

TRANNEWS

Newsletter from the European Parliament
Committee on Transport and Tourism
Number 65, 3 March 2010

questions & subscription:
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TRAN Committee meeting 1 March 2010, Brussels

Adoption of draft report

Aviation security charges Rapporteur: Mr Jörg Leichtfried (S&D, AT) Ordinary legislative procedure, first reading

The TRAN Committee voted on the 80 amendments and 1 compromise amendment introduced to the Commission proposal. The key amendments that the Rapporteur pre-negotiated with the Shadow Rapporteurs were all adopted, namely:

- An obligatory 100% state financing for more stringent security measures taken by individual Member States according to Article 6 of Regulation (EC) N° 300/2008 and
- the application of the Directive to all commercial airports where security charges are levied.

The Rapporteur also received backing for his amendments which seek to ensure greater transparency for the public on security charges levied by the competent body (mainly airports) and airlines.

The draft report was adopted by 34: 0: 5.

Timetable foreseen:

- Adoption in plenary: April 2010.

Exchange of views

Railway network for competitive freight Rapporteur: Mr Marian-Jean Marinescu (EPP, RO)

Ordinary legislative procedure, second reading

The Rapporteur informed Members of recent developments including the formal adoption by Council of its Common Position in February. He argued that the differences between the EP's position in first reading and the current Council text were surmountable and ran through the main differences between the two institutions:

- The Council's text foresees a pre-selection of nine corridors, set out in an annex; Mr Marinescu was favourable to this as it would allow rapid implementation of the corridors;
- A one-stop-shop for requests for international train paths is a key point and the Rapporteur considers that this is important and should not be limited to an information body;
- The different categories of freight traffic along the corridors divide the three institutions. These new categories mean a different way of proceeding in defining the allocation of train paths and the rules of priority in case of traffic disturbance.

Several Members expressed some criticisms and concerns regarding the corridors listed in the annex; they regretted the lack of information on this selection and asking for clarification of the criteria used to draw up this list. Some Members agreed with the Rapporteur about the importance of the one-stop-shop. Members also expressed diverging views on the priority rules in favour of freight relative to passenger traffic; some Members considered that priority rules for freight were dogmatic and would endanger passenger traffic, whilst others considered that watering down these rules would considerably weaken the essential parts of the proposal.

The Commission representative recalled the context of the economic crisis, which had particularly affected rail freight, and the need to revitalise the sector. He explained that the doubts expressed by some Members, which had already been raised during Parliament's first reading, result from a misinterpretation of the rules of priority. The basic principles of the Commission's proposal remain in the Council's Common Position, but certain aspects had been weakened.

Timetable foreseen:

- Draft recommendation in TRAN: 23 March 2010
- Adoption in TRAN : 3 May 2010
- Adoption in plenary: June 2010.

Accidents and incidents in civil aviation Rapporteur: Ms Christine de Veyrac (EPP, FR) Ordinary legislative procedure, first reading

In a consensual atmosphere and in the presence of representatives and families of crash victims, the Committee held an exchange of views on the investigation and prevention of accidents and

incidents in civil aviation. The Rapporteur stressed the need to update the EU legal framework and called for independent and objective safety investigations.

Ms de Veyrac supported the formal establishment of the European Network of Civil Aviation Safety Investigation Authorities which would strengthen the cooperation of national investigation bodies and reduce the disparities between the 27 Member States. Concerning the involvement of the European Aviation Safety Agency (EASA) in accident investigations, she favoured an advisory role which would safeguard the independence of investigations and comply with ICAO standards. She advocated better coordination between accident investigation authorities and the judiciary and proposed to define which information should remain confidential from the judiciary.

Regarding the rights of victims and their families, the Rapporteur argued that there was a need to strengthen the information on passenger manifests and data protection while favouring the provision of passenger lists within a very short time following an accident. Ms de Veyrac considered that a crisis plan should be required by Member States and airlines for providing assistance to families in case of an accident with victims.

Coordinators and Shadow Rapporteurs praised the balanced approach taken by the Rapporteur about this sensitive issue. They argued that the fundamental objective was to improve safety and prevent accidents in future, which may occur as a result of a mechanical or human failure or a combination of both. There was broad agreement on the need to define EASA's role as advisory body, the structure of the Network and the protection of the rights of victims and their families. Several Members underlined that the judicial investigation should not impede the accident investigation, as the latter has to come first. The importance of ensuring the confidentiality of information given by persons involved in accidents or incidents investigation, notably pilots and air traffic controllers, was underlined by Members, who expressed some concerns about the Commission's proposal.

Members stressed the sensitive nature of the list of victims and the need for training of the crew as a factor which reduces accidents. Reference was made to the potential negative effect of the involvement of authorities (police, judiciary) in the accident investigation before it is initiated and the practice where the judiciary is involved only when there is evidence of a criminal act, e.g. terrorism. The unsatisfactory level of EU occurrence reporting system on accidents and incidents (ECAIRS) was outlined by Shadow Rapporteurs. Some Members suggested encouraging more voluntary reporting and the collection of information and statistics at EU level in a uniform manner.

The Commission welcomed the points raised by the Rapporteur in her working document and by other Members during the debate. These are also considered essential in the Commission's proposal which seeks to improve the investigation capacity of EU by strengthening the existing national bodies and authorities, clarifying their role, and providing for

better sharing of information. The Commission clarified, that while any conflict of interest of EASA as regulator should be avoided in the accident investigation, it is important to ensure the Agency receives timely information on accidents or incidents. With regard to the conflict between the judiciary and the accident investigation bureau, it was noted that this is sometimes beneficial for the investigation.

Timetable foreseen:

- Draft report in TRAN: 28 April 2010
- Deadline for tabling amendments: 4 May 2010
- Adoption in TRAN : 1 June 2010
- Adoption in plenary: July 2010.

International Air Agreements

The chairman recalled that, under the Lisbon Treaty, many of the agreements for which the Committee on Transport and Tourism has lead responsibility, and, in particular, the aviation agreements now require Parliament's consent rather than an opinion under the consultation procedure. He also noted that the existing framework agreement between Parliament and Commission required the Commission to "provide early and clear information to Parliament both during the phase of preparation of the agreements and during the conduct and conclusion of international negotiations." In view of Parliament's enhanced role in the conclusion of agreements, the coordinators had decided it would be appropriate to have a presentation from the Commission setting out its objectives in negotiating these agreements and the current state of key negotiations. This would serve as an introduction for future discussions of specific agreements.

Mr Burghelle-Vernet (DG MOVE) explained that the Commission's aim was to project elements of the internal market externally, based on reciprocity and equity. The agreements could be divided into three broad types: those providing judicial certainty following the ECJ ruling of 2002; economic agreements with major partners and neighbours; and agreements on air safety. Negotiations for a second stage of the US agreement were well underway while an analogous agreement with Canada had been signed at the end of last year. However the Council had yet to agree mandates for negotiations with China or India. The Commission services were preparing a full table of the negotiations that were underway, showing the stage that had been reached; this would be sent to the secretariat shortly. They were also ready to inform the Committee regularly, while preserving the necessary confidentiality.

Members welcomed the promise of a list and called for more information about the timing of negotiations together with reports on the different negotiating rounds. Specific questions were asked about the US 2nd stage negotiations, the Canada security agreement and three horizontal agreements with States in the Western Balkans. The Commission representative repeated his assurance that he was ready to provide information.

TRAN Committee meeting 1 March, Brussels

Provisional agenda:

Monday, 22 March 2010, afternoon

- Ship reporting formalities/Sterckx
- Maritime policy until 2018/Van Dalen
- Baltic Sea Region/ Kuhn

Tuesday, 23 March 2010, morning

- Ship reporting formalities/Sterckx
- Maritime policy until 2018/Van Dalen
- Baltic Sea Region/Kuhn
- European rail network for competitive freight/ Marinescu
- Passenger rights sea and inland waterways/Ayala Sender
- Passenger rights bus and coach/Cancian

Tuesday, 23 March 2010, afternoon

- Spanish Presidency
- Social rules in road transport/Ranner
- TEN-T financing

TRAN Committee meetings 2010, Brussels

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