

NGO voting recommendations Connecting Europe Facility Regulation 2014-2020

*ITRE-TRAN committee (Co-rapporteurs: D. Riquet, I. Ayala Sender, A. Valean)
Vote on Tuesday 18 December 2012, from 09:00*

Environmental NGOs from the *Coalition for sustainable EU funds* would like to highlight the opportunity to improve key aspects of the CEF Regulation on transport. We highlight the following points to ensure better coherence with EU priorities, to move towards a low carbon and resource efficient transport sector, which is economically and environmentally sustainable.






What is at stake? With very long lifetimes for transport infrastructure, today's decisions on EU transport spending will set the path for transport beyond 2050 and into the next century. Decisions taken now will either lock Europe into further emissions, carbon-intensive development and biodiversity loss, or set us on a more sustainable course.















This briefing focuses on ensuring 5 key priorities are met:





1. Prioritise sustainable projects
2. Respect environmental laws, in particular in waterway development
3. Encourage spending on innovative clean projects
4. Improve public consultation and transparency to avoid costly conflicts
5. Don't undermine EU transport policy with a wishlist of unsustainable projects

1. PRIORITISE SUSTAINABLE PROJECTS

It is essential the CEF Regulation clearly shows how to screen, compare and select eligible projects, on the basis of both economic and environmental sustainability criteria. Projects with a better cost-benefit assessment, explicitly taking into account the environmental costs and climate impacts, should take precedence. For example, demand management measures and upgrades should be prioritized over new infrastructure wherever possible.





SUPPORT: <u>Compromise 3</u> and AM253, 245 – Defining bottlenecks and noting that they can be solved by creating new or upgrading existing infrastructure	
SUPPORT: AM259 CEF support can be used to revitalise existing infrastructure	
SUPPORT: <u>Compromise 4</u> – CEF support should contribute to achieving the goals of the 2020 Strategy, which include climate protection And/or SUPPORT AM263 – adds minimising external costs, using revenues from polluter pays principle	
SUPPORT <u>Compromise 5</u> – including reference to 2020 climate and energy targets and long-term decarbonisation objectives And/or SUPPORT AM272 specifically adding energy efficiency, renewables and smart transmission and distribution networks	
SUPPORT: AM278 link to ex-ante environmental impact studies required by TEN-T Regulation	

SUPPORT: AM36 =AM280 noting that general objectives <i>shall</i> contribute to sectoral objectives, to ensure policy coherence.	
PRIORITY SUPPORT AM295 (instead of Compromise 7) – CA7 proposes to measure sustainability by the number of kms of new infrastructure – this is a poor metric. AM295 is much better, as it requires a scientific methodology to evaluate benefits in both economic & environmental terms.	
REJECT AM297 proposing to measure progress in terms of km of motorways built, which does not reflect delivery on efficiency or cohesion goals.	
PRIORITY SUPPORT AM299 (instead of Compromise 8) – achievement of the objectives to be measured by scientific methodology in economic & environmental terms, instead of by counting the number of ports and airports receiving funds.	
SUPPORT AM305: objective to minimize environmental and social costs, and enabling decarbonisation of all modes.	
SUPPORT AM307: including objective of enabling decarbonisation and energy efficiency of all modes	
PRIORITY REJECT Compromise 18 which is much more vague than the COM proposal on eligible actions for spending, for example “supporting urban nodes” is too open to different, broad interpretations.	
REJECT: AM 356, 362, 363=364, 360, 359, 358 and 365 which propose to extend priority support to the much wider comprehensive network and to continue funding support for former priority projects.	
PRIORITY SUPPORT AM408: “Proposals for projects should be supported by a socio-economic case for the receipt of funding, including cost-benefit analysis”	
PRIORITY REJECT Compromise 24 –increasing co-financing to 20% for road projects in countries with isolated rail networks, 30% for cross-border road projects and 40% for bottlenecks. More restrictive on rail noise retrofitting.	
SUPPORT AM421, 62 and 424 (rapporteurs) and 431 instead of CA24 allowing up to 40% for rail interoperability and 30% for inland waterways	
REJECT AM 437, 449, 438, 439, 450 which propose to increase co-funding for cross-border road sections	
REJECT AM 448 increasing co-funding rates for airport and port connections	
REJECT Compromise 30 and AM502, 504 – making it easier for cohesion countries to spend on roads.	

PRIORITY SUPPORT Compromise 32 – clarifying that actions eligible for financial instruments will contribute to EU added value, 2020 strategy.	
PRIORITY SUPPORT Compromise35 – setting clear criteria for multi-annual and annual work programmes, including maturity, leverage, and cost-benefit analysis including environmental and climate impacts	
SUPPORT Compromises 43, 44, 44b & 44c adds mention of climate in recital on objectives, including long-term decarbonisation goal to cut GHG by 60%, and mentions upgrading existing infrastructure.	
SUPPORT Compromise 44d – recital on AM295 requiring COM to develop common methodology to evaluate economic & environmental effects	












2. RESPECT ENVIRONMENTAL LAWS, INCLUDING IN THIRD COUNTRIES

As demonstrated by the debate around waterways development, it is critical to ensure existing environmental laws and standards are fully respected when planning and implementing transport infrastructure projects. We support the amendments which reiterate and clarify these safeguards, and advise strongly against those aiming to decrease the level of environmental protection against the existing laws.

SUPPORT AM380 requiring the application of user pays and polluter pays principles, as supported by the EU Treaty.	
SUPPORT AM390 allowing costs of environmental studies to be eligible	
SUPPORT AM405 clarifying that non-EU countries may only receive funding if EU environmental legislation is respected	
SUPPORT AM 567 requiring Member States to ensure proper public consultation and compliance with EU environmental laws	

3. ENCOURAGE CLEAN & INNOVATIVE PROJECTS











The Guidelines should positively incentivize each project in all modes to minimize all negative impacts, by stimulating innovative ways to switch to renewable, clean energy sources, requiring efficiency in both energy use and operations, and reduction of all external costs, impacts on biodiversity and public health.

SUPPORT AM 369 allowing support for at-source measures to reduce railway noise (or AM 373, 374, 371, REGI 19, 368, 370, 372 with same aims)	
REJECT AM 376, 377 on support for vaguely-defined “actions to develop new technologies to reduce external costs” – as this is already provided for by other EU funds and support programmes, eg Horizon 2020, ERTRAC, etc.	
SUPPORT AM 410: allowing up to 50% support for innovation actions on decarbonisation, including infrastructure for alternative propulsion	
SUPPORT AM436 and 509 allowing support for mitigating urban impacts of road and rail.	
SUPPORT <u>Compromise 25</u> on support up to 50% for land-based components of traffic management systems in all modes and up to 20% for innovation.	
SUPPORT AM455 and 510 allowing support for at-source reduction of rail noise (510 refers to funds earmarked for cohesion countries)	
PRIORITY REJECT <u>Compromise 28</u> on cross-sectoral synergies – COM proposal requiring climate mitigation and greenhouse gas reduction is clearer and stronger.	
PRIORITY SUPPORT AM70(rapporteurs) (instead of CA28) – incentivises BOTH cross-sectoral synergies and climate-protecting projects.	
REJECT AM 71=483 to ensure that co-funding rates are modulated according to cost-benefit assessment	
SUPPORT AM 562 (addition) definition of e-mobility to include trams, electric cars and electric bicycles	
PRIORITY SUPPORT <u>Compromise 39</u> adding traffic management in all modes as a horizontal priority, and new technology and innovation for decarbonisation, safety improvements	

4. ENSURE TRANSPARENCY AND BETTER GOVERNANCE




Early consultation is essential to alert project planners to potential conflicts, for example with protected sites and habitats, to increase public support and so that alternative solutions can be found without causing costly delays, protests or legal challenges.

Examples of projects where early public consultation would have had huge benefit include the Stuttgart 21 rail project, the Via Baltica road project in Poland, and the Lyon-Turin tunnel.

SUPPORT: AM236 – improved definition of consultation procedure, including reference to the Aarhus Convention on access to environmental information	
SUPPORT: AM342 allowing support for costs of public consultation	
SUPPORT: <u>Compromise 16</u> requiring the annual and multi-annual work programmes to establish the forms of financing which may be used	
SUPPORT AM401 requiring all applications for grants to be made available to the European Parliament with full transparency	
REJECT AM407 which would delete the possibility for the annual and multiannual work programmes to provide additional specific rules	
SUPPORT AM61 (rapporteurs) –clearer definition of work programmes	
SUPPORT <u>Compromise 33</u> requiring the COM to present multi-annual and annual work programmes as delegated acts, in consultation with EP	
PRIORITY SUPPORT <u>Compromise 36</u> on public accessibility of progress reports on projects and financing, including towards climate goals	
SUPPORT AM571 and 572 – funding conditional on compliance with EU legislation on social, labour, environment and procurement standards	
SUPPORT <u>Compromise 52</u> requiring Commission to give publicly available updates on CEF projects annually	

5. DON'T UNDERMINE EU TRANSPORT POLICY WITH A WISHLIST

Inclusion of a project, corridor or node in the annexes to the CEF Regulation or TEN-T Guidelines should not be understood as a guarantee of EU funding support. The legislation will contain clear criteria on eligibility to avoid repeating mistakes of past funding period, leading to waste of EU public money, debts for public authorities and serious environmental damage.ⁱⁱⁱ

SUPPORT AM553 clarifying that funding for projects in CEF Annex I is dependent on availability of public financing and the result of socio-economic cost-benefit analysis.	
REJECT <u>Compromise 39a</u> – adding controversial Via Baltica project to annex	
REJECT <u>Compromise 39h</u> adding road sections in Northern Ireland	

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Media reports on Spain's white elephant infrastructure projects, especially airports:
<http://www.rtve.es/alacarta/videos/comando-actualidad/comando-actualidad-podiamos-permitir-alta-velocidad/1549481/>

<http://www.bbc.co.uk/news/magazine-18855961>

<http://www.bbc.co.uk/news/magazine-19682049>

ⁱⁱ Harmful EU funding of Polish airports, see Bankwatch (2012)

<http://bankwatch.org/publications/flights-fancy-case-study-aviation-and-eu-funds-poland>