

WRITTEN QUESTION E-0611/06
by Duarte Freitas (PPE-DE)
to the Commission

Subject: Failure to comply with European rules on maritime cabotage

The status of outermost region is defined in Article 299(2) of the Treaty, which provides for the adoption of specific measures for the outermost regions of the European Union.

The Commission recently announced that it has decided to bring proceedings against Portugal in the European Court of Justice on the grounds of its failure to comply with European legislation on maritime cabotage. The Commission takes the view that there is nothing which makes it possible to conclude that the exemption laid down in Portuguese legislation (which makes all shipping links with the islands subject to public service regulations) is justified under Council Regulation (EEC) No 3577/92¹.

This situation is causing tremendous concern, particularly in the Azores, a region which is heavily dependent on maritime transport both between the various islands in the archipelago and with the outside world.

1. Can the Commission say whether the court case was continued in the light of the publication in Portugal in January 2006 of decree-law No 7/2006 establishing the new legal system applicable to maritime cabotage?
2. Does the Commission believe that the exceptional situation of the Azores archipelago can be reflected in the legislation in some way, and is it possible to have a conditional liberalisation of maritime cabotage?
3. If not, is the Commission aware of the financial effort which will be required of the Autonomous Region of the Azores in order to build up a transport system, and is it prepared to provide assistance with the costs of setting up such a system?

¹ OJ L 364, 12.12.1992, p. 7.