



EUROPEAN PARLIAMENT

2009 - 2014

Committee on Transport and Tourism

2010/2137(INI)

10.11.2010

OPINION

of the Committee on Transport and Tourism

for the Committee on Economic and Monetary Affairs

on the Report on Competition Policy 2009
(2010/2137(INI))

Rapporteur: Michael Cramer

PA_NonLeg

SUGGESTIONS

The Committee on Transport and Tourism calls on the Committee on Economic and Monetary Affairs, as the committee responsible, to incorporate the following suggestions in its motion for a resolution:

1. Calls on the Commission and Member States to secure completion of the internal market for transport, and fair competition in the transport domain, while respecting other European Union policy objectives, such as properly functioning transport and mobility services, policy objectives in the areas of public services, safety and environmental protection, and the EU 2020 targets on CO₂ emissions reduction and oil dependency;
2. Stresses the necessity of completing the free market for all modes of transport, in order to ensure an internal market without borders, where free movement of goods and services is guaranteed and where clear and easily enforceable rules enable free and fair competition;
3. Calls on the Commission – bearing in mind that completion of the internal market for all transport modes is needed – to publish a report with an overview of all state aid offered to public transport;
4. Underlines the fact that the financial and economic crisis has led to a very large number of business bankruptcies and failures, not least among transport SMEs and VSEs, that crisis response plans have primarily been national plans and that coordination at European level has been belated and ineffective; considers it regrettable that there was no European mechanism, along the lines of a monthly barometer for transport companies, for better anticipating and forestalling the effects of the economic crisis; notes that measures to help transport companies cope with cash-flow problems and temporary additional costs could have been brought forward at European level in order to avoid overlap among national plans, and without compromising state aid arrangements as a whole or the need for fair competition;
5. Calls on the Commission and the Member States to guarantee a level playing field both for the various modes of transport and for publicly and privately owned companies within a given mode;
6. Reiterates its support for the Commission guidelines on state aid for environmental protection in the field of transport, with a view to bolstering sustainability in the European transport sector; encourages the Commission to enhance the incentive-based nature of the state aids authorised in the field of transport;
7. Stresses the need to create and monitor fair competition within and between transport modes in order to generate transparent and straightforward pricing structures and pricing policies;
8. Asks the Commission to monitor compliance with social, safety and environmental rules as between, for example, various modes of freight transport – by road, waterway, air and rail – and between short-distance flights and long-distance rail transport for passengers;
9. Calls on the Commission to create more transparency in the relationship between the state

and the publicly owned railway companies, including their road transport subsidiaries, as well as in the transfer of funds;

10. Invites the Commission to provide an overview of taxation, levies, infrastructure financing and charging and VAT systems for different transport modes and for the individual Member States, and of their effects on competition within and between transport modes, and to set out, in such an overview, the effect of the obligatory and unlimited charges for rail use in comparison to the non-obligatory and limited charges for the use of road infrastructure;
11. Calls on the Commission to ascertain whether the abolition of trade tax for a rail undertaking with a registered office in a given Member State is compatible with EU competition rules when it is accompanied by the simultaneous introduction of a flat-rate levy on rolling stock, given that non-national undertakings thereby have to pay not only the levy on rolling stock but also – unlike domestic undertakings – the continuing trade tax, and that such a situation is at odds with fair competition;
12. Calls on the Commission, when reviewing legislation on passenger rights and reimbursement for delays, to guarantee fair and equal compensation schemes for delays across all transport modes, as well as the setting-up of independent bodies to arbitrate between operators and clients;
13. Calls on the Commission to analyse the effects on competition between the different transport modes of the substantial assistance given in recent years to the automotive industry;
14. Stresses the need to avoid unfair competition within the liberalised road transport sector by guaranteeing that social, safety and environmental rules are properly applied – paying special attention to the opening of this market for cabotage and to dumping practices;
15. Calls on the Commission to legislate against discrimination experienced by the maritime sector as the result of Member States' imposing on it customs and other bureaucratic regulations, even in relation to internal EU trade, that are not in place for other modes of transport;
16. Invites the Commission to provide an overview of cases where low-cost air carriers have been/are advantaged vis-à-vis other carriers through special conditions granted to them when using certain airports, beyond the three-year period prescribed for start-up aid for airline companies;
17. Calls on the Commission to improve the way in which the arrangement involving state aid on the basis of the 'first time, last time' principle can be applied in certain cases;
18. Calls on the Commission to ensure transparency regarding the allocation and effective use of slots, in order to guarantee that real competition exists in the aviation sector;
19. Welcomes the Commission proposal to review the First Railway Package, and calls on the Commission to prevent Member States and their rail companies from preventing or obstructing other companies entering their rail-services markets, especially while themselves participating in the opening of other markets (reciprocity);

20. Draws the Commission's attention to the indirect obstacles to competition arising from disparity, in the transport sector, in rules on safety, interoperability and type-approval;
21. Calls on the Commission and Member States to be vigilant to ensure, through the decisions taken at both EU and national level, cohesive and harmonised implementation in the railway sector of the rules of competition law; emphasises, in particular, the need for cohesion between the railway supervisory authorities (regulators) and the national and European competition authorities;
22. Underlines the need to limit, as appropriate, the market share of maritime consortia of container lines and to share operational advantages – for both maritime and hinterland services – in accordance with the general EU rules on fair competition and subject to the conditions laid down in Regulation (EC) No 906/2009, concerning the application of Article 101(3) of the Treaty on the Functioning of the European Union; also stresses the need to ensure operational cooperation with a view to the joint provision of liner shipping services by shipping companies, in order to safeguard the efficiency and quality of shipping services;
23. Calls on the Commission to propose guidelines for state support to ports for the construction of port infrastructure, with the aim of improving legal certainty;
24. Calls on the Commission – having regard to the Lisbon Treaty, the new consolidated competences and the economic potential of tourism for the EU – to facilitate proactive cooperation among tourism enterprises and to take the measures necessary to ensure the worldwide competitiveness of EU excellence destinations;

RESULT OF FINAL VOTE IN COMMITTEE

Date adopted	9.11.2010
Result of final vote	+: 27 -: 3 0: 7
Members present for the final vote	Georges Bach, Izaskun Bilbao Barandica, Antonio Cancian, Michael Cramer, Luis de Grandes Pascual, Saïd El Khadraoui, Ismail Ertug, Carlo Fidanza, Knut Fleckenstein, Jacqueline Foster, Mathieu Grosch, Jim Higgins, Jaromír Kohlíček, Georgios Koumoutsakos, Werner Kuhn, Bogusław Liberadzki, Eva Lichtenberger, Marian-Jean Marinescu, Gesine Meissner, Hella Ranner, Olga Sehnalová, Brian Simpson, Dirk Sterckx, Silvia-Adriana Țicău, Giommara Uggias, Thomas Ulmer, Peter van Dalen, Dominique Vlasto, Artur Zasada
Substitute(s) present for the final vote	Burkhard Balz, Philip Bradbourn, Spyros Danellis, Isabelle Durant, Dominique Riquet, Alfreds Rubiks, Vilja Savisaar-Toomast, Joachim Zeller