

Joint Committee on Environment, Transport, Culture and the Gaeltacht

Joint Committee's Contribution to the European Commission on its Proposal for a Regulation on Union guidelines for the development of the Trans-European Transport Network, Com(2011)650

1. The Oireachtas Joint Committee on Environment, Transport, Culture and the Gaeltacht is pleased to participate in the ongoing dialogue between national parliaments and the European Commission and is grateful for the opportunity it affords to contribute to policy development in the European Union. The Joint Committee intends to avail of the provisions of the Lisbon Treaty to the fullest extent and looks forward to the further enhancement of the political dialogue between the Commission and the Houses of the Oireachtas which is a key factor in the development of better EU policy and laws which properly reflect the concerns and needs of Irish citizens.
2. The Joint Committee has considered the European Commission's proposal in some detail and has held public hearings on the matter with the Department of Transport and has discussed the paper with the Minister for Transport, Mr Leo Varadkar. In connection with its work the Joint Committee also discussed the Commission's proposed regulation establishing the Connecting Europe Facility, COM(2011)665. Following its deliberations the Committee has prepared this contribution which seeks to address the key issues and asks that the Commission take into account the views and positions set out in this contribution when it comes to the ongoing negotiations.
3. The Joint Committee welcomes the overarching aims and objectives of the revision of the TEN-T Guidelines and the establishment of the Connecting Europe Facility and supports the Commission's efforts to establish a truly barrier free, efficient and innovative transport network. The Joint Committee notes the importance of this initiative for the Union's economic recovery by realising the positive potential of transport infrastructure for business and growth. Clearly given Ireland's geographical position an efficient network and excellent connections to mainland Europe is vital to Ireland's interests. A regulatory framework which encourages smarter investment decisions across Europe should result in Irish exporters gaining access to European markets quicker and more cheaply and should also facilitate more opportunities for overseas tourists to visit Ireland.
4. Ireland fully supports the co-ordinated development of trans-European networks and, where necessary, action at European level, particularly for cross-border sections of the transport networks. The Committee understands and agrees that such long term strategic thinking as shown by the Commission in its proposal is necessary. However the Joint Committee also agreed these ideal long term objectives need to be balanced with a full appreciation of the practical implications of the current difficult economic climate in which we all find ourselves.
5. The Joint Committee considered the Commission's proposal from the point of view of adherence with the Protocol on the Application of the Principles of Subsidiarity and Proportionality. The Committee noted that the Commission in its proposal and impact assessment justifies its action in this area by reference to the recognition in the treaties

of the need for EU level action on Trans European networks. The Joint Committee formed the view that in terms of the "necessity" and greater benefits test; the objectives of this measure includes transnational aspects which potentially can be better regulated at EU level. The Joint Committee agreed that on balance it did not believe that there had strictly been a breach of the principle of subsidiarity and therefore agreed not to consider a Reasoned Opinion on this proposal. However the Committee did express some concerns from a proportionality point of view, in particular with regard to how far the proposal goes to achieve its objectives as set out below.

General Comments

6. **Proposed Governance structures:** The Joint Committee has strong concerns regarding the proposed governance structures designed to ensure the delivery of objectives as set out in the draft Regulation. The Committee supports the Commission's initiatives to reduce administrative burdens and would like to see this philosophy more to the fore in this instance. A key principle should be the avoidance of unnecessary administrative burden on Member States or commercial stakeholders. In addition the Committee is concerned at the degree to which this Regulation imposes top-down requirements on Ireland and other Member State's transport networks and investment decisions - over and above what might be necessary. The Committee understands that a number of other Member States have raised concerns in this regard in particular that the regulation may result in the Commission being required to instigate infringement proceedings on Member States for non-compliance or delays in carrying out works.
7. **Specifications:** As regards the specifications set out in the Regulation the Joint Committee believes that a one size fits all approach is not optimum given the diversity of transport infrastructures and national requirements that exists across the EU. In Ireland's case the level of specification envisaged for both the Core and Comprehensive Networks may be disproportionate to the level of traffic flows across the network and the isolated nature of Ireland's transport network. This is particularly true for the rail network where the Commission's focus is on improving interoperability and developing higher speed rail links across Europe.
8. The Joint Committee believes that there is a clear case for a calibrated approach to the implementation of this Regulation which takes account of the specific nature of Member States' transport infrastructure and projected traffic volumes on the Network in more peripheral parts of that Network.
9. The Joint Committee looks forward to receiving the Commission's response to its observations and it hopes that the Committee's recommendations can be taken into account. The Joint Committee also intends to directly contact our counterparts in other national parliaments to share our views on this matter.

Oireachtas Joint Committee on Environment, Transport, Culture and the Gaeltacht

Dublin

24 January 2012