

Opinion of the Economic and Social Committee on 'The implementation of the Helsinki declaration — establishing concrete machinery for consulting the economic and social interest groups on the definition of a pan-European transport policy'

(98/C 407/17)

On 11 December 1997, the Economic and Social Committee, acting under Rule 23(3) of its Rules of Procedure, decided to draw up an Opinion on 'The implementation of the Helsinki declaration'.

The Section for Transport and Communications, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 15 July 1998. The rapporteur was Mr Eulen.

At its 357th plenary session of 9 and 10 September 1998 (meeting of 10 September), the Economic and Social Committee adopted the following opinion by 42 votes to two.

1. Objectives

1.1. In an own-initiative opinion⁽¹⁾ adopted in the run-up to the pan-European transport conference in Helsinki (June 1997), the Committee dealt in detail with the importance of social dialogue as part of pan-European transport policy cooperation. The opinion included a preliminary outline of options for creating consultative machinery.

1.2. In response to pressure from the Committee and especially from ESC members who were actively involved in preparations for the conference, consultation of the economic and social interest groups was enshrined in the Helsinki declaration as one of the ten basic principles of future pan-European transport policy. This cooperation can now be implemented systematically.

1.3. The Economic and Social Committee discussed its Opinion on the Communication from the Commission connecting the Union's transport infrastructure network to its neighbours-towards a cooperative pan-European transport network policy⁽²⁾ with Transport Commissioner Kinnock, and adopted it unanimously at the plenary session held on 26 February 1998. In this opinion, the ESC concluded that additional advisory bodies should be the appropriate vehicle for structured dialogue — linked to the work of the monitoring committees in the corridors — in the context of a cooperative pan-European transport network policy. This would make it possible to discuss the issues in still greater depth and to expand the debate from the government level to include the socio-economic groups.

1.4. The present opinion focuses on concrete proposals on how to begin making these consultations a reality and looks at what flexible structures might be

needed to ensure the continuity and networking of this process. The study group's considerations were put forward for discussion in a series of briefings and a written survey of representatives from central and eastern Europe. The findings have been consistently incorporated into the opinion.

The results revealed unanimous support for the proposed implementation measures. Responses to the questionnaire expressed a clear vote in favour of using coordinators to organize the involvement of socio-economic interest groups in corridors and transport areas. In addition, there was concern that the pan-European aspect of the corridors could be eclipsed by the EU's transport policy commitment within the enlargement process. In many countries there was a desire for a structured dialogue at national level in order to be better prepared for cross-border dialogue along the corridors.

2. Developments and priorities to date

2.1. Prior to the Helsinki conference, the Committee's own-initiative opinion called for 'the introduction of flexible mechanisms for holding mandatory consultations with employers' and trade associations, environmental and consumer organizations and trade unions when transport policy decisions are taken as part of the structured dialogue provided for in the agreements, when transnational transport projects are put into practice and when an integrated pan-European transport policy is formulated'⁽³⁾.

2.2. The Crete declaration already made provision for 'steps if necessary' to create consultative bodies. But

⁽¹⁾ 'The Pan-European transport conference and social dialogue — from Crete to Helsinki', OJ C 204, 15.7.1996, p. 96.

⁽²⁾ OJ C129, 27.4.1998, p. 75.

⁽³⁾ See point 8.1 of the opinion mentioned in footnote 1.

the Committee was forced to note that virtually no practical action had been taken in this direction. The Committee attributed this to two main factors: the lack of machinery in the CEEC, making it difficult to find interlocutors on a multilateral level and reluctance on the part of certain political decision-makers to involve economic and social groupings.

2.3. By including consultation in the Helsinki declaration as one of the ten basic principles of the common transport policy, its status as an obligatory part of the process is considerably enhanced in formal terms. In the meanwhile, the associative structures have also evolved. There is, however, a deficiency within the group of special interests. There are still no national structures in place for employers in some cases. This is largely due to the fact that many transport operations have the state as owner or employer. This alone has not been enough to effect a change in practice, but the prospects for launching structured dialogue along the same lines as that currently practiced in the EU are extremely promising.

2.4. Given the plethora of possible approaches to consultation, it is essential to draw up a sensible list of priorities. There are two policy areas in which the pan-European transport conferences and the declarations they have produced have played a major role, bringing about significant progress: the regional conferences and the developing cooperation in the pan-European transport corridors. This should provide the basis for the creation of consultative machinery.

2.5. In addition, the cooperation agreements and the Europe and association agreements have played a significant part in defining the basic thinking behind the consultative mechanisms. They have given rise to a complex network of political relations which function on many different levels. The Committee reaffirms its view that there should also be some consultation of socio-economic interest groups on transport matters where this seems appropriate.

3. Pan-European transport corridors and regional cooperation as a basis for consultative machinery

3.1. An annex to the Helsinki declaration defines ten priority transport corridors. Most of these consist of rail and road links, running in parallel for the most part, with the exception of Corridor VII, the Danube link. Corridors I, IV, VIII and IX also include ports and combined transport in particular.

3.2. The nature and degree of cooperation vary. In most cases the basic element is a Memorandum of Understanding (MoU), which provides the foundation for steering committees that are intended to take care of practical coordination. Various working groups are assigned to the steering committees, depending on local circumstances.

3.3. The aim now is to make use of the working structures which have evolved in this way as a basis upon which to establish permanent consultation mechanisms. It makes sense to tailor the consultation mechanisms to circumstances on the ground as far as possible, and therefore it would be inappropriate to draw up a model to fit all corridors. In order to provide examples of what is meant here, the study group selected a range of corridors which appear representative of the current state of play in planning. The selection does not imply that some corridors enjoy greater priority than others, but is based on purely practical considerations. Specific examples allow considerations regarding consultation to be geared more closely to practical circumstances. Corridors II, IV, VII and X have been selected.

3.4. Apart from cooperation along the corridors, regional cooperation provides another basis for developing consultation machinery.

3.5. Various regional initiatives have taken shape since the first pan-European transport conference in 1991; among these are the Baltic and Barents Sea regions, central Europe, south eastern Europe and the Black Sea, and the Mediterranean area.

3.6. In addition, the Commission Communication on pan-European transport network policy⁽¹⁾ defined other transport areas which are partly coterminous with structures already in place: Barents Sea/Euro-Arctic, Black Sea basin, Mediterranean and Adriatic-Ionian Sea.

3.7. The Committee has repeatedly called for economic and social interest groups to be more closely involved in the preparatory and regional conferences. Regional cooperation provides a lasting basis for structured-dialogue networking across frontiers. This derives not so much from the regular regional conference meetings themselves, but rather from involvement in the ongoing process of coordinating transport policy in the region in question.

3.8. The furthest progress has been made in cooperation between the Baltic states, which is built on a long tradition. But even in this case it is noticeable that cooperation between economic and social interest groups is far from automatic and on a much smaller scale than that between state and regional authorities. The Baltic Sea area is a good example of regional cooperation. Here too, the choice made does not imply that this area enjoys greater priority than other transport regions.

4. Brief description of selected corridors and areas and their cooperative structures

4.1. Section 3 above selected, by way of illustration, Corridors II, IV, VII and X and the Baltic Sea region. A

⁽¹⁾ Connecting the Union's transport infrastructure network to its neighbours — towards a cooperative pan-European transport network policy COM(97) 172, 23.4.1997.

brief description of each of them — based on information currently available to the ESC — follows below.

4.2. *Corridor II*

4.2.1. Corridor II runs from Berlin, via Warsaw and Minsk, to Moscow, and on to Nizny Novgorod. Rail and road links broadly run in parallel, with links to combined transport. No final decision has been taken on extending the corridor further. An intermodal terminal is a possibility, as are links to the Volga, the Black Sea and the trans-Siberian railway. Political backing for this corridor has done much to promote its development and today Corridor II is virtually a model for the others. In 1995, the transport ministers of the participating countries and the Commission signed a memorandum of understanding. There is a general steering committee headed by the Commission (DG VII).

4.2.2. The UIC coordinates the rail link. A separate rail steering group was set up for this purpose and, also in 1995, a memorandum of understanding was signed by the rail companies, providing for cooperation on issues of infrastructure development, interoperability and marketing, as well as for further studies; this memorandum of understanding was concluded for five years and is renewed automatically. The chairman of the steering group, or rather the coordinator, is a representative of the German rail company DB AG (Deutschland). In the course of its work to date, the rail steering group has set up four working groups on infrastructure, marketing, organizational and financial issues and possible solutions to the automatic track-changing issue. The findings of the working groups were submitted to the steering group for assessment in its future decisions.

With the help of DG XXI, a general working group has been set up to examine the problem of border crossing points.

4.2.3. In the light of the talks held to date, the following matters have emerged as issues and initial anchor points to be looked at as part of consultation with the socio-economic interest groups: the effects and social impact of technical changes resulting from the change from European standard to wide gauge, efficient customs clearance and the creation of a uniform system of transport law. Railway administrations and trade unions in the CIS countries see it as a priority to resolve the issue of border clearance and to standardize the system of transport law. They are sceptical with regard to the concerns of Western railway companies over problems resulting from the different track gauges.

4.2.4. The extension of Corridor II by rail and road via Nishni-Novgorod further east is a matter of great importance to transport organizations and unions in the

CIS countries. They wish to see account taken of free capacity on the trans-Siberian railway in this context.

4.3. *Corridor IV*

4.3.1. Corridor IV begins in two branches in Berlin and Nuremberg to Prague. In Arad (Romania), it splits into two links, one going southward to Thessaloniki and Istanbul and another to Constanta and the Black Sea. As well as road and rail, links are also being expanded in Danube traffic, combined transport and port connections. As yet, no memorandum of understanding has been signed by all the participating countries; there is only a cooperation agreement between Poland, Hungary and Slovakia. Overall responsibility for coordinating work in this corridor lies with the German transport ministry. A general steering committee last met in May 1998, with a further meeting expected later this year.

4.3.2. The UIC coordinates the rail link, with the same coordinator as for Corridor II. The rail companies involved have adopted a memorandum of understanding for the further development of rail traffic. A steering committee has been established for rail cooperation which will next meet in autumn 1998. It would seem opportune to combine this with a working meeting of the socio-economic interest groups. This proposal met with approval at the talks held locally, from the Romanian transport minister among others.

4.3.3. The coordination of road, port and inland waterway links is apparently dealt with at ministerial level only. So far there are no working arrangements comparable to those in railway cooperation. In the case of multimodal intersections, such as the port of Constanta, which handles all kinds of freight, cooperative structures spanning the various different forms of transport are particularly important.

4.4. *Corridor VII*

4.4.1. Corridor VII is the Danube link from Germany to the Black Sea. A steering committee has been established, principally to deal with the navigability of the Danube; there is, however, no memorandum of understanding. The Commission is the sole coordinator. Cooperation along the Danube includes the expansion of intermodal terminals and port links, for which feasibility studies are being carried out. The Romanian transport ministry is to initiate the next steps here.

4.4.2. The Danube Convention of 1948 has always formed the basis for this corridor. Political changes are now making cooperation difficult on this basis. New arrangements must be made with regard to political responsibilities and the composition of the Danube Commission. Another practical problem is the fact that the Lower Danube is only navigable by day. During the local talks, there was favourable discussion about holding a working meeting of socio-economic interest groups involved in inland waterway navigation along the Danube.

4.5. Corridor X

4.5.1. Corridor X is the most recent corridor and links central Europe to the Balkans. It starts with two branches in Munich and Nuremberg, before converging in Slovenia and carrying on via Zagreb, Belgrade and Skopje to Thessaloniki. Other, additional links integrate connections with Ploce, Budapest and Sofia. Past conflicts and continuing tension in the region also make this corridor highly political in nature.

4.5.2. Momentum is developing particularly strongly in rail cooperation. As with other corridors, a rail representative — in this case from Austrian federal railways (Österreichische Bundesbahnen, ÖBB) — has taken the initiative to act as rail link coordinator. A memorandum of understanding is due for completion by the end of 1998 to ensure optimum rail transport expansion. The work focuses not only on improving transport performance in this corridor, but also includes issues of environmental concern and systematic intermodal links at all important transport 'nodes' along the corridor.

4.5.3. Greece is to initiate the next steps here as part of coordination covering all transport modes. At a multinational working meeting at the ESC, representatives of socio-economic interest groups from Slovenia, Hungary, Croatia and Bosni-Herzegovina were unanimous in their calls for a wide-ranging conference on Corridor X. They also made clear that they were also prepared to conduct talks with Serbia and Fyrom.

4.6. Baltic Sea region

4.6.1. Cooperation in the Baltic Sea area is based on a long tradition which has been given a new impetus by the opening-up of eastern Europe. Collaboration on transport policy is an important component of Baltic Sea cooperation. For example, the action programmes on cooperation among the Baltic Sea countries adopted by the Baltic Sea council in July 1996 contain important transport-related measures. Moreover, transport ministers meet regularly for Baltic Sea conferences. The April 1997 conference also paved the way for the third pan-European transport conference in Helsinki. Denmark chaired another conference earlier this year. Sweden has overall responsibility for transport cooperation.

4.6.2. The Baltic Sea region is affected above all by Corridor I, which provides for a rail and road link through the Baltic republics, with connections to Helsinki and both southward and eastward towards Corridors IX, II and VI. The utilization factor of the corridor links has fallen far below expectations, particularly as far as the rail link is concerned. Frontier formalities

between the Baltic states have now been abolished. Port links within this corridor have a much more important role to play. Here too, the Commission coordinates the overall work, and the UIC coordinates the rail links. In contrast to all the other corridors, there is also a road-link coordinator. A memorandum of understanding has been signed.

4.6.3. However active and successful transport policy cooperation in the Baltic Sea area may be, structured dialogue with the socio-economic groups has not yet emerged or been promoted to any significant degree. For some time now the trade union federations have been working to establish a cooperation platform in the region. In this context, an initiative has been developed on transport and maritime economy in the Baltic Sea region, now also backed by the northern German Länder and the social partners. The ultimate aim is a cross-border regional project. Those involved are keen to link this with transport policy activities related to the transport areas and corridors.

5. Specific ways to approach and pursue consultations with socio-economic interest groups relating to the transport areas and corridors, and transport cooperation between neighbouring countries

5.1. The current working arrangements basically follow two approaches: enabling (a) planning consultations on transport routing, access links and transport 'nodes' bearing in mind the economic and industrial regions to be served by the corridors, and, (b), thematic or project-related consultations on the further development of organizational and operational procedures, service quality and aspects relating to technical harmonization and the coordination of legislation and regulations.

5.2. Although the corridor routes are largely fixed, specific decisions still have to be taken on extending their terminal points (e.g. Corridor II) and on feeder lines. Extensive planning consultations could be held at least once and be convened by the official competent coordinator concerned or the steering committees. They can then be followed-up at appropriate intervals as a back-up mechanism for continued developments, particularly where route changes, intermodal 'nodes' and other route branching plans are involved. As for the environmental impact of infrastructure projects, EU law already provides for the involvement of 'the public concerned' ⁽¹⁾.

5.3. Consultations as part of moves to optimize smooth transport operations should be initiated by the appropriate coordinators or by the steering committees

⁽¹⁾ Council Directive of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, OJ L 175, 5.7.1985, p. 40, particularly Article 6.

of the corridors concerned. Specific issues and initial approaches are emerging from the work at hand. The aim should be fundamentally to ensure transparency and support for the work, or it may also be to adopt a joint approach when tackling specific new problems, such as the introduction of a particular new technology. Aspects which could be developed, perhaps also in specific working parties, include compliance with and coordination of safety provisions, monitoring arrangements for social provisions, coordination of duty rosters, technical standardization, secondary connections and links to public transport networks in conurbations through which the corridors pass. It is no less important to overcome the major discrepancy in the social conditions of transport workers between East and West. In the CIS countries, wages often go unpaid for many months.

5.4. In transport areas, for example the Baltic Sea region selected in this opinion, the point of contact for any consultation initiative is the particular transport ministry in overall charge, with the involvement of the Commission which is in overall charge of the nearest Corridor I.

5.5. One serious hurdle of course is the question of who is responsible for what, coupled with issues of finance and work pressures occasioned by the staging of such consultative meetings. Basic considerations regarding these points — including the ESC's role in this regard — are found in section 6 of this opinion. Irrespective of some basic questions in need of clarification, an initial meeting, linked to a meeting of the steering committee or another event, the costs of which are borne by all the invited representatives of the socio-economic interest groups themselves, should be a first, non-binding step. Another comparably simple way forward is to invite individual experts to steering committee or working group meetings.

5.6. To date, working arrangements in the corridors have come to focus heavily on specific transport modes. The consultation mechanisms, however, should also cover all transport modes. Aspects such as technical or organizational coordination, safety provisions, qualification requirements and many others are not confined to one transport mode alone; in fact, their primary purpose has to be to facilitate intermodal transfers. Inland waterway navigation, and the extent to which full use is made of it, should be a major topic for inclusion in future transport policy discussions and decision-making in Eastern Europe. Talks on the eastward extension of corridors should take account of the structures for dialogue already existing in the CIS countries.

5.7. The Commission's TINA initiative (Transport Infrastructure Needs Assessment) was established to support transport infrastructure planning in the new candidate countries. The countries have started coordinating their infrastructure planning in three regional sub-groups (Baltic Sea area, central Europe and south-eastern Europe), with a view to extending the trans-European networks.

5.7.1. The TINA secretariat was set up in Vienna in May 1997 to provide technical support for this scheme. Its remit includes not only technical and organizational back-up and cartography, but also the establishment of expert networks, technical and socio-economic analyses, statistical collection and practical support for working meetings.

5.7.2. The Commission is also putting the TINA secretariat forward specifically as a point of contact for the socio-economic interest groups. Although, up to now, its remit has been time-limited (until November 1999) and confined to certain regions (Phare countries), expansion seems to be an option. In any event it is important to increase the flow of information about the TINA secretariat's work to interest groups in the CEEC. If consultations develop along the lines outlined above, the players or representatives involved could, conceivably, also consult the TINA secretariat.

5.8. Networking of existing cooperation in the corridors and areas has proceeded apace, since all the players concerned are keen to share experience and learn from one another. Regular meetings are held of all those involved in coordination. Sometimes, as has already been shown, staff overlap too. If consultation with the socio-economic interest groups takes place on this basis, it follows that there is a need for such exchanges and that the process should be consolidated. Adequate scope should also be provided to do this, whether in connection with the official meetings of the corridor coordinators, the work of the TINA secretariat or another organization, or independently. This last point is entirely a matter for the employers' associations, trade unions or other groups from the CEEC to decide.

A very concrete example of where this broad-based exchange of experience would be of great interest is the need for information among the socio-economic interest groups in Corridor X. Since this corridor was only created in 1997 in Helsinki, all concerned are aware that a structured exchange of experience may help to avoid mistakes and to accelerate development.

5.9. A sensible approach would be to expand the existing pooling of experience in the corridors and transport areas to cover transport policy cooperation between neighbouring CEEC. The common political basis of understanding is the Helsinki declaration.

6. Option for pan-European coordination

6.1. The three pan-European transport conferences held to date have had a considerable effect, creating a basis for a forward-looking, pan-European transport policy. Less in the public eye is the informal committee,

known as the steering committee, which has been coordinating activities since 1991 and has been a decisive factor in the success of the whole enterprise. The steering committee, which cut across traditional political hierarchies and competences, has brought the main European institutions and representatives of economic and social organizations around one table, with the increasing participation of the CEEC.

6.2. The coordinating role of this cooperation, coupled with its informal and open nature, has borne fruit in the past and, for the ESC and the Parliament, has been a novel means through which to bring their own impetus to bear in the process of formulating transport policy on a pan-European level. The work of the steering committee has been discontinued.

6.3. Responsibility for monitoring implementation of the Helsinki declaration should lie more with political institutions which have the remit and the capacity to handle it. At the moment there are no plans for a fourth, large-scale conference. However, at the Committee's February plenary session, Transport Commissioner Kinnock, stated that a further conference was an option if new issues arose to warrant it. It clearly makes more sense to implement what has already been agreed upon first. The ESC endorses this view.

6.4. Nevertheless, a gap will be left which cannot be filled by existing bodies and which, for the purposes of the present opinion, represents a distinct loss. Even today, just a year on from the Helsinki conference, the ESC perceives a steady erosion of transparency about the supposed remit of the monitoring process. As can be seen from some individual cases that have come to light, the principles of the Helsinki declaration are once again having to be arduously worked into the final declarations of relevant regional and sectoral conferences today.

Brussels, 10 September 1998.

6.5. The ESC feels that the need remains for coordination at pan-European level which ensures transparency and helps coordinate individual activities. Transport Commissioner Kinnock himself stressed the need for a continuous process of reporting, updating and clarifying the development process when the Helsinki declaration is being implemented; the trade unions and employers, and their relevant organizations, had to be satisfactorily integrated into this process, he said. In this connection, he referred to plans to refocus the G24 transport working group as the basis for future, practice-led discussion and coordination. The Committee is keen to play an appropriate part in coordination of this kind.

6.6. An interim meeting in June 1998 of the Section for Transport and Communications with representatives of the Commission, ECMT and EP revealed that these institutions fully support the approach put forward in the present ESC opinion. Renewed efforts should be made to increase transparency in the implementation of the Helsinki declaration. There is support for the role of the ESC in this process as regards the consultative mechanisms involving all interested parties. More detailed arrangements concerning comprehensive coordination as part of the monitoring process are to be made in the autumn. In this connection the European Parliament should continue its present active role in framing pan-European transport policy and use the opportunity afforded by the Amsterdam Treaty to consult the ESC as a means of stepping up cooperation.

6.7. Over the past few years, the Committee has made intensive efforts to integrate participation and structured dialogue among the socio-economic interest groups into pan-European cooperation on transport policy. As part of the forthcoming monitoring process too, the Committee is determined to work for the continuity and further development of the activities carried out to date. It remains ready to play an active role in this process.

The President
of the Economic and Social Committee
Tom JENKINS
