

Third, this paper examined the relationship between the Transport Protocol and the Community's policy on infrastructure pricing. Currently, Community policy is still far from internalising external costs, despite several attempts launched by the Commission in its White Papers. This is illustrated by the Eurovignette system, the Brenner case and the Ecopoint system for trans-Alpine traffic through Austria. After ratification, the Transport Protocol will oblige the Community to gradually internalise external costs, such as costs for infrastructure, environmental pollution, noise and damages, into transport costs. This infrastructure pricing system may treat the whole Alpine arc as one sensitive area, thus allowing for a special regime compared to the rest of the Community territory. In the Alpine arc additional tolls may be levied and rail transport may be cross-financed to a greater extent .

Finally, having in mind the more than reluctant steps which the Community has taken until now in order to implement its White Papers policies, this paper mentions the Member State's role as pioneers. To a large extent the Member States enjoy some leeway to legislate in this field. This margin of discretion could be used for courageous legislation in the field of transport policy, which could then be exemplary for the development of the Community's transport policy.