COMMON TRANSPORT POLICY: OVERVIEW

Transport policy has been one of the EU’s common policies for more than 30 years. Alongside the opening up of transport markets and the creation of the Trans-European Transport Network, the ‘sustainable mobility’ model will take on even greater importance – particularly in view of the constant rise in greenhouse gas emissions from the transport sector, which threatens to jeopardise the European Union’s efforts to achieve its climate goals.

LEGAL BASIS AND OBJECTIVES

The legal basis is Article 4(2)(g) and Title VI of the Treaty on the Functioning of the European Union. As long ago as the Treaty of Rome, Member States stressed the importance of a common transport policy by devoting a separate title to it. Transport was therefore one of the Community’s first common policy areas. The first priority was the creation of a common transport market, allowing freedom to provide services, and the opening up of transport markets. This goal has been achieved to a large extent because even domestic rail markets have steadily been opened up to competition. As transport markets open up, it is vital to create fair competitive conditions both within individual modes of transport and between them. Therefore harmonisation has taken on ever increasing importance, and now covers national laws, regulations and administrative provisions, and the technological, social and tax environment in which transport services are provided. Volumes of goods and passengers transported have increased as a result of the completion of the European internal market, the abolition of internal borders, the drop in transport prices as a result of the opening up and liberalisation of transport markets, and changes in manufacturing and stock management systems. An economically successful and dynamic transport sector is facing ever tighter social and environmental constraints, making the ‘sustainable mobility’ model more important than ever before.

Despite all the efforts made, European transport policy still faces many sustainability challenges. The transport sector accounts for roughly a quarter of total greenhouse gas (GHG) emissions produced by human activity in the EU. Furthermore, transport is the only sector in the EU whose GHG emissions have risen since 1990. This is why the 2011 White Paper entitled ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’ (COM(2011)0144) recommended a 20% reduction in transport emissions (excluding international maritime transport) between 2008 and 2030, and a reduction of at least 60% between 1990 and 2050. It also sought a 40% reduction in emissions from international maritime transport between 2005 and 2050. The 2011 White Paper called for sustainable, low-
carbon fuels to account for 40% of use in aviation by 2050, and advocated a 50% shift away from conventionally-fuelled cars in urban transport by 2030, with the aim of phasing them out totally by 2050.

These objectives fall well short of the goal set at the December 2015 Climate Conference in Paris (also known as ‘COP21’): reducing GHG emissions by at least 20% between 2021 and 2030. Even if they were achieved, it would mean that in 2030, emissions from transport (excluding international waterborne transport) would still be 4.5% above 1990 levels, and emissions from international waterborne transport would only be 9.5% below their 1990 level in 2050. These and other related elements all influenced the action plan proposed by the Commission (COM(2019)0640) entitled ‘A European Green Deal’, which goes beyond its headline ambitions (e.g. ‘smart and sustainable mobility’) to also include overarching climate law objectives, thus turning political commitments on climate policy into legal obligations. Realism will prove to be just as important as ambition in addressing the economic and environmental challenges facing the common transport policy, and thus in helping to cut emissions drastically. The transport sector therefore needs to use less and cleaner energy, exploit modern infrastructure more effectively, and reduce its impact on the environment.

GENERAL POLICY GUIDELINES

The way forward to common legislation in the transport sector was only cleared when Parliament brought proceedings against the Council for failure to act. In its 22 May 1985 judgment in Case 13/83, the Court of Justice of the European Union (CJEU) urged the Council to act and thus to start developing a genuine common transport policy.

On 2 December 1992, the Commission adopted its White Paper on the future development of the common transport policy (COM(1992)0494). It advocated the opening up of transport markets, extending the Trans-European Transport Network, improving safety and harmonising social provisions. At the same time, it marked a decisive shift towards an integrated, intermodal approach based on the model of ‘sustainable mobility’. The subsequent White Paper of 22 July 1998, entitled ‘Fair payment for infrastructure use: a phased approach to a common transport infrastructure charging framework in the EU’ (COM(1998)0466), drew attention to the significant differences between Member States in charging for transport services, which was leading to distortions of competition in intra-modal and intermodal transport.

IMPLEMENTATION

In the September 2001 White Paper entitled ‘European transport policy for 2010: time to decide’ (COM(2001)0370), the Commission analysed the problems and challenges facing European transport policy – in particular with regard to the then forthcoming Eastern enlargement of the EU. It predicted a massive rise in the volume of traffic, which would go hand in hand with traffic jams, congestion (particularly in the case of road and air transport) and increasing health and environmental costs. The Commission put forward a package of 60 measures, which were designed to break the link between economic growth and an increase in traffic, and to combat the uneven growth in the various modes of transport. The goal of this White Paper was also to stabilise the share
of traffic accounted for by rail transport, inland navigation and short sea shipping at 1998 levels. This goal was to be achieved by means of measures to revive rail transport, promote sea and inland waterway transport, and foster the interlinking of all modes of transport. In addition, emphasis was placed on the need for a revision of the guidelines for the Trans-European Networks (see the fact sheet on TEN-T 3.5.1), with a view to adapting them to the demands of an enlarged EU, and encouraging even greater efforts to eliminate cross-border bottlenecks. The 2001 White Paper also focused on the rights and obligations of transport users, made provisions for an action plan on road safety, and consolidated users’ rights and cost transparency through the harmonisation of charging principles.

The EU also launched some ambitious technological projects, such as the European satellite navigation system Galileo, the European Rail Traffic Management System (ERTMS), and the Single European Sky Air Traffic Management Research programme (SESAR) to improve air traffic control infrastructure.

In June 2006, the Commission submitted a mid-term appraisal of the 2001 White Paper (COM(2006)0314), entitled ‘Keep Europe moving – Sustainable mobility for our continent’. The Commission had already stated its view that the measures proposed in 2001 were not comprehensive enough to achieve the objectives set, so new instruments were introduced including:

- Action plans for goods transport logistics, for the deployment of intelligent transport systems in Europe, and for urban mobility;
- Naiades and Naiades II, an integrated European action programme for inland waterway transport;
- Strategic goals and recommendations for the EU’s maritime transport policy up to 2018.

In July 2008, the Commission presented the ‘Greening Transport’ Package, focusing on a strategy to internalise the external costs of transport. The package consisted of three Commission communications and a proposal for the revision of Directive 1999/62/EC, also known as the ‘Eurovignette’ Directive (see the fact sheet entitled ‘Road transport: harmonisation of legislation’ 3.4.3).

The results of the debate on the long-term future of transport (looking 20 to 40 years ahead), which was launched in the 2001 White Paper, were presented in the Commission communication entitled ‘A sustainable future for transport: Towards an integrated, technology-led and user friendly system’ (COM(2009)0279).

The Commission published its 2011 White Paper on the future of transport for the period to 2050, entitled ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’ (COM(2011)0144) on 28 March 2011. The Commission described the old and new challenges for transport, and outlined ways of meeting them. Among the 10 objectives included in the 2011 White Paper, the Commission included the establishment of a Single European Transport Area by doing away with all remaining barriers between modes and national systems, easing the process of integration, and facilitating the emergence of multinational and multimodal operators. A higher degree of convergence and enforcement of social,
safety, security and environmental rules, minimum service standards and users’ rights was pursued in order to avoid tensions and distortions. On 1 July 2016, the Commission presented a report in the form of a working document (SWD(2016)0226) on the progress made in implementing the 10-year programme set out in the 2011 White Paper. Annex II includes a comprehensive assessment of the activities undertaken up to that point.

A. Towards a sustainable mobility model

Council Directive 92/106/EEC (‘Combined Transport Directive’) of December 1992 establishes common rules for the combined transport of goods between Member States. It is one of the most crucial EU legal instruments to promote intermodal freight transport and to shift to lower emission transport modes (rail, short sea shipping and inland waterways rather than road transport) with the goal to reduce negative externalities and carbon emissions. The Commission plans to adopt a revision to the Directive in the second quarter of 2023 to align it with the European Green Deal and review which transport operations should be supported and which measures are most effective.

In 2016, the Commission published a communication entitled ‘A European Strategy for Low-Emission Mobility’ (COM(2016)0501), in which it proposed measures to accelerate the decarbonisation of European transport. The strategy aims primarily to reach zero emissions, as established in the 2011 White Paper on the future of transport, with a view to adequately contributing to achieving the COP 21 Paris Agreement goals.

In December 2020, the Commission presented its Sustainable and Smart Mobility Strategy, together with an action plan of 82 initiatives to guide work for the period until 2024 (COM(2020)0789). The strategy sets out a roadmap for putting European transport firmly on the right track for a sustainable and smart future by identifying 10 flagship areas. The scenarios underpinning the strategy – which also coincide with those supporting the 2030 climate target plan – demonstrate that with the right level of ambition, the combination of proposed policy measures can deliver a 90% reduction in transport emissions by 2050. Various milestones are set out to illustrate the trajectory of the European transport system towards achieving sustainable, smart and resilient mobility, showing the kind of ambition needed for future EU policies. For example, one milestone outlined is for there to be at least 30 million zero-emission cars on the roads by 2030.

In July 2021, the Commission put forward a number of legislative proposals and reviews in the field of decarbonising transport in line with the Green Deal objective of reaching climate neutrality by 2050. Some of the proposals include:

— A proposal for the revision of the Emissions Trading Scheme (ETS)[1] (including aviation and maritime transport). This was agreed on by Parliament and the Council in April 2023 and is now only awaiting the final signature of the act (2021/0211A(COD)). The revision includes more ambitious targets for cutting emissions, adds maritime transport to the scheme for the first time, phases out free

[1]The EU ETS sets a limit on how much greenhouse gas emissions an entity (e.g. the aviation sector) can emit. EU emission allowances are then auctioned or allocated free of charge and made available for trading.
allowances for aviation and industries from 2026 onwards, and creates a separate ETS for road transport;

— A proposal for the revision of the Alternative Fuels Infrastructure Regulation (AFIR), including a package of measures for deploying alternative fuels infrastructure in EU Member States, which paves the way for more zero-emission mobility in Europe. A provisional agreement was reached during interinstitutional negotiations with Parliament and the Council, but a decision in plenary is still to be made (2021/0223(COD));

— A proposal for revising the CO₂ emission performance standards, developing stricter emission limits and including the phase-out of cars with an internal combustion engine (ICE) by 2035, paving the way for battery electric vehicles. It was agreed on by Parliament and the Council in March 2023, but by still allowing cars with an ICE to run on e-fuels after 2035. The final act was signed on 19 April 2023 (Regulation 2023/851).

In December 2021, the Commission put forward a second package of proposals to support a transition to cleaner, greener and smarter transport in line with the objectives of the European Green Deal and following the publication of the Commission’s Sustainable and Smart Mobility Strategy in December 2020. The package includes two major legislative proposals, namely the revision of the TEN-T guidelines Regulation of 2013 and the revision of the Intelligent Transport Systems (ITS) Directive of 2010.

With the revision of the TEN-T Regulation (2021/0420(COD)), the Commission seeks to better address the challenges the EU is facing in order to modernise the European mobility network, ranging from enhancing interconnectivity of multimodal trans-European transport and regional networks to decarbonisation and digitalisation of transport services and infrastructure. The further completion of the TEN-T is expected to boost EU GDP by EUR 467 billion, and create 840,000 new jobs. In order to meet these targets, new European Transport Corridors are proposed which refocus the geographical coverage and connectivity of the current core network corridors in western, central-east, north and south Europe. The Commission wants to make rail more attractive to both passengers and businesses through new measures such as new speed standards of 160 km/h for the core passenger lines, and 100 km/h for core freight lines by 2030, new standards to harmonise the rail network across borders, better integrating different transport modes, connecting main airports with long-distance rail and high-speed rail lines and accelerating the deployment of alternative fuels infrastructure along roads and at ports and airports. The TEN-T regulation proposal is complemented by the ‘Action plan to boost long distance passenger and cross-border passenger rail’ and a proposal to extend the TEN-T to neighbouring countries, such as Ukraine (through an amended proposal published in July 2022, taking into account the consequences of Russia’s war of aggression against Ukraine).

Parliament adopted its draft report on the TEN-T proposal in April 2023, followed by the immediate beginning of the interinstitutional negotiations with Parliament and the Council, with the target to reach an agreement during this legislature before the 2024 elections.
This second package also included a communication on the new Urban Mobility framework (COM(2021)0811), putting the emphasis on public transport and multimodal digital mobility services. Parliament plans to adopt its initiative report on the new Urban Mobility Strategy during its May 2023 plenary session.

In November 2022, the Commission adopted its proposal on revising the Euro 6 emissions standards for cars, vans, lorries and buses (now Euro 7 standards). It includes stricter emissions standards for all petrol and diesel cars, vans, lorries and buses. It is currently awaiting a committee decision (2022/0365(COD)). In February 2023, the Commission adopted a revision to Regulation (EU) 2019/1242 on strengthening CO₂ emissions standards for heavy-duty vehicles (2023/0042 (COD)). It is currently awaiting a decision by the Committee on Transport and Tourism.

In the first quarter of 2023, the Commission plans to adopt a regulation on multimodal digital mobility services with the aim of harmonising and better integrating public transport and rail services to achieve multimodal passenger transport. In combination with this, the Commission plans to adopt a delegated regulation on multimodal digital mobility services (tools to compare travel options), with a focus on improving these services by providing more data on all transport modes.

In the second quarter of 2023, the Commission plans to adopt a regulation ‘CountEmissions EU’ that sets out a common framework for calculating and reporting greenhouse gas emissions related to transport, which can be applied both to passenger and freight transport. Clearer information on transport emissions will help service provider’s track and lower their emissions, increase the efficiency of their transportation services, and let customers select the most environmentally friendly choice. In the same period, the Commission plans to adopt a regulation on proposing measures to better manage and coordinate the capacity of railways to increase their share of transport and ultimately make EU transport more sustainable and efficient.

B. Automatic driving and intelligent transport systems

Given the rapid pace with which the technology is developing, the EU is attempting to ensure common rules. With growing automation and connectivity, enabling vehicles to ‘speak’ to one another, mobility is crossing a new - digital - frontier. These developments, which are being accelerated by progress in artificial intelligence, allow for a whole new level of cooperation among road users, which has the potential to be extremely advantageous for both them and the mobility system as a whole, including making transportation safer, more accessible, and sustainable (COM(2018)283). In its communication, however, the Commission is also aware of the challenges associated with automatic driving and stresses the need to better understand its ethical and societal effects (such as on employment and new skills needed) and to tackle emerging ethical issues as soon as possible.

Directive 2010/40/EU on Intelligent Transport Systems (ITS) lays out a framework for the deployment of ITSs. These are advanced applications with the goal of providing innovative services regarding different transport modes, to better manage transport, to improve information for users and to make transport safer and more coordinated. In December 2021, the Commission adopted a proposal for revising Directive 2010/40/EU with the aim of accelerating and coordinating the deployment of ITSs to improve safety,
traffic efficiency and driver comfort (COM(2021)0813). Interinstitutional negotiations with Parliament and the Council began in December 2022, with the target to reach an agreement during this legislature before the 2024 elections.

ROLE OF THE EUROPEAN PARLIAMENT

In addition to providing active support for the liberalisation of transport markets and the ‘sustainable mobility’ model, Parliament has continued to stress the need to combine these with comprehensive harmonisation of the social, tax and technological environment and of safety standards.

On 12 February 2003, Parliament adopted a resolution on the Commission’s 2001 White Paper entitled ‘European transport policy for 2010: time to decide’ (COM(2001)0370). The resolution stressed sustainability as the foundation and standard for European transport policy, and the importance of creating an integrated global transport system. This would be done without undermining the competitiveness of road transport, and on the basis of fair charging that covers infrastructure and external costs for each mode of transport. Parliament made a multitude of specific proposals covering each individual mode of transport, transport safety, the timetable for completing the TEN-T and its funding, and more effective coordination with other EU policy areas, and other transport-related topics.


In response to a further Commission communication, entitled ‘Together towards competitive and resource-efficient urban mobility’ (COM(2013)0913), published on 17 December 2013, Parliament adopted a resolution on sustainable urban mobility on 2 December 2015. In the resolution, Member States and cities are encouraged to draw up sustainable urban mobility plans which give priority to low-emission modes of transport, alternative-fuel vehicles and intelligent transport systems. The Commission and the Member States were urged to establish and exchange best practice examples of spatial planning and space use relevant to the establishment of a sustainable mobility network, as well as to launch public awareness campaigns that promote sustainable mobility. Cities were also encouraged to take part in a ‘Smart Cities and Communities European Innovation Partnership’.

Commission communication by putting forward a wide-ranging list of demands covering the whole spectrum of EU transport policy.

Parliament adopted two resolutions following the publication of the 2011 White Paper. The first was a resolution adopted on 15 December 2011, entitled ‘Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system’. In this resolution, Parliament assessed the main objectives outlined in the 2011 White Paper, and gave partial approval to the progress made in implementing it. On the establishment of a Single European Transport Area by 2020, the resolution stressed the insufficiently explored potential of transport in many areas, and emphasised the importance of a system that focuses on interconnection and interoperability. Parliament approved the 10 objectives for a competitive and resource-efficient transport system and the goals set in the White Paper for 2030 and 2050.

On 9 September 2015, Parliament adopted a second resolution on the implementation of the 2011 White Paper entitled ‘Taking stock and the way forward towards sustainable mobility’. In the context of the mid-term review, on 1 July 2016 the Commission published a working document entitled ‘The implementation of the 2011 White Paper on Transport five years after its publication: achievements and challenges’ (SWD(2016)0226). Parliament invited the Commission to maintain at least the same level of ambition as in the original goals. Furthermore, Parliament stressed that there was a great deal of work to be done on an operational and financial level to achieve these goals. It called on the Commission to come up with additional legislative measures and a comprehensive strategy for the development of low-carbon transport so that the objective of a minimum 60% reduction in GHG emissions from transport could be achieved by 2050. Parliament made a series of recommendations seeking to integrate all transport modes in order to create a more efficient, sustainable, competitive, accessible and user-friendly transport system. The main points included the modal shift and co-modality, modern infrastructure and smart funding, urban mobility, placing people at the heart of transport policy, and the global dimension of transport. In November 2018, Parliament’s Policy Department for Structural and Cohesion Policies published a study entitled ‘Modal shift in European transport: a way forward’.

Furthermore, in its resolution on a European strategy for low-emission mobility adopted in December 2017, Parliament highlighted the need for the transport sector to make a greater contribution to climate goals. In this context, it emphasised, among other aspects:

— The need for investment in multimodality and public transport;
— The need to send clearer price signals across all transport modes in order to better reflect the polluter pays and user pays principles;
— The role of digitalisation in sustainable mobility.

Parliament also called for a more ambitious approach to renewables in transport than proposed in the recast of the Renewable Energy Directive, and the creation of incentives for the deployment of sustainable alternative fuels for transport modes that currently have no alternatives to liquid fuel. On 14 September 2022, Parliament voted
in favour of raising the share of renewables in the EU’s final energy consumption to 45% by 2030.

Following a Commission communication entitled ‘Towards the broadest use of alternative fuels – an Action Plan on Alternative Fuels Infrastructure’ (COM(2017)0652), Parliament adopted a resolution in October 2018 calling on the Commission to bring forward a revision of Directive 2014/94/EU on the deployment of alternative fuels infrastructure, and to focus on its proper implementation. Ultimately, this led to the revision of the AFIR by the Commission in July 2021 (as mentioned before).

Parliament also welcomed the Commission communication entitled ‘On the road to automated mobility’ (COM(2018)0283), but in a resolution of 15 January 2019 Parliament stressed that European actors must join forces to take on the role of world leaders in autonomous transport. However, Parliament also stressed the ethical challenges ahead and called on the Commission to develop, together with other stakeholders, ethical guidelines for artificial intelligence. Moreover, the Parliament called on the Commission to implement standards for protecting self-driving cars against the risk of cyberattacks.

In January 2020, Parliament adopted its resolution on the European Green Deal, thereby following up on the Commission communication and putting forward some guidelines for transport under the heading ‘Accelerating the shift to sustainable and smart mobility’.

More recently, on 13 November 2020, Parliament adopted a resolution entitled ‘the Sustainable Europe Investment Plan – How to finance the Green Deal’, which also contains input from the Committee on Transport and Tourism.

Following the COVID-19 outbreak and its subsequent impact on transport, on 19 June 2020 Parliament adopted a resolution entitled ‘Transport and tourism in 2020 and beyond’ calling for rapid, short- and long-term support for the transport and tourism sectors to ensure their survival and competitiveness. Since March 2020, Parliament has also adopted several related acts under the urgent procedure aimed at combating the immediate negative effects of the pandemic on the transport sector.

In June 2022, the Parliament adopted a resolution on the Commission’s proposal of a Social Climate Fund. Parliament voted to introduce a definition of ‘mobility poverty’, which refers to households with limited access to affordable transport or with high transport costs. The Parliament pointed out that the measures and investments supported by the fund should help vulnerable households and transport users. Especially those who are strongly impacted by the effects of the transition to climate neutrality, such as citizens with high-energy costs and citizens affected by mobility poverty.

In February 2023, Parliament adopted a resolution on developing an EU cycling strategy. The Parliament suggests to promote cycling habits and to promote a green transition in the EU by having more dedicated cycling lanes, parking spots for bicycles and a reduction of VAT on the supply, repair and rental of bikes and e-bikes.

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