

Jarzembowski, Georg

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Georg Jarzembowski\*

# European Transport Policy in a Broader Perspective

*On 12 July 2007 the European Parliament passed, with an overwhelming majority, a resolution on the Communication from the Commission to the Council and the European Parliament of 22 June 2006 entitled "Keep Europe moving – Sustainable mobility for our continent – Mid-term review of the European Commission's 2001 Transport White Paper".<sup>1</sup> This article outlines the main positions of the European Parliament in relation to the focal points of the Commission's position concerning present and future European transport policy.*

As the debate on the Commission's mid-term review had been going on since the summer of 2006 among the general public as well as in the Council and the parliamentary committees, the European Parliament took a broader perspective on European transport policy than the Commission. This was also due to the fact that the issues of European energy and environmental policies had meanwhile gained greater importance within the general policies of the European Union.

Since the Parliament's habits of voting on amendments and of formulating compromises in the committees and in the plenary are quite complex and a little strange, the final versions of the Parliament's resolutions are occasionally not easy to comprehend in detail. This article therefore tries to describe the main positions of the Parliament and thus reflects the author's personal view of the substantial opinions formulated by the European Parliament in its Resolution of 12 July 2007.

## Connecting with the Lisbon Strategy

So far the European discussions on the Lisbon Strategy – the objective set by the EU Heads of State and Government in March 2000 to develop the EU into "the most competitive and dynamic knowledge-driven economy by 2010" – have tended to neglect the importance of European transport policy for the development of the Internal Market and of economic, social and territorial cohesion within the European Union. At the annual EU summits European transport policy has hardly been discussed or even mentioned. Yet there cannot be further growth in the Union without the necessary infrastructure for all modes of transport or without the completion of a truly European transport policy. The European Parliament therefore demands

the full integration of transport policy into the EU Lisbon Strategy and into the national Lisbon plans of the Member States.

Within the Lisbon Strategy, European transport policy should certainly also be more closely linked to the European energy and environmental policies and vice versa. So far European transport policy has too often been developed considering only demands for the mobility of goods and citizens, yet neglecting its interdependence with the objectives of energy and environmental policies. On the other hand, the European environmental and other policies quite often did not especially take demands for mobility into account. Recent examples of the necessity to find balanced solutions among conflicting aims are the new EU Maritime Policy and the proposal for including aviation in the emission trading scheme. Therefore the European Parliament stresses the need for a better interconnection of transport policy and other policies such as energy, environment and innovation.

## Implementation of Existing Legislation

While the European institutions are still developing new European legislative acts in the transport field, the European Parliament and the European Commission are increasingly realising that the Member States are reluctant to implement even the existing European directives and regulations. So while, for example, we are now finalising the Third Railway Package, the Commission's report on the implementation of the First Railway Package made it obvious that some Member States have not transposed this legislation into their national laws in time. At present the European Commission is investigating about 300 cases of not, or not correctly, implementing European transport legislation. Therefore the European Parliament calls on the Com-

\* Member of the European Parliament, speaker of the EPP-ED Group (Christian Democrats) in the Committee on Transport and Tourism.

<sup>1</sup> The Parliament's position was prepared by the excellent rapporteur of the Transport Committee, Mrs. Etelka Barsi-Pataky, from Hungary.

mission and the Member States to ensure the punctual and correct implementation of the existing European transport legislation and encourages the Commission, if necessary, to sue Member States at the European Court of Justice.

### **Improved Cooperation with Member States and Regions**

At the same time the European Parliament stresses the need for strengthened cooperation among the European, national, regional and local levels in transport policy. This includes not only the implementation of legislation but also the development of a common transport policy. The best example for the latter is the upcoming Communication from the Commission on an urban transport policy for the European Union. Since urban traffic is characterised not only by high congestion in major cities, which also affects national and European mobility, but also by a 40% contribution to overall emissions by the transport sector, there will probably be the need for European guidelines for urban transport with a broad perspective – at best promoting the principle of best practice between the Member States. Certainly the European institutions will thereby have to respect the principle of better European legislation and the principle of subsidiarity.

On the other hand it would also be very useful if the Member States would financially support more transport projects by using the regional fund of the Union. Too often the Member States use this fund for all kinds of important national projects other than transport projects. Yet the transport infrastructure of the Union – which has often not been expanded in accordance with the demands of the transport sector – requires the construction of Transeuropean motorways and also the construction of connecting national and regional motorways.

### **Diversity of Circumstances**

The enlargement of the European Union by ten new Member States in 2004 and two more in 2007 has caused a significant increase in the diversity of the transport situation in the Union. In most of the new Member States the transport infrastructure had been inadequately developed over decades. Thus, countries such as Poland or Romania have an extensive need for the construction of motorways, whereas the European Union generally tends to promote the development of the railway infrastructure – for the old Member States. Furthermore, the new Member States are still occupied with the transposition of the *acquis communautaire* up to 2004, the set of European transport legislation at their accession. They are therefore

quite often reluctant to agree within the European institutions to the enacting of new transport legislation and demand exceptional provisions or longer transitional periods in the specific acts of legislation, e.g. in the Third Railway Package.

So far the European Treaties include special provisions especially in the provisions of the Transeuropean Networks and of the economic and social cohesion for peripheral regions and islands. These provisions call on the European institutions to take into account the particular situations of these areas. In so far it is generally accepted that for peripheral regions and islands European legislation can decide to make exceptions from the general principle of the Internal Market that implies the same rules for all parts of the Union.

Because of the new situation after the two enlargements the European Parliament stresses the need that European institutions should more generally take into account the diversity of circumstances in the 27 Member States and the hundreds of regions in their further acts of legislation.

### **The New Aim of Co-modality**

Whereas the 2001 White Paper had advocated a modal shift in favour of the railways, the Commission's mid-term review introduces the promotion of "co-modality" as the new aim. Co-modality means the efficient use of the different modes of transportation on their own merits and in combination with one another. Each transport mode is thus to be optimised and become more environmentally friendly, safe and energy-efficient.

This change in policy philosophy is well justified since the deficiencies in the railway sector that existed in 2001 have meanwhile been resolved. With the First, Second and now the Third Railway Package the European Union has substantially established the legal framework for an Internal Market for the railway sector. It is now up to the railway companies to use this legal framework and to offer their services in a cost-efficient and customer-oriented manner in accordance with the demands of industry and passengers.

The European Parliament therefore accepts the idea of co-modality and advocates, within the cooperation of the different transport modes, a modest shift to more environmentally friendly modes such as rail, buses and coaches, maritime transport and inland navigation. Such a shift could also reduce road congestion in the Union and, in particular, better utilise the vast potential of inland navigation, the transportation level of which is still quite low.

### **Trans-European Transport Networks**

The European Parliament notes that the added value of the Trans-European Transport Networks (TEN-T) programme for European transport policy cannot be achieved unless the entire network is completed; and that, unfortunately, the construction, and especially the funding, by the Member States and the European Union even for the 30 TEN-T priority projects remains very limited. These projects include major European corridors in the railway, motorway and inland waterway networks as well as in short sea shipping. Even the TEN budget line of the EU budget for the financial period 2007 to 2013, where the European Commission had proposed an amount of €20 billion for supporting the TEN-T projects, has – after the massive reduction by the Council and a slight increase by the Parliament – been reduced to a final volume of only about €8 billion.

As the rapid construction of the TEN-T projects is not only essential for meeting demands for the mobility of goods and passengers but also for enabling the improved functioning of co-modality, the Parliament has made a number of proposals and demands to the European Commission and the Member States – the latter having reserved their rights to plan and mainly finance the TEN-T projects themselves: new methods of financing transport infrastructures should be developed. In that sense the establishment of the Guarantee Fund at the European Investment Bank for supporting public-private partnerships in this field is most welcomed. At the foreseen revision of the EU Financial Perspective 2007 to 2013 in the year 2008 the budget lines for the TEN-T projects and for transport-related research programmes should clearly be raised. The present EU TEN-T budget funds should primarily be spent on cross-border sections, transport hubs and significantly congested routes, and that only strictly according to the financial feasibility and the planning stages of the projects and according to the willingness of the Member States to make their shares of the funding in their national budgets available at the due time.

### **The “User Pays” Principle**

In order to help the financing of the transport infrastructure, among other things, the European Parliament advocates a fairer charging of the costs of the infrastructure to the users. Although the financing of the infrastructures is very differently handled in the 27 Member States – partly by general taxes and also by special taxes (vehicle taxes, fuel taxes, road pricing by vignettes) or partly by concession systems for motorways – the Parliament believes that especially for the

use of motorways by trucks a fairer charging in relation e.g. to the railway networks should be considered. Yet such new charging – based on the “user pays” principle and the ability to apply the “polluter pays” principle – should only be realised on the strict condition that the new revenues are reinvested in the transport sector.

This stricter introduction of the “user pays” principle has on the other hand to be seen in relation to the more general principle of the internalisation of external costs that has been advocated by the European Parliament for several years. The European Commission has promised to present a Communication on the internalisation of external costs by summer 2008. This methodology paper shall firstly outline how external costs like emissions, noise and congestions can be calculated on a scientifically sound basis for each mode of transportation and secondly which external costs should then be charged in which way to the users of the individual transport modes. Whatever the results, the internalisation of external costs is to be introduced at the same time for the different transport modes in order to avoid the distortion of competition among them.

### **Intelligent Systems**

The European Parliament points out that even if the Trans-European Networks were constructed in an adequate period of time the transport infrastructures will soon reach their limits in relation to the growing demand by industry and citizens. Therefore the Parliament advocates the improved use and the earlier introduction of intelligent transport systems, technology innovations and transport telematics in order to improve transport efficiency, to reduce congestion and to improve the safety and environmental performances of the different modes of transportation. In this sense the Parliament urges the rapid introduction of intelligent systems and technological innovations such as SESAR (Single European Sky Air Traffic Management Research Programme), ERTMS (European Rail Traffic Management System), RIS (River Information Services) and Galileo (the European satellite based global navigation system).

Besides such intelligent transport systems a further instrument for achieving sustainable mobility, especially for goods, is the use of logistics, as the Commission rightly pointed out in its 2006 Communication on “Freight Transport Logistics in Europe – the key to sustainable mobility”. Yet it has to be noted that even the Commission is of the opinion that transport logistics is primarily a business-related activity and a task

for industry that can only be supported by the Union and the Member States by setting up the appropriate legal framework. In that sense the European Parliament strongly supports the development of a framework strategy by the Commission and emphasises that this strategy should include in particular the ports, the development of overall logistic platforms and the abolishment of bureaucratic red tape e.g. in EU internal short sea shipping.

### **Transport Safety and Security**

Although not extensively mentioned in the resolution, the European Parliament strongly supports the Union's commitment to improve safety in all modes of transport. A special aim is to cut by half the present number of 40,000 road fatalities by 2010. The measures to improve transport safety range from vehicle design and technology through road infrastructure to driver behaviour. As in reality the transport safety records vary considerably from State to State the Union's method to date of achieving better transport safety by setting guidelines especially for the exchange of best practice among the Member States is the most effective one. This method is especially adequate for the human factor since the Member States and the regions can best reach the citizens to change the behaviour e.g. of drivers.

Since the terrorist acts of 11 September 2001 the issue of transport security has become a major concern for the Union. Not only that the European Union has to take adequate measures to avoid terrorist acts within the Union – remember the terrorist acts on trains and buses in Madrid and London and the attack attempted on a train in Cologne – but the Union also has to react to the often unilateral setting of security provisions by the US administration, especially in shipping and ports as well as in aviation. In the latter fields the European Union tries to find reasonable global solutions. But as the example of the provision for the special control of liquids in hand luggage shows, the proportionality of such provisions is quite doubtful. The massive control of passengers concerning dangerous liquids that can nevertheless not be detected by the present X-ray machines might well be out of proportion in relation to the possible security gains. The same is true for the new plan by the US administration to X-ray all containers bound for US ports.

### **External Dimension**

As the example described above clearly demonstrates, the external dimension of transport policy is becoming more and more important and this is true for nearly all modes of transport. This dimension of trans-

port policy also includes the connecting policy areas such as energy, environment and security. Therefore the European Parliament stresses the necessity for better cooperation with third countries individually as well as in international organisations such as the International Maritime Organisation and the International Civil Aviation Organisation.

In the larger Europe the external dimension of transport policy can, and should be, handled within the cooperation of the individual agreements of the European Neighbourhood Policy. In the international transport organisations the positions of the European Union – including those of the European Parliament – can best be represented by the European Commission instead of by the 27 Member States. Yet the Member States are still very reluctant to accept and support the membership or even the observer status of the Commission in international organisations since they fear the loss of their influence more than they see the advantage of the Union's speaking with one voice.

Furthermore, the European Parliament clearly expresses its wish that the Commission and the Member States involve the Parliament earlier and more substantially in the negotiations with third countries. This all the more since many subjects of such agreements have interdependencies with the internal policies of the Union, so that consensus with the Parliament will quite often be needed for the final agreement anyway. A good example of an early and substantial cooperation between the Commission, the Council – representing the Member States – and the Parliament has been the negotiations with the United States on the EU-US aviation agreement in 2006/2007.

### **Conclusions**

Finally, the European Parliament is of the opinion that the Commission's 2006 mid-term review has so far not sufficiently taken up, or found adequate answers to, the new challenges of reunified Europe and of an integrated approach to transport policy. Therefore the Parliament calls on the Commission to start its preparations immediately for a new Communication on European transport policy after 2010.

The Parliament's resolution of 12 July 2007 on the Commission's 2006 mid-term review presents in my opinion a well-founded basis for the on-going debate on future European transport policy with a broader perspective. All interested parties in the transport sector are invited to join in this debate. The European Parliament is most interested to learn the opinions and ideas of the business community, the trade unions, the academic community and the citizens.