

TRANNEWS

Newsletter from the European Parliament
Committee on Transport and Tourism
Number 87, 13 October 2011

questions & subscription:
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TRAN Committee meeting 10-11 October 2011, Brussels

Adoption of draft reports

Single European Railway Area
Rapporteur: Debora Serracchiani (S&D, IT)
Ordinary legislative procedure, first reading

In total, TRAN Members tabled 724 amendments to the Commission proposal. The vote was facilitated by the adoption of all 18 compromise amendments, which had been elaborated in the course of intense negotiations between the political groups. This allowed to cover many individual amendments and all the main issues contained in the Commission proposal. Although there was convergence, the number of split votes on some of the compromise texts showed that groups remained divided on certain points.

At the consideration of amendments, the Rapporteur reiterated her approach and her commitment to achieving a clear separation of infrastructure management from transport operations in order to create a truly single European railway area.

She agreed with the compromise found which improves the transparency of financial flows within holding companies that deliver both railway management and rail transport operation and, at the same time, to insert a paragraph in an article and a recital that requires the Commission to come forward with a proposal that would introduce separation by the end of next year. However she said she would have preferred a clearer text as far as the financial transparency is concerned.

Ms Serracchiani also pointed out that the reinforcement of the national regulatory bodies was an important step towards the creation of a more open and less discriminatory railway market. Moreover the prolongation of the funding period of

infrastructure through the state would help infrastructure managers to improve their planning.

Many Members agreed with the Rapporteur on the positive effects of a stronger national regulatory body and greater funding stability of infrastructure managers. A majority of Members thought that certain financial flows between infrastructure managers and railway undertakings should continue to be possible so as to avoid being confronted by a lack of funding and indebtedness. There were also diverging views as far as the independence of providers of rail-related services was concerned. Whereas some Members, including the Rapporteur, supported the Commission proposal to ensure their legal separation, a majority was eventually of the opinion that such a step was not necessary.

Members delivered strong support for the introduction of a noise reduction scheme introducing reimbursement for the retrofitting of rolling stock as a well as for a scheme of reduced charges for ETCS equipped trains.

The report was adopted by 36:5:1.

Timetable foreseen:

- Vote in plenary: November 2011.

European Maritime Safety Agency
Rapporteur: Knut Fleckenstein (S&D, DE)
Ordinary legislative procedure, first reading

While seeking to maintain EMSA's focus on maritime safety, Members adopted a series of amendments that would enable the Agency to assist in addressing issues such as pollution from oil and gas rigs, the fight against piracy and reducing administrative barriers faced by short sea shipping. Compromise amendments on these points were adopted by large majorities.

However, there were a number of close votes regarding the prospect of a European Customs Service and the extent to which gender equality objectives should be given greater priority in appointments to EMSA's Board and senior management. Other adopted amendments sought to give EMSA a greater role in promoting the training of seafarers and in monitoring organisations that certify ships.

Monday's discussion of amendments was the final appearance before the Committee of Willem de Ruiter as EMSA's Executive Director. Members thanked him for the work he had carried out since 2003 to establish the Agency. They emphasised that the strong reputation it had built up was one of the primary reasons why there was now broad political support for asking it to take on new but related tasks.

The report was adopted by 35:5:2.

Timetable foreseen:

- Vote in plenary: November/ December 2011.

Common aviation air agreement between the EU and Georgia
Rapporteur: Thomas Ulmer (EPP, DE)
Consent procedure

In future, uniform framework conditions will apply to all aviation undertakings in the EU and Georgia, including the current legislation on aviation security and safety and air traffic management. The overall purpose of the Agreement is to facilitate a reciprocal market opening to all economic stakeholders on a non-discriminatory basis. The existing bilateral agreements on air traffic services between the two sides are to be superseded by the new Agreement.

The Committee recommended by large majority to conclude the Agreement.

The report was adopted by 38:2:0.

Timetable foreseen:

- Vote in plenary: November 2011.

Euro-Mediterranean aviation agreement between the EU and Jordan
Rapporteur: Olga Sehnalová (S&D, CZ)
Consent procedure

The Agreement aims at creating a common aviation area between the EU and Jordan. This will lead to regulatory convergence and gradual market opening. EU airlines will be allowed to operate direct flights between any location in the EU and Jordan.

The report was adopted by 37:1:1.

Timetable foreseen:

- Vote in plenary: November 2011.

Athens Convention
Rapporteur: Brian Simpson (S&D, UK)
Consent procedure

With the unanimous adoption of the recommendation, the Committee advanced the EU's accession to the Athens Convention, a longstanding issue in which Parliament has always taken a strong interest.

The 2002 Protocol to the Convention, which itself dates back to 1974, had solved numerous issues that the Convention had regulated insufficiently, such as carriers' liability in case of fault or neglect, compulsory insurance and the right to make claims directly against the insurer.

Most of the provisions concern maritime transport, based on Article 100 TFEU, except for Articles 10 and 11, which relate to judicial cooperation in civil and commercial matters and the recognition and enforcement of judgments. For the latter, the Legal Affairs Committee is in the lead.

The report was adopted by 39:0:1.

Timetable foreseen:

- Vote in plenary: November 2011.

Adoption of draft opinions

Competition policy
Rapporteur: Marian-Jean Marinescu (EPP, RO)
Opinion to ECON Committee

The Commission's report is the 40th annual report on competition policy. It gives an overview of the development of the policy's main instruments such as antitrust and merger control policy and of the last year's activities such as the public consultation on the application of the 2005 Aviation Guidelines, in view of their possible revision and the launch of the study on the financing of seaport infrastructures, in view of possible new guidelines.

The Rapporteur agreed with most of the 38 amendments which mainly introduced additional elements. The opinion stresses that the completion of the internal market for all transport modes should remain the main goal of the European transport policy.

The text touches upon issues such as fair competition and distortion, social consequences of the market liberalisation, working conditions and quality of services, transparency of costs, passenger rights and the policies and practises of airline companies. Concerning tourism and tourists' rights, the text encourages the Commission to promote a charter, to strengthen those rights where necessary and the competitiveness of the European tourism industry and to support the gradual harmonization of the European accommodation classification system.

The opinion was adopted by 35:3:2.

Timetable foreseen:

- Vote in ECON Committee: 22 November 2011.
- Vote in plenary: December 2011.

Space Strategy for the EU
Rapporteur: Artur Zasada (EPP, PL)
Opinion to ITRE Committee

As amended, the opinion recognises that transport has not been given enough attention in the European Space Council deliberations so far and points out that the transport sector is a major beneficiary of the Space Policy programmes in the areas of the Single European Sky, road traffic management, e-call, future digital tachographs, toll collecting systems and maritime transport safety. Furthermore, the opinion calls for an ambitious and firm timetable along with stable and transparent financing for implementing Galileo and EGNOS. It also urges the Council and the Commission to maintain its financial support for GMES within the Multiannual Financial Framework 2014-2020. In addition, the Committee underlines the environmental aspects of the efficient Space Strategy and calls for EGNOS' coverage to be extended to the south and east of Europe, as this is an important factor for the implementation of SESAR.

Finally, in order to ensure that the transport sector benefits from any spatial activity undertaken by the

EU, the opinion argues that the EU should secure its independent access to space by putting more focus on the launchers industry as well as recognising the importance of research and innovation and dependencies of various sectors on space.

Timetable foreseen:

- Vote in ITRE Committee: 23 November 2011
- Vote in plenary: December 2011.

Presentation of draft recommendation

Memorandum of Cooperation between the EU and the International Civil Aviation Organisation

Rapporteur: Brian Simpson (S&D, UK)
Consent procedure

The overall goal of the Memorandum of Cooperation (MOC) is to ensure greater harmonisation of standards and closer coordination of the parties' respective activities as well as a better use of resources by avoiding duplication of effort. Cooperation will also include sharing of confidential data and the participation of EU observers in ICAO audit missions. Relevant provisions for actions in the field of aviation safety and security, traffic management and environmental protection are integral part of the MOC. The main body for the implementation of the MOC is a Joint Committee.

The Rapporteur recommended concluding the Agreement. He underlined the importance of the MOC in view of a strengthened cooperation in the above mentioned four areas of ICAO activities in which the EU takes a strong interest, not least for the competitiveness of its own civil aviation industry. Most of the ICAO standards are addressed in EU law or have even been taken over as such in EU law. The conclusion of the MOC, therefore, will facilitate the EU presence at ICAO and its participation in the decision making process.

The Commission, in line with the Rapporteur's recommendation, agreed to inform the Committee regularly about the work of the Joint Committee.

Timetable foreseen:

- Vote in TRAN Committee: November 2011
- Vote in plenary: January 2012.

Presentation of draft opinion

Taxation of energy products and electricity

Rapporteur: Sabine Wils (GUE/NGL, DE)
Opinion to ECON Committee

Bringing the current Energy Taxation Directive (ETD) closer in line with the EU's climate change goals is the main aim of the Commission's proposal for a revision of the ETD.

The Rapporteur supported the proposal in general but criticised the Commission for maintaining the existing requirement that Member States exempt

fuel used for the purpose of air and maritime navigation from taxation. She proposed to abolish this obligation. Instead, the decision on taxation should be left with Member States. This would be an important first step towards similar conditions for all modes of transport. The Rapporteur also supported the proposals regarding shore-side electricity in ports to provide an incentive to use this technology.

In the debate several Members criticised the Commission's proposal. Issues mentioned included the increase in price for certain fuels (for example diesel), the risk of unintended consequences, the need to create a level playing-field, the increase in logistics and road transport costs, the situation of peripheral regions, the role of taxis as well as the issue of maritime and aviation fuel taxation.

The Commission representative considered the time not yet ripe to touch upon the issue of exemptions from taxation for maritime and aviation fuel. The Commission found that the impact on CO2 reduction would be limited. It would, however, have a detrimental impact on EU carriers' competitiveness. As several international fora are also involved, this issue would require further analysis as proposed by the Commission.

Timetable foreseen:

- Deadline for amendments: 21 October 2011
- Vote in TRAN Committee: November 2011
- Vote in ECON Committee: January 2012.

State of play

Integrated Maritime Policy

Rapporteur: Georgios Koumoutsakos (EPP, EL)
Ordinary Legislative Procedure, first reading

The Committee endorsed the outcome of the negotiations.

Timetable foreseen:

- Vote in plenary: November 2011.

Consideration of amendments

White Paper on the Future of Transport
Rapporteur: Mathieu Grosch (EPP, BE)
Own-initiative report

Preparing the ground for compromise amendments was the main thrust of the discussion on the 413 amendments tabled to the draft report on the White Paper "Roadmap to a Single European Transport Area".

The Rapporteur welcomed some of the amendments as semantic clarifications of the text. He stressed his willingness to negotiate and reach compromises on the main points. Among the topics on which he considered that compromise amendments could be easily agreed, were: the need for specific, realistic and clear objectives in the short-term as a means to assess achievements, the importance of focusing on

technologically feasible solutions regarding energy, the role of regions in the transport policy, the need to avoid social dumping in the internal market, efficient co-modality and the approach to funding TEN-T projects.

Many Members participated in the debate, raising numerous issues covering a wide variety of topics. The need to carry out an analysis of infrastructure in Member States and the link between infrastructure and road safety were issues pointed out during the interventions, as well as the need to bear in mind, while designing the transport policy, the impact it could have on the labour market. It was also pointed out that environmental goals could not be attained without changing mobility and that transport emissions were undermining what had been achieved in other areas.

Other questions brought included the different level of infrastructure development in new Member States, the role of logistics in the transport sector, the need for further protection of passenger rights in all transport modes, with special consideration for disabled people. All groups showed their willingness to reach compromises.

The Commission's representative expressed its general satisfaction with the amendments tabled to the text, considering them an encouragement. However, she also raised some points where the text should be modified. Among other issues she called for more recognition for the "blue belt" and the proper implementation of the legislation on rest and driving time instead of their revision. She pointed to the new approach of the Commission regarding the TEN-T policy as well as the role of technology, innovation and taxation in designing the transport policy.

She announced several proposals regarding rail for the coming year. She also expressed doubts about the need of setting other targets besides those already set in the White Paper, as this could lead to inconsistency and be rather unrealistic, as nine years (to 2020) can be considered a short period of time for transport policy. Finally, she explained that the threshold of 300km for modal shift is not a mandatory target but an attempt to set a measurable one.

Timetable foreseen:

- Vote in TRAN Committee: November 2011
- Vote in plenary: December 2011.

Directive on the use of Passenger Name Record data
Rapporteur: Eva Lichtenberger
(Greens/EFA, AT)
Opinion to LIBE Committee

The Rapporteur presented the 219 amendments by categories: those concerning purpose limitation (use of PNR only for action against terrorism or for action against other forms of serious crime, too), the question of data transmission by "push" or "pull" procedures, possible sanctions against air operators, and the question of which types of data should be concerned.

While some Members pleaded for limiting the scope of the opinion in order not to touch upon areas within the responsibility of the Civil Liberties Committee, most speakers supported the Rapporteur's approach.

Several issues were controversial, in particular the types of crime to be covered, the length of the data retention period, the protection of data transmitted to third countries, and the list of data to be stored. Most Members favoured limiting air carriers' responsibilities, in particular on the accuracy of data, reducing the possible sanctions on operators and on excluding transit and transfer flights from the Directive.

The Commission explained their proposal in the context of police and judicial cooperation policy, and disagreed with most amendments since the proposal would be heavily modified.

Timetable foreseen:

- Vote in TRAN Committee: November 2011.

Exchange of views

with FAB Coordinator and Chairman of the Performance Review Body of the Single European Sky

Georg Jarzembowski, the Functional Airspace Blocks (FABs) Coordinator presented his third periodic report to the Committee. He emphasised that there had been a disappointing lack of progress, chiefly as a result of Member States' lack of political will to implement FABs. In the Coordinator's view, as the Member States had insisted on the "bottom-up approach" in the Single European Sky legislation, Transport Ministers have the responsibility to get the State Agreements signed and then to get them to work. This would produce clear improvements in safety, capacity, cost-efficiency and environmental impact of the air traffic management systems of the 27 EU Member States and the participating third countries.

To achieve the required firm commitments from national Transport Ministers it would be helpful for the Committee to talk to the Council and individual Committee Members to talk to their national Ministers.

Members recalled the efficiency, economic and environmental benefits of a Single Sky and proposed that pressure be brought on Member States to make progress in accordance with their legal commitments. The Chair suggested that the Danish Presidency could make this the subject of an informal Council.

Mr Peter Griffiths, President of the Performance Review Body, described the emerging gaps between capacity and cost efficiency targets and the reference values. The cumulative cost efficiency gap for the period 2012 to 2014 was €250 million. In reply to Members' questions, Mr Griffiths acknowledged the important role SESAR would play for the next target reference period which ran to 2020.

**Votes in plenary
13 and 27 September, Strasbourg;
13 October, Brussels**

EU Brazil agreement on Civil Aviation Safety

Rapporteur: Silvia-Adriana Țicău (S&D, RO)

Consent procedure

The Agreement provides a basis for shorter, simpler and less costly product-approval procedures and mutual acceptance of certification findings between the EU and Brazil.

The plenary followed the TRAN Committee recommendation and consented to the conclusion of the Agreement by show of hands.

Air transport agreement on certain aspects of air services between the EC and the United Mexican States

Rapporteur: Silvia-Adriana Țicău (S&D, RO)

Consent procedure

The Agreement seeks to align 13 existing agreements concluded between Member States and Mexico with EU law. Mexico is an important trade partner and aviation market for EU carriers with approximately 2.5 million passengers in 2009.

The plenary followed the TRAN Committee recommendation and consented to the conclusion of the Agreement by show of hands.

Europe, the world's N°1 tourist destination - a new political framework for tourism in Europe

Rapporteur: Carlo Fidanza (EPP, IT)

Own-initiative report

The tourism sector plays a key role in creating jobs and fostering economic development and cohesion in the EU. It is thus vital to strengthen its competitiveness as it is facing increased competition from other destinations.

The plenary adopted the report by show of hands.

Air services agreement between EU and the Republic of Cape Verde

Rapporteur: Dominique Riquet (EPP, FR)

Consent procedure

The plenary adopted the report by show of hands.

**TRAN Committee meeting
10 November, Brussels**

Provisional agenda:

Thursday, 10 November, morning

- Exchange of views with European Environment Agency
- Exchange of views with Commissioner Hedegaard

**TRAN Committee meeting
21-23 November, Brussels**

Provisional agenda:

Monday, 21 November, afternoon

- White Paper on future of transport/ Grosch
- Passenger Name Records/ Lichtenberger
- Taxation of energy products and electricity/ Wils

Tuesday, 22 November, morning

- White Paper on future of transport/ Grosch **(vote)**
- Passenger Name Records/ Lichtenberger **(vote)**
- Taxation of energy products and electricity/ Wils **(vote)**
- Air services agreement EU - Indonesia/ Simpson
- Sulphur content of marine fuels/ Savisaar
- Presentation of study: State aids to seaports (tbc) / Chairperson

Tuesday, 22 November, afternoon

- Exchange of views with Commissioner Kallas on TEN-T
- TEN-T Coordinators: presentation of annual reports

Wednesday, 23 November, morning

- TEN-T Coordinators: presentation of annual reports

Wednesday, 23 November, afternoon

- AOB

**TRAN Committee meetings 2011,
Brussels**

Monday, 19 December, 15.00-18.30
Tuesday, 20 December, 9.00-12.30
Tuesday, 20 December, 15.00-18.30
Wednesday, 21 December, 9.00-12.30
Wednesday, 21 December, 15.00-18.30

TRAN Committee meetings 2012, Brussels

Monday, 23 January, 15.00-18.30
Tuesday, 24 January, 09.00-12.30
Tuesday, 24 January, 15.00-18.30
Wednesday, 25 January, 09.00-12.30

Monday, 6 February, 15.00-18.30

Monday, 27 February, 15.00-18.30
Tuesday, 28 February, 09.00-12.30
Tuesday, 28 February, 15.00-18.30
Wednesday, 29 February, 09.00-12.30
Wednesday, 29 February, 15.00-18.30

Monday, 26 March, 15.00-18.30
Tuesday, 27 March, 09.00-12.30
Tuesday, 27 March, 15.00-18.30

Monday, 23 April, 15.00-18.30
Tuesday, 24 April, 09.00-12.30
Tuesday, 24 April, 15.00-18.30
Wednesday, 25 April, 09.00-12.30

Monday, 7 May, 15.00-18.30
Tuesday, 8 May, 09.00-12.30

Tuesday, 29 May, 15.00-18.30
Wednesday, 30 May, 09.00-12.00
Wednesday, 30 May, 15.00-18.30
Thursday, 31 May, 09.00-12.30

Monday, 18 June, 15.00-18.30
Tuesday, 19 June, 09.00-12.30
Tuesday, 19 June, 15.00-18.30
Wednesday, 20 June, 09.00-12.30
Wednesday, 20 June, 15.00-18.30

Monday, 9 July, 15.00-18.30
Tuesday, 10 July, 09.00-12.30
Tuesday, 10 July, 15.00-18.30

Thursday, 6 September, 15.00-18.30

Monday, 17 September, 15.00-18.30
Tuesday, 18 September, 09.00-12.30
Tuesday, 18 September, 15.00-18.30

Tuesday, 9 October, 09.00-12.30
Tuesday, 9 October, 15.00-18.30
Wednesday, 10 October, 09.00-12.30
Wednesday, 10 October, 15.00-18.30

Monday, 5 November, 15.00-18.30
Tuesday, 6 November, 09.00-12.30
Tuesday, 6 November, 15.00-18.30

Tuesday, 27 November, 09.00-12.30
Tuesday, 27 November, 15.00-18.30
Wednesday, 28 November, 09.00-12.30
Wednesday, 28 November, 15.00-18.30

Monday, 17 December, 15.00-18.30
Tuesday, 18 December, 09.00-12.30
Tuesday, 18 December, 15.00-18.30