



Council of the
European Union

Brussels, 8 September 2014

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NOTE

from: General Secretariat of the Council
to: Delegations

Subject: Summary record of the meeting of the **on Transport and Tourism (TRAN)** of the European Parliament, held in Brussels on 3 September 2014
Chair: Mr Cramer (G/EFA, DE).

TRAN held a discussion with Minister FRANCESCHINI on the Italian presidency's priorities in the field of tourism, had an exchange of views with experts on air safety following the downing of the MH17 and voted on its opinion on the general budget of the EU for the financial year 2015.

1. Exchange of views with experts on air safety (ICAO Europe (ECAC), Eurocontrol, IATA & EASA) - Follow-up to MH17 crash

Mr BRENNER, Director General of Eurocontrol, introduced the organisation and explained that its role as a network manager was to ensure that air traffic management was carried out safely. He focused on the route network, and in particular on criteria used in choosing a flight. In this context, he underlined that it was for Member States to decide whether their airspace was safe and that they were responsible for notification of closure of routes.

Mr SCIACCHITANO, Executive Secretary of the European Civil Aviation Conference (ECAC), reiterated that the Member States had complete and exclusive sovereignty over airspace above their territory, were responsible for safe operations in their airspace, had to provide information through notice to airmen (NOTAM) and had to limit their airspace in order to ensure continuous safe operations.

He acknowledged the problem of information-sharing and recalled that an ICAO task force on risks to civil aviation had been established on 4 August 2014 to reflect on how to collect and share information relevant to safety and security.

Mr BUONO, Regional Director for safety and flight operations in Europe, introduced the International Air Transport Association (IATA); his presentation focused on flying over conflict zones. He highlighted the role of safety risk assessment and informed members that from October 2014 onwards all airlines had to have procedures for such assessment in place. Nevertheless, he repeated that any decision on the closure and opening of airspace systems lay with member states. He explained that when airspace was closed, there were no flights. If it was open, the flight took place only when the risk was assessed as acceptable. He added that flight planning was based on the following priorities: safety, regularity, economy and comfort. Regarding the task force, he said that two immediate projects had already been identified – to explore how NOTAM could be used better to share critical information and to establish a new centralised system to promote sharing of conflict zone risk information.

Mr KY, Executive Director of the European Aviation Safety Agency (EASA) described the range of the agency's activities. In the field of aircraft safety, the agency had exclusive competence and certified all aircraft and components for Europe. In the field of air traffic management (ATM), responsibility was shared with the Member States. The agency issues non-mandatory safety recommendations. He acknowledged that sometimes Member States were reluctant to provide EASA with ATM-related information or it did not arrive in good time. As a way forward, he called for an alert system in the EU to cover all components of the aviation system. The key was appropriate sharing of appropriate information, with adequate involvement of military intelligence and the network manager regarding the operational aspect. He stated that EASA was prepared to take the leading role in coordination and dissemination of safety information in the ATM domain.

The Commission representative said that in reality the Member States could not fulfil all their obligations, which he considered a clear systemic risk. Consequently, operators might not have adequate information. He found EASA's proposal interesting, as he also saw a need for better information flow that would lead to better protection of EU passengers. Concerning the transparency towards passengers, he would be cautious about informing passengers beforehand.

During the discussion, many members raised the issue of responsibility for the downing and whether it could have been prevented. In this context, Mr ERTUG (S&D, DE) thought that the airspace over Ukraine should have been closed. Some members inquired why the MH17's flight route had been approved. Others were interested in whether the authorities had asked British Airways why they had changed their route and shared this information with other operators. In this context, Ms BACH (EPP, LU) asked to what extent the recommendations issued were binding. Mr MARINESCU (EPP, RO) and Ms MEISSNER (ALDE, DE) inquired whether there would be better coordination if the Single European Sky (SES) was in place. He also asked if the Commission was planning to propose any legislative or procedural measures to prevent this kind of situation. Ms KYLLÖNEN (GUE/NGL, FI) and Ms MEISSNER also questioned whether there were not too many players with responsibilities to be coordinated. Ms DELLI (G/EFA, FR) was interested in how to improve the coordination process and improve the centralisation of information. Concerning the information as such, Ms MEISSNER and Ms FOSTER (ECR, UK) mentioned the intelligence services as a potential source. Mr CRAMER (G/EFA, DE) highlighted that the primary consideration should be safety. Consequently, he saw a need for a common standard on safety of flights, together with factual information available to enable proper decision-making. Other issues raised were the crash investigation, an incident in the Alps region on secondary radar, information to passengers, the Russian threat to close trans-Siberian routes and provisions in place in case of an Icelandic volcano eruption.

Regarding information-sharing, Mr BRENNER underlined that Member States had an obligation to have and share the information with the network manager. Mr KY reiterated that they were responsible for ensuring safety in their airspace and informing of dangers, with the possibility of issuing a NOTAM to close the airspace concerned. Nevertheless, he explained that they did not have the same risk assessment (which Mr BRENNER proposed to share by a way of obligation). He underlined the need for information-sharing and for codification of this information at global level. Mr SCIACCHITANO stressed that any initiative in the area of air control should be fully coordinated with ICAO. He repeated that the task force would address weaknesses in information-sharing by creating a worldwide platform (without changing anybody's responsibilities). Mr BUONO voiced his support for a better flow of information. Concerning military information in particular, Mr BRENNER highlighted its sensitivity. In practice some information was partially shared and used, but he would welcome any step forward to improve the situation. In this context, he mentioned, together with Mr KY, the ongoing discussions on the level of involvement of military intelligence and ways to proceed.

Answering questions on why the MH17 flight route was accepted, Mr BRENNER reiterated that the route was open to fly at MH17's altitude and that the Ukrainian decision was transparent, shared and available. Nevertheless, he underlined that the background information of closures was not always available. On the decision of British Airways to avoid flying over Ukraine, Mr BRENNER said that there were always different options for the flight route, and the space over Ukraine was open. Mr SCIACCHITANO explained that British Airways were only following a recommendation. Mr KY repeated that safety recommendations were not binding, but forced those who did not apply them to do an extra risk assessment to justify not following it. The Commission representative added that he was not aware of any operator receiving privileged information based on which they were taking safer routes.

As to the causes of the accident, Mr BUONO recalled that the official investigation was ongoing, but was hampered by limited access to the crash site. The Commission representative added that the Dutch preliminary report would be available in the coming weeks.

As to the SES, Mr BRENNER was convinced that more progress could be made by optimising route design issues within its framework. Mr BUONO added that it could make the already safe system even more safe. The Commission representative welcomed members' support, but clarified that the accident had happened outside SES jurisdiction, so the absence of the framework had no direct link with the accident.

On whether too many players were involved, Mr SCIACCHITANO excluded it, as everybody's tasks were clear, with no link to the accident. Mr KY echoed his views. He suggested that perhaps the flow of information between different players could be enhanced.

With regard to the Russian threat to close the trans-Siberian routes, Mr SCIACCHITANO said that that would be a clear violation of the Chicago Convention. There were procedures to handle the situation, such as arbitration, but they would not lead to an immediate solution. The Commission representative stressed that it would not be acceptable.

As for information to passengers, Mr SCIACCHITANO said that the information to be communicated should be that the overall system was safe and working. Mr BUONO said that the information was not hidden. Nevertheless, he would not share all information, such as the position of aircraft at all times, for safety and security reasons. Moreover, flight plans frequently changed after flights were boarded, and that could not be communicated beforehand.

Concerning the danger of a volcanic eruption in Iceland, Mr BRENNER informed members that various measures had been adopted since the last incident in 2010, e.g. the creation of the crisis coordination centre for rapid exchange of information and greater harmonisation of procedures on how to deal with ash contamination of air space. With national procedures aligned, Mr BRENNER dismissed the possibility of similar consequences.

Regarding the radar interference in the Alps region, Mr BUONO and Mr BRENNER confirmed the incident, but rejected any link to the flight MH17 crash. The latter added that the incident was currently being investigated but could not confirm any link to a NATO military exercise in the area.

In terms of new legislative proposals, the Commission representative saw no need to rush. In any case, he could not commit to anything at the end of the current Commission's term.

2. Presentation by Italian Minister for Tourism, Mr Franceschini, on Italian Presidency priorities

In his presentation, Minister FRANCESCHINI argued that tourism, as a genuine factor of growth and economic development, should be streamlined at all levels of national and EU decision-making to reinforce Europe's brand position as the biggest tourist destination. In order to achieve quality tourism, the Italian presidency would focus on mobility development plans and intermodal transport aimed at improving access to more remote areas, as well as on the development of a European digital strategy to promote tourist products and services. Attention would also be devoted to human resources in the sector, including the need for high-quality professionals and for exchange of good practices. The Presidency would organise a European Tourism Forum on 30-31 October to look into the links between tourism and culture. Council conclusions on tourism would also be proposed, to strengthen the position of the industry. Concerning package travel, the Presidency would try to make progress in the negotiations, with the aim of reaching a second-reading agreement.

During the discussion, the coordinators of political groups Mr DE GRANDES PASCUAL (EPP, ES), Mr ERTUG (S&D, DE) and Ms FOSTER (ECR, UK) welcomed the focus on the promotion of Europe's branding. Nevertheless, linking it to competition between different Member States, Mr DE GRANDES PASCUAL and Ms MEISSNER (ALDE, DE) were interested in how the diversity of Member States could be brought together. Mr DE GRANDES PASCUAL and Ms FOSTER also emphasised the need for quality tourism. She underlined that the expectations of tourists needed to be met in terms of high standards.

In this context, Ms DELLI (G/EFA, FR) said that quality tourism could not be promoted without addressing the precarious working conditions in the sector.

Similarly, Mr DE GRANDES PASCUAL called for seasonal trends in tourism to be addressed.

Concerning visa policies and package travel, Mr ERTUG and Ms FOSTER spoke in favour of their being made easier. Mr LUNDGREN (EFD, SE) inquired how EU safety could be guaranteed in the face of (terrorist) threats. Mr ERTUG was also interested in measures to promote sustainable and intermodal tourism.

Ms DELLI criticised the fact that tourism was not incorporated in the challenge of tackling climate change, with a need for a sustainable response to the huge increase in mass tourism threatening national resources.

As to individual interventions, Members largely echoed the views expressed by the coordinators. In addition, they commented on improving access to tourist sites and destinations, industrial heritage, the effect of the EU decisions on subsidiarity and tourism and tourists' safety.

In reply, Minister FRANCESCHINI said it was important to recognise the need to work together. He stressed that the objective was not to create uniformity, but to strive for high standards while maintaining national traditions and diversities. The Europe brand was important and should be properly worked through. The sustainability and quality of tourism infrastructure were essential. Tourists' safety was of paramount importance, with the need to ensure that infrastructure and arrangements in place were as comprehensive as possible. In terms of simplification, he suggested that the issuing of all visas could be available at one consulate. The Minister acknowledged that intermodal transport services needed more work. Regarding incentives and supports, he referred to the investment possibilities under Article 195 and COSME.

3. Presentation by the European Commission (DG MOVE) on scrutiny of Commission's implementing powers (comitology)

The Commission representative presented the following measures, together with their objectives, status, scrutiny periods, budgets and details of the revision process:

- railway transport: technical specifications for interoperability relating to accessibility of the Union's rail system for persons with disabilities and persons with reduced mobility and the technical specification for interoperability relating to the subsystem 'rolling stock - noise';
- maritime transport: update of the technical Annex III of the Directive on Community vessel traffic monitoring and information system (VTMIS);
- road transport: classification of serious infringements related to issuing of licences for haulage;
- aviation: procedures related to the licencing of air traffic controllers.

Concerning the Commission's regular reporting to the European Parliament, she did not think it would become a regular practice, but was willing to come on request. Regarding greater involvement by the European Parliament, she referred to the clear rules on consultation of experts. Nevertheless, the rules of procedure allow, if requested, to invite the experts (not members) of the European Parliament to expert meetings.

*** *Electronic vote* ***

Adoption of draft opinion

General budget of the European Union for the financial year 2015 - all sections

TRAN/8/00607, 2014/2040(BUD)

Rapporteur: Roberts Zīle (ECR, LV)

(41 in favour, 4 against, 3 abstentions)

*** *End of electronic vote* ***

Next meeting

- 30 September 2014, 9.00 – 12.30 and 15.00 – 18.30 (Brussels)
