



November 2003

An NGO Briefing Proposal for the revision of the Trans-European Networks for Transport (COM/2003/564)

General points:

Any revision of the Trans-European Networks for Transport (TEN-T) should aim to move the EU transport policy towards a more sustainable future. The initiation of an Impact Assessment procedure through opening a consultation process during the drafting on the latest revision proposal is a welcome step towards that aim. However, we regret the unfortunate timing of the consultations which prevented a wider debate including all stakeholders.

Environmental NGOs are concerned about both the scope and contents of this revision. There are certain issues related to the TEN-T that come across increasingly often in both research studies and political declarations (real economic efficiency, cohesion indicators, environmental performance) which have been barely touched upon in the Amended proposal for Decision No 1692/96/EC or the Extended Impact Assessment accompanying it. However, these important principles should have formed the basis of the assessment and subsequent proposal.

Taking into account Articles 2 and 6 of the Nice Treaty, environmental issues should be fully integrated into every EU policy, including transport, with a view to promoting sustainable development.

NGO key recommendations to Parliament for the revision of the TEN-T guidelines (COM/2003/564):

- ?? **The environmental implications of the whole network (TEN-T, plus extensions to TINA) must be rigorously assessed.** The Commission, with the full cooperation of the Member States, could achieve this by strengthening the existing Extended Impact Assessment, or by carrying out a stand alone full Strategic Environmental Assessment (SEA) of the whole network. This more detailed analysis is vital to ensure the environmental implications of the network are adequately understood and to enable negative environmental impacts to be minimised. It should include the option of removing projects from the priority project list because of their environmental consequences.
- **Corridor Strategic Environmental Assessments should be carried out for groups of relevant projects.** The "European coordinator" role should be strengthened and coordinators tasked with ensuring that adequate SEAs are carried out for "corridors"/groups of projects in accordance with the spirit of the SEA Directive (2001/42/EC).
 - **SEAs of national transport plans.** Countries with priority projects should be required to produce a national transport plan which must be subject to SEA carried out in compliance with the requirements of the SEA Directive (in force from July 2004).

- ?? **Cost-benefit analysis must be improved.** The TEN-T revision should make consideration of the 'zero' (no new investments) option compulsory. Improved methods of cost-benefit analysis must be developed, which integrate social and environmental costs.
- ?? **The needs of the Natura 2000 network should be integrated into the TEN-T.** The Natura 2000 network of sites designated under the EU Habitats and Birds Directives protects Europe's most important areas for wildlife. There must be no net loss to the ecological integrity of the Natura 2000 network as a result of transport infrastructure developments.
- ?? **The TEN-T guidelines revision should fully respect the provisions of the Water Framework Directive.** The requirements of Good Ecological Status via integrated river basin management and taking into consideration the specific value of wetlands for water management along European rivers must be implemented.
- ?? **Local networks must be prioritised.** Local and regional transport systems should be maintained and improved, before national and EU funds are allocated to trans-national transport infrastructure.
- ?? **An improvement in network quality should be prioritised.** Member States should demonstrate that any addition to the trans-national transport infrastructure would lead to an increase in quality of the network through the development of National Transport Strategies. These strategies should be subject to a full SEA.
- ?? **Transport growth and GDP growth should be decoupled.** The Community's Sixth Environmental Action Programme and the conclusions of the Gothenburg EU Council set as an objective the significant decoupling of transport growth from economic growth. The TEN-T guidelines should refer to this objective.
- ?? **The European Investment Bank (EIB) should not be given a new mandate of providing special funding for TEN-T until it improves its access to information and environmental procedures.** The EIB should present a set of clear rules allowing affected citizens to get timely access to project information. The Bank must also increase its capacity to verify the environmental impacts of its investments, and not leave this entirely up to the project promoter.

Background to NGO recommendations:

1. Extended Impact Assessment/Strategic Environmental Assessment (SEA)

The Extended Impact Assessment process for the proposal is welcomed. However, the published version does not adequately consider environmental issues, which in our view contravenes the principle of "proportionate analysis"¹, which is a key requirement of any Impact Assessment. Although it notes the need for a coordinated evaluation and public consultation procedure for cross-border projects, we believe this is not a sufficient guarantee that the TEN-T regime as a whole will be carefully assessed for its overall impacts, and therefore political and financial issues related to TEN-T will continue to prevail when taking decisions. The European Parliament has previously recommended such a rigorous global environmental assessment, in the form of a Community-led SEA during the first reading of the 2001 revision², and this idea was reinforced by a Commission

¹ *Impact Assessment in the Commission: Guidelines* issued by the Strategic Planning and Programming Unit in the Secretariat-General.

² Proposal for a Decision of the European Parliament and of the Council, amending Decision 1692/96/EC, on community guidelines for the development of the Trans-European Transport Networks (COM/2001/0544 final - COD 2001/0229) – First reading, May 2002.

Expert Group on the TEN-T³. Environmental NGOs believe that it is vital that the environmental impacts of transport projects are fully assessed in order to avoid damage to important wildlife areas.

2. Decoupling and demand management

The whole report starts from the assumption that in the future transport volumes will grow, thus investments are needed - meaning more infrastructure - to solve problems of congestion and bottlenecks, and to provide better connections for peripheral areas. Such an approach is flawed, as the real need – as emphasised by the Gothenburg Council of 2001- lies in decoupling transport growth from economic growth, rather than reinforcing that link. Another misconception that seems to have been taken over in the proposal for a revision is that sustainable development can be achieved by merely switching transport from one mode to another. Demand management measures are not mentioned.

3. Quantity vs. Quality

A quality transport system should first look at the economic, environmental and social needs and implications of projects and then decide on their priority level. In the present European transport system, there are trade-offs between the quantity and the quality of the transport networks, which favour quantity. As most of the projects are in early stages of planning, now is a good time to assess their long-term contribution to the quality and efficiency of the network. However, we believe the October 2003 revision proposal lost sight of the overall needs and the possible alternatives to building, and instead focused on increasing transport capacity, through an extended list of 29 priority projects.

4. Selection procedure and the Environment

The process of choosing the priority projects was subject to political and economic influences, and assumed a direct relationship between new investments and economic growth. We believe the methodology for the selection did not give the required attention to the European Union's environmental commitments as presented in the Treaty (either as contribution to sustainable development or in the form of internalising external costs of projects). Moreover, the selection process failed to involve stakeholders other than the Member States.

5. Cost-Benefit Analysis

The Commission has developed guidelines for Cost-Benefit Analysis. However these should be developed further to include social and environmental costs and benefits, including an economic valuation of the ecosystem functions. The guidelines for Cost-Benefit Analysis were not turned into formal requirements, and consequently the TEN-T proposal lacks an assessment of its costs and benefits.

6. Social cohesion

Social issues are directly relevant to the TEN-T. While peripheral areas suffer from a lack of connections, central areas are blocked with congestion along the TEN-T corridors. More infrastructure condensed in the central regions will only increase the gap, instead of achieving the TEN-T goal of social cohesion. The amount of money needed to finance the new TEN-T priority projects could be more usefully employed in other areas of EU's economy, with a greater impact on the well being of its citizens.

Specific comments:

- a) The October 2003 proposal introduces the concept of "projects of European Interest", without offering much detail on the criteria with which such projects should comply. Moreover, through the Declaration of European Interest – these projects are given a political go-ahead, without any further assessments, based on the assumption that a European "added value" is guaranteed.

³ In April 2003, the Joint Expert Group on Transport and Environment also recommended that a coordinated SEA should be carried out at the initiative of the European Commission (via the TEN-T Committee)

The funding for such projects conflicts with the principle of sustainability, as regions and countries are recommended to use Structural, Cohesion and ISPA funds to finance projects of European Interest rather than projects that would bring local value and help the communities lagging behind to catch up with the rest of EU.

- b) There is a majority of railway projects - but railways are not in themselves a justification for investments. Hundreds of kilometers of railway lines are being closed in Central and Eastern European countries because there is bad management and not enough money to repair them⁴. At the same time, inefficient use of the existing infrastructure leads to bottlenecks in the network and decreases the overall attractiveness of this transport mode. If the management issues are not tackled first, new lines will have to overcome the same bad image.
- c) We believe that, unless a thorough assessment of all transport options is undertaken, the motorways of the sea might become an incentive for additional road and rail trips, by creating additional carrying capacity. Also, the motorways of the sea can in some cases be more environmentally damaging than roads (for example the high-speed ferries not only consume important amounts of energy - but also may threaten maritime or fluvial flora and fauna). This depends on the speed and emission performance of ships, as well as on the way in which they are operated and should be well regulated before any significant investments are made. Improvement of port facilities raises specific environmental concerns, as these often affect ecologically sensitive nature areas important for migratory waterbirds and other wildlife.
- d) In addition, the proposal does not make any reference to the need to respect the provisions of the new EU water law: the Water Framework Directive, which entered into force on 22 December 2000. This is particularly relevant when developing inland waterways and motorways across river, lakes, wetlands and coastal waters. The Water Framework Directive requires Member States to prevent further deterioration in water status and to achieve "good ecological and chemical status" through Integrated River Basin Management, even beyond their borders. These environmental objectives should deliver ecological quality improvement for freshwater eco-systems.
- e) The selection of the priority projects does not take into consideration the sensitivity of high-value natural areas Member States are obliged to protect as Natura 2000 sites under the Birds and Habitats Directives. Several of the priority projects have been identified to have a likely negative (sometimes disastrous) impact on existing or candidate Natura 2000 sites. These projects are:
- The Rhine/Meusse-Main-Danube inland waterway route: a BirdLife International study identified 19 Important Bird Areas (IBAs) along the Danube corridor, which can be affected by this project.
 - Motorways of the sea: these could affect important seabird and wintering waterbird concentrations, especially in the shallow Baltic Sea area.
 - Mixed railway line Lyon – Trieste/Koper – Ljubljana – Budapest: this line will cut through at least one IBA in Italy.
 - Rail/road bridge over the strait of Messina: this project could prove disastrous to this important migratory bottleneck site (20,000 birds of prey every autumn).
 - Fixed rail/road across the Fehmarn Belt: highly controversial project cutting across a key migratory bottleneck for millions of migratory waterbirds.
 - Motorway Greek/Bulgarian border – Sofia – Nadlac (Budapest)/Constanta: the strongly criticized plan to cut across the Kresna Gorge in Bulgaria falls within this project.

Further details on the environmental NGOs' position available from:

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⁴ Length of railways decreased by 5% in the Accession Countries. Source: TERM 2002, Paving the way for EU enlargement.