

*Courtesy translation*

**Summary of the statement by the Committee on Transport and Communications of the Swedish Parliament**

**2017/18:TU8 Subsidiarity check of the Commission's proposal on the amendment of Directive 92/106/EEC on the establishment of common rules for certain types of combined transport of goods between Member States**

**Summary**

The Committee on Transport and Communications considers that parts of the Commission's proposal for a directive to amend the directive governing common rules for certain forms of combined transport of goods between member states (combined transport directive) is in conflict with the principle of subsidiarity and therefore proposes that the Riksdag submit a reasoned opinion to the Presidents of the European Parliament, the Council and the Commission.

The Committee welcomes the Commission's review of existing legislation governing road transport within the framework of the Mobility Package, and makes the assessment that the Commission's proposal to amend the combined transport directive at a general level could be considered to be compliant with the principle of subsidiarity. However, the Committee has misgivings about parts of the proposal, more specifically the current formulation of requirements governing the maximum distance between transshipment terminals in Article 6.4. The Committee's view is that adequate planning of infrastructure supply in the form of transshipment terminals – taking into account the geographical and economic conditions of different regions – can be best achieved by the member states themselves. Furthermore, the Committee fears that the requirement of a maximum distance between transshipment terminals risks leading to infrastructure investment costs that go beyond the aim of the directive, which is to promote a transition of goods transport from road to more environmentally friendly modes of transport.

The statement contains one reservation from the Sweden Democrats, in which they maintain that the proposal conflicts with the principle of subsidiarity but for other reasons.

**Position**

To begin with, the Committee on Transport and Communications welcomes the Commission's review of existing legislation governing road transport within the framework of the Mobility Package, which includes the Commission's proposal to amend the combined transport directive. The Committee has previously noted that there are currently significant problems in the area of road transport that are weakening the competitiveness of the Swedish haulage industry. An efficient internal market with sound and equal competitive conditions between EU member states, where all states adhere to common rules, is therefore important. As many of the proposals presented within the framework of the Mobility Package are closely linked, the Committee considers it desirable for decisions on the proposals to be taken jointly as far as possible. In this context, the Committee notes that the provisions governing road transport within the area of combined transport should be appropriately coordinated with the provisions on cabotage that can be found in the Commission's proposal to amend Regulation (EG) no. 1071/2009 and Regulation (EG) no. 1072/2009, with a view to adapting them to developments in the sector (COM(2017) 281). In terms of the combined transport directive, the Committee considers it highly important to promote multimodality and an efficient combination of different modes of transport to reduce carbon dioxide emissions and air pollution.

The Committee's assessment is that the Commission's proposal can be considered to comply with the principle of subsidiarity at a general level. As the provisions on combined transport have been established at European Union level, necessary amendments aiming to increase the efficiency and appropriateness of the directive cannot be made at member state level. However, the Committee has misgivings about parts of the proposal, more specifically the current formulation of requirements

governing the maximum distance between transshipment terminals in Article 6.4. According to the Commission, in the question of obligatory economic support measures, priority should be given to ensuring a balanced and adequate geographical distribution of appropriate facilities, particularly in the trans-European transport network's core network and comprehensive networks, so that no delivery/reception location in the Union is located further than 150 km from a transshipment terminal for combined transport. The Committee shares the Commission's opinion that it is important to promote combined transport by building or making more transshipment terminals available to transport companies, yet it opposes a strict requirement governing the maximum distance between terminals. The Committee recalls that terminal density is largely a question of national infrastructure planning, and that even if the EU perspective should be taken into consideration in relation to such planning, each member state must have the opportunity to take measures based on specific national conditions. In line with the Government, the Committee's view is that adequate planning of infrastructure supply in the form of transshipment terminals – taking into account the geographical and economic conditions of different regions – can be best achieved by the member states themselves. The Committee also has misgivings about the proportionality of the proposed measures. The Committee is doubtful about the Commission's assessment that the costs for member states, companies and individuals are limited in relation to the potential gains. The Committee fears that the proposed requirement of a maximum distance between transshipment terminals, as it is currently formulated, could potentially lead to unjustifiably major costs that are out of proportion with the benefits of the measures. For a large member state such as Sweden, the aforementioned strict requirement risks leading to infrastructure investment costs that go far beyond the aim of the directive, which is to promote a transition of goods transport from road to more environmentally friendly modes of transport. Given this context, the Committee does not consider the proposed requirement to be compliant with the principle of proportionality included in the subsidiarity check.

In conclusion, the Committee considers that the aforementioned constituent proposals conflict with the principle of subsidiarity, and thus proposes that the Riksdag submit a reasoned opinion to the Presidents of the European Parliament, the Council and the Commission with the wording set out in appendix 2.