

DRAFT THEMATIC GUIDANCE FICHE FOR DESK OFFICERS

TRANSPORT

VERSION 3 - 14/05/2014

RELEVANT PROVISIONS IN THE LEGISLATION

Regulation	Articles
<i>Common Provisions Regulation (CPR)</i> <i>(No 1303/2013)</i>	Article 9 (7) - Thematic objective (TO) 7: promoting sustainable transport and removing bottlenecks in key network infrastructures Related provisions: ANNEX I – Common Strategic Framework, in particular section 4.8 (synergies with Connecting Europe Facility) ANNEX XI– PART I: Thematic <i>ex ante</i> conditionalities 7.1, 7.2, 7.3
European Regional Development Fund Regulation <i>(No 1301/2013)</i>	Article 5(7) - Investment priorities relating to TO7 (promoting sustainable transport and removing bottlenecks in key network infrastructures) Related provisions: Article 3 - Scope of support from the ERDF Article 5(4) (e) - Investment priority: supporting the shift towards a low-carbon economy in all sectors by: promoting low-carbon strategies for all types of territories, in particular for urban areas, including the promotion of sustainable multi-modal urban mobility and mitigation relevant adaptation measures
<i>Cohesion Fund Regulation</i> <i>(N° 1300/2013)</i>	Article 4 (d) – Investment priorities relating to TO7 (promoting sustainable transport and removing bottlenecks in key network infrastructures) Related provisions: Article 2 - Scope of support from the Cohesion Fund Article 3 – Cohesion Fund support for transport infrastructure projects under the Connecting Europe Facility

	ANNEX I : common output indicators for the Cohesion Fund – transport : Railway, roads, urban transport , inland waterways
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This is a document drafted on the basis on the new ESIF Regulations published in OJ 347 of 20 December 2013 and on the most recent version of the relevant Commission's draft implementing and delegated acts. It may still require review to reflect the content of these draft legal acts once they are adopted.

1. Introduction

This guidance explains issues related to thematic objective 7 “promoting sustainable transport and removing bottlenecks in key network infrastructures” and the related investment priorities for the European Regional Development Fund (ERDF) and the Cohesion Fund.

2. Strategic framework

The transport sector represents a key area for growth and competitiveness, in particular through servicing the other sectors of the economy. Transport and storage services account for 5.0 % of total employment in the EU and for 4.9 % of total value added. Therefore efficient and sustainable transport services and infrastructure are vital to exploiting the economic strengths of all EU regions and supporting the internal market, thereby facilitating economic and social cohesion. In regions with objective lack of infrastructure, investments in transport infrastructure can enable growth and employment if properly integrated in wider developmental efforts on complementary investment fields.

2.1. Increasing transport performance in times of austerity: improving infrastructure quality, efficient use and attracting private investment

The performance of the transport sector is linked to three main dimensions: market access, quality and sustainability of infrastructure and efficient use of transport infrastructure. Although Cohesion Policy support is focused on improving the quality of infrastructure, the efficient use of already existing transport infrastructure should be systematically considered when deciding future investments in the transport sector. The purpose should be to improve accessibility, mobility and safety, as well as to match the demand. Most Member States face the common challenge of financing investment in transport infrastructure, exacerbated by tight budget constraints, and of creating a network that better integrate and connects the different transport modes. Hence support through financial instruments should be promoted – where appropriate – in order to attract more private funding for the deployment of strategic TEN-T transport infrastructure projects.

2.2. Need for clear prioritisation: consistency with national transport plans and in line with TEN-T¹

- In such an economic and financial context, the setting of priorities needs to be more selective and reflect a consensus among key stakeholders in the region/Member State, as well as to pursue the logic of previous Cohesion Policy interventions.
- Investments within a strategic framework: maximising the network effect of transport investments requires that individual investments should be carried out in full consistency with comprehensive transport plans (cf. thematic *ex ante* conditionality 7.1-7.2-7.3), in order to ensure a better interoperable integration between transport modes and a stronger focus towards the Trans-European Networks by 2020 and beyond. Investments by the ERDF and Cohesion Fund in transport infrastructure should be fully in line with the TEN-T Guidelines, which define the EU's transport infrastructure priorities. These comprehensive plans should be based on a rigorous assessment of transport demand (both for passengers and for freight), should identify missing links

¹ Regulation (EU) No 1315/2013 of the European Parliament and of the Council of 11 December 2013 on Union guidelines for the development of the trans-European transport network and repealing Decision No 661/2010/EU : http://new.eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2013.348.01.0001.01.ENG

and bottlenecks and should set out a realistic and mature pipeline for projects envisaged for support from ERDF and Cohesion Fund. In addition, this list of projects should be established in synergy with the Connecting Europe Facility² and national resources in order to ensure the comprehensiveness of the transport plan. The complexity of such infrastructure investments requires sufficient institutional and administrative capacities in Member States and regions for the implementation. Accordingly, capacity-building for planning, implementing and managing investment projects, and for risk and disaster management should be promoted.

2.3. Sustainable transport³: more rail, inland waterways and modal integration - and adequate, sustainable pricing

Focusing on sustainable forms of transport should also be addressed (to meet the EU target of using 10% of Renewable Energy Sources (RES) in transport – by 2020)⁴. Most Member States are still lagging behind in meeting the EU target on the use of RES in transport. Besides reducing the environmental impact of transport, both in terms of Greenhouse gas emissions and local pollution, meeting this target would contribute to ensuring security of fuel supply and reducing both oil dependency and the sensitivity of the economy to oil price fluctuations. Moreover, the development of rail should be the priority.

Investments should integrate transport pricing assessment and user charging systems in order to help move towards full application of the polluter and user pays principles in all transport modes. Measures to avoid or mitigate or compensate for negative impacts of transport infrastructure on the environment should be supported by the ERDF and Cohesion Fund.

2.4 Allowing for regional diversity and ensuring proper maintenance of the network

Problems in the transport sector are often specific to each Member State. For some the main issue is to upgrade and renovate the existing infrastructure while for others the need is to better integrate their transport networks. Therefore, in Member States/regions with comparatively good endowment of infrastructure we should not invest in infrastructure with ERDF, unless to address specific missing links or bottlenecks. In terms of enhancing the quality of existing infrastructure, the focus for all Member States should be new or upgraded transport infrastructure and services. Investment in pure maintenance of existing infrastructure is not eligible. A medium to long-term financial planning, including a national maintenance plan should ensure the long-term operation and maintenance of the transport networks and the sustainability of cohesion policy investments. A minimum budget should be made available by the region/Member States for the implementation of this maintenance plan.

² Regulation (EU) No 1316/2013 of the European Parliament and of the Council of 11 December 2013 establishing the Connecting Europe Facility, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010 : <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2013:348:SOM:EN:HTML>

³ Sustainable Multimodal Urban mobility is included in Thematic Objective 04 (shift towards a low-carbon economy) for the ERDF and the CF. The guidance on urban mobility is available on the internet: http://ec.europa.eu/regional_policy/sources/docgener/informat/2014/guidance_urban_mobility.pdf

⁴ The support of Regional Policy should be focused on sustainable forms of transport, based on the lines set in the White Paper on Transport adopted in 2011 (a reduction in greenhouse gases of at least 60 % by 2050 compared with 1990 is required from the transport sector). Cf.:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0144:FIN:EN:PDF>

2.5. Tackling congestion through intelligent transport:

Many regions suffer from a high level of congestion. The slow pace of deployment of intelligent transport systems (the European Rail Traffic Management System (ERTMS), River Information Services (RIS), Intelligent Transport Systems for Road Traffic (ITS), European air traffic management system (SESAR), SafeSeaNet and Maritime Single Window) is a cross-cutting issue, causing considerable economic losses. The issue of road congestion has to be tackled through better exploitation of all transport modes; deployment of intelligent transport systems; adequate pricing for the use of infrastructure and urban mobility concept.

3. Regulatory scope of support

In line with the results orientation of the new legislative framework for Cohesion Policy, the ERDF and the CF regulation distinguish clearly between the **scope of support** for the ERDF / CF (the activities it may support) and the **investment priorities** for each thematic objective (objectives to which the ERDF / CF shall contribute). For an operation to be eligible for ERDF / CF support it must contribute to a **specific objective**⁵ defined for an investment priority and fall within the scope of the fund's activities.

3.1. Scope of support

The **ERDF** shall support investments in infrastructure providing **basic** services to citizens in the area of transport (Article 3 (1) (c) of the ERDF).

The ERDF Regulation – article 3 (2) - also indicates that under the European territorial cooperation goal, the ERDF may also support the sharing of facilities and human resources, and all types of infrastructure across borders in all regions.

The **Cohesion Fund** shall, while ensuring an appropriate balance and according to the investment and infrastructure needs specific to each Member State, support:

- (a) investment in the environment, including areas related to sustainable development and energy which present environmental benefits (this includes clean urban transport for example).
- (b) TEN-T, in compliance with the guidelines adopted by Regulation (EU) No 1315/2013;
- (c) Technical assistance

Moreover, both the ERDF and the Cohesion Fund regulations exclude from the ERDF and CF support “investment in airport infrastructure unless related to environmental protection or accompanied by investments necessary to mitigate or reduce its negative environmental impact”.

⁵ Art. 2(34) of the Common Provisions regulation: a 'specific objective' means the result to which an investment priority or Union priority contributes in a specific national or regional context through actions or measures undertaken within such a priority.

3.2. Investment priorities

ERDF Investments under the thematic objective "Promoting sustainable transport and removing bottlenecks in key network infrastructures" shall contribute to the following investment priorities (cf. Art. 5 (7) of ERDF regulation):

- 7) (a) supporting a multimodal Single European Transport Area by investing in the TEN-T;
- 7) (b) enhancing regional mobility through connecting secondary and tertiary nodes to TEN-T infrastructure, including multimodal nodes;
- 7) (c) developing and improving environment-friendly (including low-noise) and low-carbon transport systems, including inland waterways and maritime transport, ports, multimodal links and airport infrastructure, in order to promote sustainable regional and local mobility;
- 7) (d) developing and rehabilitating of a comprehensive, high quality and interoperable railway system, and promoting noise-reduction measures;
- 7) (e) improving energy efficiency and security of supply through the development of smart energy distribution, storage and transmission systems and through the integration of distributed generation from renewable sources.

Cohesion Fund investments under the thematic objective "Promoting sustainable transport and removing bottlenecks in key network infrastructures" shall contribute to the following investment priorities (cf. Art. 4 (d) of the Cohesion Fund Regulation) - the text is aligned with the relevant ERDF investment priorities:

- (d) (i) supporting a multimodal Single European Transport Area by investing in the TEN-T;
- (d) (ii) developing and improving environment-friendly (including low-noise) and low-carbon transport systems including inland waterways and maritime transport, ports, multimodal links and airport infrastructure, in order to promote sustainable regional and local mobility;
- (d) (iii) developing and rehabilitating comprehensive, high quality and interoperable railway systems, and promoting noise-reduction measures.

N.B. Sustainable multimodal urban mobility is covered by Thematic objective 04 (shift towards a low-carbon economy) for the ERDF and the CF in the framework of low carbon strategies and is hence covered by the thematic concentration requirement (see the relating guidance fiche⁶). However, the Investment priority IP 7(c) of ERDF Regulation or IP 4(d) ii) of Cohesion Fund Regulation also allows to support actions relating to sustainable transport in urban areas – in this latter case the requirement of ex-ante conditionality applies.

⁶ http://ec.europa.eu/regional_policy/sources/docgener/informat/2014/guidance_urban_mobility.pdf

4. Key measures linked to Investment priorities

Investment Priorities have to be closely linked to the needs previously identified and should tackle notably the Country Specific Recommendations in this field, when specifically mentioned. Some investment priorities can be linked to several types of actions and some types of actions can be linked to several investment priorities.

4.1. - Supporting a multimodal Single European Transport Area by investing in the TEN-T can include actions such as:

- Investments in the TEN-T infrastructure, primarily on the Core Network⁷, covering rail, road, inland waterways and sea transport, as well as multimodal and interoperable modes (namely to improve the quality of infrastructure in terms of efficiency, safety, security, climate and where appropriate disaster resilience, environmental performances, social conditions, accessibility for all users, quality of services and continuity of traffic flows; to bridge missing links and remove bottlenecks, notably in cross-border sections in articulation with the CEF; to remove administrative and technical barriers, in particular to the interoperability of the network and to competition). The identified investments should be prioritised according to their expected economic development impact, and in particular according to their contribution to mobility, sustainability, reduced greenhouse gas emissions, and the Single European Transport Area. This requires assessing the greenhouse gas emissions of investments and promoting greater use of more resource-efficient modes;
- Implementing and deploying intelligent transport systems (the European Rail Traffic Management System (ERTMS), River Information Services (RIS), Intelligent Transport Systems for Road Traffic (ITS), SESAR, SafeSeaNet, Maritime Single Windows), including measures which enable traffic management, multimodal scheduling and information services, multimodal tracking and tracing, capacity planning;
- Preparing for introduction of infrastructure charging schemes.

4.2. - Enhancing regional mobility through connecting secondary and tertiary nodes to TEN-T infrastructure, including multimodal links (only the ERDF can support this priority) can include measures such as:

- Upgrading the network of railways, roads or inland waterways, whenever they contribute to remove transport bottlenecks and congestion through the completion of gaps in the TEN-T network (the TEN-T network needs to be efficiently integrated with the existing secondary and tertiary network).

Construction and reconstruction of transport corridors, with a view to connecting growth poles and peripheral regions, including connections between regional capitals, city bypasses, as well as appropriate safety measures. Investment in regional connectivity to the comprehensive and core TEN-T network should ensure that urban and rural areas benefit from the opportunities created by the major networks. The objective of such measures is to improve the access of people and goods to the single market.

⁷ Cf. ANNEX II of the Regulation (EU) No 1315/2013 defines the list of nodes of the core network.

For roads to be supported under this investment priority (whether local or regional) it is necessary to demonstrate that they will lead to the connection of secondary and tertiary nodes to the TEN-T network.

4.3. - Developing and improving environment-friendly (including low-noise) and low-carbon transport systems including inland waterways and maritime transport, ports, multimodal links and airport infrastructure, in order to promote sustainable regional and local mobility can include measures such as:

- Investment in maritime transport, including support to projects concerning port access and hinterland connections, measures to support Short Sea Shipping, notably to reduce road congestion (maritime single window linking SafeSeaNet, e-Customs and other electronic systems) and the carbon footprint of transport (deployment of new maritime fuels systems (e.g: LNG), cold ironing and pollution abatements systems).
- Developing efficient intermodal transport system by investing in construction of multimodal and interoperable nodes (including connecting airports and seaports with other modes, especially railways), as well as logistic centres, including comprehensive information systems ("Multimodal Interoperability E-services for Logistics and Environment sustainability"), especially along the TEN-T core corridors.
- Ensuring fuel security by allowing the use of alternative and in particular low or zero carbon energy sources and propulsion systems;
- Investments promoting the removal of bottlenecks in inland waterways, while minimising substantial modifications to riverbeds, and supporting investments to render fleets more environmentally friendly, as well as investment in River Information Systems(RIS).

4.4. - Developing and rehabilitating comprehensive, high quality and interoperable railway system, and promoting noise-reduction measures can include measures such as:

- Investments in the core and comprehensive TEN-T railway infrastructure, secondary connectivity, upgrading of dense railway networks (e.g. bypassing urban areas for rail freight transport, improving the regional and local accessibility to main airport); these interventions should be targeted primarily at rehabilitation and modernisation of existing corridors in order to complete significant gaps in TEN-T **core** network corridors;
- Modernisation of the rolling stock, stations and service equipment, linked to the modernisation of the rail network, notably on the core network corridors and improved quality of services;
- Deployment of the European Rail Traffic Management System (ERTMS) and other investments to improve interoperability, as well as measures to comply with EU obligations on railway governance, standards and corridor management;
- Multi-location projects of the following type:
 - i) Multi-location project "Level crossings", aiming at the elimination, replacement by over- or underpaths, protection (barriers) and automation of level crossings, based on an assessment of traffic safety effects and on an assessment of benefits for train operations (avoidance of local speed restrictions, possibility to increase speed above 160 km/h) and maintenance works strictly related to the above-mentioned investments;
 - ii) Multi-location project "Access points for rail freight", aiming at the construction of new and adaptation or re-opening of existing industrial spurs and loading sites (wagonload and intermodal terminals) along the entire rail network;

iii) Multi-location project "PRM-adaptation of stations", aiming at making passenger stations compliant with the requirements of the PRM TSI (Technical Specifications concerning Passengers with Reduced Mobility).

4.5. Contribution to thematic objective 4 (supporting the shift towards a low-carbon economy in all sectors) - indent e) : promoting low-carbon strategies for all types of territories, in particular urban areas, including the promotion of sustainable multi-modal urban mobility and mitigation relevant adaptation measures can include measures such as⁸:

- Promoting clean fuels and vehicles and implementation of schemes for in-city user charging and access restrictions. Intelligent urban transport should cover the functional urban areas, in order to improve urban-rural linkages and provide access to jobs and services from rural areas too;
- Promoting innovative road pricing, user charging systems and traffic management, and in fuelling and charging infrastructure for new carbon-free vehicles for urban transport.

In any case, it should be kept in mind that any action in favour of sustainable urban mobility should be carried out in the framework of a sound low-carbon strategy mobility plan or framework. One-off actions cannot be supported.

4.6. Policy coordination issues (Connecting Europe Facility, Horizon 2020):

According to the Common Strategic Framework (Annex I to the Common Provisions Regulation), actions financed under the ERDF and the CF in the field of transport shall be planned in close cooperation with the Connecting Europe Facility (CEF), which is a centralised management fund "so as to ensure complementarity, avoid duplication of efforts and ensure the optimal linkage of different types of infrastructure at local, regional and national levels, and across the Union".

The CEF will concentrate on projects with a high EU added value on the TEN-T **core** network, in particular for cross-border infrastructure, bridging missing links and removing bottlenecks (as pre-identified in Part I of the Annex to the CEF Regulation) and for railway and inland waterways, while the Cohesion Fund and the ERDF will concentrate on high EU added-value projects to remove bottlenecks in transport networks by supporting TEN-T infrastructure, for both the core and the comprehensive network. Investments in regional connectivity to the comprehensive and TEN-T core network shall ensure that urban and rural areas benefit from the opportunities created by major networks.

The Member States are encouraged to define in advance under what support scheme individual TEN-T infrastructure projects should be implemented in order to allow a proper planning and an efficient investment of the financial amounts available.

Hence, the existence of a mature and realistic project pipeline to cover both the CEF and the ESI Funds from the beginning of the period is crucial.

In addition, actions financed under this thematic objective should develop close synergies with activities funded under the "Smart, Green and Integrated transport" Challenge of **Horizon 2020**.

For instance, finding innovative solutions for transport problems ranging from the "greening" of the moving material to integrated solutions for inter-modal transport, logistics, and urban and peri-urban mobility is a wide-spread societal need. This has also emerged as a field where many regions and Member States have identified their competitive advantages and potential research and innovation strengths, i.e. mobility related issues have emerged in the smart specialization as priority fields.

⁸ See the already mentioned guidance fiche on sustainable multimodal urban mobility available on the internet: http://ec.europa.eu/regional_policy/sources/docgener/informat/2014/guidance_urban_mobility.pdf

Hence, it is important that the take-up of such innovative solutions through public procurement and also the development of more targeted solutions for transport problems through research and development is promoted. Horizon2020 can help regions pool their demand and conduct the often tricky procurement procedures related to this.

Finally, the development of cross-border infrastructure operations should be closely coordinated, where relevant, with the appropriate macro-regional and sea-basin approaches. [In this context, the implementation of Maritime Spatial Planning can provide a framework for arbitrating.]

Remember: **Financial Instruments**, such as project bonds, can be used in support of many of the above actions.

5. Lessons from the past and result orientation

Once a national/regional authority has made a decision on which needs should be addressed, it is necessary to formulate a specific objective: the content of an investment priority adapted to the circumstances of the region or the sector under consideration.

The following questions in relation to the definition of specific objectives should be raised:

- What is supposed to change/improve in the region and / or Member State? And
- How to know if the need is being addressed? This requires a result indicator with a baseline and a target.

Examples of result indicators:

- Travelling time in passenger/cargo transport by corridor in minutes/hours (accessibility increase).
- Urban public transport⁹: Door-to-door travelling time in minutes on representative routes
- Share of users of public transport on the population (notably for metropolitan/urban areas)
- Changes in the modal split (passengers/freight) by corridor or destination (and, if possible, globally in the region/country).
- Road fatalities (fatalities per number of vehicles, per number of vehicle kilometres, per population)
- Rail crossing fatalities (reduction in number of level crossings/km).
- Road accidents (serious injuries, serious accidents and slight accidents per vehicle kilometres or per population, kilometres, together with supplementary information on accidents involving specific groups such as pedestrians, cyclists and children)
- Congestion (average speed as compared to the free-flow speed)
- GHG emissions from transport in kt of CO2 equivalents
- Noise levels in db (share of population exposed to level higher than xx dB in the target area)

However, for sake of clarity the programme should not multiply result indicators. Once the most appropriate indicators have been selected, the programme should provide a baseline, set a target and plan for appropriate monitoring during the lifetime of the programme.

⁹ Urban mobility has been moved to TO4 (shift towards a low-carbon economy) for the ERDF and the CF.

Defining a precise quantified target that is achievable within the programming period may prove difficult in some cases. Programmers could use therefore qualitative targets (i.e. an expected direction of change, a range of value).

After having answered the question *what* should be changed, the programme needs to answer *how* this change will be achieved, by which actions.

The following questions in relation to the definition of actions should be raised:
 Which factors influence the result indicator? Which of these factors will be selected to be influenced by the programme?
 What are the actions to do so? What is the strategy?
 Output indicators ; common indicators

Example:

Country X has a high number of accidents per thousand of population (result indicators). The number is 30 per thousand in 2013 (baseline) and should be brought down to 20 in 2022 (target). The country explains that a poor state and absence of road signs, insufficient technical equipment of the police and an outdated road code are factors that explain the high number of accidents. It is decided that the country will pay for the road sign from a national programme and possibly amend the road code, whereas the ERDF will co-finance technical equipment for the police for speed controls (the action). The country explains that at least 200 more mobile speed cameras are needed (target for output). There is no common output indicator referring to this output, therefore a programme specific output indicator has to be set – the number of mobile speed cameras purchased.

Some horizontal issues, based on the evaluation evidence

Horizontal issues	Ex post Evaluations found...	Questions to ask
Demand analysis	It is crucial that the selection of needs to be addressed and consequent projects is based on an analysis of wider objectives and constraints on regional development (including the role of transport system as a constraint to growth).	Can it be demonstrated that the transport system is a constraint to the regional development? Is a demand analysis of good quality available?
Selection of result indicators and setting of targets	For ERDF interventions there is a substantial amount of data available on transport outputs, but result indicators tend to be absent or do not capture the content of the intervention	Do the proposed indicators reflect the specific objective? Where possible, are the indicators used consistently across programmes?
Target setting for output indicators	The comparison of indicators and targets used suggests that overly ambitious and overly cautious target setting is widespread.	Are the targets realistic given the form of intervention, financial input, past performance and targets set for comparable interventions in other programmes? Has the target setting been documented?

Holistic approach	The appropriate means of improving transport should be considered holistically, taking account of options using different (including combinations of) transport modes, demand patterns as well as existing services.	Have the influence of intervention on other established transport links been considered? Have the demand for proposed services been properly analysed?
Financial Sustainability	The regions and the Member States should not use the Cohesion Fund/ERDF resources to build infrastructure that cannot be adequately maintained at the national or regional level in the future. Otherwise, it may result in such resources being diverted from more productive forms of intervention.	Have the maintenance been assured by ring-fencing appropriate resources in the regional or national budget, recourse to the Public Private Partnership, or introduction of tolling?

Some sector specific issues to be addressed, based on the evaluation evidence

Sector specific issues	Evaluations find...	Questions to ask
Roads	Between 2000 and 2006 ERDF intervention in the transport area concentrated on roads and within this category more resources were spent on upgrading roads than building new ones. While there are still less developed regions and Member States that need to continue upgrading their existing networks in line with EU standards, the ones with relatively good provision of infrastructure should concentrate on further enhancement of the EU strategic road network, for example the completion of the TEN-T, in particular the TEN-T core network.	Is the proposed intervention in the region coherent with the nationwide strategy for roads? Is the proposed intervention in line with the European infrastructure safety management principles and conducive to improved road safety?
Inland waterways	Unless the environmental legislation requirements receive proper consideration from the very beginning of the project (design stage), the inland waterways infrastructure projects are at risk of encountering implementation problems and delays. For the Danube river basin, the Joint Statement on Guiding Principles for the Development of Inland Navigation and Environmental Protection, providing guidelines on how to keep in proper account the existing environmental legislation while drafting infrastructural projects.	Have the maintenance been assured by ring-fencing appropriate resources in the regional or national budget? Is it possible to envision a territorial development around the restoration of a sustainable navigability? For instance including water management, energy production, flood protection, tourism, etc.?
Rail	Implementation of rail projects is complicated in some Member States because the implementing bodies are ineffective.	Has the benefit to regional development beyond the main centres been substantiated?

	<p>High Speed Railway is very expensive compared to other railway options and tends to benefit only the centres connected by the line.</p>	<p>Does the project fit into a programme to enhance interoperability (notably ERTMS)?</p> <p>Has the HSR line a good cost/benefit ratio?</p> <p>Have other sources of financing (CEF) been considered?</p>
Ports / Airports	<p>The use of Cohesion Policy resources to support investment in major airports or ports operating on competitive markets should be avoided, because commercial financing can be used.</p> <p>In the case of regional airports or ports, the focus of interventions should be on relieving clearly identified constraints affecting the number and type of carriers serving an airport or a port (for example, improved access by road and/or rail).</p> <p>In general, the wider impact on the distribution of traffic between airports and ports should be considered before the merits of investment at a particular location can be assessed, as investment in one airport or port may result in diverting traffic from another and – eventually – in decrease of regional economic efficiency and welfare.</p>	<p>What is the objective of investment in port / airport?</p> <p>Have other sources of financing been considered?</p> <p>What will be the influence of the intervention on other airports and ports?</p> <p>Does the project contribute to the Single EU Sky (SESAR, etc.)?</p> <p>Does the project provide for a better modal integration (towards Railway and, for ports, inland waterways)?</p> <p>Does the project offset investments in other ports/airports?</p> <p>Is there a lack of infrastructural offer to meet the lack of demand in the region?</p>
Urban transport ¹⁰	<p>Investment in urban transport should focus on interventions calculated to relieve congestion or reduce carbon and other emissions from transport; such interventions may have significant benefits.</p> <p>Integrated urban transport projects including public transport and intelligent transport management tend to be demanding. Early planning and consequent monitoring of implementation is needed.</p>	<p>Have other factors contributing to congestion been taken into account (for example, increase in car ownership, traffic restricted areas or their absence)?</p> <p>Has commercial speed of the public fleet been enhanced?</p>

¹⁰ Sustainable multimodal urban mobility is covered by Thematic objective 04 (shift towards a low-carbon economy) for the ERDF and the CF in the framework of low-carbon strategies and hence covered by the thematic concentration requirement. **However, the Investment priority IP 7(c) of ERDF Regulation or IP 4(d) ii) of Cohesion Fund Regulation also allows to support actions relating to sustainable transport in urban areas – in this latter case the requirement of ex-ante conditionality applies.**

Annex I: Links and relevant sources of policy know-how in this field

EU Transport Scoreboard – How is your country doing?

[http://europa.eu/rapid/press-release MEMO-14-277_en.htm](http://europa.eu/rapid/press-release_MEMO-14-277_en.htm)

http://ec.europa.eu/transport/facts-fundings/scoreboard/index_en.htm

- **Summary of the legislation by transport mode:**

http://europa.eu/legislation_summaries/transport/index_en.htm

- **White Paper on Transport (March 2011):**

<http://eurlex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2011:0144:FIN:EN:PDF>

- **Roadmap to a Single European Transport Area: Facts and figures:**

http://ec.europa.eu/transport/strategies/facts-and-figures/index_en.htm

- **Regulation N°1315/2013** of the European Parliament and of the Council of 13 December 2013 on Union **guidelines for the development of the trans-European transport network** and repealing Decision No 661/2010/EU

http://new.eur-lex.europa.eu/legal-content/EN/TXT/?uri=uriserv:OJ.L_.2013.348.01.0001.01.ENG

Detailed maps of the comprehensive and the core network (Annex I of the Regulation):

http://ec.europa.eu/transport/themes/infrastructure/revision-t_en.htm

- **Regulation (EU) No 1316/2013** of the European Parliament and of the Council of 11 December 2013 establishing the **Connecting Europe Facility**, amending Regulation (EU) No 913/2010 and repealing Regulations (EC) No 680/2007 and (EC) No 67/2010 : <http://eur-lex.europa.eu/JOHtml.do?uri=OJ:L:2013:348:SOM:EN:HTML>
- **Road Tolling Directive** 2004/52/EC and Decision 2009/750/EC http://ec.europa.eu/transport/themes/its/road/application_areas/electronic_pricing_and_payment_en.htm
- **Directive on Road Safety Infrastructure Management** 2008/96/EC <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32008L0096:EN:NOT>
- **Directive on Road Tunnel Safety** 2004/54/EC <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:32004L0054:en:NOT>

EU legislation applicable to the railway sector:

To date, the European Union has exercised its competence inter alia through the following Union instruments, whereby implementing acts and delegated acts adopted under these instruments are not listed:

ECONOMIC / MARKET ACCESS LEGISLATION :

- **Regulation No 11 concerning the abolition of discrimination in transport rates and conditions, in implementation of Article 79 (3) of the Treaty establishing the European Economic Community (OJ 52, 16.8.1960, p.1121);**

- **Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area (recast)**
- **Regulation (EC) No 1371/2007 of the European Parliament and of the Council of 23 October 2007 on rail passengers' rights and obligations (OJ L 315, 3.12.2007, p. 14);**
- **Regulation (EU) No 913/2010 of the European Parliament and of the Council of 22 September 2010 concerning a European rail network for competitive freight (OJ L 276, 20.10.2010, p. 22);**

PUBLIC SERVICE OBLIGATIONS:

- **Regulation (EC) No 1370/2007 of the European Parliament and of the Council of 23 October 2007 on public passenger transport services by rail and by road (OJ L 315, 3.12.2007, p. 1).**

INTEROPERABILITY AND SAFETY LEGISLATION

- **Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (OJ L 164, 30.4.2004, p. 44, corrected version in OJ L 220, 21.6.2004, p. 16) as last amended (Railway Safety Directive);**
- **Regulation (EC) No 881/2004 of the European Parliament and of the Council of 29 April 2004 establishing a European Railway Agency (Agency Regulation) (OJ L 164, 30.4.2004, p. 1, corrected version in OJ L 220, 21.6.2004, p. 3) as last amended;**
- **Directive 2007/59/EC of the European Parliament and of the Council of 23 October 2007 on the certification of train drivers operating locomotives and trains on the railway system in the Community (OJ L 315, 3.12.2007, p. 51);**
- **Directive 2008/57/EC of the European Parliament and of the Council of 17 June 2008 on the interoperability of the rail system within the Community (Recast) (OJ L 191, 18.7.2008, p. 1) as last amended;**
- **Directive 2008/68/EC of the European Parliament and of the Council of 24 September 2008 on the inland transport of dangerous goods (OJ L 260, 30.9.2008, p. 13);**
- **ERTMS/ COMMISSION DECISION of 25 January 2012 on the technical specification for interoperability relating to the control-command and signalling subsystems of the trans-European rail system**
 - <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:L:2012:051:0001:0065:EN:PDF>
 - http://ec.europa.eu/transport/rail/interoperability/ertms/edp_map_en.htm

Transversal TSIs: Accessibility for Persons with Reduced Mobility (PRM), Safety in Railway Tunnels (SRT), amendments to several TSIs (Omnibus)

SRT TSI Commission Decision 2008/163/EC

PRM TSI Commission Decision 2008/164/EC

TSIs on Structural Subsystems : Infrastructure (INF), Energy (ENE), Control-Command and Signalling (CCS), Rolling Stock (RST, WAG, NOI)

CR* NOI TSI Commission Decision 2011/229/EU

WAG TSI Commission Decision 2013/321/EU

CCS TSI (merge HS* & CR*) Commission Decision 2012/88/EU

Clean power for transport (clean fuels):
http://ec.europa.eu/transport/themes/urban/cpt/index_en.htm

SESAR – Single EU Sky

http://ec.europa.eu/transport/modes/air/sesar/index_en.htm

Short Sea Shipping, Maritime single Windows:

<http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=CELEX:52009DC0010:EN:HTML:NOT>

- **Evaluations of the 2007-2013 programming period:**
http://ec.europa.eu/regional_policy/information/evaluations/index_en.cfm#12
- **Transport Investment under Structural and Cohesion Funds in 2007-2013 programmes**
http://ec.europa.eu/regional_policy/information/evaluations/index_en.cfm

- **Strategic report 2013 on the implementation of the programmes 2007-2013**

http://ec.europa.eu/regional_policy/how/policy/strategic_report_en.cfm

- **Strategic report 2013: Factsheet "Rail"**
- **Strategic report 2013: Factsheet "Road"**
- **Strategic report 2013: Factsheet "Other transport"**

European Commission - DG Mobility and Transport – Statistical Pocket book 2013 :

http://ec.europa.eu/transport/facts-fundings/statistics/pocketbook-2013_en.htm

Annex II: main definitions and concepts

Transport mode means railway, inland waterways, road, maritime or/and air transport.

Multimodal transport means the carriage of freight or passengers or both, using two or more modes of transports.

The comprehensive network consists of all existing and planned transport infrastructures of the trans-European transport network as well as measures promoting the efficient and socially and environmentally sustainable use of such infrastructure. Member States shall make all possible efforts with the aim to complete the comprehensive network by 31 December 2050.

The core network consists of those parts of the comprehensive network which are of the highest strategic importance for achieving the objectives of the trans-European transport network policy. It constitutes the backbone of the multi-modal mobility network. It concentrates on those components of TEN-T with the highest European added value: cross-border missing links, key bottlenecks and multi-modal nodes. It is the outcome of a two-step methodology identifying first main nodes within the EU and then connecting these nodes by multimodal links (road, rail, inland waterway) according to availability or feasibility, taking into account effectiveness and efficiency and preferably using existing infrastructure. Member States shall take the appropriate measures for the core network to be developed by 31 December 2030.

The core nodes consist of 88 urban main nodes (comprising all Member States' capitals, all "MEGA" cities according to ESPON and all other large urban areas or conurbations (at least 1 million inhabitants), including their entire relevant multimodal infrastructure as far as part of the comprehensive network), ports which exceed a certain volume threshold (at least 1 % of the total transshipment volume of all EU seaports) or provide the only access to a coastline of a NUTS 1 inland region and the 47 most relevant border crossing points. The list of nodes concerning each Member State, annexed to the Regulation 1315/2013, is annexed to this fiche.

Urban nodes means an urban area where the transport infrastructure of the trans-European transport network, such as ports including passenger terminals, airports, railway stations, logistic platforms, freight terminals located in and around an urban area is connected with other parts of that infrastructure and with the infrastructure for regional and local traffic.

Intelligent transport systems (ITS) means systems in which information and communication technologies are applied in the field of road transport, including infrastructure, vehicles and users, and in traffic management and mobility management, as well as for interfaces with other modes of transport.

The European Rail Traffic Management System (ERTMS) is the system concerning the technical specification for interoperability relating to the control-command and signalling subsystems of the trans-European conventional and high-speed rail systems.

Motorways of the Sea represent the maritime dimension of the TEN-T network. They consist of short-sea routes, ports, associated maritime infrastructure and equipment, and facilities enabling short-sea shipping or sea-river services between at least two ports, including hinterland connections, in at least two different Member States.

Vessel Traffic Monitoring and Information Systems (VTMIS) means systems deployed to monitor and manage traffic and maritime transport, using information from Automatic Identification Systems of Ships (AIS), Long-Range identification and Tracking of Ships (LRIT), coastal radar systems and radio communications.

The concept of "realistic and mature project pipeline" (cf. guidance on *ex ante* conditionality) has to be understood in the context of the whole project cycle starting from planning until the implementation. It means a list of projects¹¹ covering at least the first three years of the programming period, i.e. the list of projects for which works will start during the first three years, for which:

- A feasibility study (including options analysis and preliminary design) has been concluded;
- There is a positive socio-economic Cost Benefit Analysis (including detailed estimated costs) demonstrating financial viability of the project and the need for public financial contributions;
- EIA (environmental impact assessment) and other assessments (e.g. under Habitats and Water Framework Directives) are ideally finished or at least sufficiently advanced (i.e. consultations with the public and other authorities finished) and a development consent is expected without outstanding environmental issues;
- Identification of potential State aid in the project
- There is a detailed implementation timetable, detailing procurement procedures (call for tenders can be expected to be completed in accordance to the timetable) and permission procedures (these should be ready to start: for instance land expropriations are well advanced and can be completed in sufficient time for the start of the works, as programmed).

¹¹ This list of projects should be established in synergy with the Connecting Europe Facility in order to ensure the comprehensiveness of the transport plan.