

TRANNEWS

Newsletter from the European Parliament
Committee on Transport and Tourism
Number 62, 04 December 2009

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TRAN Committee meeting 1-2 December 2009, Brussels

Exchange of views

Passenger rights sea and inland waterways

Rapporteur: Ms Inés Ayala Sender (S&D, ES)

Codecision procedure, second reading

The rapporteur opened the discussion by providing the Committee with an overview of the Parliament's first reading and the Council's political agreement, agreed upon in October. She explained that the scope was extremely important and that significant differences existed between Parliament's position (ships with 12 passengers or more) and the Council's position (ships with more than 36 passengers, three crew members, journeys 500 meters one way as well as excursion and sightseeing tours other than cruises). The question of extraordinary circumstances was also particularly important and the rapporteur brought recent ECJ rulings to the Committee's attention. Ms Ayala Sender also highlighted complaint mechanisms, compensation thresholds, assistance in the event of cancellation or delay and the rights of passengers with reduced mobility and disabled passengers as areas where she expected there to be negotiation.

Some of the shadows who intervened felt that the Council's political agreement was a step in the right direction as it sought to strike the right balance between flexibility for operators and the rights of passengers. They stressed the rights of passengers but were also cautious about placing too great a burden on the sector.

Other Members looked to the Union's experience with aviation passenger rights and hoped this would inform the second readings of both passenger rights dossiers, in particular with regard to complaint

handling mechanisms and statistics. Some Members felt the distinction between inland waterways and maritime was more important than the type of vessel. While some queried the 500 m exemption, others felt that this was a good measure as it excluded many short urban journeys.

Passenger rights bus and coach transport Rapporteur: Mr Antonio Cancian (EPP, IT) Codecision procedure, second reading

The rapporteur, Mr Cancian recalled that Parliament's position in first reading was endorsed by an overwhelming majority in April 2009. The changes introduced by Parliament touched upon several contentious issues, such as the Regulation's scope, liability issues and rights of passengers in the event of cancellations, delays and over-bookings. There are also a number of amendments aimed at strengthening the rights of passengers with reduced mobility.

Mr Cancian explained that he would continue his work on this dossier based on the Parliament's first reading position, with the goal of introducing a high level of protection for passengers covering the vast majority of bus and coach transport. Thus, regional transport should remain within the scope of the Regulation, although the definition of this term would require clarification. In addition, he stressed the importance of introducing an effective liability regime and a set of practicable rules for compensation. He suggested that some of the requirements could be introduced gradually.

During the debate, a majority of Members supported the rapporteur's approach. Some of them underlined the need to improve in particular the rights of persons with reduced mobility to bus/coach transport, given that a growing number of passengers are expected to fall under this category due to demographic changes. On the other hand, some Members pointed out that certain provisions of the proposal may interfere with the subsidiarity principle as far as short-distance transport is concerned.

The Council is expected to adopt a political agreement at its meeting on 17 December. The Committee provided **both Mr Cancian and Ms Ayala Sender** with a mandate to enter into negotiations with Council with the aim of reaching an agreement in second reading. The Committee decided to treat the two proposals on passenger right as a package, which would make the conclusion of negotiations on either one dossier conditional upon agreement on the other. The rapporteurs will conduct the negotiations together with the shadow rapporteurs on the basis of Parliament's first reading.

White paper on climate change Rapporteur: Ms Dominique Vlasto (EPP, FR)

Opinion to ENVI

Transport and climate change (Copenhagen summit)

Ms Vlasto presented her draft opinion on the ENVI Committee's own-initiative report on the Commission White Paper on adapting to Climate Change. She regretted the lack of attention paid to the transport sector by the White Paper and stressed the importance of the former in this area. She explained that her draft opinion stressed the need for solid information on options, costs and advantages for the transport sector in adapting to climate change. The drafts person recalled that infrastructure must not only be constructed but also maintained. She argued that the Commission should also provide for specific actions for mountainous regions as well as coastal and maritime ones.

Ms Vlasto also reminded the Committee that the Lisbon Treaty gave the Union greater competence in the field of tourism and this sector should not be treated as "collateral damage" but dealt with proactively. She also argued that the Parliament should be represented on the planned steering group.

The Commission thanked the rapporteur for her precise presentation. It regretted that the rapporteur felt that a lack of attention had been paid to transport in the White Paper but pointed to other Commission initiatives in this field which it felt helped address these issues.

In their interventions Members welcomed Ms Vlasto's draft opinion and also expressed their disappointment with the White Paper.

A sustainable future for transport Rapporteur: Mr Mathieu Grosch (EPP, BE) Own-initiative report

The rapporteur presented his initial ideas for the own-initiative report on the Commission Communication on the future of transport. This Communication intends to stimulate a debate on challenges, objectives and instruments of the EU's future transport policy and to prepare the ground for the forthcoming White Paper, which will define concrete policy guidelines for the coming decade.

Mr Grosch believes that the Communication accurately reflects the major trends and challenges ahead, whereas it appears to be weaker in terms of the instruments and policy choices proposed for tackling these challenges. According to him, the definition of future EU transport policy requires a thorough evaluation of what has been achieved in the past. He stressed in particular, that the implementation of existing legislation by Member States should be critically examined. Furthermore, he thinks it is important that coherence is assured within the various transport policies and between transport and other policy areas. Finally, he emphasised the need to lay down concrete objectives and targets. According to Mr Grosch, the overarching goal would be to move towards a transport system that is efficient in economic, environmental and social terms.

The rapporteur's intervention was followed by a report of the Swedish Presidency on the Council's work on the future of transport so far. The Council is striving to adopt conclusions at its meeting on 17

December. The Swedish Secretary of State Mr Leif Zetterberg referred to a number of points that are likely to be addressed by the Council conclusions. He stressed that the current economic crisis provides an opportunity for a shift towards a more efficient low-carbon transport system, conducive to long-term climate objectives. He also made reference to better integration of different transport modes and the need to improve transport safety.

Many Members echoed the above-mentioned points. They agreed that safety should be a priority of future transport policy. Likewise, there was consensus on the need to move towards a more sustainable transport system. However, they would like to see concrete targets based on facts and figures and advance measures such as the proposed Eurovignette Directive, which is currently blocked by Council. Members also touched upon other areas, which they would like to be reflected in the EP report. Among these are social issues and employment conditions in the transport sector and the potentially significant contribution of technologies such as ITS to making transport more efficient.

Intelligent Transport Systems Rapporteur: Ms Anne E. Jensen (ALDE, DK) Codecision procedure, second reading

The Rapporteur Ms Anne Jensen (ALDE/DK) gave a feedback to the Committee on the early second reading agreement reached, in principle, between the negotiating team and the SE Presidency/COREPER during the two informal trilogues on ITS draft Directive. The rapporteur asked the Committee to back this agreement and explained that the Council's attitude had changed dramatically under SE Presidency, as initially Member States were against a legislative act.

Ms Jensen stated that the text agreed provides for the adoption of specifications in the six priority actions, in line with what Parliament wanted from the first reading, and with tight time-limits. Council was not able to accept the automatic deployment of ITS applications proposed by Parliament. Instead, it was agreed to have a legislative proposal for deployment under the Ordinary Legislative Procedure (formerly co-decision), after the adoption of the specifications. The rapporteur indicated the other crucial points for Parliament which were accepted, such as liability, data protection, privacy and vulnerable road users.

Shadows-rapporteurs backed the agreement reached in the informal trilogues. They mentioned that the Council's text had evolved towards Parliament's position and referred to Member States' difficulties in accepting the obligatory deployment due to its unknown financial impact. They stressed that Parliament agreed upon concrete deadlines for the rules on specifications and standards and have within the 12 months afterwards a legislative proposal for the mandatory deployment to be decided under OLP. While they recognised the progress made in the text on privacy and urban mobility, they deplored the lack of references on funding for ITS deployment and criticised the effort made by Member States to minimise the possibilities

of deployment. Ms Jensen explained they would seek to finalise the agreement in the next technical informal trilogue and mentioned specific and horizontal outstanding issues, e.g., reporting, external borders, delegated acts and comitology, correlation table. The Committee granted the negotiating team an extension of the mandate for reaching an early second reading agreement.

TEN-T projects

Commission representative, Mr Jean-Eric Paquet presented the results of the 2009 TEN-T calls: the draft selection proposals for the projects submitted to the 2009 calls of the TEN-T Annual and Multi-Annual Programmes. These draft proposals will be submitted for approval at the TEN-T Financial Assistance Committee (FAC) meeting on 7 December 2009.

He provided the Committee with an overview of the decision making procedure and explained that this had been a very hard process as, for both the Annual and Multi-Annual programmes, applications far exceeded the resources available. External experts had made a first selection of proposals and the Commission, in cooperation with the TEN-T Executive Agency (TEN-T EA), made the final evaluation and selection.

With regard to the draft selection proposals for the projects under the *TEN-T Annual programme*, 96 proposals were received and all proposals except one were eligible. The total amount requested by applicants was 359,599,405 EUR while the total budget available for the call was 80 million EUR. The selection process resulted in the recommendation of 32 proposals which represent a total TEN-T funding of 79,994,100 EUR.

For the *TEN-T Multi-annual programme 2009*, applications were received in three areas: Motorways of the Sea (MoS), Intelligent Transport Systems for Road Traffic (ITS) and European Rail Traffic Management System (ERTMS). Under this call 65 proposals were received - all but 6 were eligible. The external and internal evaluation process resulted in the recommendation of 28 projects:

Members shared the Commission's concern about the lack of valid applications for MoS. Some focussed on particular regions and wondered why certain projects had not been selected or why few applications had been received from particular Member States. Members asked for an overview of the studies and for greater information on the Commission's website. They sought more information on the Marguerite Fund and the Loan Guarantee Instrument for trans-European transport network projects (LGTT), launched in conjunction with the European Investment Bank (EIB).

In response to Members' questions, Mr Paquet explained that a geographical spread for projects was not always the case and pointed to previous years where the spread had been different. Given funding cuts made by Member States, he felt that the 2010-2013 period would be a difficult one but that tools such as the Marguerite Fund and the LGTT would be very useful.

Presentation of a study

The role of EU seaports in global maritime logistics

Mr Karel Vanroye explained that the study focussed on three main aspects: the shipping market, seaports and recommendations for Members.

Mr Vanroye provided Members with background on trends within the sector and how it has been affected by the economic crisis. He explained that shipping was dependant on other sectors and was also cyclical. Before the crisis there had been concerns about under-capacity and the reverse was now true. Short sea shipping's importance was increasing as was the size of ships. He traced the evolution of ports as they became increasingly interdependent with their surroundings. He presented a number of recommendations for Members to consider including a harmonised approach to extending capacity at seaports, pooling of containers and administrative and legal simplification measures.

Members thanked the consultant for his informative report and sought his views on a number of areas including the role of state aid, the division of traffic flows in Europe, the ability of ports to deal with bigger and bigger ships, the social impact of ports policy, the environmental aspects of this sector and competition from neighbouring ports.

New report

Report:

The signature and conclusion of an agreement between the EC and Canada on civil aviation safety

Rapporteur: Ms Silvia-Adriana Ticau, S&D

TRAN Committee meeting 1-2 December, Brussels

Provisional agenda:

Monday, 25 January 2010, afternoon

- Study on eurovignette
- White paper on climate change/ Vlasto;
- European rail network for competitive freight/ Marinescu.

Tuesday, 26 January 2010, morning

- White paper on climate change/ Vlasto (vote);
- Discharges agencies 2008/ Jensen;
- SESAR/ Jensen;
- Aviation security charges/ Leichtfried.

Tuesday, 26 January 2010, afternoon

- Working time mobile road transport/ El Khadraoui;
- Social rules in road transport/ Ranner;

- Swedish Presidency;
- Reporting formalities for ships/ Sterckx.

Wednesday, 27 January 2010, morning

- Maritime policy until 2018/ Van Dalen;
- Inland shipping/ Simpson;
- Spanish presidency.

TRAN Committee meetings 2010, Brussels

Monday, 22 February, 15.00-18.30
 Tuesday, 23 February, 9.00-12.30

Monday, 1 March, 15.00-18.30 (tbc)

Monday, 22 March, 15.00-18.30
 Tuesday, 23 March, 9.00-12.30

Tuesday, 27 April, 15.00-18.30
 Wednesday, 28 April, 9.00-12.30
 Wednesday, 28 April, 15.00-18.30

Monday, 3 May, 15.00-18.30
 Tuesday, 4 May, 9.00-12.30
 Tuesday, 4 May, 15.00-18.30

Monday, 31 May, 15.00-18.30
 Tuesday, 1 June, 9.00-12.30
 Tuesday, 1 June, 15.00-18.30
 Wednesday 2 June, 9.00-12.30

Monday, 21 June, 15.00-18.30
 Tuesday, 22 June, 9.00-12.30
 Tuesday, 22 June, 15.00-18.30
 Wednesday, 22 June, 9.00-12.30

Monday, 12 July, 15.00-18.30
 Tuesday, 13 July, 9.00-12.30
 Tuesday, 13 July, 15.00-18.30
 Wednesday, 14 July, 9.00-12.30

Thursday, 2 September, 9.00-12.30

Monday, 27 September, 15.00-18.30
 Tuesday, 28 September, 9.00-12.30
 Tuesday, 28 September, 15.00-18.30
 Wednesday, 29 September, 9.00-12.30

Tuesday, 26 October, 9.00-12.30
 Tuesday, 26 October, 15.00-18.30
 Wednesday, 27 October, 9.00-12.30
 Wednesday, 27 October, 15.00-18.30

Monday, 8 November, 15.00-18.30
 Tuesday, 9 November, 9.00-12.30
 Tuesday, 9 November, 15.00-18.30
 Tuesday, 30 November, 15.00-18.30
 Wednesday, 1 December, 9.00-12.30
 Wednesday, 1 December, 15.00-18.30
 Thursday, 2 December, 9.00-12.30