

Memorandum to the French Presidency



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Summary of Recommendations

The principles of sustainable development need to be the defining principles for European transport policy. Transport policy should have as its goal the social, economic and environmental objectives inherent in sustainable development.

The products of the Commission work programme this year – a review of the programme implementing the Common Transport Policy, adoption of a Green Paper on urban transport, revision of the transport TEN guidelines – along with the finalisation of the Intergovernmental Conference (IGC) offers the French presidency an unrivalled opportunity to advance this goal.

We recommend to the French presidency to:

- ❑ **ENSURE** that the revision of the Common transport policy defines sustainable development as the principle objective of transport policy.
- ❑ **DEVELOP** clear environmental targets.
- ❑ **ORGANISE** joint meeting of transport and environment ministers - and maybe spatial planning ministers when this is not the responsibility of the environment ministers - at one of the informal meetings of the environment council.
- ❑ **LAUNCH** the noise free cities network.
- ❑ **ORGANISE** an event to disseminate the results of the UK SACTRA report on Transport and the Economy - or at least talk about it during the informal Council meetings.
- ❑ **PRESS** for resolution of the National Emission Ceilings and Ozone Directives that accounts for compliance with the Kyoto Protocol, and places due consideration for human health.
- ❑ **URGE** the Commission and the member states to envisage additional areas for common or co-ordinated action, decide on the competence, and move ahead with the implementation of the European climate change programme.
- ❑ **(RE)INITIATE** discussions on kerosene taxation; develop as a first step a European Aviation Environmental Charge; continue the discussion started in the EP, with a petition, on European wide night flight bans; and initiate discussions in the Council on the introduction of VAT for flight tickets.
- ❑ **PLACE** speed limits at the heart of the discussion on the communication on road safety and facilitate application of a norm across the EU for urban speed limits of 30 km per hour.

1. Introduction – A chance to redirect transport and the environment

In the second half of the year 2000 the EU agenda offers the French Presidency a unique opportunity to redirect EU transport policy into line with other EU policy areas.

The finalisation of the Intergovernmental Conference (IGC) and the ongoing enlargement negotiations complement other parallel transport policy processes. In particular the review of the TEN guidelines, the revision of the programme implementing the Common Transport Policy, and ongoing efforts to make transport pricing fairer and more efficient.

Historically there has been tension between different elements of EU policy, in particular with respect to transport and environment, tensions that the Court has had to resolve on occasion. The mutually supportive nature of the issues due to be considered at the end of this year, however, offers the French government the opportunity to establish a new EU transport policy framework free of any such tensions. Transport as part of EU health policies has been ignored to this day.

This paper will begin by outlining the general principles within which the Presidency should work in order to achieve this new transport framework. These principles will come from the Treaty, international declarations and standing commitments of the French government and so should present a coherent framework acceptable to the Presidency.

The paper will then outline an approach that will allow consistency with these principles for the numerous individual transport related dossiers. This report also outlines how this approach is relevant to the current French government priorities including examples of the kinds of events that the Presidency could consider hosting.

2. Key Principles

The principles to underpin a new EU transport policy framework – a truly sustainable transport policy – derive from widely agreed principles and binding international undertakings.

The general principles of sustainable development derive from the realisation that increasing human welfare need not lead to environmental degradation. Indeed the twin goals of increased welfare and development on the one hand and environmental protection on the other can be mutually supportive. **However, for this synergy to be realised the three pillars of sustainable development, economic, social and environmental, need to have equal weight.**

This is now the case in the EU Treaty, with economic, social and environmental goals all being given equal weight in the Article that outlines the objective of the union, Article 2. Additionally, the Treaty also requires, with a view to sustainable development, that environmental protection is integrated into all aspects of Community policy (Article 6).

This concept of sustainable development arose from the debates of the 1970s and 1980s on the conflict between providing economic development for the poorest countries on the one hand, and protecting the worlds resources and its environment on the other. It became clear that far from there being a choice between tackling these two problems, they were in fact different manifestations of the same underlying problems.

A development path had to be found that provided much better for the current generation whilst protecting the resources and environment future generations would need.

As this concept began to clarify it also became increasingly clear that the principles of sustainable development applied to all the countries of the globe. All countries need to adapt and change so as to implement sustainable development policies, including EU Member States. In fact different states have a shared but differentiated responsibility that reflects their particular situation.

A series of principles allied to the principle of equity within and between generations further underpin sustainable development. The polluter pays principle, the precautionary principle are the two most important of these.

The polluter pays principle is merely an extension to the accepted legal principle that anyone causing damage is liable for reparations. The polluter pays principle is an application of this principle of liability from law. The precautionary principle ensures that the burden of proof regarding the safety of any process or product lies with its advocates.

Sustainable development as a concept has thus evolved into the understanding that social, economic and environmental policies form three pillars that together target the objectives of sustainable development. These objectives are equity within and between generations and the application of the polluter pays and precautionary principles.

However, it has proven more difficult to apply, in terms of practical policies, the principles of sustainable development than achieve agreement on the principles

themselves. Gaining future political agreement on policies will depend on elaborating policies that respect each of the pillars of sustainable development: the social, economic and environmental.

Applying this approach to various sectoral policies has been an even greater challenge. At Rio this challenge was confronted by the production of Agenda 21. However, despite the wide coverage of the forty chapters of agenda 21, there was no chapter on transport. The principles of sustainable transport have to a great extent, therefore emerged in the period since the 1992 UNCED.

At a meeting in Vancouver in 1996 Transport minister of the OECD first attempted to apply the principles of sustainable development to transport. They noted that the

current transportation system is not on a sustainable path. Our admirable achievements in terms of mobility have come at some considerable environmental as well as social and economic cost. The challenge now is to find ways of meeting our transportation needs that are environmentally sound, socially equitable and economically viable. Accessibility, not mobility, is the issue.

The minister outlined a series of nine principles which would be required for sustainable transport. These principles addressed: Access, Equity, Individual and Community Responsibility, Health and Safety, Education and Public Participation, Integrated Planning, Land and Resource Use, Pollution Prevention, and Economic Well-being.

These principles were a foundation upon which two important declarations were built that re-affirmed European Transport Ministers commitment to sustainable development in general and sustainable transport in particular. In 1997 in Helsinki, transport ministers agreed at the 3rd Pan-European Transport Conference to a set of principles for sustainable transport. A key development in this agreement was the primacy given to the need to make the polluter pay alongside the recognition that for transport this requires that the current external costs of transport be internalised into its prices.

Taking a step further, later in 1997 Transport Ministers met at the United Nations Regional Conference on Transport and Environment in Vienna where they not only agreed to a declaration re-affirming their commitment to sustainable transport, but also to a programme of joint action. This programme of joint action, whilst non-binding, is an indication of the importance which transport ministers attached to redirecting transport policies towards sustainability.

One of the actions in the Vienna programme of joint action related to the importance of health impacts of transport and the role that integration with health as well as environmental policies played in defining sustainable transport. The lead actor identified to advance this aspect was the World Health Organisation (WHO); and this mandate allowed the WHO to include transport in their 3rd Regional Conference on Environment and Health in London in 1999.

The Charter on Transport, Environment and Health that was agreed at this meeting marks a watershed in the understanding of transport's contribution to sustainable development. Not only can transport policies be altered so that the negative impacts of transport on health can be avoided (lower pollution or accident levels for example), but that transport could have a positive health benefit. Walking and cycling as opposed to car dependency increased life chances by increasing general fitness. The three pillars of sustainable development, social, economic, and environmental could be served by transport policy rather than be at odds to it. For this to happen, however,

transport policy needs to be fundamentally redirected.

As far as the issue of internalisation of external costs is concerned, this issue is already very much on the EU agenda. A Green Paper (COM) from the Commission on fair and efficient prices in 1995 has been followed by a 'White Paper on Fair Payment for Infrastructure Use' (COM in 1998). The Commission has set up a high level group to assist in the formulation of policy in order to formulate a system that is equitable between and within modes of transport, and ensure application of the polluter pays principle in transport.

By the time of the last Intergovernmental Conference the principles of sustainable development were sufficiently developed to allow its inclusion in the Treaty: "environmental protection requirements must be integrated into the definition and implementation of Community policies and activities"... "in particular with a view to promoting sustainable development" (Article 6).

How this may be achieved? At the request of the EU heads of government (at the Luxembourg Summit and later re-affirmed at the Cardiff, Vienna, Cologne, and Helsinki Summits) an assessment of nine policy sectors have taken place. The transport councils integration strategy in response to the EU heads of government requests represents a good starting point by which the French government can base its approach to application of sustainable development to the transport sector under its presidency.

At the same time, the 6th Environmental Action Programme is currently being developed for the Community and needs to accompany in a consistent way the development of a EU-wide sustainable development strategy (currently also being developed in the European Commission – lead by President Romano Prodi). The most efficient way to do this is to set clear goals for environmental protection.

3. Specific Dossiers

As the French Government establishes the priority issues for the agenda during its Presidency there are two distinct kinds of dossiers: those which are currently part way through the legislative adoptive procedures and those for which such discussions are yet to commence, including those due to emerge from the Commission during the presidency.

It used to be the case that there was little pressure or incentive for presidencies to complete the work initiated by their predecessors. This led to legislative delays in the EU. Since the Amsterdam entry into force, the situation has somewhat changed. The troika system ensures a degree of continuity between successive presidencies and the legislative timetable laid down in the Amsterdam Treaty demands much more efficiency in the later stages of the process. Where the presidency has an opportunity to make its mark is, therefore, more and more in connection with the choice of *new* issues it brings to discussions, as well as its success in *completing* those for which discussions were underway as it took up the EU reigns. Each presidency also benefits more and more from co-operating actively with the other institutions of the European Union, i.e. the Parliament and the Commission.

The emerging issues can thus make the difference for any presidency. It is therefore a big opportunity for the French government that a number of key initiatives are due to be presented to the Council during their presidency.

This Memorandum will address first these emerging issues. Thereafter, the paper will make a review of the ongoing dossiers and the opportunities therein for the presidency to take the lead.

3.1 Emerging Issues

3.1.1. The Common Transport Policy

During the French Presidency there are a few new transport policy initiatives due to be adopted by the Commission that could contribute to a new more sustainable set of European transport policies.

Firstly, the Commission is reviewing the programmes necessary to apply the **Common Transport Policy** and is due to adopt a communication outlining their intentions in the summer. This review will need to reflect the changes to the Treaty that have occurred since the programme implementing the Common Transport Policy was last reviewed.

In particular the Treaty now requires *as an objective of the Union* a high degree of protection for the environment and human health. It also requires that environmental considerations be integrated into all policy areas with a view to sustainable development. Indeed this particular revision to the Treaty has required that the EU develop specific strategies for sectoral policy areas, such as transport, to ensure that these new Treaty requirements are met. The strategy for the transport sector was adopted by the transport Council on the 6th of October 1999 and welcomed by the EU heads of government at their summit in Helsinki in December 1999.

The French presidency must work with the Commission to ensure that the communication adopted by the Commission outlines a framework for the common

transport policy contributing to the implementation of the transport integration strategy. This would require that the initiatives the Council invited the Commission to adopt in the strategy (Paragraph 20) be included within the new framework proposed for the CTP.

Moreover it would also require that the review of the CTP recognise that “*an indefinite continuation of current trends in the growth of private and commercial road transport and aviation is unsustainable in relation to environmental impacts at local, regional and global level*” (paragraph 6 of the Transport Councils integration strategy).

Moreover, the Presidency should ensure that its response to this Communication further promotes the adoption of policies necessary for sustainable transport in the EU. This is vital because the approach that has been adopted thus far has been one that merely mitigates against transports negative impacts, rather than one that aims to transform the social, economic and environmental performance of the sector. Concerns over the need to address the fundamental driving forces for transport were stated in the Integration Strategy adopted by the Transport Council in 1999. The objectives that were agreed in this integration strategy should form the basis for the objectives of the new programme to implement the common transport policy:

10. With the overall aim of promoting sustainable development of transport, the Council basically believes that long term environmental concerns such as climate change, decrease in biodiversity, use of energy and other resources as well as the degradation of the quality of our living environment, including human health impacts, should play a role equal to other concerns, such as economic and social factors, when formulating future transport policy.

11. It is necessary to ensure that economic growth can continue without necessarily entailing traffic growth with an increase in the negative effects of transport. At the same time, it is also necessary to facilitate the efficient functioning of the transport system as a whole and to provide equitable access to transport services.

The Council also went on to recognise the targets and objectives that already exist on a Community level and that give guidance to the different strategies on transport growth and on the environment.

We recommend to the French presidency that the revision of the Common transport policy defines sustainable development as the principle objective of transport policy and that this is supported by clear objectives to achieve agreed social, economic and environmental targets.

According to the Council Integration Strategy the Commission should continue its “**work on transport pricing in order to elaborate proposals for the next steps by the middle of year 2000**”. Such an item is, however, not part of the Commission’s published work programme and it will be important for the French Presidency to highlight this inconsistency in the conclusions of the first Transport Council meeting of their presidency.

3.1.2. Urban Transport

Urban transport is another new dossier in the transport arena of the Commission initiatives due during the French presidency. The French presidency will see the first European Car Free Day on September 22nd. This is an initiative that has seen the

French authorities taking a lead role. At the same time as this event occurs, **sustainable urban transport** is due to come onto the agenda with the adoption of a Green Paper on the topic.

The momentum created by the car free day should be used by the Presidency to discuss the issues in the Green Paper with all Member States. This will also aid in the goal of bringing the Union closer to the citizen, as the issues discussed reflect the daily realities of the majority of the Union's citizens. The Presidency should especially examine ways in which the ideas that are outlined in the Green Paper can be advanced most rapidly.

In this context, we recommend to hold a joint meeting of transport and environment ministers - and perhaps spatial planning if this is not the responsibility of environment ministers - at one of the informal meetings of the Environment Council.

We also recommend that new and costly research programme not be brought forward, but that strong political commitment is shown by the Presidency to favour cycling as more than 50% of motorised trips are on less than 5 km.

3.1.3. Noise

A related new initiative is the adoption by the Commission of a **Noise Framework Directive**. Noise, for which the main source is mainly transport, is perhaps the type of pollution that affects most directly European citizens and their health. The French Presidency should encourage Member States to support this Commission initiative.

In the spirit of the car-free day, we recommend to the French presidency to use its mandate to launch the noise free cities network.

3.1.4. Trans-European Networks

One further initiative due from the Commission is a proposal to revise the guidelines for implementing the **Transport Trans-European Networks** (TEN-Ts). When these guidelines were first elaborated strategic environmental assessment was in its infancy, especially as related to corridor assessments needed for TEN-Ts. The guidelines called on the Commission to develop the necessary methodologies and over the intervening time progress has been made. It is expected that the Commission will therefore revise the section on the guidelines on the Strategic Environmental Assessment (SEA, Article 8) in light of the research results it has at its disposal. The TEN-T guidelines also need to be revised in such a way that the provisions of public participation in the Åarhus Convention are incorporated.

Furthermore, during the same period, an extensive review has been undertaken by the UK government Scientific Advisory Committee on Trunk Road Assessment (SACTRA). The conclusions of this report (*Transport and the Economy*- UK-DETR August 1999) have large-scale implications for the way in which transport infrastructure projects, such as TEN-Ts, are assessed. The SACTRA report calls for a far more comprehensive approach to assessment, one that has the ability to determine the true benefits and costs of initiatives such as TEN-Ts. As far as possible, the French Presidency must ensure that these conclusions, are applied to the assessment of

TEN-Ts. Indeed, given the large amount of funds due to be committed to these initiatives, it would be a derogation of financial responsibility if the EU institutions ignored them.

France, as the guardian visionary of the European Idea has almost a responsibility to consider new ways to develop further a Europe that is good to its citizens and to their environment. The French Presidency could make the idea of sustainable development a reality for Europe and its citizens and prove that France can still assume the leadership role that it assumed in the past. Sustainable development is about developing the social, economic and environmental pillars together. This means breaking the old-fashioned and damaging links between infrastructure and the economy.

To take this idea further, we recommend to the French Presidency to organise an event to disseminate the results of the SACTRA report, or to at least discuss it during the Informal Council meeting.

The French Presidency could also ensure that this redirection of priorities towards greater cost effectiveness should also be taken up by those financing large transport infrastructure projects. Multi-lateral development banks such as the European Investment Bank and the European Bank for Reconstruction and Development need to be brought into line with **all** the policies of their member governments, more effectively than has been the case in the past.

3.2 Ongoing Dossiers

Of the ongoing dossiers, the two that are of greatest importance are the Inter-Governmental Conference (IGC) and the enlargement negotiations. Other important dossiers include: the national emissions ceilings directive/ozon daughter directive, auto-oil / fuel quality and climate change/6th Conference of the Parties. Lastly, this paper will mention two other on-going dossiers, that are as such being treated by T&E in the form of externally funded projects, aviation and freight traffic.

3.2.1. Intergovernmental Conference (IGC)

T&E has assisted in the elaboration of a comprehensive set of recommendations addressed to the IGC by the eight largest environmental NGO networks, called "Greening the Treaty III". The main recommendations of Greening the Treaty III are that the IGC agree to:

- 1. Use qualified majority voting for all decision-making on the environment, in particular for fiscal measures for environmental purposes.¹**

¹ As regards qualified majority it appears from discussions with the French permanent representation that France would accept the principle of unanimity being an exception in decision-making and kept only for institutional questions, national ratification issues and issues of own resources, security and defence and exemptions to the single market. France seems also willing to discuss QMV for the environment, social affairs and taxation.

2. **Unlock the doors to the European Court of Justice for cases against the EU institutions brought by citizens or their organisations to defend interests of a shared nature, such as the environment.**
3. **Include the right to a clean and healthy environment in the Treaty or a binding Charter of Fundamental Rights.**
4. **Require the European Commission, as part of the Community's law-making procedures, to promote a meaningful and ongoing civil dialogue with non-governmental organisations at the Community level.**

The arguments made in support of these recommendations can be found in detail from the publication available either by post or from T&E's web site: <http://www.t-e.nu>.

3.2.2. Enlargement

It is now more than ten years since the destruction of the Berlin Wall, which came to symbolise the spectacular political changes, which were to sweep across the states of Central and Eastern Europe (CEE). Although much has changed in this time, political and economic stability remain fragile for many countries in the region. As a result, enlargement of the EU to the East is now seen as a central and urgent priority for the EU, to ensure both economic prosperity and political stability. This process is having, and will continue to have, important repercussions for future transport and environment policy in an enlarged EU.

In the integration adopted by transport ministers, the development of less damaging transport modes for Accession States was seen to be particularly important, and the Council noted that 'the allocation of funds to applicant countries could be linked, where possible, to the development of such modes.' This is an important proposal, but the use of the word 'could' rather than 'should' indicates a significant degree of uncertainty on the Council's part.

The Council strategy also called upon the Commission to report on the SEA of TEN-T in 2001, and on the Transport Investment Needs Assessment (TINA) network in the year 2000. It is significant that the latter requirement did not refer specifically to SEA, reflecting a lack of progress on environmental evaluation of TINA.

In spite of general policy statements, then, there are still clearly deficiencies in the ways in which environmental issues are being addressed in CEE, and on the priority given to environment generally in the EU enlargement process. This is clearly inconsistent with Council of Ministers' requirement that environmental considerations should be integrated 'from the outset' in transport policy in CEE, and urgent action is needed to redress this deficiency.

Equally, it should be stressed that national governments in CEE tend to favour highly visible prestige projects such as new motorways over cheaper and potentially more productive local measures. All accession countries already show a similar pattern of priority given to road construction to that which can be seen historically in the EU, while existing public transport systems fall into decline.

It is also important that the French Presidency works with all funding agencies in order to co-ordinate and review their activities, so as to reconsider whether large scale transport infrastructure constitutes the most productive and cost-effective means

available to encourage economic development. It is also necessary to ensure that funding for new infrastructure of this sort does not 'crowd out' other more sustainable expenditure, either in transport provision or elsewhere.

In spite of the remaining difficulties, the current situation in terms of transport provision in CEE still gives the EU an unrivalled opportunity to promote more sustainable development in the future - but not unless current priorities are reviewed and transformed across the board rather than in a piecemeal way, and as a matter of urgency.

The European Spatial Development Perspective (ESDP) objectives are to bring EU spatial development in line with the social, economic and environmental principles of the EU. "This means... reconciling the social and economic claims for spatial development with the area's ecological and cultural functions and hence contributing to a sustainable, and at larger scale, balanced territorial development". This is particularly relevant for the transport sector as projects such as the Trans-European Networks develop.

Spatial development policies and urban development measures have a role to play in influencing the behaviour of local business and the population in order to improve the possibilities for a shift from road traffic to the environmentally friendly transport modes, local public transport, cycling and walking. A multitude of different initiatives are also required in long-distance traffic, in particular by increasing the shift to rail, inland waterways and coastal and maritime transport. (ESDP European Spatial Development Perspective, Towards Balanced and Sustainable Development of the Territory of the European Union, agreed at the Informal Council of Ministers responsible for Spatial Planning in Potsdam, May 1999, published by the European Commission).

During the 1995 French Presidency, the Informal Council responsible for spatial planning and regional policies developed important scenarios for the assessment of spatial development. The subsequent Presidencies of the EU emphasised the need for implementation of the ESDP. The ESDP is however an ongoing process, and the French Presidency has now a new opportunity to influence the development of the ESDP, given also the issue of enlargement. When revising the TENs and applying the ISPA funds to the TINA processes it is therefore important to involve the actors who play a role in the ESDP.

[More detailed information on enlargement issues can be found in the T&E Background Paper for the Conference on Transport and EU Enlargement. See <http://www.t-e.nu>.]

3.2.3. National Emissions Ceilings (NECs) / Ozone Daughter Directive

A first reading of this dossier in the European Parliament has supported the proposal of the European Commission. The Commission has issued a statement on the amendments passed. The Council will now have to reach a common position – which will probably happen under the Portuguese Presidency still. If no common position is possible under the Portuguese, the French Presidency needs to advance this dossier with rapidity. If a common position is achieved under the Portuguese Presidency, the dossier could come back to the Council at the end of the French Presidency for conclusion.

T&E urges the French Presidency to press for resolution of this dossier that accounts for compliance with the Kyoto Protocol, and that places due consideration on human health.

Unfortunately, some Member States have expressed a wish to go no further than the Gothenburg Protocol to the Geneva Convention signed last year. However the lack of ambition for real improvements in this Protocol was so great that Environment Commissioner Margot Wallström refused to attend this signing ceremony in her home Member State. We believe that even the Commission proposal is rather unambitious, particularly when the effects of compliance with the Kyoto Protocol are taken into account. T&E, along with the European Environmental Bureau and the Swedish NGO Secretariat on Acid Rain, has commissioned independent research into how much further pollutants could be reduced under energy scenarios that respect climate change goals.

The paper published, "Getting More for Less" (available on <http://www.t-e.nu>) utilised the same models that both the Commission and the UN-ECE use to assess costs, effects, and emissions reductions. It found that by using the same policies Member States will largely implement to achieve their Kyoto commitments – a mixture of energy efficiency improvements, better technology, and fuel switching – the ambition levels of NECs could be increased whilst the costs associated with implementation could fall.

Given the current trends in greenhouse gas emissions, the credibility of the EU at large, and its Member State governments, are being questioned by the wider international community as regards compliance to the Kyoto Protocol. To base a regional measure on emissions of other pollutants assuming non-compliance with the Kyoto Protocol can thus do great harm to EU credibility on the international stage.

More worryingly, doing so little makes no sense either for environmental objectives nor health protection concerns. Indeed, the Gothenburg Protocol sends a worrying message to EU citizens on the value their governments attach to their health. The high mortality levels associated with ozone pollution episodes should not merely be of concern to governments during summer months. Strong policy action is required, which includes going beyond the Commission proposals for NECs and Ozone Daughter Directives.

We urge the French presidency to attempt to stimulate the other Member States to enhance commitments under this dossier.

3.2.4. Auto Oil/Fuel Quality

The Commission should adopt a Proposal immediately prior to the French Presidency following completion of the Auto Oil II Programme. It is unclear at this stage how comprehensive this proposal will be, but at a minimum it will contain a completion of the fuel quality standards applicable in 2005. Currently only the benzene and sulphur content of fuels have been set in the 2005 fuel quality standards. The other fuel quality parameters will have to be set on the basis of the results of the Auto Oil Programme. Indeed, the current Directive (1998/70/EC) **requires** the Commission to adopt such a proposal².

² Article 9 of the Directive stipulates the Review process - Directive 98/70/EC of the European Parliament and of the Council of 13 October 1998 relating to the quality of petrol and diesel fuels and amending Council Directive 93/12/EEC. *Official Journal L 350*, 28/12/1998 p. 0058 – 0068.

However, since the adoption of the first Auto Oil Directives there has been an increasing awareness among Member States of the importance of fuels with sulphur levels lower than that specified by the Directive. The French Presidency should facilitate a debate on what the sulphur levels need to be in addition to ensuring the quality of motor fuels is high enough to meet the member States legal requirements under the Air Quality Directives.

At the same time the French Presidency should examine the entire results of the Auto Oil Programme. The multi-stakeholder approach that has been taken to this comprehensive review of how best to reduce the environmental and health impact of the road transport sector could form a particularly important input to the debates on urban transport the French Presidency should facilitate. An important result of the Auto Oil Programme are the analytical tools it developed and neither these nor the results should be jettisoned following adoption of Commission proposals. For if they are a great deal of Member State expertise, stakeholder resources and tax payers money will have been wasted.

3.2.5. Climate Change and COP6

The sixth conference of the parties to the UNFCCC will take place during the French Presidency. This is important, as it will set the scene for future climate change policy globally, which will have strong repercussions on European climate change policy. France itself surely recognises the importance of having the Presidency during this Conference of the Parties as it was the first country in Europe to have developed a climate change plan. It must therefore acknowledge how important it is to have a well-defined programme, with openly stated medium and long-term objectives, and clearly identified policies and measures.

In preparation for COP6 and to respond to the requirements of the Kyoto Protocol, the European Commission has initiated the European Climate Change Programme, which identifies policies and measures to deal with CO₂ from the transport sector.

It seems to us that, given the wide range of possible measures to deal with climate change from the transport sector, it is necessary:

- to set up a list of these possible measures (as a first preliminary step);
- to identify the work already done in these areas (eg. in the Commission work programme, or in other fora) (as a second preliminary step);
- to identify which policies and measures are of Community competence; which are incumbent on the member states but would benefit from a better level of co-ordination; and which are best left entirely to national and local authorities (as a third and last preliminary step).

The approach taken in the 'Communication on EU policies and measures to reduce greenhouse gas emissions: towards a European Climate Change Programme (ECCP)' did not appear to cover these steps, which are in our views essential for an integrated transport and climate change policy.

Equally, the policies and measures listed so far in the Communication appear to specify only areas for which an identifiable Community policy process is already in train. T&E has identified a number of areas that could have been listed in the Communication. For additional information, see also the paper called "Road Transport

in Europe: a Critical Challenge for Policies and Measures” developed by Fergusson and Skinner, 1999.

Examples of additional policies and measures:

- fiscal measures for heavy goods vehicles;
- fuel tax;
- speed and safety policies;
- enlargement and the TINA process;
- general investment policies;
- best practice examples;
- measures in the aviation sector (this could be dealt with in the emissions trading sub-group; the community could come up with a cap for the aviation sector, as this sector falls out of the EU “mandate” and include it in the internal emissions trading scheme; this point needs further elaboration).

[For further information see also the ‘T&E assessment of the European climate change programme and the policies and measures for the transport sector’, Beatrice Schell and Malcolm Fergusson, April 2000 on <http://www.t-e.nu>]

We recommend that the French Presidency should urge the Commission and the member states to envisage additional areas for common or co-ordinated action, to decide on the competence, and to move ahead with the implementation of the European climate change programme.

3.2.6. Aviation

Aviation has multiple effects on the environment, be it locally, through noise and air pollution, or globally, through its climate change effects. As a global industry, the sector of aviation is regulated globally, and so are its environmental effects. In many cases this means, however, that much lower environmental standards and almost no regulatory measures are being put in place. The environment is in this context being sacrificed for the sake of a faster and more globalised industry.

Throughout the centuries and in its most recent past, Europe has shown that it thinks differently from other parts of the world. While the accepted rule outside of Europe is that of globalisation, Europe - and its regions - is trying to hang onto its cultural, social and environmental differences. Europe, therefore, needs policies that take into account these differences; and needs therefore its own environmental standards and policies for aviation.

In light of the principles mentioned in the introduction to this paper, it is unacceptable that an industry with such a high impact on the environment (noise, air pollution, climate change) should not pay its share for the environmental damage it causes: the price of which is currently borne by the whole society.

Global measures, particularly the market-based instrument that are currently under discussion, are simply not the solution to the problem, which, once again, should take into account the particular situation in Europe (eg. very high density population, therefore stricter standards for noise are needed).

It is therefore important that the solutions proposed by the Commission in its ‘Communication on Air transport and the Environment’ (COM (1999) 640) should be

made binding EU-wide within the shortest possible time. It seems clear that taxing kerosene (all other mineral oils are being taxed) would be fair towards the society, efficient for the transport sector as a whole, and environmentally effective. Despite these obvious benefits of taxation, a tax cannot be introduced, as taxation requires unanimity voting within the European Union legal framework.

One has to wonder however, on what possible grounds such lack of decision and political will can be justified, not only in the EU as a whole but within the member states!

In the same way, although all other EU goods and services are paying VAT to the benefit of the society as a whole, this is not the case for the aviation industry. Here again, the French presidency has a real chance to be visionary and to take important steps for the welfare and health of the European citizens.

We recommend to the French presidency to (re)initiate discussions on kerosene taxation; to develop as a first step a European Aviation Environmental Charge; to continue the discussion started in the EP, with a petition, on European wide night flight bans; and to initiate discussions in the Council on the introduction of VAT for flight tickets.

3.2.7. Road to rail – towards sustainable freight

The Transport Council integration strategy demands the promotion of inter-modal and combined transport, and of environmentally less harmful modes like railways, inland waterways and maritime transport (Paragraph 16b). T&E is currently undertaking a multi-year project on this issue of modal shift in the freight sector.

This project stems from the realisation that despite an agreement in principle to shift European freight transport from road to rail, practical realisation of this has proven difficult to achieve. Railways have consistently lost market share in goods transport since the 1970s, a trend that has not significantly changed despite good intentions from governments. Nevertheless, an increase in the environmental and economic efficiency of freight transport is needed more than ever, an improvement that could be promoted by modal shift, from road to rail for example.

Following the adoption of the “rail package” the French Presidency should actively pursue completion of a policy framework that will give the rail sector a level playing field with other modes to allow rail to apply its new competitive structure. For example, with regard to the revision of the TEN guidelines, the emphasis should be put on rail infrastructure including terminals and facilities for inter-modal transport road/rail (including bicycle transport facilities) but also port/rail. The importance of a sound balance of road and rail infrastructure investments is even more important in the framework of the enlargement discussion, which is covered by TINA. The improvement of railways infrastructure from and to the accession countries must be treated with high priority in order to stop the continuous decline of goods railways transport from and to these countries.

Finally, initiatives towards fair and efficient pricing should allow for higher charge levels in sensitive areas and should be applicable to all roads and not only on motorways and high class roads.

3.2.8. Communication on road safety

The Commission Communication on road safety (COM(2000)125 final, 17 March 00) fails to propose speed reduction of motorised transport as a priority at European level. Per se, such measure is most cost-effective; it benefits all road users as a whole.

We recommend that the presidency places speed limits at the heart of the discussion on the communication on road safety and facilitates application of a 30 km per hour urban speed limits norm across the EU.

4. Conclusion

T&E has tried with this Memorandum to tackle some of the most important issues in EU transport and environment policies; and to point out where it thinks that the French Presidency can make a difference.

In this context, it is however, very important for the French Presidency to develop a vision and to make sustainable development the “fer de lance” for its Presidency in the new Millennium. We have tried to outline very briefly in this Memorandum where we think that the French Presidency can ally with the Commission and its President, and the other institutions and develop the vision that is clearly needed in the EU.

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About this paper

“Sustainable development” needs to be the keyword for European transport policy. This means that the goals of European transport policy should be the social, economic and environmental objectives inherent in sustainable development.

The Commission’s work programme this year – a review of the programme implementing the Common Transport Policy, adoption of a Green Paper on urban transport, revision of the transport TEN guidelines – along with the finalisation of the Intergovernmental Conference (IGC) together offer the French presidency an unrivalled opportunity to work towards sustainable transport in Europe.

T&E has tried with this Memorandum to tackle some of the most important issues in EU transport and environment policies; and to point out where it thinks that the French Presidency can make a difference. This includes a series of concrete recommendations that together provide a coherent vision that is desperately needed in the EU for a transport policy that will be sustainable.

About T&E

The European Federation for Transport and Environment (T&E) is Europe's primary non-governmental organisation campaigning on a Europe-wide level for an environmentally responsible approach to transport. The Federation was founded in 1989 as a European umbrella for organisations working in this field. At present T&E has 37 member organisations covering 20 countries. The members are mostly national organisations, including public transport users' groups, environmental organisations and the European environmental transport associations ('Verkehrsclubs'). These organisations in all have several million individual members. Several transnational organisations are associated members.

T&E closely monitors developments in European transport policy and submits responses on all major papers and proposals from the European Commission. T&E frequently publishes reports on important issues in the field of transport and the environment, and also carries out research projects.

The list of T&E publications in the annex provides a picture of recent T&E activities. More information can be found on the T&E web-site: <http://www.t-e.nu>

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