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REPORT

On

The White Paper on a Single European Transport Area

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INTRODUCTION

1. Background: EU Transport Policy and the EEA

The EU Transport Policy¹ encompasses all aspects of all modes of transport (market access, competition, safety, security, environment, social law, international agreements, etc) and it comes under the ordinary legislative procedure², within which the European Parliament enjoys powers to co-decide on all EU legislation.

This policy is one of the 'oldest' common EU policies. It is of direct relevance to the EEA States on the basis of Chapter 6 and Annex XIII of the EEA Agreement.

2. The 2011 White Paper on Transport: 'curbing mobility is not an option'³

The White Paper on Transport was adopted by the European Commission at the beginning of 2011 to inspire the Common Transport Policy until 2050. Through the implementation of 40 'initiatives' it aims to:

- 1) Complete the internal market by removing the obstacles that still exist, be they regulatory or technical.
- 2) Achieve a genuine trans-European transport network (TEN-T) via new financing and new tariff rules for infrastructure.
- 3) Reduce greenhouse gas emissions through modal shift and new technologies.
- 4) Reduce dependence on oil without sacrificing mobility.
- 5) Integrate the transport sector into the global market to protect European interests.

The main significant outcomes of the White Paper **by 2050** would be:

- a reduction of at least 60% (in relation to 1990) in climate gases emissions from the transport sector;
- the phasing out of 'conventionally-fuelled' cars in cities;
- the setting up of a 'core-network' of multimodal infrastructures connecting the main urban and economic centres of the continent; or
- a 50% shift of medium distance intercity passenger and freight journeys from road to rail and waterborne transport.

Nevertheless, these ambitious goals will not be easily achieved: the current major economic and financial difficulties will certainly have an impact on the transport sector⁴. What is more, many of these objectives were already mentioned in the previous White Paper⁵ which was implemented between 2001 and 2010 with an inadequate track record during a period that was largely a time of prosperity in comparison to the current financial situation.

3. Relevance of the 2011 White Paper on Transport to the EEA

¹ Title VI of the Treaty on the Functioning of the European Union (TFEU).

² Article 294 TFEU.

³ White Paper, paragraph 18.

⁴ Whereas the Union's GDP shrank by 4.2% between 2008 and 2009, the number of passenger-kilometres fell by 0.7% and the number of tonne-kilometres by 11.2%.

⁵ European transport policy for 2010: time to decide (COM(2001) 370 final).

The White Paper on Transport⁶ is EEA relevant. In the White Paper, there are listed 40 'initiatives'. These 40 initiatives are areas divided into categories and specific actions⁷. 39 of these initiatives are EEA relevant. However, there might be specific proposals under the initiatives of lesser EEA relevance. Most notably, the EEA EFTA States do not participate in the funding framework of the Trans-European Transport Network, TEN-T, mentioned in initiative 37. Taxation measures mentioned in initiative 39 would also fall outside the scope of the EEA Agreement. The guidelines of the TEN-T, however, are incorporated into the EEA Agreement. The last of the 40 initiatives, "The External Relations", is not EEA relevant, since it deals with EU's cooperation with third countries and the EEA Agreement does not cover relations with countries outside the EEA.

4. Position of the European Parliament on the White Paper⁸

Indeed, the European Parliament has tried to steer the Common Transport Policy towards a rather more realistic approach, in particular more consistent with the 'Europe 2020' strategy⁹ which has to be implemented between now and 2020.

While supporting the objectives of the White Paper, with particular emphasis on climate change, the TEN-T and the achievement of the single transport area, and due to the fact that 2050 is definitely very far, it has assigned goals to be achieved by 2020 to the Common Transport Policy. This is particularly true for road safety, the internalisation of external costs, and the social and working conditions.

On the other hand, as regards the reduction of climate gases emissions, the European Parliament has set intermediate objectives to be reached by 2020 which are more ambitious than those laid down in the White Paper but in accordance with the targets laid down by the '20/20/20' strategy¹⁰.

5. Position of the EEA EFTA States on the White Paper¹¹

The position of EEA EFTA States is close to that of the European Parliament. The EEA EFTA States endorse the goals and strategy set out in the White Paper (with the same emphasis on climate change, TEN-T and single transport area). Nevertheless they consider the reduction of emissions of climate gases put forward in the White Paper as too low and slow, arguing that the main focus should be on the reduction of energy consumption, especially fossil fuel.

The EEA EFTA States emphasise the need for a differentiated transport policy in peripheral and sparsely populated areas that allows for political objectives to reduce the costs of distances, and that "the framework of a common European strategy and

⁶ Roadmap to a Single European Transport Area – Towards a competitive and resource efficient transport system (COM(2011)144 final).

⁷ See page 19 onwards of the White Paper for the complete list of initiatives; <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0144:FIN:EN:PDF>

⁸ EP Resolution of 15.12.2011 (P7_TA (2011)0584).

⁹ Europe 2020. A strategy for smart, sustainable and inclusive growth (COM(2010)2020 final).

¹⁰ Limiting global climate change to 2 degrees Celsius - The way ahead for 2020 and beyond (COM(2007)2 final).

¹¹ EEA Document 1107432 of 19.9.2011. <http://efta.int/~media/Documents/eea/eea-efta-comments/2011/2011-09-19-eea-efta-comment-white-paper-roadmap-to-a-single-european-transport-area.pdf>

legislation, it is vital to ensure that national or local adaptations can be made to future proposals”¹².

It is worth noting that unlike the White Paper, the EEA EFTA States favour a combination of public funding and user charges to finance transport infrastructure as, according to them, charges based on total costs recovery would lead to unreasonably high tariffs, especially in peripheral and sparsely populated areas with not so much traffic (this issue is not addressed by the aforementioned EP resolution). Furthermore, the EEA EFTA States underline that rules and regulations in the field of Private-Public Partnerships (PPPs) should be flexible and not favour or oblige use of PPPs, due to differences in financial and organisational situations in the EEA countries.

The EEA EFTA States fully supports the multimodal approach in the White Paper, but underlines that unlike the “user pays” principle, an efficient approach to modal split will be internalising external costs and creating a level playing field for all modes of transport.

6. Major topics currently of interest to the EEA

There are a number of EEA relevant legal acts and initiatives related to the White Paper on Transport that are currently being debated. Some of these are¹³:

Focus on clean urban transport

One of the prominent areas of the White Paper, relevant for the EEA EFTA states, relates to reducing emissions from urban transport. One of the goals listed for a competitive and resource efficient transport system is to:

- "Halve the use of ‘conventionally-fuelled’ cars in urban transport by 2030; phase them out in cities by 2050; achieve essentially CO₂-free city logistics in major urban centres by 2030."

The argument in the White Paper is that cities suffer most from congestion, poor air quality and noise exposure. Urban transport stands for 25% of CO₂ emissions from the transport sector, whereas 69% of road accidents occur in cities.

As cities are becoming more dense and public transport options more widely available, a switch to cleaner means of transport is facilitated, including walking and cycling routes as an integral part of urban mobility and infrastructure design. The White Paper argues for the use of smaller, lighter and more specialised road passenger vehicles, combined with large fleets of urban buses, taxis and delivery vans with alternative propulsion systems and fuels. This would reduce carbon intensity and provide a test bed

¹² This need is not specifically addressed by the White Paper. It will be answered through the regulation that will be adopted to implement it, on the basis of more general principles and provisions laid down by Art.5 of the Treaty on European Union (subsidiarity and proportionality principles), Art.96 TFEU (compensation for public service obligations in the field of transport) and Art.174 TFEU (cohesion). Indeed, it goes without saying that the provisions of the White Paper pertaining to, for instance, the shift from road to rail and waterways cannot apply to Iceland where there is neither railway nor inland waterway.

¹³ Please note that this list is not exhaustive

for new technologies. Furthermore, road pricing and the removal of distortions in taxation could also assist in encouraging the use of public transport.

Furthermore, the use of Intelligent Transport Systems to real-time traffic management, reducing delivery times and congestion for last mile distribution is encouraged. There is a series of suggested specific actions to be implemented in the White Paper in the field of urban transport and development of more sustainable modes of transport¹⁴.

The Regulation amending the current requirements on recording equipment in road transport¹⁵

The proposal will introduce the following changes: (1) remote communication from the tachograph for control purposes, (2) merged functionalities of driver cards with driving licence, (3) automated recording of precise location, (4) ensure integration of digital tachograph in Intelligent Transport Systems, (5) increase the trustworthiness of workshops, (6) minimum degree of harmonisation of sanctions, (7) training of control officers, (8) scope of Regulation (EC) No 561/2006 on the harmonisation of certain social legislation relating to road transport.

Directive on a single European railway area¹⁶

The proposal for a Directive aims to recast the First Railway Infrastructure Package in order to simplify, modernise and unify the legislative framework for access to the rail transport market. The key amendments concern: (1) infrastructure development strategy; (2) rail-related services; (3) cross-border agreements; (4) charging systems; (5) regulatory bodies.

The Directive amending the current requirements on the minimum level of training of seafarers¹⁷

The main aim of the proposal is to integrate into EU law the 2010 amendments to the Convention on Standards of Training, Certification and Watchkeeping.

The Regulation on Union guidelines for the development of the TEN-T¹⁸

The proposal aims at: (1) gradually develop TEN-T taking a dual approach comprising a comprehensive network (expected to be in place by 31 December 2050) and a core network (expected to be in place by 31 December 2030); (2) setting the framework for identifying transport projects; (3) promoting projects with third and neighbouring countries. The Regulation is expected to be adopted in the first half of 2013.

The TEN-T is of relevance to the EEA since these guidelines are incorporated into the EEA Agreement. However, EEA EFTA States do not participate in the financial mechanism of the TEN-T Programme.

¹⁴ For information regarding the specific actions suggested in this area, see Annex 1 of the White Paper, in particular initiatives 24-33.

¹⁵ COM(2011) 451 final of 19.7.2011.

¹⁶ COM (2010) 475 of 17.10.2010

¹⁷ COM(2011) 555 final of 14.9.2011.

¹⁸ COM(2011)650/2 of 19.10.2011.

A European vision for Passengers: Communication on Passenger Rights in all transport modes¹⁹

The Communication evaluates current EU legislation on passenger rights and presents an overall picture of the state of passenger rights within the European Union. The Communication aims to help: (1) carriers (a more coherent and effective application of EU law); (2) national authorities (a harmonised enforcement of passenger protection across all modes); and (3) passengers (a better understanding about what they can legitimately expect when travelling).

The Airport Package

The Airport Package includes three regulations to reform, respectively, the mechanisms for the allocation of slots²⁰, the organisation of groundhandling services²¹ and the rules to mitigate noise²² at European airports.

The 2014-2020 Framework Programme for Research and Innovation²³

The new Framework Programme could provide the opportunity to establish an ambitious research and development programme on mobility.

Directive on driving licences which include the functionalities of a driver card²⁴

According to the proposal, driver cards would be incorporated in all driving licences as from 19 January 2018. They would be issued, renewed, exchanged and replaced in accordance with Directive 2006/126/EC as regards driving licences which include the functionalities of a driver card.

¹⁹ COM(2011) 898 of 19.12.2011

²⁰ COM(2011) 827 final of 1.12.2011.

²¹ COM(2011) 824 final of 1.12.2011.

²² COM(2011) 828 final of 1.12.2011.

²³ COM(2011)808 final to 812 final of 30.11.2011.

²⁴ COM(2011) 710 of 11.11.2011