



Brussels, 18 July 2007  
D(2007)

## Opinion

**Title**                    **Impact Assessment on the Communication on enhancing urban transport security**

**(draft version of 15 June 2007)**

**Lead DG**                    **DG TREN**

### **1) Impact Assessment Board Opinion**

#### **(A) Context**

In the light of recent terrorist attacks and continued terrorist threat, transport security is a high political priority for the EU. The EC has already taken measures to protect aviation and maritime transport and made proposals for supply chain security. However urban transport is far from being approached in the same manner. This IA report accompanies a Communication on enhancing security in urban and suburban passenger transport.

#### **(B) Positive aspects**

The IA report analyses well the different urban transport security threats, targets for terrorist attacks and attack scenarios, and includes their underlying assumptions as a background for the problem description.

#### **(C) Main recommendations for improvements**

*The recommendations below are listed in order of descending importance. Some more technical comments have been transmitted directly to the author DG.*

**General recommendation: Taking into account the specific nature of urban transport, particularly the absence of a physical cross-border or intra-EU component, the IA report should explain and discuss more thoroughly the scope, added value and concrete policy options for Community action, as compared to national initiatives or non-EU international cooperation. In particular, the modalities and possible impacts (including administrative costs) of the different types of "practical stakeholder cooperation" mentioned in the IA should be made more explicit and analysed. This would imply substantial redrafting and the Impact Assessment Board stands ready to review a revised impact assessment report, should DG TREN decide to resubmit it.**

#### **(1) The IA report should be more specific in defining the main problems requiring action**

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and the possible initiatives at the EU-level, if any, that could mitigate these problems. The actions that may be already underway or planned by Member States to enhance urban transport security should also be examined.

**(2) The subsidiarity test has not been explicitly carried out.** While the gravity of the overall security threat in transport described in the IA is undisputed, the analysis should explain why, in the case of urban transport, Member States cannot address the identified threats and problems by themselves, and why EU action is the most effective policy response.

**(3) The policy options should be clarified and linked to the main problems requiring action.** The scope and content of the legislative and non-legislative options should be better described. It should be indicated to which extent all the options would correspond to the problems identified (for example how the options could answer the problem of insufficient protection systems). Moreover the IA could discuss the potential for non-EU international cooperation, (eg facilitated by the Commission), especially between big urban centres around the world with similar security challenges.

**(4) The analysis of impacts needs to be further improved.** Environmental, social and economic impacts need to be assessed separately for the options considered. For the preferred option 4 the modalities and possible impacts of the different types of "practical stakeholder cooperation" mentioned in the IA report should be made more explicit and analysed (e.g.: development of common standards, benchmarking, consolidation of knowledge, setting up an EU working group and national Focal Points, twinning). If options 2 and 3 (comprehensive regulation or limited EU mandatory plans) are considered realistic, they should be discussed more thoroughly. The IA could consider, for ex. which legal obstacles/issues these measures would have to overcome at national and European level, whether they would imply significant administrative costs, or to what extent the options considered would reduce the likelihood of a terrorist attack or alleviate potential losses or damages. In case the considered options result in significant administrative costs the EU standard cost model should be applied.

#### **(D) Procedure and presentation**

The IA report should follow the standard IA format. The text should indicate which parts of the IA report rely on a study carried out by an external consultant and, for these parts, DG TREN should clearly state that it subscribes to the findings.

## **2) IAB scrutiny process**

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