

TRANSPORT Council

7 June 2016, Brussels

Chair: **Melanie Schultz van Haegen-Maas Geesteranus**, the Netherlands Minister for Infrastructure and the Environment

European Commission representation: **Violeta Bulc**, Commissioner for Mobility and Transport; and Commissioner **Elżbieta Bieńkowska**, Commissioner for the Internal Market, Industry, Entrepreneurship and SMEs.

Starting time: 9:30

The Council will be invited to adopt a general approach on new rules on the recognition of **professional qualifications in inland navigation**. The proposal aims to promote the mobility of labour in the sector. A common system of certificates would cover the entire crew from apprentices to boatmasters.

The Council is expected to adopt mandates that will allow the Commission to launch negotiations on comprehensive **air transport agreements** with the Association of Southeast Asian Nations (**ASEAN**), the **United Arab Emirates, Qatar and Turkey**.

Ministers will hold a policy debate on **nitrogen oxide (NOx) emissions from diesel cars**. The debate follows up on revelations that certain carmakers have used defeat devices to cheat emission tests and that NOx emissions are much higher on the road than in laboratory tests. The presidency will report on the outcome of the discussion to the Environment Council on 20 June.

Ministers will exchange views on the preparation of the next International Civil Aviation Organisation (**ICAO**) Assembly, which will take place from 27 September to 7 October 2016. The aim of the ICAO Assembly is to agree on a global market-based measure to address international aviation CO₂ emissions.

The Council will also take note of a progress report on the proposal on revised common **safety rules for civil aviation** and the EU Aviation Safety Agency ('**EASA basic regulation**').

Press conference: +/- 17:15

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<http://tvnewsroom.consilium.europa.eu/permalink/82021>

¹ This note has been drawn up under the responsibility of the Press Office.

Professional qualifications in inland navigation

The Council will be invited to adopt a general approach on a draft directive on the **recognition of professional qualifications in inland navigation**. The proposal aims to promote the mobility of labour in the sector. It establishes a common system of certificates that would cover the entire crew from apprentices to boatmasters.

Need to update the current system of professional qualifications

While inland navigation is a particularly cost-effective and clean mode of transport, only 7% of long-distance freight transport in the EU takes place via rivers and canals. One of the obstacles for the development of inland navigation is difficulties in the mobility of labour, persistent vacancies and skills mismatches.

The current EU legislation on the mutual recognition of professional qualifications in inland navigation only covers boatmasters operating outside the Rhine river. The rest of the deck crew is covered by the horizontal directive on the recognition of professional qualifications, but the provisions of that directive are considered inadequate for inland waterway professionals carrying out frequent cross-border activities.

A single competence-based system for crew members

The draft directive would extend the rules on the recognition of professional qualifications from boatmasters to all crew members. The rules would cover deck crew working on any EU inland waterway falling within the scope of the directive, including the Rhine.

The new system will, following calls from the sector and member states, introduce a competence-based framework similar to those used in other modes of transport. The essential competences for the operational and management level on board are described, so they can be assessed.

The proposal sets common standards for certificates for all positions in the crew and common criteria for the assessment of required skills.

Better careers in inland navigation

The new system is expected to lower barriers to entry into professions in inland navigation. It will provide new career prospects in the sector, making the whole profession more attractive. Automatic mutual recognition should increase the mobility of the workforce and help companies recruit staff from across Europe. As almost all companies active in the sector are fairly small, increased interest in the profession could help them expand their businesses, giving a boost to the whole sector. Competence-based qualifications should also improve safety and reduce accident costs.

Taking into account member states' differing circumstances and strengthening the role of CESNI

The draft general approach introduces a degree of proportionality in the directive, to cater for the situation of member states with no inland navigation or where inland navigation is a minor activity. In such cases, where objective criteria are met, member states will not be required to transpose the directive or certain parts of it.

The draft directive, as is the case with the directive on technical requirements for inland waterway vessels, is closely linked with the European committee for drawing up standards in inland navigation (CESNI), an international body set up under the auspices of the Central Commission for Navigation on the Rhine (CCNR). CESNI will develop various standards in the field of professional qualifications for the Union and the CCNR. As soon as a standard becomes available, a reference to it will be included in the directive.

How will it become law?

The general approach to be adopted will be the Council's position for talks with the European Parliament. The Parliament has not adopted its position yet. Both institutions must agree on the text before it can enter into force.

Boosting the use of inland waterways

The draft directive is one of the measures aimed at improving the quality of inland navigation and increasing the use of this environmentally friendly mode of transport, in particular for freight shipping (NAIADES II package).

[Recognition of professional qualifications in inland navigation - draft general approach](#)

[NAIADES II](#)

Air transport agreements

The Council is expected to adopt mandates that will allow the Commission to start negotiations on **comprehensive air transport agreements** with the Association of Southeast Asian Nations (ASEAN), the **United Arab Emirates, Qatar and Turkey**.

New opportunities, better service and increased connectivity

The objective of EU-level comprehensive aviation agreements is to boost the international competitiveness of the EU aviation industry and to ensure a high quality of service for passengers.

These agreements aim to improve market access for airlines, and create investment opportunities for the European aviation industry in important overseas markets. They also aim to increase Europe's international connectivity and to ensure fair competition and transparent market conditions for EU airlines.

Airlines, airports and passengers will benefit from enhanced regulatory cooperation and convergence in areas such as aviation safety, aviation security and economic regulation. At the same time, these agreements will allow the EU to uphold high standards of safety and security in international air transport.

Association of Southeast Asian Nations (ASEAN)

ASEAN is a regional organisation of Brunei, Cambodia, Indonesia, Laos, Malaysia, Myanmar, the Philippines, Singapore, Thailand and Vietnam. Combined it is the EU's third largest trading partner outside Europe. ASEAN represents a fast-growing aviation market and is currently in the process of creating a single aviation market for its population of more than 600 million. A comprehensive air transport agreement with ASEAN will be the first EU bloc-to-bloc aviation agreement.

United Arab Emirates and Qatar

The United Arab Emirates (UAE) and Qatar are among the most dynamic and fastest-growing aviation markets in the world. Their airports are major hubs, and their airlines benefit from a favourable geographic location and political choices by local governments to invest in aviation as a strategic economic sector. The UAE has more direct traffic with the EU than China, India and Japan combined. The EU-UAE market is the sixth largest extra-EU market with 18.2 million passengers per year. The EU-Qatar market amounts to 4.4 million passengers.

Turkey

Turkey is a key regional player in the aviation sector. With a population of more than 75 million it is also one of the most strategic and fastest-growing markets in Europe. After the United States, it is the largest destination for passenger traffic to and from the EU, with almost 40 million passengers in 2014.

An important objective of talks with Turkey is regulatory convergence with the EU aviation acquis, with the ultimate aim that Turkey will fully implement the entire acquis as part of the accession process.

Aviation agreements – an essential part of the aviation strategy

The proposals to negotiate EU-level comprehensive aviation agreements with key partner countries were adopted by the Commission under the aviation strategy in December 2015.

They are an essential element of the strategy, contributing to the overall objective of strengthening the competitiveness and sustainability of the entire EU air transport value network in an increasingly globalised competitive environment.

[EU external aviation policy](#)

Nitrogen oxide (NOx) emissions from diesel cars

Ministers will hold a policy debate on the best ways to cut **nitrogen oxide (NOx) emissions from diesel cars** on the basis of current legislation. The presidency will report on the outcome of the discussion to the Environment Council on 20 June. It has prepared a [discussion note](#) with questions to structure the debate.

The debate follows up on revelations that certain carmakers have used defeat devices to cheat emission tests and that NOx emissions are much higher in real-world driving than in laboratory tests.

While the use of defeat devices is formally banned in Europe, their use is allowed in three cases: to protect the engine, to start the engine and where emissions can be verified in the test procedure.

In practice, cars have built-in tools to reduce emissions, such as exhaust gas recirculation systems (EGR), but these are often shut down, for example under different ambient temperatures. As a result the pollution pumped out by cars on the road can be up to 600% higher than the level measured in laboratory tests.

European emissions standards are laid down in legislation on emission limits and type approval. At the Council, emission limits are dealt with by the Environment Council and type approval legislation by the Competitiveness Council.

The regulations on type approval with respect to emissions from motor vehicles are currently being revised (the 'Euro 5/6 proposal'). The discussions have reached the final stage, in which the Council and the Parliament negotiate the terms of the revised regulation. The EU is also developing a procedure to measure emissions in real-world conditions to address the current discrepancy ('real driving emissions' test). The questions proposed by the presidency do not, however, relate to the revision of the rules, but are rather aimed at **clarifying the application of the current system**.

In particular, the presidency considers that, in order to reduce air pollution, it is important that NOx emission reduction systems are only switched off in exceptional circumstances. In addition, carmakers should use worldwide state-of-the-art technology at all times. They should be obliged to prove why NOx emission reduction systems need to be switched off in their car models, while under similar circumstances they are still operational in those of other carmakers. The presidency therefore invites ministers to give their view on the **use of such state-of-the-art technology to cut NOx emissions**, including possible means to use these technologies in vehicles already on the market.

Lastly, the presidency encourages ministers to **share any findings of the enquiries** launched in several member states into the current type approval procedures.

Preparation of the International Civil Aviation Organisation (ICAO) Assembly

Ministers will exchange views on the **contribution of the EU to the ongoing talks on a global market-based measure (GMBM)**, which would be a key tool to **reduce international aviation CO₂ emissions**. The 191 members of the International Civil Aviation Organisation (ICAO) are expected to take the decision at the next ICAO Assembly, which will be held from 27 September to 7 October 2016 in Montreal. The scheme is to be implemented from 2020.

Paris climate agreement and aviation

At the Paris climate conference (COP21) in December 2015, 195 countries adopted the Paris agreement, whose agreed objective is to limit the increase in the global average temperature to well below 2°C above pre-industrial levels, and pursue efforts to limit the temperature increase to 1.5°C above pre-industrial levels. As the Paris agreement is meant to address all anthropogenic emissions, its objectives also apply to aviation. However, the agreement does not cover international aviation, which means that ICAO member states continue to work to limit aviation emissions on the basis of ICAO instruments.

Need for action to counter increasing emissions from aviation

According to ICAO figures, aviation currently represents about 2% of global emissions. However, air traffic is expanding rapidly, and international aviation emissions are projected to grow considerably in the coming years. Given the international nature of the sector, a global market-based measure is crucial to achieve reductions for aviation in the long term.

Carbon neutral growth

At its 2013 Assembly, the ICAO and its member states decided on a global aspirational goal of capping net carbon emissions from international aviation at 2020 levels (i.e. carbon neutral growth from 2020). ICAO has persistently worked to reduce emissions from aviation, focusing on a basket containing four types of mitigation measures, i.e. technological improvements, operational and infrastructural improvements, sustainable alternative fuels and market-based measures. In particular, the Assembly unanimously decided to develop a single global market-based measure, to be finalised and adopted by 2016. The new system should be operational in 2021.

EU objective regarding the GMBM

The EU and its member states are committed to the development, under the leadership of ICAO, of a GMBM to contribute to the international climate goals. The EU's overall aim is to ensure a robust GMBM which is in line with the objective of carbon neutral growth from 2020, is non-discriminatory and avoids distorting competition.

Civil aviation safety – revision of rules

The Council will also take note of a [progress report](#) (8522/16) on a proposal on revised common **safety rules for civil aviation and the European Aviation Safety Agency ('EASA basic regulation')**. The draft regulation aims to prepare the EU aviation safety system for the challenges of the next 10-15 years. It includes the first EU-wide rules on drones.

EU aviation safety rules

The European aviation safety system is based on a comprehensive set of common safety rules, which cover all key areas of aviation including airworthiness, aircrew, aerodromes, air operations and provision of air navigation services. These rules are directly applicable in all EU countries. They are overseen by the European Commission, the EASA and the national aviation authorities.

Objectives of the proposal

The main objective of the draft regulation is to maintain the current high level of safety in Europe while allowing the EU aviation sector to continue to grow in the future.

For this purpose, it introduces a more proportionate and flexible approach to safety regulation. It also eliminates unnecessary requirements which could stifle entrepreneurship. It establishes a scalable framework, which recognises the differences between the various sectors of civil aviation and the risks involved.

The proposal also aims to close existing safety gaps and to better take into account interdependencies between aviation safety and some other areas, such as aviation security or environmental protection. For example, it provides for cooperation among EU countries, the Commission and the EASA on safety-related security matters, including cybersecurity.

Another objective is to create an effective regulatory framework for new business models and emerging technologies. In particular, the proposal lays down EU rules for the safe integration of drones into the European airspace. At the moment, drones are regulated at national level, if regulated at all.

The proposal is part of the Commission's aviation strategy adopted in December 2015.

Progress in discussions

The Netherlands presidency has worked intensively on this technically complex dossier. Solid progress has been made in finding equitable compromises.

A great deal of attention has been given to the interdependencies between aviation **safety and security**, including cybersecurity. Member states agree to strengthening cooperation on security matters related to civil aviation, both among our national competent authorities, and with the Commission and EASA (where interdependencies between civil aviation safety and security exist).

When it comes to **drones**, there is broad support among member states for setting up EU-wide rules. The set of provisions specifically on drones provides the basic principles and the legal basis for more detailed rules, which will be developed by the EASA. These detailed rules are already being discussed at expert level.

Substantial progress has been made. However, a number of issues need further clarification before a Council position can be reached.

The adoption of the legal act will require approval by the Council and the European Parliament. The Parliament has not yet adopted its position.

Any other business

- Passenger ship safety package
 - Oral information from the Commission
 - European GNSS programmes (EGNOS/Galileo)
 - Information from the Commission
 - Road safety
 - Information from the Commission and the Czech delegation
 - Implications of the emissions irregularities
 - Information from the German delegation
 - Report on the informal Transport and Environment Council (14–15 April 2016) (Declaration of Amsterdam)
 - [Information from the presidency](#)
 - Communication from the Commission on an aviation strategy for Europe – Conclusions of the European aviation summit (Amsterdam, 20–21 January 2016)
 - Information from the presidency
 - Latest developments in aviation security
 - Information from the Commission
 - High Level task force on conflict zones
 - Information from the Commission
 - Work programme of the incoming presidency
 - [Information from the Slovak delegation](#)
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