OPINION

European Economic and Social Committee

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – A European strategy on Cooperative Intelligent Transport Systems, a milestone towards cooperative, connected and automated mobility
[COM(2016) 766 final]

Rapporteur: Stefan BACK
<table>
<thead>
<tr>
<th><strong>Consultation</strong></th>
<th>European Commission, 27/01/2017</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Legal basis</strong></td>
<td>Article 304 of the Treaty on the Functioning of the European Union</td>
</tr>
<tr>
<td><strong>Section responsible</strong></td>
<td>Transport, Energy, Infrastructure and the Information Society</td>
</tr>
<tr>
<td><strong>Adopted in section</strong></td>
<td>16/05/2017</td>
</tr>
<tr>
<td><strong>Adopted at plenary</strong></td>
<td>31/05/2017</td>
</tr>
<tr>
<td><strong>Plenary session No</strong></td>
<td>526</td>
</tr>
<tr>
<td><strong>Outcome of vote</strong> (for/against/abstentions)</td>
<td>150/0/0</td>
</tr>
</tbody>
</table>
1. **Conclusions and recommendations**

1.1 The EESC welcomes the Commission Communication on a European Strategy on Cooperative Intelligent Transport Systems [COM(2016) 766] (the Strategy) and its ambitious aim to implement a first set of services (Day 1 services) in 2019 to be followed by the development of a second set of services (Day 1.5 services).

1.2 The EESC takes note of the numerous potential benefits following the implementation of the Strategy, including more efficient passenger and goods transport, on the Trans-European Transport Network as well, higher energy efficiency, reduced emissions and reduced risk of accidents in the field of road transport. The Strategy is an important milestone toward the development of C-ITS and, ultimately, automated mobility. The EESC endorses this project and takes note of the high level of cooperation between different sectors such as transport, energy and telecommunications necessary to implement digital transport systems including infrastructure, vehicles and innovative services.

1.3 The EESC appreciates the added value for mobility of the Day 1 and Day 1.5 services in particular for passenger transport and goods transport including distribution systems and takes note of several ongoing test projects in European agglomerations that go beyond the Strategy and that already involve testing of automatic vehicles for passenger transport. The EESC in this context also notes the importance that the Strategy attaches to avoidance of rebound effects such as increased traffic and emissions through measures to integrate connected, cooperative and automated vehicles in sustainable mobility and logistics planning and promotion of public transport.

1.4 The EESC also takes note of the favourable effects on IT competence level, development of new skills, and improved competitiveness of the EU data, automotive and transport industries, particularly in a long term perspective.

1.5 The EESC also draws attention to the importance of privacy and data protection, which was already raised in its opinion on the ITS Directive\(^1\). It underscores that C-ITS data should be used for C-ITS purposes only and not be kept or used to other ends, except with the consent of the user. The EESC considers that it is vitally important to make this clear through legally binding provisions as a means to create confidence in the system and in accordance with EU legislation, including Article 8 of the EU Charter of Fundamental Rights\(^2\).

1.6 The EESC underlines the importance of common standards and cross border interoperability as a matter of implementing the internal digital market and to ensure efficient crossborder transport.

1.7 The EESC underlines that it is important that the implementation of the Strategy leaves room for local and/or company specific solutions, also, when duly justified and proportionate, at the

---

expense of the general guarantee of interoperability and transparency requirements, whenever such solutions carry added value. Likewise, standardisation and transparency requirements must not be implemented in a way that hampers innovation.

1.8 The EESC draws attention to the importance of high standards of security to prevent hacking and cyber-attacks, high data protection standards and efficient compliance assessment. For the same reasons, dedicated security solutions will often need to be kept confidential.

1.9 Implementation of the Strategy may be a highly demanding process where the coordination method chosen will require constant communication, monitoring and follow up on the part of the Commission. Confidence building both among partners to the implementation process and with respect to the general public, including consumers, may be decisive for successful implementation. The EESC in this context draws attention to the rights of the handicapped to integration, as provided in the 2006 UN Convention on the Rights of Persons with Disabilities. The EESC recalls that its links with civil society could make it a useful partner in establishing a dialogue on implementation.

1.10 Regarding the legislative measures mentioned in the Strategy, the EESC underlines that it is important to avoid being too prescriptive. Interoperability and common standards must not therefore become an aim in itself, but should apply only where they serve a purpose that brings added value and do not hamper innovation and the need to resolve specific problems locally or at company level.

1.11 The Strategy addresses a first step in the implementation of C-ITS with comparatively limited effects on employment and working conditions (Day 1 and Day 1.5 services). It appears likely that it will be followed by deployment of automated vehicles with more significant effects on the workforce. For that reason, and to create a climate of mutual confidence, the EESC considers it important to start a social dialogue at an early stage to address possible issues concerning employment and working conditions.

1.12 The EESC underscores the urgency of advancing toward the next step in implementing C-ITS, that is, developing systems that also include vehicle-to-vehicle communication and traffic management. Testing projects and legislative planning appears to be well under way in Member States with an automotive industry and in the opinion of the EESC time is therefore of the essence if the EU wishes to play a significant part in promoting a European effort.

1.13 The C-Roads Platform set up in October 2016 is intended to play a significant role in implementing the Strategy. It has so far not been adhered to by all Member States. The EESC considers it urgent that all Member States adhere to this body.

1.14 The EESC appreciates the willingness of the Commission to support implementation through financial support. In this context the EESC also draws attention to the need to provide room for adequate planning of implementation measures at company level, bearing in mind, i.a., the financial constrains in the road haulage sector.
1.15 The EESC regrets the absence of a clear time planning for Day 1.5 services and beyond. The EESC also regrets the absence of an impact assessment. The reporting of the C-ITS platform contains elements that enable an evaluation of certain aspects of the Strategy, but in the opinion of the EESC this is not sufficient.

2. Background

2.1 The Commission Communication on a European Strategy on Cooperative Intelligent Transport Systems (C-ITS) [COM(2016) 766] (the Strategy) is closely linked to the Commission's political priorities, in particular its Agenda for Jobs, Growth and Investment, the Digital Single Market, and the Energy Union Strategy. It was presented as part of the so called energy "Winter Package" comprising mainly proposals on electricity internal market design, energy efficiency and renewable fuels.

2.2 The Strategy does not directly address energy issues. It primarily addresses development, and practical and legal aspects of the development of cooperative transport systems, including connected cars/automatic vehicles and infrastructure. It is also linked to the implementation of the Digital Internal Market and the European Strategy for Low–Emission Mobility.

2.3 The Strategy underlines the potential of C-ITS development to boost the competitiveness of European industry with a big market and employment creation potential. The added value of action at EU level follows from higher volumes in a bigger market with common standards. C-ITS development is a first step toward automated vehicles. C-ITS services are to be based on common standards and to be implemented by 2019 and beyond. They are based on vehicle-to-vehicle and vehicle-to-infrastructure communication and do not dispense with the need for a driver.

2.4 The Strategy defines a number of C-ITS services that can be deployed at once (Day 1 C-ITS services list) and further services that would be deployed in a second phase as full specifications or standards might not be ready for deployment by 2019 (Day 1.5 C-ITS Services list). The Day 1 list covers hazardous location notifications and signage applications and the Day 1.5 list covers functions such as information on fuelling and charging stations, parking management and information (on and off street), park and ride information, connected and cooperative information in and out of a city, traffic information and smart routing.

2.5 The Strategy emphasises the cross sectoral character of C-ITS implementation which concerns all modes of transport, industry and telecommunications. The facilitation of transport following from the implementation of the Strategy must not lead to increased transport and more emissions.

2.6 A number of specific actions are set out to implement the Strategy. They cover the following eight areas.

- Large scale implementation in 2019 of at least Day 1 services through action by Member States, local authorities, vehicle manufacturers, road operators and the ITS industry with funding assistance (CEF, EFSI, ESIF). Day 1.5 services and further C-ITS development are
not yet mature and development will be supported by the Commission through the Horizon 2020 programme and ESIF, where possible and the list of services updated through a continued C-ITS platform process.

- A common security and certification policy will be pursued though cooperation between the Commission and all relevant stakeholders. It will also be a foundation for addressing a higher service level (vehicle to vehicle, vehicle to infrastructure). Roles and responsibilities of a C-ITS European Trust Model and a possible governance role of the Commission to be analysed by the Commission.

- C-ITS service providers should offer clear and understandable terms to end users. The Commission will publish a first set of guidance on privacy protection in 2018 and C-ITS deployment initiatives should inform and create trust among end users, demonstrate the added value of use of personal data and consult with EU Data Protection Authorities to develop a data protection assessment template.

- Measures by the Commission and relevant stakeholders to ensure functioning communications on a frequency band provided by the Commission.

- Making use of the C-Roads platform to coordinate C-ITS implementation at operational level, including testing and validation. Further Member States are encouraged to join the platform.

- Development and publication by C-ITS initiatives of a compliance assessment process for Day 1 services. The Commission will develop a template for this process.

- The Commission will by 2018 in accordance with the ITS Directive adopt delegated acts on the continuity and security of C-ITS services, on practical implementation of the General Data Protection Regulation regarding C-ITS, on a hybrid communication approach, and on interoperability on the compliance assessment processes.

- The Commission will develop international cooperation in the C-ITS area.

3. General comments

3.1 The EESC welcomes the Strategy and takes note of the numerous potential positive effects of its successful implementation such as more efficient transport, both of goods and passengers, improved energy efficiency and reduced emissions, improved road safety and development of the digital economy.

3.2 The Strategy interlinks with several important ongoing strategies, namely the Digital Single Market, the Energy Union Strategy and the European Strategy for Low Emission Mobility, all of which have been welcomed by the EESC. The EESC also supports the cross-sectoral approach of the Strategy, and the new dimension this adds to transport policy.

3.3 The EESC in this context takes note of the link to the Digitising European Industry Strategy with respect to cooperative, connected and automated vehicles as a priority topic for boosting the competitiveness of European industry and an estimation of the market potential of such vehicles at "dozens of billions of euro annually and job creation into hundreds of thousands". The EESC finds it appropriate in this context to repeat its statement in its TEN/574 opinion on the Digital Single Market Strategy that invoking possible results of this kind might be an unnecessary risk and, at worst, negatively affect confidence, in particular in a case like this
where successful implementation of the Strategy largely depends on the interest of Member States, local authorities, the automotive industry and other stakeholders.

3.4 The EESC likewise draws attention to the importance of the Strategy for efficient mobility, including urban mobility and the last and first mile of goods and passenger transport.

3.5 The EESC also attaches importance to the crossborder interoperability of the services to be implemented in order to help ensure smooth traffic flow on crossborder links. Both the services readily available now (Day 1 services) and those almost ready to deploy and ready for starting deployment from 2019, though not completely ready for large scale employment (Day 1.5 services) will be very helpful for the efficient implementation of the TEN-T, in particular the TEN-T Core Network Corridors.

3.6 Bearing in mind that the Strategy is presented as part of the Winter Package energy policy, the EESC would have appreciated not only a repetition of the well-known figures of road transport’s share of emissions, but also some indication of the Strategy’s expected effects in the form of improved energy efficiency and reduced emissions.

3.7 The Strategy to a great extent is to be implemented through a collaborative method, involving the Commission, Member States, local authorities and industry. The Commission intends to use the C-Roads platform set up in October 2016 and currently with an adherence of 12 EU Member States to coordinate implementation of deployment of C-ITS Services, testing and validation to ensure interoperability and to develop system tests. The Commission will support the development by deployment of a compliance assessment process. The EESC agrees that a coordination function is indispensable for a successful implementation process but regrets that not all Member States have joined the C-Roads platform which appears to have a considerable shortcoming in its capacity to act as an efficient coordination forum (currently eight Core Member States and four Associated Member States). The EESC would therefore suggest that the Commission urgently brings political level pressure to bear on Member States to ensure full adherence to the platform.

3.8 The EESC appreciates that the Commission intends to take measures to ensure coherence on a number of important points. It will for instance publish "guidance" regarding the European C-ITS Security and certificate policy in 2017 and guidance regarding data protection in 2018. The Commission will also reserve the frequency band currently used for safe European Telecommunication Standard3 Services for C-ITS Services. The EESC also takes note, however, that the Commission will also consider, where appropriate adopting delegated acts under the ITS Directive 2010/40/EC in 2018 on ITS security, data protection, the communication approach and interoperability. On top of that, legislation on continuity of ITS Services and compliance assessment may be adopted. The EESC regrets that there is nothing to indicate on what grounds the Commission will decide whether to legislate or stop at guidelines that are not legally binding. With respect to the Commission plans to adopt delegated legislative acts under Directive 2010/40/EU on ITS, the EESC repeats the point made already in its opinion on that Directive that the limits for such acts drawn by Article 290 TFEU must be observed. The

EESC also underscores the urgency of prolonging the seven-year limit of the mandate to adopt delegated acts under Directive 2010/40/EU as the mandate to adopt such acts expires in August 2017.

3.9 The EESC approves the aim to achieve a cross sectoral and multi-layer implication of those concerned by the deployment of the C-ITS Services, that is, Member States, local authorities, vehicle manufacturers and transport operators. Success in implicating those elements in the implementation activities could provide a possibility to create confidence in the new services and give them a good start. The EESC in this context points to the rights of the handicapped to integration as provided in the UN Convention on the Rights of Persons with Disabilities (CRPD) adopted on 13 December 2006.

3.10 The EESC approves the importance attached to clear and understandable language in all relations with end users, highlighted as an important means to gain confidence in the proposed services. Legislation should respect the principles of the better legislation programme.

3.11 The EESC also underlines the importance of avoiding being over prescriptive in implementing the Strategy. It is important that there is room for parallel or dedicated solutions for specific purposes or for innovation. Too detailed and inflexible requirements may be a hindrance here and therefore prove contra-productive.

3.12 The EESC takes favourable note of the importance attached to financing and the willingness on the part of the Commission to make financial resources from EU funding such as CEF, EFSI and ESIF available for deployment of C-ITS services already operationally available and Horizon 2020 financing available for services still at development stage. The EESC underlines the importance of assessing the added value of projects, to ensure the best possible use of limited resources. The EESC in this context also draws attention to the strong competition in the road haulage sector, which is particularly highlighted in the Strategy, and which necessitate previsibility and room for long-term planning of investments needed to install or upgrade C-ITS components.

3.13 The introductory part of the Strategy pays a lot of attention to the development of automatic driving, that is vehicles that do not require driver intervention to move. The EESC nevertheless understands that the Strategy stops at implementation of vehicle-to-vehicle and vehicle-to-infrastructure communication. The Day 1 services, to be developed in 2019, will deal with hazardous location identification and signage applications whereas the Day 1.5 services deal with road planning, information on fuelling/charging stations, parking information etc. Hence, in the EESC's opinion, the important issues of responsibility for system errors or malfunctions or the important social issues that appear when employees are replaced by robots do not occur here, since the services addressed by the Strategy will be operated and supervised by human beings. Still, already in this context, the EESC wants to underscore that when developing C-ITS systems, including fully automated vehicles, particular attention should be paid to the needs of people with disabilities.

3.14 The EESC takes favourable note of the coherence envisaged in the deployment of the Strategy through the cross sectoral vision taken of the role of the C-ITS in the transport system through
the synergies between modes and the improved possibilities of mobility/logistic planning enabled by certain C-ITS services and by the development of various skills.

3.15 The EESC also takes note of the cost/benefit analysis presented in January 2016 in the Final Report of the C-ITS Platform and anticipating a possible result of successful deployment of Day 1 services over a period from 2018 to 2030 where benefits would significantly outweigh costs on an annual basis by a ratio of to 3:1 when evaluated over the whole period. The analysis also concludes that benefits would start to accumulate between five and ten years after initial investments and that the result hoped for depends on a strong uptake of the services. The EESC nevertheless regrets that no cost/benefit analysis of the Strategy seems to have been carried out by the Commission.

3.16 The EESC again underlines the importance of active and continuous pressure being maintained on the implementation process in order to avoid a repetition of the so far unsuccessful implementation of the European Electronic Road Tolling System, decided on originally in 2004, and still not implemented, in spite of repeated efforts.

4. Specific comments

4.1 The EESC takes note of the mention of the connection between connected cars and the European satellite navigation systems, EGNOS and GALILEO, and underlines that the capacity of vehicles to communicate with satellite navigation systems must be technology-neutral and therefore all satellite navigation systems should be connectible, although where possible preference should be given to the European systems.

4.2 The EESC underlines the importance of opening a dialogue with the social partners at an early stage, in order to establish an atmosphere of transparency and confidence. In the EESC’s opinion, this is already of paramount importance at the present stage of C-ITS implementation where it appears that the effects on social and/or employment conditions would be insignificant or none, in order to establish a climate of confidence in view of the much more significant effects that will follow from the introduction of automatic cars. The EESC also in this context draws attention to the importance of privacy and the need to ensure that data that concern privacy are not used for other than C – ITS purposes without consent. A clearcut and legally binding framework on this matter should be developed.

4.3 The EESC takes favourable note of the attention given to security, including the risk of hacking and cyber-attacks. In the EESC’s opinion, this is a highly important issue and it is extremely important that equally high standards of security are applied in all Member States and in possible cooperation arrangements with third countries. The EESC draws attention to the fact that an obligation to give publicity to security related measures may undermine the very purpose of such systems.
4.4 The EESC underscores the importance of continuity when implementing communication systems in order to avoid, as far as possible, lost investments.

Brussels, 31 May 2017

Georges DASSIS
The president of the European Economic and Social Committee

____________