

The European Voice of Freight Logistics and Customs Representatives

Brussels, 27th of April 2009

RE: Consultation on the Commission's Green Paper: A TEN-T policy review – Towards a better integrated trans-European transport network at the service of the common transport policy

CLECAT represents the interests of the vast majority of EU enterprises which offer logistics, freight forwarding and Customs services both within and outside Europe. Our members are impartial users of all modes of transport, but they deal exclusively with cargo.

In terms of identifying CLECAT for the purposes of this consultation, CLECAT is an EU level trade representative organisation, structured as an international non-profit association and it is registered in the EU Register of Interest Representatives. As specified above, its geographical scope is limited to the EU and the neighbouring countries.

We would like to express our views in this position paper by referring to the online questionnaire, which the Commission made available, but we shall not limit our suggestions to the proposed questions. This is done in the spirit of providing a comprehensive reply to the Green Paper on the future TEN-T policy¹.

1. On the various structural options suggested in the Green Paper for the shaping of TEN-T

a. The current comprehensive network should be maintained in the future TEN-T

Maintaining the comprehensive network is important because this network guarantees progress throughout a vast EU area on a wide range of issues like rail interoperability and road safety; it also represents the basis to align a broad range of EU transport policy objectives with regards to these latter topics. In order to guarantee the maintenance of this comprehensive network in the future TEN-T, the improvement and creation of new types of financial and non-financial instruments as well as innovative ideas like the priority network suggested in the Green Paper should be implemented in a way that they contribute to enhancing the performance of the comprehensive network by boosting the performance of the individual elements. This can be

¹ http://ec.europa.eu/transport/infrastructure/basis_networks/guidelines/doc/green_paper_en.pdf
CLECAT, aisbl (n° 0408301209)

obtained by fostering an "excellence" approach to the corridor policy within the network, i.e. using best performers as best practice examples for other areas where performance is less satisfactory.

b. A priority network approach would be better than the current priority projects approach

Currently, priority projects are not, or at best loosely connected with each other, which results in the fact that the overall interconnection strategy was lost in time. What we are contemplating now is a patchwork of individual projects that are promoted more by the ambition of individual regions or MS's than by the strategic vision that marked their origin. CLECAT believes that a priority network approach would certainly contribute to restoring and updating this original perspective. CLECAT sees many advantages in a priority network approach, including the possibility to cover all modes of transport in a proper manner and the possibility to shed some light on the performance of the main interconnecting nodes and inter-modal connections both within the priority network itself and in the comprehensive network. It must be noted that a network approach is the only one that is truly co-modal.

In addition, even if the methodology of network planning is certainly more difficult, CLECAT believes that this priority network approach would not necessarily require an increase in Community funding, as long as the creation of this network is done efficiently through organisational innovation and by proper identification of corridor synergies within the network. On that matter, CLECAT suggests the creation of a specific entity that should be in charge of this priority network and should be able to coordinate all the efforts deployed by the different stakeholders. For the development of the priority network, this new body could be responsible for supervising (by means of recommendations) multidisciplinary elements such as:

- safety and security standards
- traffic flow & capacity minimum requirements
- interoperability and infrastructure design standards
- infrastructure maintenance standards
- access rules to infrastructure, where no such rules exist otherwise
- social, economic and geographical cohesion
- minimum capacity requirements in secondary infrastructure
- implementation capacity of concessionaries
- inter-modal connections performance

If such a supervisory body is created, CLECAT is adamant that users' organisations should be represented at least on a consultative basis and the possible conflict of interest between concessionaries and supervisory body should be resolved before their creation.

c. A flexible approach to identifying projects of common interest, as proposed with the "conceptual pillar", would be appropriate for the future TEN-T policy

CLECAT highlights the importance to strengthen the bridge between the TEN-T review and the other EU Proposals. Future legislation on TEN-T policy should therefore contribute to unifying the overall picture of freight corridors such as ERTMS corridors, TEN-T corridors, RNE corridors within a coherent strategic vision. To achieve this goal, CLECAT believes a flexible approach to identifying projects of common interest is the appropriate tool: it would allow the inclusion of relevant aspects of a wide range of common transport policy measures in the TEN-T dimension. In order to make this "conceptual pillar" becoming reality at Community level, we feel it may be best reflected through objectives and criteria set out in the TEN-T Guidelines.

CLECAT, aisbl (n° 0408301209)

Rue du Commerce, 77
1040 Bruxelles - BELGIUM
Tel: +32 (2) 503 47 05
Fax: +32(2) 503 47 52
E-mail: info@clecat.org

d. The combination of a core network bringing together the priority network of point b. and the conceptual pillar of point c. would be very beneficial for the TEN-T

The core network proposed by the Commission in the Green Paper would certainly allow the integration of transport infrastructure and transport policy developments in the best possible way. Thus, this core network should be the tool for the EU to go toward a global, multimodal, and coherent TEN-T where all nodes of the core network (ports, hubs) should further enhance the development of intermodality. Moreover, CLECAT finds necessary to stress that this core network could also be the best instrument to allocate a coherent position for the EU rail freight network within the TEN-T framework. In a network perspective the potentials and limitations of rail freight services will be better assessed and a sizeable portion of funds could be reallocated, if the rail is still unable to provide solutions that are in line with the investments.

This core network could be also used as an opportunity to fight against discriminations related to last mile and track access to terminals in the TEN-T network, for instance by increasing transparency in the so called "last mile" area (in term of access and charges discriminations) and by enhancing transparency about national safety rules. Lastly, but not least in the rank of importance, the core network could take account of the evolution of mobility demand and of future trends in mobility demand created by demography, trade, growth and behavioural patterns. This is an aspect often left behind when allocating priority to a single project, which results in the project appearing sometimes isolated from the others and at odds with the future.

e. Based on the comments made above, CLECAT supports Option C of the Green Paper, i.e. a dual layer for the future TEN-T consisting of a comprehensive network and a "core network"

CLECAT cannot support Option A) of the Green Paper which proposes to maintain the existing TEN-T structure with a dual layer comprising a comprehensive network and priority projects with no hierarchy. The TEN-T policy needs to be reviewed as we cannot keep the situation and remain inactive in front of the visible shortcomings the current structure contains. One of the main flaws in the current approach consists in reflecting major traffic flows between a starting and an end point without taking account of their continuity; it fails therefore to capture successfully any additional 'network benefits', i.e. the synergies that a co-modal network typically offers, e.g. inter alia, planning common infrastructure services and maintenance. This is the reason why CLECAT does not support Option B) either, i.e. a single layer comprising of priority projects only and supports instead the idea of a priority projects approach evolving towards a 'priority network' approach as we comment at point d).

Instead of Option A) and B), CLECAT sees most value in Option C) proposed in the Green Paper with the idea of a dual layer consisting of a comprehensive network and a core network. However, while we see great benefit in such an approach, we are also cautious on whether this implementation can result in the envisaged efficiency gains and faster completion of the overall network. The idea should be conceived as an ensemble of network elements, each with its own drivers against a set of criteria, the individual elements reinforcing one another rather being in competition with each other.

2. Obstacles for a successful TEN-T

a. General factors to keep in mind when considering the future of TEN-T

CLECAT, aisbl (n° 0408301209)

Rue du Commerce, 77
1040 Bruxelles - BELGIUM
Tel: +32 (2) 503 47 05
Fax: +32 (2) 503 47 52
E-mail: info@clecat.org

CLECAT certainly shares the Commission's view that the future TEN-T policy needs to be sufficiently flexible to link transport policy and transport infrastructure development in the short, medium and long term, due to the expected increase in transport demand. We can only congratulate the Commission for taking account of this essential element, rather than giving credit to those who still hope for "decoupling" transport and economic growth and keep trying to promote traffic avoidance as a feasible solution. This false expectation came right at the time when more and more coherent investments were needed in infrastructure and contributed to making the first ten years of this millennium's EU transport policy something of very little achievement. If we take account of the dimension of the different countries, in perspective the biggest transport infrastructure investments in recent years have been made by Switzerland and not within the EU.

This being said, CLECAT would like to stress the urgent need to improve the efficiency of existing infrastructure within ongoing TEN-T projects in the short term in order to make the corridors more viable and efficient in anticipation of the long term realisation of TEN-T projects. This task should not be only seen by Member States as financially costly since it also creates jobs, enhances mobility and contributes to economic prosperity. We repeat once more: peoples who fail to invest in their future are surely heading for decline. The entire history of mankind tells us that transport infrastructure is both the cause and the measure of growth and prosperity.

Moreover, CLECAT obviously fully supports the Commission when it says in the Green Paper that "TEN-T policy needs to ensure that transport services operate to best effect within the internal market, based on an integrated and innovative infrastructure", and that "Europe's growing global role on international competitiveness requires good transport connections with other parts of the world". Nevertheless, we regret that a review of the TEN-T has not come into play since the instalment of the TEN-T network in 1996. Indeed, CLECAT claimed for many years now that the EU faces a serious problem of lacking or insufficiently maintained transport infrastructure; if this statement is truthful everywhere in the EU, it is at border crossing where the damaging results of this unhappy situation are most evident. Therefore, CLECAT would like the Commission to ensure with its future political actions a coherent TEN-T development with the EU enlargement policy, and should on that matter try its best to integrate the TEN-T with EU neighbours. In other words, the enlargement should go hand in hand with the upgrading of the candidates transport infrastructure and not follow their accession as an inconvenient reality.

CLECAT believes that it is crucial that the current TEN-T problems such as implementation delays are avoided in future and that the construction and maintenance of infrastructure is considered by national governments as one of their main obligations and priorities.

CLECAT would like to remind the reader that while Europe struggles with issues of this nature, countries like China continue to speed the modernisation of their transport infrastructure and invest trillions of dollars to that goal. This is a factor that the Commission must bring to MS's attention in the clearest terms, if they have to be made aware of the stakes of their body on the future. Ports both in the northern rim and in the Mediterranean must have decent hinterland connections to receive all the goods from all over the world in the future, whilst existing connections and infrastructure are clearly touching their limits both inside the ports and in their immediate surrounding areas.

b. Aspects relating to the different transport modes

CLECAT would like to stress that the development of the future TEN-T would have to address the following issues corresponding to transport modes:

CLECAT, aisbl (n° 0408301209)

Rue du Commerce, 77
1040 Bruxelles - BELGIUM
Tel: +32 (2) 503 47 05
Fax: +32 (2) 503 47 52
E-mail: info@clecat.org

- Ports: lack of space and missing hinterland connections -> Port capacities should be enhanced to cope with the ever enhancing amount of goods arriving into Europe and the still growing amount of export cargo. While the economic downturn has a negative impact on traffic at this point in time, it is still imperative to strengthen our port infrastructure now, because many European ports have been operating at capacity rates of over 90% for years. As soon as the economy picks up, we shall have saturation and our growth will be compressed by structural reasons rather than being restrained by a momentary lapse of demand.
- Rail: lack of capacity, reliability and interoperability (ITS systems) and need of a customer approach to solve these issues. Shippers currently do not use railways because the quality they look for is not guaranteed by the rail freight services other than in isolated cases.
- Road: severe congestion and environmental impact are main challenges. Road transport is unavoidable and therefore substantial investments must be made, in combination with significant innovation and changes in the technical paradigms.
- Inland waterways: integration in multimodal transport chains in order to use the full potential of the inland waterways as a sustainable and reliable mode of transport, but again infrastructure must be fixed, otherwise no development can be expected.
- Air: it is important to integrate the TEN-T network with the various EU projects surrounding the Single European Sky and SESAR, as it is already planned: airports are not supposed to live in isolation, they are thriving part of the network and often one of the most advanced in the terms of challenges and solutions.

3. Some tools-instruments to consider for a bright future for TEN-T

a. Intelligent Transport Systems (ITS) in all modes would contribute to the development of a multi-modal TEN-T

ITS can contribute to have a cleaner, safer, and more efficient transport system and should therefore be an important contributor to the development of a multi-modal TEN-T. The need to ensure that adequate traffic and freight management as well as secure related information are efficiently and readily available throughout the EU and especially within the TEN-T is very important. Europe will see in the future a huge increase in volume of freight transport. An intelligent approach to face this challenge consists in using ITS technology to enhance dynamic traffic management for optimal use of existing infrastructure. In TEN-T, this could be managed through:

- tracking and tracing of goods in freight transport: the potential contributions of Galileo for ITS are extensive, like the tracking and tracing of vehicles and cargo.
- management of traffic flow, in conjunction with enhanced vehicle-vehicle, infrastructure-vehicle and infrastructure-infrastructure real-time communication
- real-time allocation of demand to available capacity
- efficient intermodal traffic management with real-time alternatives
- dynamic real time traffic information for travellers and freight service providers

CLECAT already stressed in the past² that a bottom up approach is a paramount factor for a successful deployment of ITS in the TEN-T since technological innovation must come from business itself to be economically viable; however, in to avoid the proliferation of proprietary standards, which are not preferred by the operators themselves, some kind of guidance in the area of interoperability is necessary. The EU should content itself to provide the infrastructure

² See CLECAT official position on the Action Plan on ITS [here](#)
CLECAT, aisbl (n° 0408301209)

(Galileo, EGNOS) together with a certain selection of acceptable interoperability standards, but the industry should sort out how to make the best use of it according to market demand. The development of a multimodal TEN-T would be therefore catalysed by a rapid development of the e-Freight agenda into a true intermodal cross border system for paperless freight. However, CLECAT is aware that many issues still have to be addressed concerning ITS such as the liability, access and ownership of data, as well as the need for adapting in the most efficient way TEN-T infrastructure to future generations of ITS and vehicles. In this area we see a number of synergies emerge between the TEN-T and the logistics action plan areas.

b. financial instruments

Even if CLECAT encourages a greater involvement of the private sector to assist Member States in their infrastructure investments, we remain cautious to over-dependence on the private sector. CLECAT agrees that Public Private Partnerships (PPP's) are very useful tools that have benefits not only for authorities but also for specific companies/organisations. However, whilst PPP's may be seen as an example of best practice and may effectively contribute to develop projects on some limited and circumscribed critical infrastructure, it certainly cannot be seen as a surrogate of public investment in strategic infrastructure planning. CLECAT would like to stress that our members are already paying their fair share in building new and maintaining existing infrastructure through taxes, charges and tolls of various kinds. In the last thirty years the connection between these payments and the ensuing investments seems to have been lost and it high time it was restored. The financial needs of TEN-T should thus not mainly be borne by the operators, but preferably by the European Union and the Member States, or at least by all users of transport infrastructure and the revenues should be strictly earmarked.

CLECAT agrees with the Commission that it is necessary to diversify the portfolio of financial instruments for TEN-T. In addition to PPP's and other financial instruments suggested by the Commission in the Green Paper like Eurobonds, CLECAT also proposes the following new financial instruments to be used for TEN-T:

- tax relief for investments that are completed in advance on their established programme;
- a bonus scheme for programmes that resolve identified infrastructure bottlenecks;
- the establishment of sanctions/bonuses/peer pressure for Member States who are not fully involved in implementation of TEN-T projects, especially when the elements lagging behind jeopardise the functionality of the network (penalties to be allocated to best performers);
- the division of funded projects between the study research phase and the real infrastructure building, to allow a fairer and adequate distribution of financial funds among TEN-T projects (this could – at least partially – overcome the problem that many projects have used up their allocation in endless preparation without any material achievement);
- the set-up of a fair, common, harmonised and strictly earmarked infrastructure charging policy that would take into account two principles:
 - all users should pay
 - the smart use of charging to encourage the use of infrastructure in less congested areas and periods

c. Non financial instruments to create / improve

CLECAT shares the view of the Commission that allowing public access (e.g. to reports and maps with information on the network) could be a useful communications instrument for providing information on the Commission's work in relation to TEN-T and for raising citizens' awareness of its benefits. We also agree that benchmarking could be considered as a way of encouraging

CLECAT, aisbl (n° 0408301209)

Rue du Commerce, 77
1040 Bruxelles - BELGIUM
Tel: +32 (2) 503 47 05
Fax: +32 (2) 503 47 52
E-mail: info@clecat.org

Member States to invest in TEN-T; the establishment of performance standards, for example, could help to determine capacities for the different types of infrastructure and serve as a basis for the optimisation of infrastructure use and identification of bottlenecks. Finally, we support the exchange of best practices since they represent a number of opportunities for the facilitation of project implementation, for instance in the field of the management of major projects and public-private partnership approaches in infrastructure planning.

In addition to these ideas that are suggested in the Green Paper, CLECAT would like to highlight the need to improve the following non financial instruments:

- European coordinators: corridors will be more and more managed on a trans-national level through European Coordinators and a better use of these Coordinators is of paramount importance. They should be catalysts to bring partners together and foster the spreading of best practices. In order to make the coordinators' work more effective, the Commission should be directly involved, especially on cross-border projects;
- Ports: it is necessary to use instruments that foster connections of TEN-T with airlines, seaports, SSS and motorways of the sea. On that matter, the function of ports could be enlarged to give them an economic cluster role at the centre of large economic areas;
- Minimum standards for training in safety and security (as regards infrastructure management) should also be further developed within TEN-T.
- Organisational innovation: as the Green Paper suggests, besides technological innovation, the objective of ensuring the most efficient use of infrastructure may also call for organisational innovation. On that matter, the Commission's objective to reduce administrative burden in the transport sector should be taken into account in the TEN-T network and should be coordinated with initiatives such as ITS and e-Freight.
- Innovative use of existing vehicles: longer vehicles with enhanced capacity may find a way to be utilised preferentially on TEN-T corridors, especially when combined with intermodal operations in order to cut the cost of the inbound and outbound legs. The European Modular System (EMS) should not be seen as a threat for rail and combined transport, but rather as an opportunity for partnership, since the EMS could perfectly fit within an intermodal transport chain and manage to cut costs.
- Enlargement of the platform of users: a mandatory acceptance of the authorised applicants in rail infrastructure in order to qualify for priority network. In our opinion Authorised Applicants should also be made mandatory all over Europe, and in particular in the TEN-T:
 - this would substantially contribute to an efficient and optimised use of the existing infrastructure
 - this would also increase the flexibility of rail freight services and consequently their overall quality and attractiveness
 - this would also inject an additional dose of competition between IM's and their customers, thereby 'strengthening the competitiveness of the rail market', in the end bringing more cargo on the rails.... Is this no longer an objective?

In conclusion, CLECAT takes the view that a more dynamic strategic view of the TEN-T network is necessary, that more and more sophisticated instruments (such as bonuses, tax reliefs and qualification pre-conditions) should be used to discriminate between projects that are vital, others that are necessary and those that are welcome, but cannot pass the selection of conflicting priorities we are facing.

CLECAT is thankful for this opportunity to submit its views and remains at the entire disposal of the Commission and other institutional interlocutors, should there be a need to clarify or explain the points made above.