

TRANNEWS

Newsletter from the European Parliament
Committee on Transport and Tourism
Number 51, 11 November 2008

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Link to the committee meeting documents:

http://www.europarl.europa.eu/meetdocs/2004_2009/organes/tran/tran_meetinglist.htm

TRAN SITE:

<http://www.europarl.europa.eu/activities/committees/homeCom.do?language=EN&body=TRAN>

TRAN committee meeting 3-5 November 2008, Brussels

Adoption of draft opinions

Regional aspects of tourism in coastal regions

Draftsman: Mr Francesco Ferrari (ALDE, IT)

Opinion to REGI committee

A significant number of the amendments proposed to the draft opinion were found to be acceptable for the draftsman as well as the political groups as they added valuable and un-controversial elements, for instance on the importance of environmental aspects and on problems of sustainable mobility in coastal tourism regions.

Amendments adopted covered a range of various actions to be promoted such as the integration of existing transport means, cultural heritage, maritime safety, education, and tourism by persons with reduced mobility.

The opinion was adopted by 31:0:1.

Timetable foreseen:

- Voted in REGI: 6 November 2008.

Passenger Name Records

Draftswoman: Ms Eva Lichtenberger (Greens/EFA, AT)

Opinion to LIBE committee

The retention of PNR data by law enforcement authorities is controversial. There are questions of data protection, individual liberty and the right to privacy. These must be balanced with the need for Member States' law enforcement authorities to do all

they can, within reason, to protect citizens from the terrorist threats they face and to combat criminal activities more generally.

In their proposal the Commission argues that a number of Member States have begun to develop their own PNR retention systems and the Union should therefore act before airlines are faced with various different demands and requirements. The Commission proposal applies only to flights to and from the EU and not to internal flights, unless they form part of an international flight. The collection and analysis of PNR data allows European law enforcement bodies to identify passengers by matching their actions to known profiles, for example of drugs/people smugglers or terrorists, and then consider action when they pass through customs.

The TRAN committee held a lively debate on the amendments submitted to Eva Lichtenberger's draft opinion. As in previous meetings, discussions centred on the scope of the proposal, the protection of personal data, relations with third countries and the method of data collection. In particular, the discussion related to whether the proposal should also encompass intra-EU flights rather than simply flights between a Member State and a third country, and related transit flights.

The rapporteur submitted 20 amendments to the proposal and fellow MEPs a further 41. The rapporteur is particularly concerned by the protection of passengers' rights under the terms of this Framework Decision. All the rapporteur's amendments were adopted by the committee, while those amendments seeking to extend the proposal to intra-EU flights were rejected. A set of amendments which sought to remove references to intermediaries to which air carriers could make PNR data available (rather than directly to Member States' Passenger Information Units) was also rejected.

The proposal was adopted by 20:1:13.

Draft reports

Eurovignette III

Rapporteur: Mr Saïd El Khadraoui (PSE, BE)

Codecision procedure, first reading

The rapporteur presented his draft report which followed to a large extent the approach put forward in his working document. The discussion was, once again, highly controversial.

The addition of CO₂ as an external cost element and the deletion of the maximum values ("caps"), as proposed by the rapporteur, were questioned by some Members. The latter argued that CO₂ would be better dealt with via fuel taxation and "caps" were felt to be necessary to control the financial burden for hauliers. Other Members pointed out that it is necessary to stick as closely as possible to the real external costs in order to give the right price signals and to attain the desired increased level of efficiency in the transport system. The Commission proposal

regarding congestion was also heavily debated as several Members expressed fears that, in densely populated areas with a risk of high congestion, the hauliers would face economic burdens that were too high. A majority of Members agreed with the line taken on earmarking and on the scope: a quite strict earmarking for infrastructure and external costs, and the enlargement of the scope from TEN roads to all EU roads.

The rapporteur explained that he expected a lot of amendments and that he will seek to reach compromise amendments where possible. He argued that the hearing in December might also be helpful to build a greater consensus.

Timetable foreseen:

- **Deadline for amendments: 18 November 2008**
- Hearing: 2 December 2008
- Vote in committee: January 2009
- Vote in Plenary: March 2009.

Greening Transport

Rapporteur: Mr Georg Jarzembowski (EPP/ED, DE)

Own-initiative report

This package includes three Communications: greening transport, internalisation of external costs and rail noise abatement. During the debate the rapporteur was of the opinion that the Communications were weak and the Commission had not fulfilled the obligation imposed on it by Parliament and Council in the Eurovignette Directive, since it had not put forward a generally applicable, transparent and clear model for the assessment of external costs as well as a strategy for the implementation of the model for all modes, not only road transport.

Mr Jarzembowski considered it essential to conduct sound assessments of the impact of individual measures and their competition implications in terms of modes. He also highlighted that the implementation of modern technologies could contribute to the greening of transport.

The majority of Members shared the view that the package should be extended to all transport modes and should include more practical details. They also underlined that the poorer parts of the Communications should not hinder the implementation of the positive parts of the package.

Timetable foreseen:

- **Deadline for amendments: 18 November 2008**
- Vote in committee: January 2009
- Vote in Plenary: March 2009.

Performance and sustainability of the European aviation system (Single Sky)

Rapporteur: Mr Marian-Jean Marinescu (EPP/ED, RO)

Codecision procedure, first reading

The committee had an exchange of views based on the rapporteur, Marian-Jean Marinescu's, report and proposed amendments to the draft Regulation

amending the existing single sky regulations. Members reiterated their support for a European Single Sky and again expressed disappointment at the lack of progress achieved so far, for example in the achievement of functional airspace blocks. Some Members expressed doubts about the commitment of Council to the creation of a real, functioning Single European Sky. Other aspects raised included the role of Eurocontrol and the need to reform Eurocontrol before it was given a major role in the creation of a single sky.

The rapporteurs amendments bring forward to the end of 2011 the deadline date for the creation of functional airspace blocks and propose a coordinator to facilitate the creation of functional airspace blocks. He wants to ensure the central objective of the creation of a single sky while bringing the stages in the process into a logical alignment.

The clear consensus in the committee was that the single sky proposal and the EASA proposal should advance in tandem.

Timetable foreseen:

- **Deadline for amendments: 17 November 2008**
- Consideration of amendments: 1 December 2008
- Vote in committee: 8 December 2008
- Vote in plenary: January 2009.

EASA

Rapporteur: Mr Marian-Jean Marinescu (EPP/ED, RO)

Codecision procedure, first reading

The European Aviation Safety Agency's (EASA) competences should be extended to cover aerodromes as well as Air Traffic Management (ATM) and Air Navigation Systems (ANS), according to a Commission proposal to amend Regulation (EC) No. 216/2008. The proposal lays down essential requirements for aerodromes, ATM and ANS and gives EASA the task to specify them further by drafting implementing rules that are to be adopted through comitology. Moreover, EASA would oversee the certification of aerodromes, ATM and ANS by national aviation authorities.

In his draft report, the rapporteur supports the extension of EASA's competences and the introduction of harmonised rules for aerodromes, ATM and ANS. As he agrees with most of the text proposed by the Commission, the rapporteur tabled only 11 amendments which seek to fine-tune some of the provisions. Firstly, the rapporteur suggests limiting the Regulation's scope by excluding aerodromes, which only serve recreational aviation. Furthermore, EASA should only be responsible for the certification of ATM and ANS providers located outside the EU. Secondly, the rapporteur proposes the introduction of certain provisions to make the EASA system more flexible. On the one hand, he provides for the possibility to delegate certain tasks to accredited bodies and on the other hand he believes that EASA should be able to grant temporary exemptions from the rules in case of special operational needs. Finally, the draft report stresses that the Agency must have sufficient

resources in order to accomplish the tasks foreseen under the extension of its competences.

Members broadly welcomed Mr Marinescu's draft report. Some believed, however, that the definition of airports falling within the scope of the Regulation may have to be adapted. Doubts were also expressed in relation to the requirement (contained in the original proposal) to certify airport infrastructure and operations separately. PSE Members were critical with regard to the proposed delegation of certain tasks to accredited bodies. There was a unanimous view that EASA currently does not have sufficient resources and that proper financing must be ensured for the Agency to fulfil its current and future tasks. Most Members thought that this would not necessarily entail a modification of the current system of charging fees to industry, but that it would be more important to allocate sufficient Community funds to the Agency.

Timetable foreseen:

- **Deadline for amendments: 17 November 2008**
- Consideration of amendments: 1 December 2008
- Vote in committee: 8 December 2008
- Vote in plenary: January 2009.

Agenda for sustainable future in general and business aviation

Rapporteur: Mr Luis Queiró (EPP/ED, PT)
Own-initiative report

General and Business Aviation comprises a variety of mainly non-commercial civil aircraft operations ranging from recreational flying to business aviation and specialised aerial works. This sector has not been specifically addressed at Community level until recently, when the Commission published a Communication on the issue. In his draft report, the rapporteur states that the Commission Communication provides a sound analysis of the issues affecting General and Business Aviation and identifies a number of areas requiring further consideration.

Most importantly, he stresses that the specificities of General and Business Aviation have to be taken into account in the design and implementation of the EU's aviation policy. In this respect, the rapporteur stresses the need to strictly monitor the application of the principle of proportionality and requests that segmented impact assessments be carried out in order to provide for a differentiation of Regulations affecting different categories of undertakings and airspace users, if appropriate.

Secondly, the rapporteur refers to problems concerning access to airspace and aerodromes as a key issue for General and Business Aviation. As far as aerodromes are concerned he calls, among other things, for measures to optimise the use of existing infrastructure and the further development of regional airports. In relation to airspace, he stresses the significance of the forthcoming revision of the Single Sky legislation and the SESAR program. Other areas touched upon by the draft report include the need for a systematic gathering of information and data on General and Business Aviation,

initiatives to improve the environmental performance of smaller aircraft and measures to facilitate access of the EU's General and Business Aviation industry to world markets.

The report was well received by most Members apart from the Greens/EFA group whose shadow rapporteur believes that the promotion of General and Business Aviation contradicts the EU's policy on climate change. While Members agreed that regulatory requirements for General and Business Aviation should be in line with the principle of proportionality, they stressed, however, that this must not in any way compromise safety. Some also doubted, whether it would be feasible and desirable to provide business aviation increased access to major airports.

Timetable foreseen:

- **Deadline for amendments: 11 November 2008**
- Vote in committee: December 2008
- Vote in plenary: January 2009.

EU-USA Agreement **Rapporteur: Mr Paolo Costa (ALDE, IT)** **Consultation procedure**

The Agreement aims at the reciprocal acceptance of certification findings in the field of civil aviation safety. It will facilitate trade in goods and services covered by the agreement, limit, as far as possible, the duplication of assessments, tests and controls to significant regulatory differences relying on the certification system of either party to check conformity with the requirements of the other. The Commission put forward two proposals: one aiming at a decision by the Council on the signature and provisional application and another one aiming at the conclusion of this Agreement. The Council has already signed the agreement. The Parliament is entitled now to give its opinion on the conclusion of the Agreement under the consultation procedure.

All Members of the TRAN Committee agreed with the rapporteur's favourable opinion on the conclusion of the Agreement.

Timetable foreseen:

- Vote in committee: December 2008
- Vote in plenary: January 2009.

Exchange of views

Director-General Matthias Ruete on TEN-T

In the absence of Commissioner Tajani, Matthias Ruete presented the most recent developments in the implementation of the TEN-T programme to the TRAN Members and to the invited BUGD Members. In particular, he presented the results of the annual call for projects 2008 and the results of the multi-annual call for projects 2008.

Mr Ruete explained that the evaluation of the submitted projects was conducted in strict compliance with the criteria set out in the TEN financial Regulation. This includes an external

evaluation by experts and a Commission follow-up assessment.

Under the annual programme 2008, applicants requested €601,645 million while the total budget for the call amounted to €140 million. The 105 projects put forward by Member States mainly covered surface transport projects (71) with rail as the main transport mode (46). The 49 selected projects cover transport modes such as rail, maritime, inland waterways and road transport linked with safety aspects and eliminating bottlenecks.

Under the multiannual programme 2008, the applicants requested a total amount of €163,166 million while the total budget for the call amounting to €45 million. Out of the 19 projects submitted, the 14 that were selected include the River Information Services (RIS), Air Traffic Management (ATM)/Functional Airspace Blocks (FABs) and Motorways of the Seas.

Several Members questioned the reasons for the rejection of certain projects and the repartition of selected projects throughout the EU, as well as the intermodal shift. For the Commission, the maturity of the projects submitted and their compliance to environmental legalisation were important factors in the selection procedure.

European Parliament Arab Week

Members had the opportunity to hear presentations given by Mr Akel Biltaji, Senator and Special Advisor to His Majesty King Abdullah II of Jordan for country branding, tourism promotion, interfaith and foreign investment, and by Mr Mohamed Raouf Jomni, Director General of the Tunisian National Tourism Office. Both speakers underlined the importance of the cultural and religious heritage of their country.

With regard to Jordan, Mr Biltaji stressed the positive results from the structural and regulatory reforms undertaken since 1991 for the quality of services and the sustainability of tourism development. In his view, tourism is linked to the acronym ABCD, which stands for Assets, Benefits, Community and Development. Transport infrastructure is seen as one of the seven prerequisite pillars of the development concept: destination, assets, market features, legislation, accessibility-affordability and safety and security. For the latter, he acknowledged the positive effect of the aviation black list.

According to Mr Jomni, Tunisia is a country where the tourism sector is important for the economy, as it represents 7% of the PNB and contributes significantly to the employment rate. Tourists from European countries represent the majority of total arrivals in the country. Mr Jomni explained that a successful diversification plan for tourism has been implemented. During the debate, Members underlined the importance of the Mediterranean partners for stability in the region, tourism and security, while specific issues such as secondary residence or water supply were raised.

TEN-T Coordinators

The TRAN committee held an exchange of views with five of the eight European Coordinators for the Trans-European Networks. In the first round of discussions Karel Vinck and Luis Valente de Oliveira provided updates on their respective projects, European Railway Traffic Management System (ERTMS) and Motorways of the Sea as well as their views on the forthcoming year. The second round of discussions featured the following Coordinators: Karel van Miert (Berlin-Verona/Milan-Bologna-Naples-Messina-Palermo rail link), Etienne Davignon (South-West European High Speed Rail Link) and Pavel Telicka (Rail Baltica).

In their interventions Members stressed the importance of financing, coordination between, and within, Member States and the need for an overall vision for each project. Despite the complexity of the projects themselves, the coordinators presented reports that were, on the whole, positive.

Plenary 20-23 October 2008, Strasbourg

Common Charge System for EU Airports Rapporteur: Mr Ulrich Stockmann (PSE, DE) Codecision procedure, second reading

The European Parliament adopted by 549 votes to 12 with 24 abstentions, a legislative resolution amending the Council's common position for adopting a directive of the European Parliament and of the Council on airport charges. The report had been tabled for consideration in plenary by Mr Stockmann on behalf of the Committee on Transport and Tourism.

The amendments were the result of a compromise between Parliament and Council, and they are as proposed by the Transport and Tourism committee. The legislation will be adopted when Council completes its procedure under co decision.

The Directive will apply to airports which are the biggest in each member state or a have more than 5 million passengers per annum.

In Member States where pre-financing of capital investment occurs, Member States or airports should refer to ICAO policies and/or establish their own safeguards.

Members deleted the provision in the common position which stated that Member States may allow an airport managing body for airports serving the same city or conurbation, to apply the same level of airport charges to all the airports concerned. They considered that the same level of charges need not be applied but the charging system must be common and transparent.

In compliance with national law, the provisions of the Directive shall not prevent the independent supervisory authority from delegating, under its implementation and full responsibility, the implementation of the Directive to other

independent supervisory authorities, provided that implementation takes place in accordance with the same standards.

Certain provisions may not be applied if a Member State has airports where: (a) there is a mandatory procedure under national law whereby airport charges, or their maximum level, shall be determined or approved by the independent supervisory authority or (b) where the independent supervisory authority examines on a regular basis or in response to requests from interested parties whether such airports are subject to effective competition.

Information provided on charges must include, inter alia, any financing from public authorities of the facilities and services which airport charges relate to and the predicted outcome of any major proposed investments in terms of their effects on airport capacity.

Aviation security

Parliament has received a draft Commission Regulation on civil aviation security under the comitology procedure with scrutiny. These draft measures, which are not public during the scrutiny period, gave rise to some observations from MEPs of the TRAN committee, as the main responsible committee for the issue. The proposal of the Commission to phase out the ban on liquids by April 2010 at the latest was appreciated as a positive step forward. Several questions rose however on the use of so called 'body scanners' at airports. These machines were inserted by the Commission among the permitted methods for screening of passengers and aim at finding hidden objects under or in a passenger clothing. Pilot projects using these machines are already being performed at London, Amsterdam and Helsinki airports.

The questions of TRAN MEPs were picked up and reinforced by other MEPs, in particular of the committee on civil liberties and justice (LIBE) and led to the adoption of a resolution in the October plenary. Many MEPs argued that these scanners produce a body image which they consider to be too revealing. The passenger's privacy could be at stake and should be protected. It should be ensured that the security officer observing the scanned image is separated from the passenger and images should not be stored to avoid abuse. The Commission was therefore asked to carry out an impact assessment on fundamental rights, privacy and possible medical effects of the technology used, as well as a cost-benefit analysis. The resolution on Body Scanners was adopted with 361 votes in favour, 16 against and 181 abstentions.

TRAN committee 1-2 December 2008

Monday 1 December, afternoon

- Marinescu/ Single Sky
- Marinescu/ EASA
- Queiró/ General and Business Aviation

Tuesday 2 December, morning

- Queiró/ General and Business Aviation
- Costa/ EC-USA civil aviation safety
- Costa/ air agreement EC-India
- El Khadraoui/ Hearing on eurovignette

Tuesday 2 December, afternoon

- TEN-T coordinators
- Study on safety in tunnels

TRAN committee meetings 2008, Brussels

Monday 08.12, afternoon

TRAN committee meetings 2009, Brussels

morning = 9.00-12.30

afternoon = 15.00-18.30

Tuesday, 20 January, 15h00-18h30

Wednesday, 21 January, 9h00-12h30

Wednesday, 21 January, 15h00-18h30

Thursday, 22 January, 9h00-12h30

Tuesday, 10 February, 15h00-18h30

Wednesday, 11 February, 9h00-12h30

Wednesday, 11 February, 15h00-18h30

Monday, 16 February, 15h00-18h30

Tuesday, 17 February, 9h00-12h30

Tuesday, 17 February, 15h00-18h30

Monday, 16 March, 15h00-18h30

Monday, 30 March, 15h00-18h30

Tuesday, 31 March, 9h00-12h30

Tuesday, 31 March, 15h00-18h30

Thursday, 2 April, 15h00-18h30

Constituent meetings in week 30 TBC

Tuesday, 1 September, 15h00-18h30

Wednesday, 2 September, 9h00-12h30

Wednesday, 2 September, 15h00-18h30

Monday, 5 October, 15h00-18h30

Tuesday, 6 October, 9h00-12h30

Tuesday, 6 October, 15h00-18h30

Monday, 9 November, 15h00-18h30

Tuesday, 10 November, 9h00-12h30

Tuesday, 10 November, 15h00-18h30

Tuesday, 1 December, 15h00-18h30

Wednesday, 2 December, 9h00-12h30

Wednesday, 2 December, 15h00-18h30