



Response to the European Commission Report on the implementation of the Trans-European Transport Network Guidelines and Priorities for the Future

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1. Introduction

This report is a short response to the Commission's 1998 report on "implementation of the guidelines for the development of the trans-European transport network". It is intended to raise the issues that most concern T&E both in the development of the Trans-European Networks for Transport (TEN-T) and the Commission's assessment. This paper will therefore be followed by a more comprehensive response that addresses in more detail many of the issues raised by the Commission report.

In the report the following key issues for preparation of the TEN-T white Paper are identified :

A Establishing priorities

- how best to set priorities for investment in the TEN-T, particularly once the 14 Essen projects have been completed;

B Service standards, integrating systems and Intelligent Transport Systems (ITS)

- how to shift the focus from infrastructure investment to quality of service;
- how to integrate the modal networks, so that travellers are encouraged to use the most effective mix of forms of transport, rather than a single mode;
- how to encourage the use of ITS to allow more efficient use of existing infrastructure;

C Preparation for enlargement

- how to take account in the guidelines of the forthcoming accession of new Member States;

D Environmental aspects

- how to further strengthen the environmental dimension of the guidelines.

E the procedure for adapting the guidelines

This paper will start with a small number of general comments on TEN-Ts and the Commission report as a whole. This will then be followed by comments on each of these main five areas identified by the Commission in turn and a short conclusion.

2. General Comments

The TEN-T are not merely a Community policy, they are a requirement of the Treaty¹. As such the question of whether a TEN-T should be developed can only be addressed by revision of the treaty at an inter-governmental conference. This does not mean however, that the rest of the Treaty and the body of Community law - the *Aquis Communautaire* - can be ignored in implementation of the TEN-T. In fact compliance with a raft of both Directives and articles of the treaty is just as legally binding as implementation of the TEN-T. Furthermore whilst the TEN-T themselves are defined by Articles of the treaty, there is no explicit *requirement* for additional infrastructure construction to form the basis for the TEN-T in these articles. Rather the Articles stipulate that the Community action “shall aim at promoting the interconnection and interoperability of national networks as well as access to such networks”².

It has, therefore been a great disappointment to NGOs that the Commission and Member States have at times placed a greater emphasis on implementation of the TEN-T via infrastructure construction than compliance with other parts of Community law - the habitats and wild birds Directive for example³. These concerns will be exacerbated when the Amsterdam Treaty comes into force with a strengthened legal requirement to integrate environmental protection and sustainable development requirements into the definition and implementation of EU policy⁴. These strengthened commitments will place more onerous requirements on both the Commission and the Member States in their implementation of the TEN-T.

An important issue that is missing from the Commission's list is any assessment of whether the TEN-T are in themselves desirable. The report on the implementation of the TEN-T describes the internal judgement of the Commission on the benefits derived from investment in the TEN-T. Such an assessment is not, however, the only assessment that could be made or the only conclusions possible. T&E shares the view of many Transport economists that the job creation potential of the TEN-T has been overestimated by the Commission. Other potential drawbacks such as the additional congestion and environmental impact resulting from the traffic generated by TEN-T construction have also received scant attention.

If an objective of the White paper is to stimulate a debate on TEN-T ahead of revision of the TEN-T guidelines, then it is important that this debate includes all relevant issues rather than focusing on a narrower range of predetermined questions.

The limited detail presented in the report of the assessment undertaken by the Commission on the economic benefits of the TEN-T does not allow a comprehensive review of that assessment here. The conclusions of this assessment have, however, been questioned by a number of researchers who have had an opportunity to review it in more detail. The interim report on Transport Investment, Transport Intensity and

¹ Articles 129b - 129d and Article 130d of the Maastricht Treaty

² Article 129b 2. Of the Maastricht Treaty.

³ For example Directives 92/43/EC (Habitats Directive) and 79/406/EEC (Wild Birds Directive) were given a lower priority than construction of TEN-T in Community Decision 96/15/EC on the Construction of the A20 Motorway in the Peene valley (Germany).

⁴ In particular in article 2 outlining the task of the Community the focus on “balanced and sustainable development of economic activities” rather than previous references to “sustainable growth” and the provisions of article 6 which states : *Environmental protection requirements must be integrated into the definition and implementation of the Community policies and activities referred to in Article 3, in particular with a view to promoting sustainable development.*

Economic Growth issued by the UK Government's Standing Advisory Committee on Trunk Road Assessment stated that the committee did "not accept the results of macroeconomic studies (e.g. Auscher (1989)), which purport to identify large returns from infrastructure investment." They were also "at present unpersuaded by the size of the impact of transport on jobs claimed by a number of European studies (e.g. European Commission (1997))". This interim report identified several areas where there was potential for miscalculation of the economic benefits of transport infrastructure. The conclusions of the report call for an approach which is both more rigorous and integrated into the rest of the appraisal process. The question of the level of economic benefits from TEN-T is to be addressed more fully in the final report of the Committee due to be released shortly.

The call for a more rigorous and integrated approach to assessment has been made previously by T&E. In the submission to the third Pan European Transport Conference T&E advocated a more sensible approach to infrastructure construction decision making. It has long been the contention of T&E that broad brush assumptions on the efficiency of infrastructure investments are inappropriate to serious assessment. Individual projects need to be strategically assessed to establish their overall desirability and their impacts.

Other NGO comments on Commission claims for economic benefits from TEN-T have echoed this assessment. It is incumbent on the Commission to include the question of the level of benefits TEN-T may bring in the broader discussion they wish to stimulate by publication of a White Paper. After all if their assessment is as robust as they believe, then there is no reason for them to be afraid of such an element to the debate.

3. Establishing priorities

Responding to this concern would also facilitate debate on the first question of the Commission report - how best to set priorities for investment in the TEN-T, particularly once the 14 Essen projects have been completed. Clearly if the benefits of individual projects are lower than anticipated, or below the returns from alternative investments they should not form part of any priority list!

Furthermore, a more searching question on priorities needs to be addressed. It is the Commissions explicit intention to utilise the TEN-T to redress in part the historic imbalance between road and rail infrastructure investment. That is evidenced by the much larger share of the total budget assigned to rail projects compared to road (roads receiving 26.7% of the total costs of project notified by Member States and rail 60.3%). Up to now, however, the projects that have seen investments *actually committed* are more evenly balanced between road and rail (roads received 37.9% of TEN-T investments during the period 1996/7 whilst rail received 39.4%).

Moreover it is not merely sufficient to weigh the various absolute contributions allocated to rail and road infrastructure in the TEN-T. A distinction needs to be drawn between adding to the high speed rail network with large and expensive new schemes and augmenting the functioning and interoperability of the conventional rail network.

It would appear that the priorities for financing TEN-T projects have to date continued to give at least an equal weighting to roads, rather than attempt any redress of

historical imbalances. This is an important additional criteria to be born in mind when re-examining TEN-T priorities.

4. Service standards, integrating systems and ITS

Essentially, the question asked by the Commission in raising this issue in the report is how can we move to quality rather than quantity. However, a priority for TEN-T development should have always been improving the efficiency of Europe's transport system rather than merely focusing upon infrastructure construction. The assumption, therefore, that increased infrastructure investment automatically has the greatest economic benefit will act as a brake rather than an accelerator for improved transport policy. Increased financial and environmental constraints to new infrastructure construction together with the potential for new technology to upgrade existing infrastructure point to the need for improvements to the system rather than extension.

An explicit aim of recent Commission transport policy has been improvement of the fairness and the efficiency of the European transport system. Examples for this can be found in the Green paper on fair and efficient pricing, the White paper on infrastructure pricing, the liberalisation of the rail sector, as well as the EUROVIGNETTE agreement. Tangible results stemming from this policy target have, however, to date been negligible. Progress appears to be blocked most frequently by the Transport Council decision making process. Whilst transport ministers have agreed to the principles of sustainable transport in numerous fora, including the Pan European Transport Conference in Helsinki and the UN ECE regional conference on Transport and Environment in Vienna, they have consistently declined to adopt policies that would implement these principles. Progress on improving the quality of transport will depend upon a much more progressive response from the Transport Council.

The white paper on infrastructure pricing adopted by the Commission last year has the potential to aid this process of improving the efficiency of Europe's transport system. It can only do this however if the measures that the process produces are not merely once again addressing perceived infrastructure construction needs. The timetable of future action elaborated by the Commission in the White paper needs, therefore, to be amended to account for this fact. Specifically, the internalisation of external costs should not be delayed until after infrastructure construction costs are all dealt with.

At the same time the Council is undergoing a thorough reassessment of how it can integrate environmental considerations into transport policy. This process is unusual in that it is the EU heads of government that have both initiated the process and are continuing to drive it forward. A report from the transport Council to the heads of government in Vienna on integrating environmental considerations into transport policy led the heads of government to call for a strengthened process to include a defined strategy, targets and a timetable for implementation. The pressure upon the transport council to move away from its traditionally conservative fear of change is therefore coming not just from environmentalist, but from their government leaders.

It will be necessary to link the ongoing developments in other areas of transport infrastructure policy such as the White paper and the process of integrating environment into transport policy into the revision of the TEN-T guidelines. Moreover it is only when policy improves the functioning of the system rather than merely seeking to expand the system that the original intention of the TEN-T network -efficient transport infrastructure and enhanced economic and social cohesion - will be achieved.

There is also the likelihood that the guidelines will be reviewed under the Amsterdam rather than the Maastricht Treaty. As we have already reviewed, this is significant given the higher priority that the Amsterdam Treaty affords the integration of environmental considerations into EU decision making. A strengthened EU commitment to “sustainable development” rather than merely “sustainable economic growth” will need to be reflected in the development of the new guidelines.

5. Preparation for enlargement

The preparation for enlargement has to date focused on the TINA process. The accession process has thus the same focus on infrastructure construction for TEN-T development as was seen at the start of the TEN-T project. The functioning of the transport system across the current EU border into the accession countries should not however utilise the same assumptions of the economic benefits of infrastructure construction. To do so would be to fall into the same trap of confusing quantity with quality. Furthermore the EU heads of government have already called for environmental considerations to be integrated into the enlargement process in their conclusions of the Vienna summit.

As stated in the Commission report, the aim of the TEN-T was to produce efficient infrastructure for EU transport and to enhance economic and social cohesion. With the expansion of the Union eastwards the type of economic development foreseen to produce this enhanced economic and social cohesion deserves careful scrutiny. For many of the applicant countries there is potential to act as transit routes for more distant markets - particularly if there is large scale infrastructure construction to facilitate such development. Governments of several applicant states appear even to be actively courting this outcome with a view to the potential revenue from transit traffic. Such revenue streams may be welcome to applicant state governments, but their contribution to social and economic cohesion would be minimal. Large scale investment decisions aimed at enhancing economic and social cohesion will need to consider the extent to which there are real benefits as well as “needs” expressed by applicant country governments for new infrastructure.

Moreover, up to this point in time the TINA process has largely focussed on the infrastructure of the accession countries. If interoperability is to be maximised however, the extent to which existing accession country infrastructure can be harnessed will need far greater scrutiny. Of course this requires just as close an examination of the infrastructure in current EU states to ensure that the potential for existing infrastructure is maximised.

6. Environmental aspects

The inclusion of strategic environmental impact assessment requirements in the first guidelines was an important step in the improvement of the TEN-T project. On its own, however, SEA does not deliver sustainable transport policy. As we have argued above the improvement of the quality of the system is more of a priority than its extension. Ensuring a far greater role for environmental considerations is therefore important in devising policies rather than as an “add on” at the end of the process.

In this regard the integration process is significant. The report requested by the heads of government at Vienna from the transport Council includes requirements for targets and a timetable to be elaborated within an overall strategy. The actions that the transport Council will need to consider will therefore need to be more than environmental add-ons.

7. Procedure for adapting the guidelines

It is important to recall the legal basis for the report. The guidelines for the development of the trans-European transport network (Decision 162/96/EC) required the Commission to revise the guidelines this year (1999). This timetable has, however, been rejected by the Commission in favour of production of a White paper this year followed by revision of the guidelines at later date, currently given as the end of next year (2000). Doubtless the reasoning for this alteration is related to the complicating factors of a European Parliament and Commission undergoing renewal together with the likely entry into force of the Amsterdam treaty. All this, however, was known when the date for re-assessment of the guidelines was set. Whilst using the Commissions right of initiative to ignore a revision date laid down in a Decision is certainly not a novel practice, its continued use in many sectors demonstrates a disrespect for both the Treaty and the other Community institutions.

Furthermore NGOs have long argued the need for greater participation and transparency to be included in community decision making. This is now particularly important as the Commission seeks ways of bringing the Union closer to the citizen. Given these desires and the additional provisions of the Århus convention on Public Participation, NGOs expect the Commission to ensure that NGOs are included within all the fora during the decision making process of this key Community policy area.

8. Conclusions

The TEN-T were conceived at a time when Europe was moving into a recessionary period as a means for stimulating the economy. This economic situation is still uncertain, particularly as a result of turbulence last year in far East and emerging markets around the world.

The functioning of the Single market, seen as vital for European competitiveness, was assumed to require additional infrastructure when the TEN-T were born. This assumption was driven at the time by calls from some transport lobbies for completion of “missing links” in Europe’s transport infrastructure. To some extent this assumption continues to hold sway. As we have seen, however, this assumption is seriously flawed and the extent to which inefficiencies in the system are related to any missing links is particularly questionable. With an increasing realisation in the Commission of the importance of quality issues to drive development of the TEN-T it may be possible to move towards a transport system that is fairer, more efficient, and consistent with the strengthened sustainability requirements of the Amsterdam Treaty.

About this paper

This paper is an initial response to the European Commission's report on the implementation of the guidelines and priorities for the future for the trans-European transport network (TEN-T). As such it is intended to contribute to the debate that publication of this report by the Commission will inevitably spark.

It has been T&E's contention for a considerable period that a more sensible approach to infrastructure decision making is required to replace the present model based on unrealistic assumptions and limited analysis. The Commission report does identify several issues for the future that could be built on to make such an approach attainable. However the Commission report continues to rely on incorrect assumptions for the scale of economic benefits from infrastructure construction. The Commission will also have to take into account the strengthened role environmental protection and sustainable development have in the new Amsterdam treaty when they revise these guidelines.

This report argues that a shift is needed away from questions of quantity to ones of quality as a priority for the future development of the TEN-T. It is only by using such an approach that the original intention of increasing the efficiency of cross border communication will be achieved.

About T&E

The European Federation for Transport and Environment (T&E) is Europe's primary non-governmental organisation campaigning on a Europe-wide level for an environmentally responsible approach to transport. The Federation was founded in 1989 as a European umbrella for organisations working in this field. At present T&E has 32 member organisations covering 19 countries. The members are mostly national organisations, including public transport users' groups, environmental organisations and the European environmental transport associations ('Verkehrsclubs'). These organisations in all have several million individual members. Several transnational organisations are associated members.

T&E closely monitors developments in European transport policy and submits responses on all major papers and proposals from the European Commission. T&E frequently publishes reports on important issues in the field of transport and the environment, and also carries out research projects.

The list of T&E publications in the annex provides a picture of recent T&E activities.

T&E member organisations

Aksjon Naermiljo og Traffikk (Norway)
Associació per la Promoció del Transport Públic (Spain)
Asociación Ecologista de Defensa de la Naturaleza (Spain)
Český a Slovenský Dopravní Klub (Czech and Slovak Republics)
Danmarks Naturfredningsforening (Denmark)
Environmental Transport Association (UK)
Estonian Green Movement (Estonia)
Fédération Nationale des Associations d'Usagers de Transports (France)
Gröna Bilister (Sweden)
Groupement des Usagers des Transports Intercommunaux Bruxellois (Belgium)
Komitee Milieu en Mobiliteit (Belgium)
Liikenneliitto (Finland)
Magyar Közlekedési Klub (Hungary)
Norges Naturvernforbund (Norway)
Polish Ecological Club (Poland)
Pro Bahn (Germany)

Pro Bahn Schweiz (Switzerland)
Quercus (Portugal)
Society for Nature Protection and Eco-development (Greece)
Romanian Traffic Club (Romania)
Stichting Natuur en Milieu (Netherlands)
Svenska Naturskyddsföreningen (Sweden)
Transport 2000 (United Kingdom)
Verkehrsclub Deutschland (Germany)
Verkehrsclub Österreich (Austria)
Verkehrsclub der Schweiz (VCS/ATE/ATA) (Switzerland)

Associate members

Alpine-Initiative
BirdLife International
Community of European Railways
European Cyclists' Federation
International Union for Public Transport
Worldwide Fund for Nature