport. Previously, they will analyze these costs and then make a list in order to establish some priorities.

There are some previsions which predict that the air transport is going to double during the following years, so it is essential to develop new technologies. On the one hand to minimize the negative consequence of this fact, and on the other hand for the European Union to achieve in the leadership of the sector.

### 2.4. Directives and regulations

There are two kinds of possible procedures in the decision making process: directives or regulations.

A *directive* is a legislative act of the European Union, which requires member states to achieve a particular result without dictating the means of achieving that result.

The text of a draft Directive [if subject to the co-decision process, as contentious matters always are] is prepared by the Commission after consultation with its own and national experts, using a process known as Comitology. The draft is presented to the Parliament and the Council [of responsible Ministers of member governments], initially for evaluation and comment, then subsequently for approval or rejection.

When adopted, directives give member states a timetable for the implementation of the intended outcome. Occasionally the laws of a member state may already comply with this outcome and the state involved would only be required to keep their laws in place. But more commonly member states are required to make changes to their laws — commonly referred to as transposition — in order for the directive to be implemented correctly. If a member state fails to pass the required national legislation, or if the national legislation does not adequately comply with the requirements of the directive, the European Commission may initiate legal action against the member state in the European Court of Justice. This may also happen when



a member state has transposed a directive in theory but has failed to abide by its provisions in practice.

A **regulation** is also a legislative act of the European Union, which becomes immediately enforceable as law in all member states simultaneously.

Regulations are equivalent to "Acts of Parliament", in the sense that what they say is law, and do not need to be mediated into national law by means of implementing measures. As such, regulations constitute one of the most powerful forms of European Union law and a great deal of care is required in their drafting and formulation.

When a regulation comes into force it overrides all national laws dealing with the same subject matter and subsequent national legislation must be consistent with and made in the light of the regulation. While member states are prohibited from obscuring the direct effect of regulations, it is common practice to pass legislation dealing with consequential matters arising from the coming into force of a regulation

Directives can be differentiated from regulations, because the last ones are self-executing and do not require any implementing measures. Directives normally leave member states with a certain amount of leeway as to the exact rules to be adopted; meanwhile regulations need to be transposed into national law. Both, directives and regulations can be adopted by means of a variety of legislative procedures depending on their subject matter.

## 2.5. Future of transport policy

The transport policy is going to be directed to ecological roads and streets. It has to be developed and implemented in the near 5 – 10 years. One of the main goals is to reduce traffic jams. The procedure to achieve it is by means of the implantation of intermodal measures. All these targets are going to be more practical than theoretical, in order to increase the efficiency. The philosophy of all these proposals is to reduce the external costs because all the citizens are affected by them.