

Question for written answer E-008957/2013
to the Commission
Rule 117
Oldřich Vlasák (ECR)

Subject: Proportionality of additional authorisations for the transit of military equipment

With reference to Article 258 of the Treaty on the Functioning of the European Union, I would like to draw the attention of the Commission to the requirement for additional authorisations imposed by transit countries for the transport of military equipment for export to third countries, and to ask whether the Commission considers this requirement to be proportional with regard to the free movement of goods and whether it intends to examine the proportionality of the requirement.

Since the Czech Republic does not have direct access to the sea, military equipment must be exported to third countries (unless shipped as air freight) by transiting through neighbouring countries to seaports. For such transits, however, the transit countries involved require additional approvals under their national legislation, thereby *de facto* disregarding the export licences already issued by the Czech Republic. Moreover, the process of granting a transit licence is artificially drawn out in many cases—in order, perhaps, to give an advantage to companies in the transit country that offer alternatives to the blocked exports—or a licence may not even be issued at all. These actions cause economic damage to Czech firms.

With regard to the free movement of goods, I would therefore like to ask the Commission the following questions:

- Does the Commission consider the requirement of additional transit licences imposed by transit countries to be compatible with the principle of proportionality if the free movement of goods is restricted?
- Will the Commission, with reference to Article 258 of the Treaty on the Functioning of the European Union, examine whether the transit licences described may be considered proportionate, or whether they are a means of wilful discrimination or a disguised restriction on trade and thus a violation of Article 36 of the Treaty?