

Brussels, 30 May 2001

**OPINION**

of the

Economic and Social Committee

on the

**Proposal for a regulation of the European Parliament and of the Council  
on rail transport statistics**

COM(2000) 798 final - 2001/0048 (COD)

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On 21 March 2001 the Council decided, under Article 285 of the Treaty establishing the European Community, to consult the Economic and Social Committee on the

*Proposal for a regulation of the European Parliament and of the Council on rail transport statistics*

COM(2000) 798 final - 2001/0048 (COD).

The Section for Transport, Energy, Infrastructure and the Information Society, which was responsible for preparing the Committee's work on the subject, adopted its opinion on 8 May 2001. The rapporteur was **Mr Donnelly**.

At its 382nd plenary session held on 30/31 May 2001 (meeting of 30 May 2001) the Economic and Social Committee adopted the following opinion by 112 votes for with two abstentions.

## 1. Introduction

1.1 This proposal was presented by the Commission in order to be able to assess the effects of Community measures in the rail transport sector, and to provide a basis for the preparation of new measures. The Commission thinks it important to have Community statistical data which can be used to follow developments in the rail sector.

1.2 In particular, the idea here is to systematically map out harmonised data on the safety of rail transport. Up to now such data have been lacking in the available rail transport statistics. The draft regulation is intended to change this.

1.3 It is true that rail transport statistics have been collected since as far back as 1980, under Directive 80/1177/EEC, but this directive has the following shortcomings:

- it covers only freight transport;
- it confines itself to a list of railway administrations for which data are to be compiled: partly as a result of the restructuring of the rail industry which has divided it into infrastructure managers and train operators, this list is now out of date;
- the quality of the statistics collected is not good enough;
- the directive contains no provision for its adaptation through a committee procedure.

Because of these shortcomings and the fact that a further regional breakdown of statistical data is thought to be desirable, so that freight and passenger flows can in future be described on a region-to-region basis throughout the EU, it is proposed to replace Directive 80/1177/EEC with the present draft directive.

1.4 In addition to the statistics collected by the Member States under Directive 80/1177/EEC<sup>1</sup>, they are expected under Regulation 1108/70<sup>2</sup> to provide annual data on the use of, and

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<sup>1</sup> OJ L 350 of 23.12.1980, pp. 23-40, Opinion OJ C 300 of 18.11.1980, p. 3

expenditure on, infrastructure. Other statistics on rail transport are collected on a voluntary basis. The Committee would draw particular attention to the need to ensure privacy in the collection of statistics.

1.5 The proposal is presented in the form of a regulation rather than a directive, since the new legislation is intended to be directly applicable without having to be transposed into national law. Of course, the national authorities still have the option, when collecting the statistics required, of applying methods which take account of the differing circumstances in the Member States. Moreover, a statistical regulation has also been drawn up for road transport (Regulation 1172/98/EEC<sup>3</sup>). It entered into force on 1 January 1999.

1.6 The Committee is of the view that the statistics collected from all transport sectors must be comparable. This is all the more necessary as statistics are (will be) collected from all transport modes.

## 2. General comments

2.1 The regulation provides for a new set of Community statistics on rail passenger transport. Data are already collected on freight transport under Directive 80/1177/EEC. The Commission proposes, given the "methodological constraints on collection of rail passenger data", that a limited quantity of statistics be collected and that additional statistics be introduced later on.

The Committee thinks it worth noting that, depending on the scope and accuracy of voluntarily reported data, Eurostat will develop a method to include additional statistics in the regulation at a later stage.

2.2 The Commission maintains that the type of data on traffic flows on the rail network are comparable with those currently collected on road transport through the five-yearly E-road censuses coordinated by UNECE. It further states that the methodology used for collecting rail statistics will differ from that used in other transport sectors. The Committee does not see any problem in this.

2.3 It is clear from the annexes to the draft regulation that the Member States must collect and send in both annual and quarterly statistical data on passenger and freight transport - results and indicators. This seems highly labour-intensive and therefore likely to give rise to higher costs. The Commission has not taken up the opportunity in its proposal to grant the Member States funding over a number of years to compensate for the likely extra costs. The Committee takes the view that this should indeed be done, all the more so since the aforementioned Regulation 1172/98/EEC includes a financial contribution from the Community for the first three years of its implementation.

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<sup>2</sup> OJ L 130 of 15.6.1970, pp. 4-14, Opinion OJ C 48 of 16.4.1969, p. 1

<sup>3</sup> OJ L 163 of 6.6.1998, pp. 1-12, Opinion OJ C 95 of 30.3.1998, p. 33

2.4 The Committee notes that the Commission proposal - quite rightly - does not as yet address the collection of statistics by the applicant countries. The Committee would, however, draw attention to the need for these countries to be advised in good time of future obligations.

2.5 The Commission maintains that the shortcomings listed in point 1.3 were the main reason for draft regulation, but that the statistical data to be collected are also of interest to those concerned in the Member States since:

- they provide information on the rail transport market;
- railway operators can use the information to engage in "benchmarking";
- the information could be used to obtain funding for large-scale projects, since banks obtain objective data on the financial viability of these projects.

2.6 The Committee would draw particular attention to the role that technological development can play in the collection of data. For instance, the Galileo project could, through the satellite system, overcome some of the problems in the collection of statistics.

### 3. **Specific comments**

3.1 The Committee can endorse the exclusions from the scope of the draft regulation which are listed in its Article 2, since they are of marginal importance for the Community rail transport market.

3.2 The Commission states that the choice between detailed or simplified reporting will be made via the procedure laid down in Council Decision 1999/468/EC of 28 June 1999. This choice will then be binding on the Member States. The Committee endorses this approach as it ensures the necessary flexibility.

3.3 The Commission has chosen the usual NST/R classification for goods, while for dangerous goods it has opted for the usual classification in railway circles, found in the Regulation on international rail transport of dangerous goods (RID). The Committee can endorse these choices.

3.4 The Committee has serious doubts as to whether three years is a suitable period to allow before the Commission draws up an evaluation. Experience with statistics provides sufficient grounds for these doubts. In the Committee's view a longer evaluation period, e.g. five years, would be more appropriate, all the more so since the Commission intends to present a report after only three years to the European Parliament and the Council which would include both a quality assessment and a cost/benefit analysis.

### 4. **Summary and conclusions**

4.1 In general the Committee can endorse the Commission's intention to create an adequate statistical basis for both passenger and goods transport by rail. The Committee is particularly pleased to note the Commission's intention to include data on safety in the statistics to be collected.

4.2 The present draft regulation presupposes that the extra costs involved in the collection of the data will be entirely borne by the Member States. Given the experience with a similar regulation on collecting statistics for road transport (Regulation 1172/98) under which funds *are* made available by the Community to the Member States for the purpose, the present proposal seems somewhat curious.

4.3 The Committee asks the Commission to consider an extension of the deadline for an evaluation of the regulation from the proposed three years to five years. The Committee does not think it realistic to expect a thorough assessment of the effectiveness and quality of the statistical data collected after such a short period, or to be able to present a reasoned report to the European Parliament and the Council.

4.4 The Committee recommends exploiting all technological potentialities for the collection of statistics. It is thinking in particular of the possibilities opened up by satellite communications. In addition it attaches great importance to keeping the applicant countries and Switzerland of future obligations, so as to further improve the comparability of statistics in the future.

Brussels, 30 May 2001.

The President  
of the  
Economic and Social Committee

The Secretary-General  
of the  
Economic and Social Committee

**Göke Frerichs**

**Patrick Venturini**

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