

Common: The EU' s COVID-19 pandemic related packages and measures to relieve the transport sector and support its recovery

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#### 【概要 : Summary】

Due to the COVID-19 pandemic, many countries worldwide have taken measures to confine the further spread of the virus, including a drastic restriction in transport services. The EU Member States have introduced individual and common lockdown measures to confine the epidemic. All EU Member States commonly closed the EU' s external border for international travel. However, they also closed the EU' s internal borders within the Schengen Area and restricted border-crossing travel to other EU Member States.

The scale of the restrictions is unprecedented and together with tourism, nearly the entire EU transport sector has experienced the impact of the lockdown measures. On 29 April 2020, in a response to the COVID-19 pandemic, the European Commission adopted a package of measures that aims at providing significant relief to the transport sector by removing administrative burdens, and increasing flexibility. The package includes measures to support all transport sectors. However, the extraordinary confinement measures cannot last indefinitely. There is a need for a continuous assessment and restrictions have to be proportionate to the evolving risk of the COVID-19 spread. Therefore, considering the measures to exit the strict lockdown, the Commission has prepared several proposals to help the

transport sector to concentrate time and recourses on the recovery from restrictions during the COVID-19 pandemic. Also the EU transport ministers discussed the further way forward, as the entire transport sector slowly moves on from the travel restrictions during the COVID-19 pandemic back to normal travel. The EU Transport ministers have also pointed out some challenges in a post-pandemic time for reopening the transport systems. Furthermore, the European aviation safety agency (EASA) has published its recommendations for preparing airports to resume operations. Finally, in public transport, measures need to be prepared to protect passengers' health in post-lockdown times in order to avoid a new shift towards individual transport solutions like private cars.

#### 【記事 : Article】

##### 1. Impact of COVID-19 pandemic restrictions on the EU' s transport sector

The COVID-19 outbreak is having a major impact on the European transport systems due to the introduced travel restrictions. The temporary travel restrictions in the EU apply to all non-essential travels from third countries and domestic travels. All EU Member States (except Ireland) and all Schengen Associated Countries, including Iceland, Liechtenstein, Norway, Switzerland, introduced travel

restrictions in March 2020. There exist some national travel warnings and restrictions, which will continue until 14 June (Germany) or 24 July (France) 2020, which will further restrict the free movement of people.

On 28 January 2020, the Croatian presidency of the EU decided to activate the EU's integrated political crisis response mechanism (IPCR) for the coordination of cross-sectoral crises at the highest political level. Considering the changing situation in the COVID-19 pandemic and the different sectors affected, the presidency escalated the activation of the IPCR mechanism to its full extent on 2 March 2020. The full activation mode allows for crisis roundtables with the participation of affected EU Member States, the European Commission, and the office of the President of the European Council among others. The Croatian presidency convenes weekly roundtables to facilitate the exchange of information and coordination of crisis response and to take action, including the adoption of relevant EU legislation.

While the EU Member States have taken several measures at national level to tackle the COVID-19 pandemic, the European Commission has put in place measures in the transport sector in order to facilitate the movement of goods and others measures during the lockdown. The Commission has published a Communication COM (2020) 112 final of 13 March 2020 in order to give a coordinated economic response to the COVID-19 outbreak.

Since not only the movement of people but also freight transport had been affected by the closing of borders within the Schengen Area, the European Commission published a Communication on the implementation of the Green Lanes in freight transport (C (2020) 1897 final) on 23 March 2020 in order to improve the border management to protect health and ensure the availability of goods and essential services in the EU.

Meanwhile, the joint European Roadmap towards lifting COVID-19 containment measures was presented by the President of the European Commission and the President of the European Council, based on the

European Council Members' call for an exit strategy that is coordinated with the EU Member States. There are defined three relevant criteria to assess whether to begin to relax the confinement, including epidemiological criteria, sufficient health system capacity, and appropriate monitoring capacity, including large-scale testing capacity to detect and monitor the spread of the virus. The individual EU Member State will decide, depending on their own structures, at what level compliance with the criteria should be assessed.

## **2. The European Commission's measures to support the transport sector's recovery**

Due to the COVID-19 related travel restrictions, nearly 90% of flights have been cancelled, which has caused the grounding of nearly the entire airlines' fleet. In order to save the passenger rights, on 18 March 2020, the Commission adopted guidelines on passenger rights in its Commission Notice Interpretative Guidelines on EU passenger rights regulations in the context of the developing situation with Covid-1 (C (2020) 1830 final). Furthermore, the EU Member States informed the Commission about difficulties to renew certain licenses or certificates for professional carriers, including vehicles and vessels certificates or transport workers, due to measures taken during the COVID-19 outbreak. Therefore, renewals or other steps necessary during the lifetime of a license or certificate have become impossible for different reasons.

On 29 April 2020, the European Commission adopted a package of measures to support the aviation, rail, maritime, inland navigation and road sectors. The package is expected to provide significant support to the transport sector by solving practical problems, removing administrative burdens, and increasing flexibility. The measures are expected to help the entire sector to move on from the travel restrictions back to a fully functioning transport sector.

The Commission proposals are related to 1) the postponement of the transposition period of the 4th

Railway Package, 2) aviation relief, amending the rules for the operation of air services and ground-handling, 3) ports relief, providing flexibility in respect of the levying of port infrastructure charges and 4) “omnibus” concerning the validity of certificates, licences and authorisations and the postponement of certain periodic checks and training, in the area of road, rail and inland waterways transport and maritime security.

Firstly, regarding the postponement of the transposition period of the 4th Railway Package in railway transport, the Commission Proposal for a Directive amending Directive (EU) 2016/797 and Directive (EU) 2016/798, as regards the extension of their transposition period. (COM (2020) 179 final) of 29.4.2020 allows an extension of the deadline by which some Member States must transpose EU law on rail safety and interoperability. The extension of the transposition period by three months should help the sector to focus its time and resources on the recovery from the COVID-19 pandemic.

Secondly, regarding the aviation sector, the Commission presented the proposal for a Regulation amending Regulation (EC) No. 1008/2008 of the European Parliament and of the Council on common rules for the operation of air services in the Community in view of the COVID-19 pandemic (COM (2020) 178 final). This relief proposal addresses ground-handling services and authorises the extension of contracts to avoid complex tenders, and allows concessions that will prevent airports from getting blocked should ground-handling companies go bankrupt. The proposal also modifies air carrier licensing rules temporarily to ease financial problems linked to the pandemic.

Thirdly, regarding the problems of renewal and extension of the validity of certain certificates, licences and authorisations due to the COVID-19 pandemic the Commission has presented a proposal for a regulation on necessary postponements. The Proposal for a regulation laying down specific and temporary measures in view of COVID-19 outbreak and concerning the validity of certain certificates, licences and authorisations and the postponement of certain

periodic checks and training in certain areas of transport legislation (COM (2020) 176 final) deals with the necessary extensions of validity of certificates, licences and authorisations and the necessity to postponement of renewals in the areas road, rail and inland waterways transport and maritime security.

Fourthly, regarding the ports’ relief, a Commission proposal provides flexibility in respect of the levying of port infrastructure charges. The Commission Proposal for a Regulation amending Regulation (EU) 2017/352, so as to enable managing bodies or competent authorities to provide flexibility in respect of the levying of port infrastructure charges in the context of the COVID-19 outbreak (COM (2020) 177 final) will make the levying of port infrastructure charges more flexible. It will give Member States and port authorities the flexibility to defer, reduce or lift port infrastructure charges for port users, if they wish to do so.

Furthermore, the COVID-19 pandemic crisis has made it necessary to postpone the upcoming deadline of 7 June 2020, to equip aircraft with Automatic Dependent Surveillance - Broadcast (ADS-B). This surveillance technology makes it possible to periodically broadcast aircraft information, such as identity, speed or position, derived from on-board systems (e.g. determined via satellite). This technology modernises ground surveillance systems as it allows the aircraft to be tracked from the ground with the potential to rationalise the European radars network. The “Commission Implementing Regulation (EU) 2020/587 of 29 April 2020 amending Implementing Regulation (EU) No. 1206/2011 laying down requirements on aircraft identification for surveillance for the single European sky and Implementing Regulation (EU) No. 1207/2011 laying down requirements for the performance and the interoperability of surveillance for the single European sky” will provide aircraft operators that had planned to retrofit their aircraft between now and June 2020, more time to do so, or to put in place an appropriate retrofit programme.

Furthermore, the EU Member States had also informed the Commission about difficulties to renew certain licenses or certificates for professional carriers, including vehicles and vessels certificates or transport workers, due to the COVID-19 pandemic related lockdown measures. The Commission responded positively to requests from 11 Member States for temporary exemption from EU rules on driving times and rest periods that they have put in place. The exemption will provide drivers in road transport the flexibility to keep goods moving around Europe, even if they encounter queues at border crossings, or reduced access to rest and sanitary facilities along the network. A further nine EU Member States have now also requested temporary exemption, and will receive a positive decision in the coming weeks.

According to the Commission's planning, other proposals will follow on these proposals, providing additional relief to the transport sector. The Commission intends to ensure that the EU's entire transport sector will emerge as strong as possible from the COVID-19 crisis to help get the economy moving once again.

### **3. The EU Transport ministers' conference and future challenges in a post-pandemic reopening**

On 29 April 2020, the EU's transport ministers discussed gradually restoring mobility when containment measures related to the COVID-19 pandemic is relaxed. They discussed the implications of the pandemic on transport with the focus on possible additional measures and challenges that may occur after a relaxation of the lockdown measures. While the transport ministers expressed their satisfaction with the measures taken so far, they supported future work on exit and recovery strategies for all transport modes.

They also reaffirmed the importance of a coordinated approach in order to prepare for the re-opening of the connectivity and movement of people, as it is also important for the wellbeing of many citizens to have the perspective of soon being able to travel

again for business reasons or private reasons. It will need proportionate and non-discriminatory measures to exit from the lock down as well as recovery measures.

Regarding aviation, a number of Member States expressed the need to follow a harmonised approach to air passengers rights at EU level and to temporarily allow airlines to issue vouchers instead of immediately reimbursing cancelled tickets, possibly ensuring a mechanism of guarantee in case of insolvency, and to even apply a similar instrument to all types of transport. Some Member States opposed such temporary changes to the current rules. There was also a call to help critical infrastructure such as Air Navigation Service Providers (ANSP) to continue providing services by offering loans and the necessary flexibility for the Reference Period 3 process in order to allow them to maintain the stability of the system and to recover their costs for 2020/2021 at fair levels. In addition, there is the need to review current legislations on the EU-ETS for aviation and the Single European Sky, despite the COVID-19 pandemic. Regarding road transport, the Green Lanes, referred to in Commission Communication C (2020) 1897 final on 23 March 2020 should be maintained especially when the volumes of goods, passengers and private transport will start to grow again.

Regarding rail transport, the need to strengthen the role of freight transport corridors, which proved their importance during the COVID-19 crisis, was highlighted. There is a need to invest in railway projects in the recovery period, in line with the Green Deal.

For the shipping sector, ministers put special emphasis on resolving the issue of organizing crew changes and safe work conditions and the necessity for the crew to be regarded as essential workers. Across the different transport modes, Ministers also expressed the need for legal clarity on the possible continued use of expired certificates and licenses and to ensure an optimal coordination of driving bans and other transport restrictions.

The EU transport ministers called on the Commission to present sector-specific Guidelines for gradual easing and phasing-out of confinement measures as soon as possible. As the lack of common approach could jeopardise the reestablishment of the connectivity, the de-escalation from the COVID-19-imposed measures in a coordinated manner is a matter of common European interest. The gradual reintroduction of transport services should be adapted to the phasing out of travel restrictions and the phasing in of particular types of activities while taking account of the level of risk in the areas concerned. Lower-risk of individualised transport (e.g. private cars) should be allowed as soon as possible, while collective means of transport should be gradually phased in with necessary health-oriented measures.

The EU will need a coordinated exit and recovery strategy, which combines the protection of public health with operational recovery of the parts in the transport sector that were locked down.

#### **4. Aviation and public transport: Measures to prepare for re-starting operations**

While the EU Transport Ministers discussed the first steps to coordinate a gradual reintroduction of transport services and a phasing out of travel restrictions, the European aviation safety agency (EASA) published its recommendations for preparing airports to resume operations on 4 May 2020. The EASA safety information bulletin (SIB) No.: 2020-07 provides guidance to allow airports a return to normal operations and it is the first of several anticipated communications from EASA related to this project. While the recommendations are not mandatory, and although it is not defined yet when operations will restart, it is important that aerodromes are prepared in order to resume operations safely.

According to EASA's SIB No.: 2020-07, since at many European airports, operational areas such as runways and taxiways are used for the long-term parking of grounded aircraft during the lockdown the airport's operating systems need to be checked. For this reason, EASA published this checklist and the aerodrome

operators are recommended to establish a plan that should be implemented prior to the start of operations. The recommendations aim to support the safe operation of aircraft at an aerodrome and should be considered along with any other instructions related to health, security issues, and the provision of ground handling services. Aerodrome operators are recommended to consider in their plan at least an overall inspection of the paved, unpaved surfaces and surroundings. It needs to be checked the general cleanliness, presence of foreign object debris and any signs of damage to the pavement surfaces, which could pose a risk to the aircraft operations. Leakages and depressions due to long term parked aircraft needs to be checked. Runways should be checked for depressions that could be caused by the long-term storage of aircraft, as the paved surfaces are not designed to carry the aircrafts' weight for an extended period of time.

Also the presence of wildlife needs to be controlled, which might have increased in the absence of regular flight operations, the condition of fences, drainage systems, the state of the vegetation to ensure that lights, signs and markers are not obstructed, the condition of movement area markings to ensure adequate visibility, markings and lighting of authorised obstacles, among others. Aerodrome operators are recommended to consider also an inspection of the proper functioning of the electrical power supply systems for air navigation facilities and lighting system, including signs, the proper functioning of the radio and other navigation aids. Also the functioning of rescue and fire fighting services vehicles and equipment as well as the alarm system for the notification of rescue and fire fighting services need to be properly checked.

EASA will also soon have to look into how planes can accommodate passengers and cargo in the same cabin space, after carriers signalled that they might move towards hybrid flights in the post-pandemic time.

Regarding the impact of the COVID-19 pandemic on the public transport, data from various European Member States show that also public transport is heavily affected by the COVID-19 pandemic related lockdown.

Public transport systems are vital to the economic recovery and for keeping the Green Deal and the climate change agenda on track. Given the economic consequences that the sustainable public transport sector is facing due to the COVID-19 crisis, it is vital that the EU prioritise political and financial support for sustainable urban modes of transport. However, the local public transport sector will have to adapt to the phasing out of travel restrictions and the phasing in of various types of activities as the entire sector fights to survive this crisis. Many issues will have to be addressed before public transport services can be operated in full capacity to answer the demand for mobility. In order to prepare for the further lifting of the lockdown measures and prepare to swiftly restart full operation, public transport will have to rebuild trust in the post-COVID-19 time. Resuming public transport services in post-lockdown times will have to address operation and business, and measures to protect the passengers' health.

## 5. Outlook

The COVID-19 pandemic and the subsequent lockdown could lead to some changes in the people's habits and utilisation of transport means. The increased shift to teleworking and e-commerce could reduce the employees' need to commute to the office. Instead, home office work could become a regular solution in post pandemic times. The improved telecommunication could also lead to an avoidance of business trips and therefore a reduction of the need to fly. Consequently, this could lead to an improvement in air quality and a reduction of CO2 emissions. In this respect, the crisis could provide more viable opportunities for a transition toward a more sustainable mobility. The pandemic is also prompting some considerations in cities to expand bike lanes and to promote cycling in general, rather than using cars or public transport. However, since an effective way to avoid contamination with the virus is to avoid crowded transit systems, it could have a negative impact on public transport in favour of a stronger utilisation

of private passenger cars. This could increase pollution and such tendencies towards using less environmental friendly transport means should be avoided.

The Commission will continue to provide EU level tools to deal with the COVID-19 pandemic and to propose guidelines for lifting restrictions in a coordinated way. This is important because during the COVID-19 spread, the EU Member States had shown the lack of coordination in the introduction of lockdown measures. Therefore, at least the exit measures need to be better coordinated at EU level, while taking into account the evolution of the health emergency and the impact on the Single Market.

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