Council of the European Union

Brussels, 6 February 2024
(OR. en)

Interinstitutional File: 2024/0011(COD)

6008/24
ADD 6

TRANS 33
MAR 16
CODEC 230
IA 27

COVER NOTE

From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
date of receipt:	26 December 2023
To:	Ms Thérèse BLANCHET, Secretary-General of the Council of the European Union
No. Cion doc.:	SEC(2024) 38
Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2005/44/EC on harmonised river information services (RIS) on inland waterways in the Community RSB Opinion River Information Services

Delegations will find attached document SEC(2024) 38.

Encl.: SEC(2024) 38

EUROPEAN COMMISSION

Brussels, 28.9.2023
SEC(2024) 38 final

REGULATORY SCRUTINY BOARD OPINION

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2005/44/EC on harmonised river information services (RIS) on inland waterways in the Community

{SWD(2024) 15 final}
{SWD(2024) 16 final }

Ref. Ares(2023)6586926 - 28/09/2023

EUROPEAN COMMISSION
REGULATORY SCRUTINY BOARD

Brussels,
RSB

Opinion

Title: Impact assessment / River Information Services

Overall opinion: POSITIVE WITH RESERVATIONS

(A) Policy context

River Information Services (RIS) stem from the RIS Directive and support traffic and transport management in inland navigation. They also provide geographical, hydrological, and administrative information about inland waterways and calamity abatement support. This initiative aims to update the 2005 Directive in light of digitalisation and technological advances. It examines options to provide an updated framework for the deployment and use of harmonised RIS in the EU. It aims to enable improvements in the competitiveness and safety of the sector, and its contribution towards the European Green Deal objectives.

(B) Summary of findings

The Board notes the additional information provided in advance of the meeting and commitments to make changes to the report. However, the report still contains significant shortcomings. The Board gives a positive opinion with reservations because it expects the DG to rectify the following aspects:

(1) The report does not sufficiently explain the magnitude of the problem and the urgency for the EU to act.

(2) The description of the policy options does not present clearly enough how different options and policy measures would work in practice.

(3) The justification for various estimates used in the assessment of impacts is not robust enough.

(C) What to improve

(1) The report should better explain the magnitude of the problems. The problem definition should better distinguish the individual problems and their links with the problem drivers and consequences. The analysis should demonstrate, with more evidence, the urgency for the EU to act, reflecting the views of the most affected Member States. It should set out the main bottlenecks that have been delaying timely implementation of the

This opinion concerns a draft impact assessment which may differ from the final version.

Commission européenne/Europese Commissie, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË - Tel. +32 22991111
regulatory-scrutiny-board@ec.europa.eu

new standards. The report should also differentiate between problems affecting specific Member States, regions, local authorities, private entities, or particular EU areas. It should better elaborate whether there are particular concerns regarding safety, data protection, or environmental and territorial concerns.

(2) The policy options section should bring out clearly the available options, presenting genuine alternative approaches and bringing out the relevant policy choices. The presentation of the options should better explain how the policy measures would work in practice and which are the most important ones in ensuring the success of the initiative. It should also explain what would be the responsibility of each actor, i.e. Member States, regional authorities, private entities, etc. The option description and analysis should use a simpler language, making it less technical and more accessible for the non specialist readers.

(3) The analysis should be clearer on how different estimates were calculated, where they come from and how robust and complete their assessment is. It should better assess the reliability of estimates on environmental and social impacts which appear to be attributed to increased punctuality, given that these drive the benefit-cost ratio. The report should be more explicit as to how this initiative would increase punctuality under each option, given that the study estimates cited as basis for the calculations were based on figures for railway and it is unclear to which extent these can be used in the present context.

(4) The report should better explain what the initiative aims to accomplish exactly. To achieve this, the general and specific objectives should be better structured, splitted in order to fit with the problem drivers and expressed in SMARTer terms to ensure better measurement and monitoring of effectiveness and ultimately success of the EU action.

The Board notes the estimated costs and benefits of the preferred option(s) in this initiative, as summarised in the attached quantification tables.

Some more technical comments have been sent directly to the author DG.

(D) Conclusion

The DG must revise the report in accordance with the Board's findings before launching the interservice consultation.

If there are any changes in the choice or design of the preferred option in the final version of the report, the DG may need to further adjust the attached quantification tables to reflect this.

Full title	Impact Assessment Report accompanying the Proposal for a Directive of the European Parliament and the Council amending Directive 2005/44/EC of the European Parliament and the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community
Reference number	PLAN/2021/11060
Submitted to RSB on	30 August 2023
Date of RSB meeting	Written procedure

ANNEX: Quantification tables extracted from the draft impact assessment report

The following tables contain information on the costs and benefits of the initiative on which the Board has given its opinion, as presented above.

If the draft report has been revised in line with the Board's recommendations, the content of these tables may be different from those in the final version of the impact assessment report, as published by the Commission.

I. Overview of Benefits (total for all provisions) – Preferred Option (PO-B)		
Description	***Amount***	***Comments***
	Direct benefits	
Adjustment costs savings for vessel operators, expressed as present value over 2025-2050 relative to the baseline	EUR 72.1 million	Recurrent adjustment costs savings for vessel operators due to better quality information and reduced efforts to collect the necessary information to plan their voyage.
Administrative costs savings for vessel operators, expressed as present value over 2025-2050 relative to the baseline	EUR 28.5 million	Recurrent administrative costs savings for vessel operators, due to reducing the need for re-registering cargo information and reporting cargo information to ports. These administrative costs savings are driven by the exchange of cargo-related information through the eFTI mechanism, the exchange of information through the RIS COMEX platform, the new standards and technical specifications for the exchange of information with IWT ports and legal clarity for personal data.
Adjustment costs savings for RIS software services providers, expressed as present value over 2025-2050 relative to the baseline	EUR 8.1 million	Recurrent adjustment costs savings for RIS software services providers due to improved access to better quality information, which will reduce the costs of their software applications.
Administrative costs savings for national public authorities, expressed as present value over 2025-2050 relative to the baseline	EUR 30.6 million	Recurrent administrative costs savings for national public authorities through electronic processing of cargo information (instead of paper cargo reports) and the phase out of national platforms that would be gradually replaced by RIS COMEXT.
	Indirect benefits	
Reduction in external costs of CO_2 emissions, expressed as present value over 2025-2050 relative to the baseline	EUR 48.6 million	Indirect benefit to society at large, due to the tonnes of CO_2 emissions saved, enabled by the higher use of IWT and the shift away from road transport. The reduction in the external costs of CO_2 emissions is estimated at EUR 48.6 million, expressed as present value over the 2025-2050 horizon relative to the baseline.
Reduction in external costs of noise emissions, expressed as present value over 2025-2050 relative to the baseline	EUR 36.6 million	Indirect benefit to society at large, enabled by the higher use of IWT and the shift away from road transport. The reduction in the external costs of noise emissions is estimated at EUR 36.6 million, expressed as present value over the 2025-2050 horizon relative to the baseline.

I. Overview of Benefits (total for all provisions) – Preferred Option (PO-B)		
Description	***Amount***	***Comments***
Reduction in external costs of habitats, expressed as present value over 2025-2050 relative to the baseline	EUR 36.2 million	Indirect benefit to society at large, enabled by the higher use of IWT and the shift away from road transport. The reduction in the external costs of habitats is estimated at EUR 36.2 million, expressed as present value over the 2025-2050 horizon relative to the baseline.
Reduction in external costs of road congestion, expressed as present value over 2025-2050 relative to the baseline	EUR 86.8 million	Indirect benefit to society at large, enabled by the higher use of IWT and the shift away from road transport. The reduction in the external costs of road congestion is estimated at EUR 86.8 million, expressed as present value over the 2025-2050 horizon relative to the baseline.
Reduction in external costs of road accidents (fatalities and injuries), expressed as present value over 2025-2050 relative to the baseline	EUR 115.8 million	Indirect benefit to society at large, due to the lives saved and injuries avoided, enabled by the higher use of IWT and the shift away from road transport and thus a reduction in the road freight transport activity relative to the baseline. The reduction in the external costs of road accidents is estimated at EUR 115.8 million, expressed as present value over the 2025-2050 horizon relative to the baseline.
Administrative cost savings related to the 'one in, one out' approach*		
Administrative costs savings for vessel operators, **average per year** relative to the baseline	EUR 1.6 million on average per year	Recurrent administrative costs savings for vessel operators, due to reducing the need for re-registering cargo information and reporting cargo information to ports. They are estimated at EUR 1.6 million per year on average relative to the baseline, and they are driven by: the exchange of cargo-related information through the eFTI mechanism (EUR 0.6 million), the exchange of information through the RIS COMEX platform (EUR 0.2 million), the new standards and technical specifications for the exchange of information with IWT ports (EUR 0.5 million) and legal clarity for personal data (EUR 0.3 million).

II. Overview of costs – Preferred option (PO-B)						
	Citizens/Consumers		**Businesses**		**Administrations**	
	One-off	**Recurrent**	**One-off**	**Recurrent**	**One-off**	**Recurrent**
Direct adjustment costs, expressed as present value over 2025-2050 relative to the baseline	-	-	-	-	For national public administrations: EUR 18.3 million	-
Direct administrative costs, expressed as present value over 2025-2050 relative to the baseline	-	-	-	-	-	For national public administrations:

II. Overview of costs – Preferred option (PO-B)							
							EUR 75.3 million
Direct regulatory fees and charges		-	-	-	-	-	-
Direct enforcement costs		-	-	-	-	-	-
Indirect costs		-	-	-	-	-	-
Costs related to the 'one in, one out' approach							
Total	Direct adjustment costs	-	-	-	-		
	Indirect adjustment costs	-	-	-	-		
	Administrative costs (for offsetting)	-	-	-	-		

Electronically signed on 28/09/2023 19:59 (UTC+02) in accordance with Article 11 of Commission Decision (EU) 2021/2121