Briefing Implementation Appraisal



April 2018

Trans-European Transport Network (TEN-T)

This briefing is one in a series of 'implementation appraisals', produced by the European Parliamentary Research Service (EPRS), on the operation of existing EU legislation in practice. Each briefing focuses on a specific EU law which is likely to be amended or reviewed, as foreseen in the European Commission's annual work programme. 'Implementation appraisals' aim at providing a succinct overview of publicly available material on the implementation, application and effectiveness to date of specific EU law, drawing on input from EU institutions and bodies, as well as external organisations. They are provided by the Ex-Post Evaluation Unit of EPRS, to assist parliamentary committees in their consideration of new European Commission proposals, once tabled.

Summary

The current general guidelines for the development of the Trans-European Transport Network (TEN-T) were established by Regulation 1315/2013. The guidelines are supported by a dedicated EU funding instrument: the Connecting Europe Facility (CEF), aimed at accelerating investments in the field of the trans-European networks, was established by Regulation 1316/2013. The CEF's budget has been approved for the period 2014-2020; if it is to be continued after 2020, it will need to be evaluated and re-negotiated.

Although the implementation of the TEN-T network is progressing, several challenges have been identified. These challenges influence the implementation of the network and might have a negative influence on EU transport policy. Several of these challenges were linked with the implementation of projects under the TEN-T policy. Various voices have called for a simplification of the existing permitting procedures, an optimisation of Member States' procurement procedures, a reduction of delays in those procedures, and a clarification of EU state aid rules. Furthermore, it is vitally important to attract the private sector and co-financing of the transport projects.

These points have already been raised by the European Parliament in a number of resolutions. The European Commission is expected to publish a legislative proposal on streamlining measures for swifter implementation of the projects of common interest on the Trans-European Transport Network in the first quarter of 2018.

1. Background

The Trans-European Transport Network (<u>TEN-T</u>) is a part of a broader system of Trans-European Networks (TENs)¹ that, in addition to transport, includes energy infrastructures (TEN-E) and networks for telecommunications (e-TEN). Establishment and development of the trans-European networks are supposed to help achieve objectives such as smooth functioning of the internal market and the strengthening of economic, social and territorial cohesion (Article 170 TFEU).

The Commission describes the TEN-T as a 'policy directed towards the implementation and development of a Europe-wide network of roads, railway lines, inland waterways, maritime shipping routes, ports, airports

¹ The TENs were established by the Maastricht Treaty and they were subsequently reintroduced by the Treaty on the Functioning of the European Union (TFEU), see Articles 170 to 172 TFEU.

and rail-road terminals'.² As such, it is closely linked with the EU common transport policy. The TEN-T development follows Regulation (EU) No 1315/2013 on Union guidelines for the development of the trans-European transport network.³ The objective of TEN-T is 'to close gaps, remove bottlenecks and eliminate technical barriers that exist between the transport networks of EU Member States, strengthening the social, economic and territorial cohesion of the Union and contributing to the creation of a single European transport area. The TEN-T does not ignore the environmental aspects linked to transport. It intends *inter alia* to contribute to sustainability through promotion of low-carbon transport and to meet the objectives of low greenhouse gas emissions (Article 4). Furthermore, it intends to increase benefits for its users, such as high standards of passenger and freight transport, and meeting mobility and transport needs within the Union and in relations with third countries.

TEN-T has a dual-layer structure and consists of (1) a comprehensive network and (2) a core network. While the core network is characterised as 'the backbone of the development of a sustainable multimodal transport network', the comprehensive network is 'a Europe-wide transport network ensuring the accessibility and connectivity of all regions in the Union' (recital 11, Regulation 1315/2013). The comprehensive network consists of all existing and planned transport infrastructures of the TEN-T, including measures promoting the efficient and socially and environmentally sustainable use of these infrastructures (Article 6(2)). The core network consists of those parts of the comprehensive network that are of the highest strategic importance for achieving the objectives for development of the TEN-T policy (Article 6(3)). The core network should be identified and appropriate measures should be taken for its development by 2030 (recital 13 and Article 38) while the comprehensive network must be completed throughout the EU by 2050 (Article 9). Regarding the comprehensive network, the regulation lays down transport infrastructure requirements for each mode of transport (railway, inland waterways, road transport, etc.). It also lays down common provisions on new technologies and innovation, safe and secure infrastructure and environmental protection, applicable to all transport modes (Section 7 'Common provisions' in Chapter 2 of Regulation 1315/2013).

The coordinated implementation of the core network is facilitated by core network corridors. These cover the most important long-distance flows in the core network and should improve cross-border links within the Union (Article 43). Multimodal by definition, they are open to all transport modes. There are currently nine core network corridors: (1) Atlantic, (2) Baltic Adriatic, (3) Mediterranean, (4) North Sea-Baltic, (5) North Sea-Mediterranean, (6) Orient-East Mediterranean, (7) Rhine-Alpine, (8) Rhine-Danube, and (9) Scandinavian-Mediterranean. In addition, there are two horizontal priorities: (1) the European rail traffic management system (ERTMS) deployment and (2) the Motorways of the Sea. Coordination of core network corridors is facilitated and supported by designated European coordinators, one for each corridor and priority. The coordinators, among other things, draw up the corridor work plan and monitor its implementation, examine transport services demand, and draw up annual reports on the progress achieved in implementing the core network corridor. They should be seen as lead corridor fora allowing consultations with all levels of stakeholders.⁶

In 2006, the European Commission <u>established</u> the Trans-European Transport Network Executive Agency (TEN-T EA) with a goal to manage the technical and financial implementation of the TEN-T programme. In 2014, the TEN-T EA was replaced by the Innovation and Networks Executive Agency (INEA).⁷ INEA is

² See the <u>description</u> of the TEN-T by the European Commission.

³ Originally, the TEN-T guidelines were adopted in 1996 as <u>Decision 1692/96/EC</u> of the European Parliament and the Council. This decision was later recasted by <u>Decision No 661/2010/EU</u> of the European Parliament and of the Council to be finally repealed and replaced by Regulation 1315/2013.

⁴ Description of the TEN-T by the European Commission.

⁵ Both core and comprehensive networks are depicted in maps included in Annex I and Annex II of the regulation. Since the original maps were updated, see the <u>Commission's portal of interactive TEN-T maps</u>.

⁶ Regarding the European coordinators, see Article 45 - 48 of the regulation. See also the list of European coordinators.

⁷ Commission Implementing Decision 2013/801/EU of 23 December 2013 establishing the Innovation and Networks Executive Agency and repealing Decision 2007/60/EC as amended by Decision 2008/593/EC.

responsible for implementing the <u>Connecting Europe Facility (CEF)</u>.⁸ CEF is an EU funding instrument determining the conditions, methods and procedures for providing Union financial assistance to trans-European networks in sectors of transport, telecommunication and energy for the 2014-2020 period. It centralises investments for the transport, telecommunications and energy sectors in one programme. CEF mainly focuses on supporting the implementation of projects of common interest in these sectors. According to Article 5 of_Regulation 1316/2013,⁹ CEF's total budget is approximately €30 billion while in the field of transport, it is around €24.05 billion, in the field of telecommunications, €1.05 billion and in the field of energy, €5 billion.¹⁰

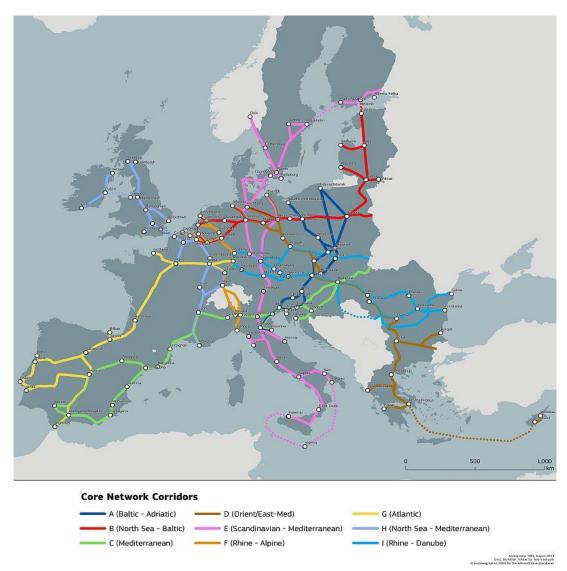


Figure 1 – Core network corridors (simplified)

Source: European Commission/Innovation and Networks Executive Agency, 2018.

General requirements and priorities for the development of the trans-European transport network are included in Regulation 1315/2013 (Article 1). These projects are eligible for Union financial assistance under

⁸ The Connecting Europe Facility was established by <u>Regulation 1316/2013</u> establishing the Connecting Europe Facility for the 2014-2020 period.

⁹ As amended by <u>Regulation (EU) 2017/2396</u> amending Regulations (EU) No 1316/2013 and (EU) 2015/1017 as regards the extension of the duration of the European Fund for Strategic Investments as well as the introduction of technical enhancements for that Fund and the European Investment Advisory Hub.

¹⁰ According to the Commission, these amounts may still change during the commitment period as a result of decisions taken by budgetary authorities. See the Commission's common infrastructure financing instrument for 2014-2020, 2018.

the instruments available for the TEN-T. Since 2014, there have been several <u>calls</u> for transport projects. For instance, in one of the recent CEF calls (June 2017), the Commission selected 152 key transport <u>projects</u> in 2017 for the CEF financing. In this regard, it <u>proposed</u> to spend €2.7 billion.

Regarding the transport budget, INEA is currently responsible for managing approximately €22 billion. Regulation 1316/2013 establishing the CEF establishes conditions for financial assistance, general conditions for participation including funding rates. Further EU funding of the TEN-T projects can be provided by the European Structural and Investment Funds (ESIF) and the European Fund for Strategic Investment (EFSI).¹¹ To apply for funding, tenderers need to submit a proposal as soon as there are calls for submission of proposals. These calls are launched by INEA on the basis of annual and multiannual work programmes.¹² The TEN-T projects managed by INEA can be accessed according to core corridors, transport modes and Member States. The mid-term results of the CEF were published by INEA in 2017.¹³

Table 1 – Financial support available to projects implementing the TEN-T in 2014 - 2020

Connecting Europe Facility	€22.405 billion
European Fund for Strategic Investment	€21 billion
Horizon 2020	€6.3 million
Cohesion Fund	€35.6 billion
European Regional Development Fund	€34.4 billion

Source: European Commission, 2018.

2. EU-level reports, evaluations and studies

2.1 European Commission's implementation reports and studies

European Commission <u>inception impact assessment</u> on streamlining the implementation of the Trans-European Transport Network (TEN-T) (2017)

The inception impact assessment¹⁵ identifies two main problem drivers linked with the implementation of the key infrastructure projects of the TEN-T. First of all, the document notes a complex organisation of permit granting, authorisation and procurement actions, leading to lengthy procedures, which is considered a critical source of delay.¹⁶ The second problem driver is reluctance of private investors to enter into infrastructure projects due to delays and uncertainties in the regulatory framework. Here the document notes the lack of public-private partnerships (PPP) in delivering TEN-T projects.¹⁷ In order to reply to these problem drivers, the general objective of the new initiative should be 'reducing costs and delays by simplifying the administrative and regulatory framework in the field of permitting, procurement and other relevant procedures necessary for the implementation of TEN-T projects'.¹⁸ The document describes three possible policy options that could be considered in response: (1) enhancing the existing instruments and developing

¹¹ With regard to an overview of different financing options of the TEN-T programmes, see M. Pape, <u>The trans-European transport network – state of play in 2016</u>, EPRS, European Parliament, October 2016.

¹² Annual and multiannual work programmes outline the priorities and the total amount of financial support that should be committed to these priorities in a given year.

¹³ See INEA, Mid-term results: Investing in European networks - The Connecting Europe Facility (2017).

¹⁴ In April 2018, the Commission organises 'the TEN-T Days' in Ljubljana, Slovenia.

¹⁵ The <u>Better Regulation Guidelines</u> (SWD (2015) 111 final) describe an 'inception impact assessment' as a roadmap for initiatives subject to an impact assessment. It sets out the description of the problem, issues relating to subsidiarity, policy objectives and options, and the likely impacts of each option in greater detail.

¹⁶ Inception impact assessment, p. 1.

¹⁷ Ibid., p. 2.

¹⁸ Ibid.

soft law as well as accompanying measures; (2) maximising the impact of the existing instruments for TEN-T projects, with limited binding action to be decentralised and implemented at national level; and (3) an EU framework for authorisation of the projects of common interest.¹⁹

Apart from the inception impact assessment mentioned above, the Commission is careful to include the TEN-T in all relevant aspects of transport policy. For instance, the Commission's <u>communication</u> on Europe on the move (May 2017)²⁰ estimates that €740 billion would be needed to complete the core network corridors, while total investments are estimated at €130 billion per year. It also notes that further investments will be needed to address the infrastructure maintenance.²¹ The Commission intends to address the issue of investment financing in the context of an alternative fuels infrastructure action plan with the aim of providing full coverage to the TEN-T core corridors by 2025.²² Also the Commission's <u>communication</u>, 'Towards the broadest use of alternative fuels' (November 2017),²³ notes that the EU must 'accelerate the deployment of alternative fuels infrastructure' in the core and comprehensive networks, while the backbone infrastructure for alternative fuels must be in place for the core network by 2025. In this regard, it estimates that '€1.5 billion will be needed by 2025 to equip the corridors' with refuelling points'.²⁴ The Commission acknowledges that several gaps remain on the TEN-T core network with respect to refuelling or recharging points for vehicles.²⁵

European Commission <u>report</u> on the mid-term evaluation of the Connecting Europe Facility (February 2018)

This is the first Commission report²⁶ on the functioning of the CEF. It notes that the CEF's implementation 'is on track' although it is too early to measure all the results. Nonetheless, the Commission evaluates the CEF as 'an effective and targeted instrument' contributing to the Commission's priorities.²⁷ The report also acknowledges the CEF's European added value. The direct management of the CEF grants is considered to be very efficient. The report notes that the CEF financial instruments have proven of limited use, whereas the blending of grants with financial instruments has proven effective. According to the report, the TEN's completion will still require massive investments from the public and private sectors.

European Commission report Delivering TEN-T: Facts and figures (September 2017)

The report provides some general facts about the transport sector and EU transport policy, for example, that the transport sector accounts for more than 9 % of EU gross added value. Furthermore, the report makes several estimations regarding investment needs for transport infrastructure and describes framework conditions and related impacts of transport. In the context of the preparation of a new proposal for an investment instrument²8 to support EU transport policy including the TEN-T network, the report estimates that 'the investments from 2016 until 2030 needed for realising the core network in its totality amounts to about €750 billion'.²9 The Commission also estimates that €500 billion is needed to realise the core network in EU-28 between 2021 and 2030 and 'about €1.5 trillion including the TEN-T comprehensive network and other transport investments'.³0 The report notes that Member States made several proposals to simplify the rules of EU funding and the procedures for obtaining CEF grants.³¹ The report also observes that Member States intend to boost the project management processes, including regular evaluations and update

¹⁹ Ibid., p. 3.

²⁰ COM(2017) 283 final.

²¹ Ibid., p. 7.

²² Ibid., p. 17.

²³COM(2017) 652 final.

²⁴ Ibid., p. 3.

²⁵ Ibid., p. 7.

²⁶ COM(2018) 66 final.

²⁷ Ibid., p. 13.

²⁸ As CEF is a financial instrument for the 2014-2020 period.

²⁹ Report 2017, p. 7.

³⁰ Ibid.

³¹ Ibid., p. 8.

strategies and plans. At the same time they call for the improvement of the regulatory framework with a view to enhance the investment strategy, including simplification of public procurement and permitting procedures, legal certainty or state aid control.³² As to an investment plan in transport, the report notes that it is necessary to mobilise EU resources for investment including CEF, ESIF and EFSI. It also points out that the improvement of the investment environment is needed. Numerous examples regarding core network corridors and infrastructure projects are provided.

European Commission progress report on implementation of the TEN-T network in 2014 - 2015 (June 2017) In 2017, the Commission reported on the implementation of the TEN-T network in 2014 and 2015.³³ The report presents technical implementation of the TEN-T network and it analyses the financial investments made. Regarding the technical implementation, the report notes that compliance with the requirements set out in Regulation 1315/2013 have been reached 'between 75 % and 100 % for half of the currently available indicators, whereas for the other half it is still below 75 %'.³⁴ According to the report, in the course of 2014 and 2015, the total investment made by the EU institutions in TEN-T network infrastructure amounted to €30.67 billion in all 28 Member States.³⁵ Out of this amount, rail transport absorbed approximately 51.5 % of total expenditures; road infrastructure 30.6 %; ports and sea waterways 9.2 %; airports 5.5 %; multimodal infrastructure 2.1 % and inland waterways 1.1 %. The report notes an effort made in 2014 and 2015 to reinforce the strategic framework for transport projects beyond the regulation's provisions.³⁶ Furthermore, the report recognises that the main financial challenges of the TEN-T projects remain with the Member States, especially in mobilising private capital for TEN-T implementation. The report also insists that for a

European Commission <u>study</u> on permitting and facilitating the preparation of TEN-T core network projects (December 2016)

maximum impact of EU funding, both grants and financial instruments need to be used in a coordinated and

targeted way where they can catalyse private investments.³⁷

The study³⁸ identifies barriers in regulatory and administrative processes that impact the effective and efficient planning and implementation of TEN-T core network projects. The study aims to identify a way to reduce disproportionate delays, costs and uncertainties and implement the TEN-T projects faster. It assesses different types of delays in the TEN-T projects caused by the organisation of the permitting procedure, environmental assessment, public procurement, state aid and scope of application of policy options to TEN-T projects. The study recommends creating a single permitting authority for TEN-T projects³⁹ and suggests that the EU should play a direct role in the process of reviewing the projects while Member States should create a single leading authority at national level. Furthermore, recommendations include a close monitoring of the TEN-T experience and its application to TEN-T projects, exploration of existing legislative instruments, maximising efficiencies with regard to technical assistance and integration with the ongoing Commission initiatives to support and promote efficient project preparation and approval procedures for large, strategic investments.⁴⁰

European Commission <u>report</u> 'Action plan – making the best use of new financial schemes for European transport infrastructure projects' (June 2015)

³² Ibid., p. 10.

³³ COM(2017) 327 final.

³⁴ Ibid., p. 9.

³⁵ Ibid., p. 11.

³⁶ Ibid., p. 12.

³⁷ Ibid., p. 13.

³⁸ The study was outsourced by the European Commission and carried out by Milieu Ltd and Tractabel Engineering between 2015 and 2016.

³⁹ Study 2016, p. 7.

⁴⁰ Ibid., p. 75.

The report⁴¹ contributes to a general debate on transport and investments. It notes the need for changes to the existing framework of project financing and presents 12 recommendations.⁴² For instance, Member States and project promoters should work and receive support for improving the quality of projects in order to build a strong pipeline of mature projects (recommendation 3); Member States should streamline and simplify their procurement procedures (recommendation 4), as well as permitting procedures (recommendation 5), in order to facilitate and accelerate the implementation of projects. On the other hand, the Commission should propose a framework to find additional resources for projects of EU added value through the facilitation of earmarking of revenues and cross-financing solutions (recommendation 7), or together with the EIB, it should facilitate blending⁴³ and pooling by combining the grants from the CEF and ESIF with the financial instruments and products available under the CEF and EFSI (recommendation 9). Parliament should be included in a wide consultation on the financing of transport infrastructure.

The coordinators prepare, publish and update their <u>work plans</u>. The work plans usually provide general characteristics of the corridors and status of compliance with technical infrastructure parameters included in the TEN-T guidelines. They also identify planned projects and often provide various recommendations. The coordinators also periodically deliver common progress reports on core network corridors. For example, in the 2016 common progress report, the coordinators note that the corridor concept is 'fully working' and that the core network corridors 'facilitate coordinated implementation of the core network'. However, the coordinators see a need to strengthen the cooperation and speed up the implementation of certain cross-border projects and call on the Commission to adopt necessary implementing acts. They see securing the necessary financing as a critical issue and encourage the use of innovative financial instruments.

2.2 European Parliament's analyses and studies

Several studies and analyses dealing with the issue of TEN-T networks have been published by the European Parliament, for example a <u>study</u> on logistics in the TEN-T Corridors (March 2016).⁴⁷ Although the study concentrates on ways of achieving multi-modal transport in the TEN-T system – for instance, further innovations in the railway sector – it makes several general points regarding investment in the transport sector, including a need to adjust the design of investments to the anticipated traffic loads. Another specialised <u>study</u> on the EU Maritime Transport System, 'Focus on Ferries' (November 2016), enumerates inter alia various investments and projects financed under TEN-T and CEF.⁴⁸ An older <u>study</u> on 'TEN-T large projects – investments and costs' (April 2013)⁴⁹ was carried out before Regulation 1315/2013 entered into force. However, it provides a history of TEN-T and discusses the main problems with TEN-T assessment and its implementation. It also shows various case studies of large TEN-T projects. Last but not least, it provides various recommendations for assessment, procurement and eligibility for funding, including a recommendation to provide better coordination and information or a need to harmonise the funding rules.⁵⁰

⁴¹ Although the report was published by the Commission, it has been written by former Commission Vice-President H. Christophersen and two European Coordinators, professors K. Bodewig and C. Secchi.

⁴³ According to the commission 'blending means a combination of EU grants with loans or equity from public and private financiers. The idea behind blending is that EU grants can be used in a strategic way to attract additional financing for important investments.' EU blending - European Union aid to catalyse investments, 2015.

⁴² Report, p. 5.

⁴⁴ The TRAN Committee has regular hearings with the European Coordinators. The latest took place on 26 February 2018. The European Coordinators were invited by the TRAN Committee for an exchange of views on the state-of-play of the implementation and development of the 9 core network corridors, the European Rail Traffic Management System (ERTMS) and the motorways of the sea.

⁴⁵ For example, <u>Common progress report</u> of the European Coordinators (December 2016), <u>Common progress report</u> of the European Coordinators (April 2015) and <u>Common progress report</u> of the European Coordinators (September 2014).

⁴⁶ Common progress report 2016, p. 8.

⁴⁷ The study was outsourced by the European Parliament, Policy Department B and written by M-Five GmbH Mobility.

⁴⁸ See, Table 23: Investments financed under TEN-T and Table 24: Investments financed under CEF.

⁴⁹ The study was outsourced by Parliament's Policy Department Structural and Cohesion Policies and carried out by Fraunhofer-Institut für System- und Innovationsforschung (Germany), Karlsruhe Institute of Technology (Germany) and ProgTrans (Switzerland). ⁵⁰ The European Parliament's policy departments also published various other studies on the TEN-T network. However, since they were published before 2013 they are not mentioned here.

3. European Parliament positions / MEPs' questions

3.1 Resolutions of the European Parliament

With regard to TEN-T network, Parliament has adopted several non-legislative resolutions. The following examples provide a selection of the most relevant resolutions from the last two parliamentary terms.

In a <u>resolution</u> of 19 January 2017 on logistics in the EU and multimodal transport in the new TEN-T corridors, ⁵¹ Parliament notes the need for additional measures in the TEN-T programme, including promoting development of research or promoting and supporting the European rail supply industry. It expresses Parliament's concerns about the negative impact of closures of internal borders in the logistics sector and underlines that logistics play an important role in ensuring sustainable transport operations in the EU. Parliament recalls the deadlines for implementation of core networks (by 2030) and the comprehensive networks (by 2050). It asks the Commission to prioritise investments and to ensure enough EU funding for the implementation of the TEN-T beyond the multi-annual financial framework (MFF). Parliament notes a lack of efficient harmonisation and on-time implementation on the part of Member States (point 8). It stresses the need for greater simplification of documents and administrative procedures (point 18) and calls on the Commission and Member States to harmonise and simplify the existing rules as soon as possible. In this regard, the Commission is called upon to propose 'a streamlining of measures and resources for the implementation of the priority projects' (point 26).⁵²

In a <u>resolution</u> of 14 December 2017 on a European strategy for low-emission mobility,⁵³ Parliament again supports the implementation of the TEN-T network. The Commission and the Member States are urged to intensify EU co-financing of transport projects that contribute to climate action and air quality (point 65). The Commission is also called on to establish incentives for the transit of low- or zero-emission vehicles and priority for their movement throughout the TEN-T networks (point 95).⁵⁴ Similarly, in a <u>resolution</u> of 25 October 2016 on improving the connection and accessibility of the transport infrastructure in Central and Eastern Europe,⁵⁵ Parliament considers 'that the use of EU funding must reflect the real investment needs for completing the TEN-T core network by 2030' (point 1). It also acknowledges the need for large investments and better coordination among European and national authorities (point 10), taking into account specific challenges in the Member States. Member States and the Commission are called upon to ensure synergies and complementarity of funding. Parliament also calls for the identification of missing links in the TEN-T network, including cross-border links among the Member States and with neighbouring countries.

3.2 Written questions

Members of the European Parliament have addressed several questions to the European Commission on the TEN-T procedure, in writing or orally. The following examples provide a selection of some of the Members' most relevant questions from the last two parliamentary terms. Some Members are very often interested in specific TEN-T projects,⁵⁶ while others pose more general questions.

Written question by Vilija Blinkevičiūtė (S&D, Lithuania)), March 2017

⁵¹ P8_TA(2017)0009.

⁵² The Commission in its <u>response</u> (June 2017) points to many issues raised by Parliament's resolution. For instance, it notes that improvements in economic conditions allow Member States to carry out the investment policy they consider relevant for growth and jobs in the long term. Furthermore, it informs about its intention to examine ways to enhance coordination of the permit granting procedures deriving from various pieces of legislation in Member States.

⁵³ P8_TA-PROV(2017)0503.

⁵⁴ The Commission's response to this resolution has not yet been published.

⁵⁵ P8_TA(2016)0408.

⁵⁶ For example in questions E-000129-18, E-007651-17, E-007600-17, E-007194-17, P-004580-17 or E-006630-17.

The Member asks whether the Commission will pay special attention to ensure that all Union territory is covered when implementing TEN-T and CEF. The Member also asks the Commission to carry out a detailed evaluation of the territorial impact of results of the calls for projects under CEF - Transport in 2014 and 2015.

Answer given by Violeta Bulc on behalf of the Commission, June 2017

The Commissioner reiterates the deadlines for implementation of the core network (by 2030) and the comprehensive framework (by 2050) and highlights territorial cohesion as one of the objectives of Regulation 1315/2013. She notes the complementarity of various EU funding instruments, such as the Cohesion Fund and European Regional Development Fund, in co-funding for projects covering the entire Union. She goes on to provide information about the close cooperation between the Commission and the European Investment Bank (EIB) to ensure appropriate coverage of EFSI.

Written question by Izaskun Bilbao Barandica (ALDE, Spain), February 2017

The Member asks whether the Commission intends to look into the importance of air and sea links between outlying and island regions, the outermost regions and nearby border regions of the Union. She also asks whether the upcoming review of the TEN-T will take into account the situation of the outermost regions (such as the Canary Islands).

Answer given by Violeta Bulc on behalf of the Commission, May 2017

The Commissioner notes that a review of the Commission's strategy towards the outermost regions is supposed to be published in the autumn of 2017⁵⁷ with recommendations for the EU actions in this field. She also informs that, pursuant to the provisions of Regulation 1315/2013, the review of implementation of the regulation will be carried out by the Commission by 31 December 2023 and the situation of the outermost regions could be examined in this context.

Written question by Mireille D'Ornano (EFD, France), January 2017

The Member asks to what extent the EU's policy of increasing the number and density of main roads is compatible with its duty to guarantee a high level of human health protection. She also asks about the Commission's intentions to minimise the public health risk posed by the TEN-T programme.

Answer given by Violeta Bulc on behalf of the Commission, March 2017

The Commissioner answers that CEF, as a financial instrument, prioritises actions to reduce negative societal and environmental effects, with the largest part of the funding going to rail and inland waterways. She also informs that any TEN-T project has to comply with EU environmental conservation acts, such as the Environmental Impact Assessment Directive 2011/92/EU. Furthermore, the Member States are obliged to take all necessary measures to ensure that the projects respect all relevant national and EU law, including the law on public health. The Environmental Noise Directive 2002/49/EC and Directive 2008/50/EC on ambient air quality must also be complied with.

4. Council and European Council

In the December 2017 <u>Council conclusions</u> on the progress of the Trans-European Transport Network (TEN-T) implementation and the Connecting Europe Facility (CEF) for transport, the Council acknowledges the Commission's progress report on the TEN-T implementation (see above). It also recalls the Commission's obligation to report by 31 December 2023 on the implementation of the TEN-T core network. Regarding improvement of the environment for investment and streamlining administrative procedures, the Council recalls the Commission's December 2016 study (see above, section 2.1) and calls on the Commission to take account of the recommendations of this study. Regarding mobilising innovative financial instruments for transport, the Council welcomes the Commission's launch of a call to provide grants for transport projects aimed at attracting additional private financing. It also calls for the assessment and presentation of comprehensive results and analysis following this call. As to future investment needs, the Council calls on the Commission to mobilise public and private finance towards the objectives of the EU transport policy.

⁵⁷ In October 2017, the Commission produced a communication on a stronger and renewed strategic partnership with the EU's outermost regions (COM(2017) 623 final).

According to the Council, the CEF needs to be reinforced so that it can realise the trans-European networks. The Council also recognises the synergies with other EU funds contributing to the TEN-T policy.

The December 2014 Council conclusions on transport infrastructure and the Trans European Network note that for the 2014-2020 period, the investment needs required for the entire TEN-T network are €500 billion, half of which should go to the core network alone. The Council recognises that the funding comes from various sources including European, national and private. Here the Council stresses the importance of identifying the sources of funding; it highlights that the projects should reflect the national investments as well as the need to improve the functioning of corridors. CEF should be concentrated on the core network and potentially combined with other funds. It also underlines the importance of a close cooperation between Member States, European coordinators and the Commission.

5. European Economic and Social Committee and Committee of the Regions

Regarding the TEN-T policy, the European Economic and Social Committee (EESC) has adopted several opinions and organised several events and presentations. For instance, in its 2015 opinion on the roadmap to a single European transport area – progress and challenges, the EESC reiterates the need for real cross-border infrastructure planning when implementing the TEN-T in order to ensure optimal resource efficiency (point 1.3). The EESC also notes various pertinent challenges such as funding of investments that are needed to reach the objectives of transport policy, better coordination between Member States and a rigid approach to the modal shift (point 2.3). With respect to funding, the EESC also notes that the CEF funding is 'far from sufficient' (point 2.6). In its 2014 opinion on implementation of TEN-T corridors, the EESC underscores the need for interaction between the European coordinators regarding an efficient implementation of the core network corridors (point 1.3). The EESC also expresses its concerns as to 'the slight budgetary resources available at EU level and the slow pace and unclear prospects under which alternative financing mechanisms such as project bonds and private public partnerships seem to be developing' (point 1.10). ⁵⁸

The Committee of the Regions (CoR) has also adopted several opinions on the TEN-T framework. For instance, in its 2017 opinion on the future of CEF transport, the CoR notes that the setting up of the CEF should be 'coupled with social well-being, cohesion, job creation, economic growth and environmental sustainability' (point 2). It also points to various areas for improvement such as 'to insufficient budgetary allocation, doubts over the coordination of the CEF and other funds, the procedural complexity of the instrument, the inadequate role granted to local and regional authorities and the lack of subsidiarity at the various bodies for planning and implementing co-financing projects' (point 5). Furthermore, the CoR calls for a full exploration of investment opportunities, including raising awareness and clarifying the timetables for specific calls to submit projects (point 11). It considers, however, that 'financing the TEN-T by means of an instrument shared with energy and telecommunications is artificial' (point 17). In its 2017 opinion on missing links in border regions, the CoR calls on the Commission to ensure that the forthcoming review of TEN-T will take into account peripheral and island regions, the outermost regions and neighbouring cross-border regions (point 4). It also calls for the renewal of 'the CEF's economic commitment by increasing its finances' (point 7). In the CoR's opinion, 'the TEN-T network is crucial for the sustainable development of Europe's regions' (point 9).

6. European Court of Auditors

The European Court of Auditors (ECA) has prepared several special reports that directly assess the TEN-T. For instance, in its <u>special report No 13/2017</u> on a single European rail traffic management system (ERTMS), the ECA finds that ERTMS still has a low status and links this to the reluctance of infrastructure managers and railway undertakings to invest in ERTMS. It also notes that EU funding, including the CEF, can only cover a

⁵⁸ There are also other EESC opinions dealing partially with the TEN-T policy, for instance, <u>opinion on Eurovignette</u> (2017), <u>opinion on future EU ports' policy</u> (2013) or <u>opinion on sustainable development of the EU transport policy and TEN-T</u> (2011).

⁵⁹ There are also other CoR opinions dealing partially with the TEN-T policy, for instance, <u>opinion on an EU roadmap for cycling</u> (2016) or <u>opinion on a European strategy for low-emission mobility</u> (2017).

limited amount of the overall cost of deployment. According to the ECA, this puts at risk targets set for 2030 and investments made so far.⁶⁰ Furthermore, it adds that 'not all EU funding available for ERTMS was finally allocated to ERTMS projects and it was not always well targeted'.⁶¹ The ECA recommends absorption of the EU funds for ERTMS projects and better targeting of EU funding.⁶² A reference to TEN-T and the CEF is also made in the special report No 8/2016 on rail freight transport in the EU.⁶³ In 2018, the European Court of Auditors intends to carry out a landscape review on transport and mobility.⁶⁴

7. European Commission stakeholder consultation

Between 1 August 2017 and 9 November 2017, the European Commission carried out <u>a public consultation</u> on streamlining the implementation of the Trans-European Transport Network (TEN-T). In February 2018, no summary report from the public consultation was published. The replies to the public consultations and the questionnaire have been published, however.

8. Stakeholders

The following positions provide some examples of stakeholders' opinions regarding the TEN-T. In September 2017, a coalition of 30 European transport organisations, including the European Association for Forwarding, Transport, Logistics and Customs Services (CLECAT), launched a <u>campaign</u> for a strong CEF for the financial period 2021 - 2028 to make the TEN-T network a reality. In a November <u>2016 press release</u>, CLECAT called on Parliament and the Council to approve an increase of €1.4 billion for the CEF. It also noted that this increase was not considered sufficient. In this relation, it recalled that because of insufficient budget, many transport projects are rejected. Also the European Sea Ports Organisation (ESPO) in <u>2017 press release</u> expressed its support for an increase in the EU budget for transport and for a stronger CEF. Similarly, the ESPO, in its <u>2016 study</u> on trends in EU ports governance, noted that port authorities play an important role within the TEN-T network. Furthermore, the body representing national business federations (BUSSINESSEUROPE), in its <u>2018 reply to a public consultation</u> on EU funds, pointed to a need to mobilise private investment and to step up the use of financial instruments. According to this stakeholder, the TEN projects must be given adequate resources accompanied by a coherent legislative framework.

9. Petitions

Some petitions dealing with the TEN-T programme have been submitted to the European Parliament. In the case of petitions 1151/2015 and 1225/2015, petitioners raised the issue of a particular cross-border TEN-T project. They called for coordination between Member States as to safety and environmental standards, which, in their opinion, was inadequate. A gap in the trans-European transport network was raised in petition 0109/2017. The petitioner here called for an extension of the Atlantic corridor. In petition 1977/2012, a citizen called for the inclusion of the European cycle route network in the TEN-T guidelines.

⁶⁰ Special report No 13/2017, p. 8.

⁶¹ Ibid., p. 9.

⁶² According to recommendation 7 of the ECA report, the Commission should adapt the CEF funding procedures to better reflect the life-cycle of ERTMS projects.

⁶³ There are also other special reports of the ECA such as <u>Special Report No 8/2010</u> on Improving transport performance on Trans-European rail axes, <u>Special Report No 4/2012</u> on using structural and cohesion funds to co-finance transport infrastructures in seaports, <u>Special Report No 6/2005</u> on the trans-European network for transport (TEN-T) and <u>Special Report No 8/2010</u>: Improving transport performance on Trans-European rail axes. However since these reports were adopted before Regulation 1315/2013 entered into force (in 2013) they are not discussed any further.

⁶⁴ See ECA's work programme 2018.

10. Other sources of reference

Dinu A., Schrefler L., Road infrastructure and tunnel safety, EPRS, European Parliament, January 2018.

Pape M., <u>Logistics in the EU and multimodal transport in the TEN-T corridors</u>, EPRS, European Parliament, January 2017.

Pape M., The trans-European transport network – state of play in 2016, EPRS, European Parliament, October 2016.

Pape M., EFSI and the Trans-European Transport Network, EPRS, European Parliament, June 2016.

M. Remáč, Multimodal and Combined Freight Transport, EPRS, European Parliament, July 2017.

Tuszyńska B., Gouardères F., Trans-European Networks — guidelines, fact sheet, European Parliament, February 2018.

Table 2 – Regulation 1315/2013 and Regulation 1316/2013

EP committee responsible at the time of adoption of the EU legislation:

Committee on Transport and Tourism (TRAN)

Date of adoption of original legislation in plenary:

- 19 November 2013 (Regulation 1315/2013)
- 19 November 2013 (Regulation 1316/2013)

Entry into force:

- 21 December 2013 (Article 60, Regulation 1315/2013)
- 1 January 2014 (Article 32, Regulation 1316/2013)

Planned dates for review:

- The European Commission is required to carry out a review of the implementation of the core network by 31 December 2023. In this regard, it should evaluate compliance with the provisions of the regulation, progress in its implementation, changes in passenger and freight transport flows, developments in national transport infrastructure investment, and the need for amendments of the regulation (Article 54 (1), Regulation 1315/2013). Furthermore, pursuant to Article 49 (3) of Regulation 1315/2013, every two years starting from 21 December 2013, the Commission is obliged to publish a progress report on its implementation and submit it to Parliament and the Council. This report should analyse the development of the TEN-T.⁶⁵
- The European Commission was also required to evaluate by 31 December 2017 achievements of the objectives of all the measures, the efficiency of the use of resources and the European added value of the CEF and submit an evaluation report about it to Parliament and the Council (Article 27 (1) Regulation 1316/2013).⁶⁶

Timeline for new amending legislative proposal: The changes in the existing TEN-T system regarding streamlining measures for swifter implementation of the projects of common interest on the Trans-European Transport Network are announced in <u>Annex 2</u> of the <u>Commission work programme 2018</u>. The European Commission intends to submit its proposal in the first quarter of 2018.

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⁶⁵ At the time of writing, only one progress report has been submitted – in 2017. See above, section 2.1.

⁶⁶ The Commission submitted the mid-term review on evaluation of the CEF in February 2018 (COM(2018) 66 final).