Maritime transport: external relations also with international organisations

1997/0012(COD) - 14/03/1997 - Legislative proposal

OBJECTIVE: The proposal has two objectives: - to amend Decision 77/587/EEC setting up a consultation procedure on relations between Member States and third countries in shipping matters and on action relating to such matters in international organizations; - to set up a prior authorization and consultation procedure for the negotiation of bilateral agreements concerning trade relations in maritime transport between Member States and third countries. SUBSTANCE: By Decision 77/587/EEC the Community set up a consultation procedure on relations between Member States and third countries in shipping matters and on action relating to such matters in international organizations. 1) A greater role for consultation: the proposal for a decision is intended to widen the scope of the existing procedure by extending consultations and exchanges of information between the Commission and the Member States: - to current developments in relations with third countries in the field of maritime transport (including bilateral agreements being negotiated between a Member State and third country at the date of entry into force of the decision); - to any problem arising in the field relating to trade between the Community and third countries and in trade between third countries (especially matters concerning the provision of maritime transport services, restrictions on market access, or unilateral measures by a third country affecting Community maritime transport activity such as discriminatory treatment at ports or taxation). The negotiation undertaken by the Commission on behalf of the Community in the context of agreements with third countries or within the international organizations are not covered by the proposal. Provision is made for consultation at regular intervals (at least every two months, or at an earlier stage in emergencies or on the request of a Member State or the Commission). 2) Prior authorization procedure: the Commission proposes the institution of a regulatory framework for the negotiation of bilateral maritime transport agreements between Member States and third countries. In particular, the Commission is empowered to authorize the conclusion (or renewal) of such agreements between Member States and third countries. Tacit authorization will also be possible. To this end, the Commission will examine bilateral agreements intended for negotiation, to determine whether they: - are compatible with Community law or the common maritime transport policy; - constitute any obstacle to that policy or its application. Concerning the examination procedure, it is proposed that a Member State should inform the Commission of the final outcome of the negotiations. Should the Commission raise an objection, the Member State should resume negotiations, taking due account of the Commission's comments or on the basis of any conditions insisted on by it. 3) Common position of the Community: the Commission proposes instituting a procedure for defining a common position of the Community within an international organization on any subject of joint interest. Such a position is to be defined either by the Commission or the Member State occupying the Council presidency, according to whether the subjects concerned fall within the competence of the Community or the Member States. 4) General provisions: a committee will be set up to ensure implementation of the decision. It will consist of representatives of the Member States and will be chaired by a member of the Commission. A report on the functioning of the provisions will be submitted to the Council by 31 December 2000, containing, in particular, an assessment of the consultation procedure and any suggestions for changes to it in the light of experience.