

# **A review of the German EU Council Presidency at the Federal Ministry of Transport and Digital Infrastructure**

## **(as at 30 December 2020)**

The German EU Council Presidency at the Federal Ministry of Transport and Digital Infrastructure was marked by three priorities:

- a coordinated approach to the COVID-19 pandemic;
- championing climate-friendly and modern mobility; and
- progressing the digital revolution.

The principles guiding all action were that transport is systemically relevant and has to be perceived from both a European and an international perspective and the conviction that the action taken by Europe to preserve the competitiveness of its industry must, in particular, be driven by innovation and not favour a specific technology. We have pursued this approach across all modes of transport.

In this context, the Federal Ministry of Transport and Digital Infrastructure took the opportunity to launch Presidency initiatives of its own – independently of legislative proposals presented (in some cases with a delay) by the European Commission – in order to establish priorities for the shape to be taken by the EU's future transport policy. The Commission has already directly acted on some of these initiatives. This proves that if Member States send a clear and united political signal, the Commission will not fail to respond to it.

More specifically:

### **I. Managing and learning lessons from the COVID-19 pandemic**

- Right at the outset of its Presidency, the Federal Ministry of Transport and Digital Infrastructure lobbied for managing and learning lessons from the COVID-19 pandemic in the transport sector. To ensure the flow of cross-border freight transport – one of the fundamental freedoms of the European Union – and to guarantee the flow of cross-border collective passenger transport, our priority objective was to lay the **foundations for a better coordinated approach at European and international level** in the transport sector, taking health protection into account.
- Here, the unanimous adoption of **Council conclusions on compliance with the necessary hygiene and infection control measures to ensure cross-border collective passenger transport** in July 2020 and the unanimous adoption of **Council conclusions on benchmarks for a pandemic and crisis contingency plan for the European freight transport sector** in October 2020 deserve particular mention.
- The last-mentioned Council Conclusions call on the Commission to draw up a pandemic and other major crisis contingency plan for the freight transport sector and encourage the Commission to consider

subsequently extending it to passenger transport. This would make Europe better prepared for future crisis situations. A number of the measures proposed by us in the benchmarks have already been included by the Commission in its new COVID-19 package of measures, which was presented at the end of October 2020.

- The focus of the Aviation Summit held in July 2020 was the air transport sector, which has been especially hard hit by the COVID-19 pandemic. In the light of the discussions held at that event, the German Council Presidency conducted an **exchange of ideas and experience on the impact of the COVID-19 pandemic on the situation regarding the rights of air passengers** and reported on this to the EU ministers of transport at their video conference on 8 December 2020. By doing so, the German Council Presidency wishes to establish priorities for further legislative activities in this field.

## II. Innovations for climate-friendly and modern transport and high-performing infrastructure

- To enable Europe to emerge strengthened from the COVID-19 crisis, the Federal Ministry of Transport and Digital Infrastructure also took the opportunity presented by the German Council Presidency to address other major future challenges in the transport sector.
- The centrepiece is the policy debate launched by the Federal Ministry of Transport and Digital Infrastructure on the **New Mobility Approach**, a 5-point plan accompanying the Commission's Mobility Strategy and establishing priorities for the shape to be taken by the EU's future transport policy. Throughout Europe, the transport system is to be geared towards sustainability and climate change mitigation and, by means of targeted investment and innovations, economies, businesses and jobs in the EU are to become future-proof and competitive on the global market. An innovation-driven and technologically neutral approach in the transport sector is very important, especially against the background of the European Green Deal. We do not want any prohibitions, if possible, but rather affordable mobility for both the public and the business community. The discussions must be continued in the light of the Commission's Sustainable and Smart Mobility Strategy, which was presented on 9 December 2020.
- An important aspect of the New Mobility Approach is making use of the **opportunities inherent in the digital revolution**. Within the context of the **Passau Declaration**, which was signed by 30 countries (27 EU and 3 EFTA states), we have developed answers to the following questions. What is the future European mobility data space to look like? And what contribution can the digital revolution make to the Commission's planned Mobility Strategy and to the European Green Deal? The EU and EFTA states have agreed on five action areas that are to be addressed in order to progress the digital transformation of mobility.
- A crucial factor in the move towards more climate-friendly mobility is the **use of alternative fuels**, for instance the use of advanced biofuels or electricity-based fuels from renewable energy sources. The

Federal Ministry of Transport and Digital Infrastructure has addressed and progressed this issue at several Council Presidency events for the different modes of transport.

- An indispensable building block of climate-friendly mobility and one of the key thematic areas of the German Council Presidency in the transport sector is **boosting the rail mode**. At the ministerial conference on “Innovative Rail Transport - connecting, sustainable, digital”, which was held in September 2020, we kick-started the “**TransEuropExpress (TEE) 2.0**” strategy, i.e. greater Europe-wide collaboration to deliver cross-border, commercial high-speed passenger rail services between major cities. Agreement was reached as early as December on the first services, which will operate between Germany, France, Austria and Switzerland. In addition, we are coordinating a letter of intent with supporting Member States so that we can swiftly take the next steps towards the delivery of the first actual services. With the **Berlin Declaration**, which was signed by 28 countries (26 EU and two EFTA states), we have provided a major impetus for more efficiency in the rail freight sector, for instance through Digital Automatic Coupling, ahead of the revision of the Rail Freight Regulation, which has been announced for 2021. In addition, it has been possible to bring the deliberations on the European **Year of Rail 2021** and on the **revision of rail passengers' rights** in the trilogue between the Council, the European Parliament and the Commission to a conclusion.
- Strong railways and competitive European undertakings need **high-performing and modern transport and digital infrastructure**. That is why, under the German Council Presidency, we have conducted the trilogues on the EU’s **Connecting Europe Facility II** funding instrument. In the negotiations with the European Parliament, we have worked on possible compromises, while adhering to the requirements arising from the European Council conclusions. Conclusion of the difficult negotiations before the end of the German Council Presidency was ultimately thwarted by the lack of willingness to agree on the part of the European Parliament. We hope, however, that on the basis of the very advanced state of play of the negotiations, a speedy agreement will be possible under the Portuguese Council Presidency.
- In addition, the Federal Government has lobbied for measures to be also discussed **outside EU transport legislation** regarding how **planning and approval procedures can be speeded up at EU level**. The Federal Government sent the Commission specific proposals on this matter in October 2020.
- Within the scope of the **revision of the Eurovignette Directive**, we want to take greater account of environmental and climate change aspects in the “road user pays” principle and lay the necessary foundations for a future CO<sub>2</sub>-differentiation of tolls, as provided for in the 2030 Climate Action Programme. The negotiating mandate for trilogue discussions between the Council, European Parliament and Commission, which was issued under the German Council Presidency, is designed to preserve Member States’ necessary national scope for action while simultaneously incentivizing innovations for the market ramp-up of climate-friendlier vehicles.

- By starting the deliberations on the proposals for a revision of the **Single European Sky (SES)**, which were presented late and are very complex, we want to **embark on the path towards developing legislative measures, on the basis of which** capacity constraints in air transport can be removed. In a similar manner, we want to create the conditions that enable us to respond appropriately to a decline in traffic volumes such as the one that we are currently experiencing in air transport. At the same time, climate and cost efficiency is to be enhanced and more flexibility achieved as a whole, inter alia through the use of digital technologies. The negotiations under the German Council Presidency have seen an initial exchange of views between Member States. The policy debate of the EU ministers of transport on 8 December 2020 provided a major impetus for further work on the legislative proposal.

## **Annex 1**

### **EU legislative dossiers and Council conclusions in the field of transport and digital infrastructure progressed during the German EU Council Presidency**

The main ones are as follows:

#### **Cross-modal:**

- Start of the trilogues between the Council, European Parliament and Commission on the Connecting Europe Facility II (CEF II) following the agreement reached at the July 2020 European Council
- Adoption of Council conclusions on compliance with the necessary hygiene and infection control measures to ensure cross border collective passenger transport
- Adoption of Council conclusions on benchmarks for a pandemic and crisis contingency plan for the European freight transport sector (including encouraging the Commission to also incorporate passenger transport)
- Adoption of Council conclusions on the European Court of Auditors' Special Report No 10/2020 on cross-border megaprojects in the transport sector
- New Mobility Approach: policy debate on the EU's future transport policy
- EU-UK negotiations: adoption of legislation to ensure the safe and efficient operation of the Channel Tunnel railway connection between continental Europe and the United Kingdom (Channel Fixed Link) after the end of the Brexit transition period. Also adoption of three contingency regulations in the field of transport (two on air transport and one on road transport) which, however, because of the temporarily applicable comprehensive EU-UK Trade and Cooperation Agreement, which also contains rules governing air and road transport, will not be applied.

#### **Road transport:**

- Adoption of a negotiating mandate for trilogues on the revision of the Eurovignette Directive at the COREPER meeting on 18 December 2020 following a policy debate with an “informal ministerial agreement” on 8 December 2020
- Adoption of the Regulation amending Regulation 168/2013 as regards specific measures on L-category end-of-series vehicles in response to the COVID-19 pandemic

**Rail transport:**

- Trilogue agreement between the Council, European Parliament and Commission on the proposal for a decision on the European Year of Rail 2021
- Trilogue agreement between the Council, European Parliament and Commission on the revision of Regulation 1371/2007 on rail passengers' rights and obligations
- Adoption of Regulation 2020/1429 establishing measures for a sustainable rail market in view of the COVID-19 outbreak (temporary possibility of reducing, waiving or deferring track access charges)

**Air transport:**

- Start of deliberations on the Commission proposals for revision of the Single European Sky; policy debate among EU ministers of transport on 8 December 2020 to support continuing deliberations in the Council
- Report from the German Council Presidency to the EU ministers of transport on the impact of the COVID-19 pandemic on the situation regarding the Flight Compensation Regulation

**Digital infrastructure:**

- Establishment of the Commission/Member States Informal Special Group for developing a common Union toolbox for connectivity, currently chaired by the German Council Presidency, the future Portuguese Council Presidency and the Commission, to develop a common European Union toolbox for better connectivity within the Common Market. The group was established in the light of Recommendation 2020/1307 of 18 September 2020 to develop common best practices with regard to the accelerated low-cost deployment of VHC networks and the rapid provision of 5G frequency spectrum.

## A review of the German EU Council Presidency at the Federal Ministry of Transport and Digital Infrastructure (as at 2 December 2020)

### Outcomes of the Council Presidency events

#### Ministerial conferences

##### [Aviation Summit 2020](#) on 23 July 2020 (virtual event)

Participants: Transport Ministers of EU Member States, representatives from the European Commission, Members of the European Parliament, Members of the German Bundestag, aviation industry, airports, aviation associations.

The Aviation Summit was overshadowed by the COVID-19 pandemic and offered a platform for discussions on the huge impact of the COVID-19 crisis on the aviation sector. Calls were made for, inter alia, the impact of the crisis to be taken into account in the future deliberations on the Flight Compensation Regulation. The German Council Presidency took up the issue, had it discussed among EU Member States and included it on the agenda of the informal video conference of EU ministers of transport on 8 December 2020. The German Council Presidency has also complied with the request, expressed at the Aviation Summit, to start deliberations on the new Commission proposal on the Single European Sky. Under the German Council Presidency, there was also a policy debate among EU ministers of transport that aimed to outline constructive approaches for continuing deliberations on the legislative proposal under the Portuguese Presidency. The participants at the Aviation Summit were also very keen to look to the future and address the question as to how air transport can play its part in tackling climate change. The suggestions made at the Aviation Summit are reflected in the German Council Presidency's New Mobility Approach. Cf. [Presidency letter](#)

##### Ministerial conference entitled [“Innovative Rail Transport – connecting, sustainable, digital”](#) on 21 September 2020 (virtual event)

Participants: Transport Ministers of European Member States and EFTA states, representatives from the European Commission, national railway undertakings and infrastructure companies.

The conference centred on boosting rail transport. The [Berlin Declaration](#), signed by 26 Member States and two EFTA states, provides a major impetus to make rail transport more efficient and more attractive to carriers, for instance by introducing Digital Automatic Coupling. The introduction of Digital Automatic Coupling is an important means for achieving this.

In addition, the conference gave the starting signal for the [TransEuropExpress 2.0](#) (TEE 2.0) as the flagship for through European train services. The Federal Ministry of Transport and Digital Infrastructure is currently coordinating a letter of intent in which the signatory Member States will commit to support the strategy. The objective is to enable greater Europe-wide collaboration for cross-border, commercial high-speed and overnight passenger rail services between major cities. Within the scope of the cooperation between supporting railway undertakings and Member States kicked off by this document, agreement is to be swiftly reached on the next steps for the delivery of the first actual services.

**[“Greening Shipping”](#) Ministerial Conference on 8 September 2020 (hybrid event: Hamburg and virtual)**

**[“Inland Water Transport - Key to the Green Deal”](#) Ministerial Conference on 20 November 2020 in cooperation with the European Barge Union (EBU) (virtual event)**

Participants: Ministers from EU Member States and EFTA states (or their deputies), European Commission, Members of the European Parliament and high-level representatives of associations and business plus, at the latter event, the Central Commission for Navigation on the Rhine.

At both events, the participants discussed issues relating to sustainability and innovation in shipping. The discussions showed that there is broad agreement on the objectives formulated by the International Maritime Organization (IMO) and the Central Commission for Navigation on the Rhine for climate change mitigation and environmental protection in waterborne transport. Special attention was also paid to the competitiveness of shipping in freight and passenger transport, which is so important for the European economy.

The key message from both conferences is that climate neutral waterborne transport is feasible from a technical perspective by 2050. This can be achieved by a combination of:

- sustainability-focused regulatory measures;
- systematically targeted and technologically neutral technical regulations;
- incentives that reflect market realities; and
- effective trade policies that prevent distortions of competition.

One key aspect here is alternative drivetrains and fuels. But considerable potential for enhancing energy efficiency is also inherent in lightweighting, innovative materials and electric systems.

The European Green Deal offers many starting points because it is targeted at incentivization and innovation funding (for instance the Commission’s announced *FuelEU Maritime* initiative). Against this background, industry stakeholders must and want to participate in a very practical way in evolving waterborne transport into a climate neutral mode.

[Joint Presidency letter with conclusions](#)

**Informal meeting of EU transport ministers entitled-[“Harnessing the digital revolution to make the mobility of the future sustainable, safe, secure and efficient”](#) on 29 October 2020 (virtual event from Berlin und Passau)**

Participants: Transport Ministers of EU Member States and EFTA states, European Commission, University of Passau with European partner universities and students and, as keynote speakers, Astronaut Dr Alexander Gerst (ESA), Professor Nießner (Munich University of Technology) and Dr Roland Busch (Siemens AG).

The thematic focus of the Informal Meeting of EU and EFTA Transport Ministers, which was staged virtually from Berlin and Passau, was the digital transformation of mobility and its contribution to the European Green Deal and to the implementation of innovations in mobility. During the conference, there was a virtual tour of the project exhibition entitled “Opportunities presented by the Digital Revolution” in Passau and an exchange of views between students and ministers. The principal action areas for the digital transformation of mobility are at the heart of the [Passau Declaration](#) with the title „Smart Deal for Mobility – Harnessing the digital revolution to make the mobility of the future sustainable, safe, secure and efficient”, on which consensus was reached during the conference and which was subsequently signed by all participating 30 EU Member States and EFTA States. The declaration comprises the following action areas:

1. Put people centre stage
2. Expand the digital infrastructure and make mobility infrastructure smart
3. Progress automation in all modes of transport
4. Strengthen smart connectivity – towards a European mobility data space
5. Promote innovations for digital mobility

The Passau Declaration makes a contribution to the New Mobility Approach within the context of the German EU Council Presidency and to the European Commission’s Sustainable and Smart Mobility Strategy as part of the European Green Deal.

## Technical conferences

### **[European Bridge Forum](#) on 9 July 2020 (virtual event)**

Participants: Representatives of EU Member States, EFTA states, European Commission, Members of the European Parliament, European trade associations and industry representatives.

The “European Bridge Forum”, which was being held for the first time, centred on the safe operation and structural maintenance of bridges throughout Europe. The participants, together with the Commission, agreed that, in the future, it will be necessary to develop fundamental common requirements to be met by the European TEN-T with regard to bridges and their load-bearing capacity and serviceability. In addition, research, especially into structures, needs to be better connected and strengthened EU-wide. The European Bridge Forum is now also to be held during subsequent Council presidencies.

[Report on the Bridge Forum](#)

### **[Meeting of Telecommunications Directors-General](#) on 1 September 2020 (virtual event)**

Participants: Directors from the ministries responsible for telecommunications in the EU Member States and European Commission.

The key topic of the virtual meeting of EU Telecommunications Directors-General was the EU-wide deployment of gigabit and 5G networks. There was agreement that, as far as the physical network deployment is concerned, not only an investment- and competition-friendly regulatory framework but also speedy approval procedures at national level are important and that, in the future, Member States intend to engage in a greater exchange of views on best practices. The directors stated that, in the mobile communications sector in particular, it was important to convey to civil society the benefits of new technologies (such as 5G) by means of helpful uses that are responsive to people's needs. To this end, it would be necessary to bring together all key stakeholders from the market as well as from the relevant authorities. They also stated that they wanted to intensify their exchange of ideas and experience on the issue of open RAN.

[Press release](#)

### **Conference on refuelling and charging infrastructure for electric road transport:**

### **[“Turning the page: the next chapter for electric road transport”](#) on 3 September 2020 (virtual event)**

Participants: Representatives of EU Member States, European Commission, Members of the European Parliament and of the German Bundestag plus representatives of European trade associations and industry.

The conference entitled “Turning the page: The next chapter for electric road transport in Europe” focused on user-friendly electric road transport. As part of the discussion, input was developed for the revision of the Alternative Fuels Infrastructure Directive, which has been announced by the Commission for 2021. The

participants agreed that for the use of alternative drivetrains and fuels, the necessary refuelling and charging infrastructure has to be interoperable, user-friendly and state-of-the-art in terms of technology. Here, the vehicle and infrastructure market ramp-ups should be pursued in parallel, objectives should be combined with intelligent funding and approvals and processes should be fleshed out. The common regulatory framework should put customer needs centre stage.

[Presidency letter](#)

**“Open Data for Smart Mobility in Europe 2020” on 17 November 2020 (virtual conference/networked format)**

Participants: Representatives of EU Member States, European Commission, Members of the European Parliament and of the German Bundestag, representatives of the German Bundesrat and the German federal states, transport operators and associations, start-ups and research institutes.

This conference launched the first EU-wide exchange of ideas and experience among stakeholders from government, public authorities, the business community and research institutes on data-related innovations for Mobility 4.0. 22 data-based projects were presented in six individual panels. These projects receive funding, for instance under the Federal Ministry’s mFUND or under EU financial assistance programmes and initiatives. They cover different modes of transport. Around 400 virtual participants from all over Europe discussed the opportunities for disseminating and replicating these ideas throughout the EU. The final plenary meeting built a bridge to the next Council Presidency. The outcome of the conference is that the availability, provision and accessibility of multimodal traffic data in Europe still need to be further improved in order to support the digital transformation of the transport sector throughout Europe. so that the many and varied data innovations can be applied on a wide scale.

**“PrioritHy: How hydrogen and sectoral integration can bring recovery, growth and jobs for Europe” on 25 November 2020, in cooperation with the FCH2JU und NOW GmbH (virtual event in Berlin und Brussels)**

Participants: Ministers from Germany, Portugal (deputy), Morocco and Chile, representatives of EU Member States, the European Commission, the European Parliament plus European trade associations, industry and the regions.

The event centred on the contribution that hydrogen can make to a climate neutral transport sector. There was a discussion on, inter alia, how the role of green hydrogen, in particular, can be strengthened. There was agreement that various hydrogen regions should be interconnected to create area-wide infrastructure and systems that are as open as possible. International collaborative schemes, funding and the integration of hydrogen into the sets of regulations are also of crucial importance for achieving the objectives.

[Press release](#)