



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, C(2008)

COMMISSION DECISION

establishing the work programme 2008 for granting financial aid in the field of trans-European Transport network (TEN-T) on the basis of the multi-annual work programme for the period 2007-2013

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of 23 January 2008

establishing the work programme 2008 for grants in the field of trans-European Transport Network (TEN-T) on the basis of the multi-annual work programme for the period 2007-2013

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) n° 680/2007 of the European Parliament and of the Council of 20 June 2007, laying down general rules for the granting of Community financial aid in the field of the trans-European transport and energy networks¹ (hereafter "TEN Regulation"), and in particular Article 8 thereof,

Having regard to Decision n° 1692/96/EC of the European Parliament and of the Council of 23 July 1996 on Community guidelines for the development of trans-European Transport network² (hereafter "TEN Guidelines"),

Having regard to Council Regulation (EC, EURATOM) n° 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities³, (hereafter "Financial Regulation"), and in particular Article 110(1) thereof,

Having regard to Commission Regulation (EC, EURATOM) n° 2342/2002 of 23 December 2002 laying down detailed rules for the implementation of Council Regulation (EC, EURATOM) n° 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities⁴ (hereafter "Implementing Rules for the Financial Regulation") and in particular Article 166 thereof,

Whereas:

- (1) In accordance with the principles set out in Article 5 TEN Regulation the multi-annual work programme for grants in the field of the trans-European transport network for the period 2007-2013 should set out general objectives and priorities addressed with these grants, results expected, eligibility, selection and award criteria, specific objectives and priorities for the different programme components (particularizing general objectives and priorities as well as award criteria), a schedule for calls for proposals and the indicative amounts available under the respective calls.
- (2) The measures provided for in this Decision are in accordance with the opinion of the Committee established under Article 15 of Regulation n° 680/2007/EC,

¹ OJ L 162, 22.6.2007, p. 1

² OJL 228, 09.09.1996, p. 1

³ OJL 248, 16.9.2002, p. 1.

⁴ OJL 357, 31.12.2002, p. 1

HAS DECIDED AS FOLLOWS:

Sole Article

The multi-annual work programme for financial aid to be launched in 2008 in the field of the trans-European Transport network for the period 2007-2013 as set out in the Annex is adopted.

Done at Brussels, on [...]

For the Commission

Member of the Commission

ANNEX

1. BUDGET

1.1. Budget heading:

Article 06 03 03, financial support for projects of common interest in the trans-European transport network

1.2. Budget resources:

The total amount of grants, to be allocated in 2008 on the basis of this programme, to projects of common interest in the field of the trans-European transport network shall be on the amount of 45 million Euros.

2. THE FOLLOWING PRIORITIES AND LINES OF COMMUNITY FUNDING WILL BE PURSUED IN THE MULTI-ANNUAL WORK PROGRAMME

The programme establishes the basis for the granting of aid to the following categories of projects of common interest in the field of the trans-European transport network:

- Motorways of the Sea (MOS)
- River Information Services (RIS)
- Air Traffic Management (ATM) / Functional Airspace Blocks (FABs)

For these different project categories, generic objectives and priorities will be defined in this work programme.

3. OBJECTIVES AND PRIORITIES:

3.1. In order to implement the key priorities of the work programme the following general objectives will be pursued:

3.1.1. Motorways of the Sea (MoS)

The objective of the Motorways of the Sea priority project is to establish a trans-European network of Motorways of the Sea that concentrate flows of freight on viable, regular, frequent, high-quality and reliable sea-based transport services that are integrated in door-to-door logistic chains. The aim of the network is to reduce road congestion by absorbing a significant part of the expected increase in road freight traffic and to improve access to peripheral and island regions and states. The combined transport of persons and goods is not excluded, but freight transport should be predominant.

The projects proposals should focus on the following four Motorways of the Sea:

- motorway of the Baltic Sea (linking the Baltic Sea Member States with Member States in central and western Europe, including the route through the North Sea/Baltic Sea Canal (Kiel Canal)),
- motorway of the sea of western Europe (leading from Portugal and Spain via the Atlantic Arc to the North Sea and the Irish Sea),
- motorway of the sea of south-east Europe (connecting the Adriatic Sea to the Ionian Sea and the Eastern Mediterranean to include Cyprus)
- motorway of the sea of south-west Europe (western Mediterranean), connecting Spain, France, Italy and including Malta, and linking with the motorway of the sea of south-east Europe.

In the light of the latest enlargement, project proposals may also involve Member States in the Black Sea area.

3.1.2. River Information Services (RIS)

The overall objective, based on article 15 of the TEN Guidelines, is to foster the deployment of "RIS Intelligent Infrastructure", reflecting an European wide harmonised implementation of. River Information Services (RIS), regulated through **Directive 2005/44/EC** which defines binding rules for data communication and RIS equipment as well as the minimum level of RIS Services for future RIS implementations. The Directive provides the framework for the deployment of harmonised and interoperable RIS Systems and Services across Europe.

For the programming period of 2007-2013, projects shall focus on the deployment of enabling infrastructure and on the provision of River Information Services. The multiplicity of these services requires an advanced level of interoperability and compatibility of the services themselves, of the enabling technologies behind and of the related processes.

In order to meet these objectives, the more specific goals will consist of the deployment of on-board equipment and of shore-based infrastructure; of the testing and validation of technical feasibility, interoperability and compatibility of systems, services and applications; of the further enhancement and fine-tuning of RIS key technologies; of the further development and application of concepts for data exchange (particularly for cross-border interfaces) and of related technical and administrative agreements for international data exchange. Finally, the facilitation of interfaces with other modes of transport is an issue, as it will support a smooth integration of Inland navigation in the global transport chain.

3.1.3. Air Traffic Management (ATM) / Functional Airspace Blocks (FABs)

The subject of this priority is the development of Functional Airspace Blocks. Pursuant to Article 5 of Regulation 551 of the European Parliament and Council on the organisation and use of the airspace in the Single European Sky the Members states have to reconfigure the upper airspace into Functional Airspace Blocks (FABs). The establishment of FABs is one of the tools created by the Single Sky legislation to reach the objectives of enhancing current safety standards and overall efficiency, optimizing the steadily growing capacity, thus contributing to the necessary consolidation and integration of the airspace and service provision. Member States and air navigation

service providers are expected to develop – based on the requirements set out in the airspace regulation - implementation plans for establishing FABs in their airspace.

3.2. Specific Objectives

3.2.1. Motorways of the Sea (priority project n°21 of annex III of the TEN Guidelines)

This priority project is different in nature from the other TEN priority projects: The Motorways of the Sea priority project defines a framework (objectives, overall priorities, geographical areas) within which Member States and/or relevant companies or bodies are called upon to develop individual projects during the period 2007-2013.

Applicants are invited to submit mature projects (i.e. projects ready for implementation) which allow putting the concept of the Motorways of the Sea into concrete form. Project proposals should be proposed/supported by at least two Member States and should be geared towards properly documented actual needs. Activities should lead to smoother integration of waterborne transport in the inter-modal chain, concentrating and streamlining freight flows on sea-based routes in a door-to-door perspective, facilitating efficient exchange of information and interoperability of the different modes in the transport chain and promoting inter-modal concepts and high quality of transport services well integrated into logistic chains.

Project proposals should focus on the facilities and infrastructure that constitute the network of Motorways of the Sea in the framework of a door-to-door concept, identified following a public call for tender organised jointly by concerned Member States. Such project proposals may also include study parts preparing for the implementation of later phases of the projects. The proposed projects should reduce road congestion through modal shift and/or increase accessibility of peripheral and island regions. Once implemented, they should become constituent elements of the broader Motorways of the Sea network for the region concerned and for the European Union. The development of facilities and infrastructure should be linked to the establishment of new short sea shipping services between the ports concerned and integrated into the door-to-door logistic chain or to a significant upgrade of existing short sea shipping services in order to materialise the objective of absorbing a significant part of the expected increase in road freight traffic over a longer time perspective. Project proposals may include limited start up aid if, following the result of the joint tendering process, this is deemed necessary for the financial viability of the project.

Member States may also submit proposals for highly relevant study projects, including environmental assessments and for wider benefit actions.

Motorways of the Sea project proposals focussing on publicly accessible infrastructure and facilities or requesting start up aid should be implemented by consortia involving in general both the public and private sectors, bringing together at least shipping companies and ports. The establishment of a broader consortium, involving also partners such as terminal operators, road hauliers, rail operators, logistics companies, ship brokers, local and/or regional public authorities and infrastructure owners would be considered favourably.

Long term-planning of investments for inter-modal infrastructure should contribute to prevent the expected structural bottlenecks within the coming decade, along the main freight transport corridors selected in cooperation between the public and private sector.

Member States are encouraged to propose projects for TEN-T Community funding which have a longer time perspective, covering several years' activities (e.g. until 2013). The Commission reserves the right to award an EC subsidy of less than the amount requested by the applicant. In case the full budget for 2008 would not be allocated in the framework of the April 2008 call, the unspent budget would be added to Motorways of the Sea category of projects of the December 2008 call.

Project proponents are encouraged to exploit the full range of EU funding instruments available in order to exploit synergies, and accordingly they should consider inter alia the Marco Polo programme, the EU Cohesion Policy funds (the Cohesion Fund and the ERDF), support of the European Investment Bank in the form of senior debt financing and/or through the Loan Guarantee for TEN-T instrument.

In this context priority will be given to proposals or other TEN-T global projects, that are associated with Marco Polo II funding for services that are part of the same Motorways of the Sea global action, e.g. Funded actions may not lead to distortions of competition in the relevant markets contrary to the common interest.

Funding under the TEN-T programme may be combined with State aid in accordance with applicable rules on State aid.

The project proposals focussing on infrastructure and facilities should be linked to the establishment of new or an upgrade of capacity, frequency and quality of existing sea-based transport services and should include appropriate monitoring mechanisms with clear milestones for the realisation of lasting modal shift from road to the proposed Motorway of the Sea link and for the increase of accessibility to peripheral and island regions (including the outermost regions). In case the projected establishment or upgrade of the sea-based transport services is not fully realised, the Commission may recover fully or partly the co-financing from the project.

3.2.2. River Information System (RIS)

The overall objective is to foster the deployment of "RIS Intelligent Infrastructure" that embodies the harmonised implementation of RIS across Europe for the TEN-T programming period of 2007 / 2013.

River Information Services are regulated through **Directive 2005/44/EC⁵**, which defines binding rules for data communication and RIS equipment as well as the minimum level of RIS Services for future RIS implementations. The Directive provides a European-wide framework for the harmonised implementation of RIS and the compatibility and interoperability of current and new RIS systems across Europe.

Projects shall focus on the deployment of enabling infrastructure and the provision of River Information Services. The multiplicity of these services requires an advanced level of interoperability and compatibility of the services themselves, of the enabling technologies behind and of related processes.

The RIS Masterplan identified a number of technical issues which are considered key priorities in the context of the TEN-T programme. It further identified a number of legal and organisational issues, which would need to be addressed at a certain point in order to

⁵ Directive 2005/44/EC of the European Parliament and of the Council of 7 September 2005 on harmonised river information services (RIS) on inland waterways in the Community, OJ L 255 p.152, 30.09.2005

optimise the benefits of RIS and to ensure a co-ordinated, harmonised and synchronised implementation in the different countries involved.

The technical issues are:

- Installation of the required onboard equipment and shore-based infrastructure (physical hardware, software etc.)
- Testing and validation of technical feasibility, interoperability and compatibility of systems, services and applications.
- Further enhancement of RIS key technologies and systems, RIS Services and applications.
- Implementation of new harmonised RIS Services, especially at the level of transport management and security services.
- Provide feedback and contribute to the maintenance and amendment of standards and technical specifications.

Organisational issues

- Clarification of responsibilities and tasks among the authorities related to River Information Services and establishment of a RIS.
- Definition of concepts for (cross border) exchange of data.

Legal issues

- Elaboration of administrative agreements for international data exchange and related issues

3.2.3. Air Traffic Management (ATM) / Functional Airspace Blocks (FABs)

Functional Airspace Blocks (FABs) are a key mechanism of the SES to support the creation of a defragmented airspace unhindered by national boundaries with a view to achieving maximum capacity and efficiency of the air traffic management network within the single European sky, and with a view to maintaining a high level of safety. In accordance with article 5 of Regulation EC 551/2004 "the upper airspace shall be reconfigured into functional airspace blocks which shall, *inter alia*:

- (a) be supported by a safety case;
- (b) enable optimum use of airspace, taking into account air traffic flows;
- (c) be justified by their overall added value, including optimal use of technical and human resources, on the basis of cost-benefit analyses;
- (d) ensure a fluent and flexible transfer of responsibility for air traffic control between air traffic service units;
- (e) ensure compatibility between the configurations of upper and lower airspace;
- (f) comply with conditions stemming from regional agreements concluded within the ICAO."

As indicated in article 9 of Regulation EC 551/2004, the implementing rules shall support operational decisions by air navigation service providers, airport operators and airspace users and shall cover the following areas:

- (a) flight planning;
- (b) use of available airspace capacity during all phases of flight, including slot assignment; and
- (c) use of routings by military aircraft (GAT)

States are required to align their national ANS arrangements with SES Regulations.

New air-routes across FABs must be developed in close coordination with the military to obtain a harmonised approach across participating member states.

Project proponents are encouraged to engage in exchange of information and knowledge transfer between other FAB projects so that common lessons can be shared.

Common principles and criteria for route and sector design must be established to ensure the safe, economically efficient and environmentally friendly use of airspace. Sector design shall be coherent inter alia with route design

A clear explanation of the intended approach to ensure interoperability of technical systems should be given.

TEN-T financing is foreseen to support studies, pre-implementation and deployment of Functional Airspace Blocks.

The following technical parameters in particular will be taken into account when assessing the proposals:

- Percentage improvement in flight efficiency
- Percentage improvement in cost efficiency
- Capacity improvement
 - How much capacity growth is the FAB expected to provide
 - How does it relate to projected growth

4. RESULTS EXPECTED

The implementation in 2008 part of the work programme for the period 2007 - 2013 aims at further enhancing the effectiveness and visibility of Community financing of the highest priorities of the trans-European transport network

The support of "horizontal priorities" and priority project no^o21 (MoS) on the basis of periodic calls for proposals throughout the programme period, aiming inter alia at optimising the use of infrastructure, enhancing safety, security and quality of services, also promotes the achievement of important transport policy objectives and the implementation of corresponding legislation (for example in the field of river information services or the Single European Sky). Major projects in this area, have already been

supported in the first call 2007 under the programme 2007 - 2013 and require suitable Community support for their successful continuation.

By supporting the deployment of Functional Airspace Blocks (FABs), it is expected that development will result in further improvements in the safety and efficiency of air traffic management.

The deployment and better use of new port infrastructure will become the stepping stone for the development of Motorways of the Sea.

The support to the deployment of River Information System infrastructure will lead to the setting up of the initial layer of fully integrated River Traffic Management Services supporting inland navigation from the Atlantic to the Black Sea.

5. TIMETABLE FOR THE CALL FOR PROPOSALS 2008 AND INDICATIVE AMOUNTS AVAILABLE

| Projects referred to under point | Calls (indicative date and particularities) | Indicative amounts ⁶ |
|--|---|---------------------------------|
| 3.1.1. Priority project n° 21 - Motorways of the Sea (MoS) | April 2008 | 20 million € |
| 3.1.2. River Information Services (RIS) | April 2008 | 15 million € |
| 3.1.3. Air traffic management systems (ATM) - Functional Airspace blocks (FABs) ⁷ | April 2008 | 10 million € |

The call for proposals is expected to be launched on 7th April 2008.

5.1. INDICATIVE TIMETABLE FOR FUTURE CALLS FOR PROPOSALS AND AMOUNTS AVAILABLE IN THE MAP FROM END 2008 UNTIL 2013

The total amount available for grants on the basis of the multi-annual work programme in the field of the trans-European transport network shall range from 6,4104 billion € to 6,81105 billion €, i.e. between 80 and 85 % of the financial reference amount (8,013 billion € at current prices) for the trans-European transport network for the whole period 2007 - 2013. Calls for proposals are foreseen as follows:

⁶ The costs of projects are eligible from the first of January of the corresponding budgetary year.

⁷ Annual calls may be launched from 2008 on for activities related to the pre-implementation feasibility assessment.

| Projects referred to under point | Calls (indicative date and particularities) | Indicative amounts ⁸ |
|--|--|---------------------------------|
| 3.1.1. Priority project n° 21 - Motorways of the Sea (MoS) * | December 2008 | 30 million € |
| | December 2009 | 85 million € |
| | December 2010 | 100 million € |
| | December 2011 | 50 million € |
| | December 2012 (for following budgetary year respectively) | 25 million € |
| 3.1.2. River Information Services (RIS) * | December 2009 | 25 million € |
| | December 2010 | 10 million € |
| 3.1.3. Air traffic management systems (ATM) - Functional Air space blocks (FABs) | December 2010 | 10 million Euro |
| ITS road* | December 2009 | 100 million € |
| | December 2011 (for respective following budgetary years) | 100 million € |
| ERTMS* | December 2008 | 250 million € |

*Established in the multi-annual work programme for 2007 – 2013 by the Commission Decision of 23rd July 2007, C(2007)3512.

6. ELEGIBILITY CRITERIA

6.1. Eligible applicants

Eligible are project proposals which are submitted, in the form of a written grant application, by one of the following types of applicants:

- one or (jointly) several Member States
- two or more Member States (jointly), for MOS and cross border projects that need to involve at least two Member States
- one or (jointly) several public or private undertakings or bodies with the

⁸ The costs of projects are eligible from the first of January of the corresponding budgetary year.

agreement of the Member State(s) directly concerned by the project in question or

- one or (jointly) by several international organisations with the agreement of all Member States directly concerned by the project in question
- A Joint Undertaking with the agreement of all Member States directly concerned by the project in question.

Project proposals submitted by natural persons are not eligible.

In no case, can project proposals submitted by third Countries or legal or natural persons established outside EU countries be beneficiaries of the funds.

6.2. Eligible projects

6.2.1. Common interest

Only projects related to one or several of the projects of common interest identified in the TEN Guidelines may receive Community financial aid.

6.2.2. Compliance with the Community Law

The granting of Community aid to projects of common interest is conditional to compliance with relevant Community law⁹ inter alia concerning interoperability, environmental protection, competition and public procurement.

6.2.3. Other sources of financing

No Community financial aid shall be awarded for parts of projects receiving funds from other sources of Community financing.

6.3. Grounds for Exclusion

In the call for proposal the Commission will draw applicants' attention to Articles 93 to 96 and Article 114 of the Regulation (EC, EURATOM) n° 1605/2002 of 25 June 2002 applicable to the general budget of the European Communities¹⁰ as last amended by Council Regulation (EC, EURATOM) n°1995/2006 of 13 December 2006¹¹ (hereafter "Financial Regulation"), as well as to Article 133 of the Regulation (EC, EURATOM) n° 2342/2002 of the Commission of 23 December 2002 laying down detailed rules for the implementation of the Regulation n° 1605/2002¹². as last amended by Commission Regulation (EC, EURATOM) n° 478/2007 of 23 April 2007¹³ (hereafter "Implementing Rules for the Financial Regulation").

7. SELECTION CRITERIA

The applicant must have access to solid and adequate funding sources, so as to be able to maintain activities for the period of the project funded and to help finance the project.

⁹ According to Article 3.1 of the TEN Regulation

¹⁰ OJL248, 16.9.2002, p. 1.

¹¹ OJL 390, 30.12.2006, p. 1

¹² OJL 357, 31.12.2002, p. 1.

¹³ OJL 111,28.04.2007, p. 13

The applicant must have the professional skills and qualifications required to complete the proposed action.

7.1. Financial capacity

The applicants must have the financial capacity to complete the action for which the grant is sought and will provide their annual accounts for the last financial year. These documents must be attached to the application for aid.

The demonstration of the financial capacity does not apply to Member states, public bodies, joint undertakings established under Article 171 of the Treaty and to international organisations¹⁴.

7.2. Technical capacity

The applicants must have the technical and operational capacity to complete the project for which the grant is sought and must provide appropriate documents attesting to that capacity (proof of the experience in carrying out actions of the type in question).

The demonstration of the technical capacity of applicants applies to all applicants except Member States, Joint undertakings established under Article 171 of the Treaty and international organisations. Information submitted by applicants who benefited from TEN-T aid as from 2004, may be taken into account in the evaluation of these applicants' technical capacity.

8. AWARD CRITERIA

8.1. Award criteria

According to the level of contribution to the objectives and priorities as stated above, only proposals compliant with the eligibility and selection criteria will be evaluated on the basis of the following general award criteria whose main objective is to assess the quality of proposals. These criteria, set out in the TEN Regulation (Article 5), will be equally applied to all project proposals.

- Maturity
- The need to overcome financial obstacles
- The stimulative effect of the Community intervention on public and private finance
- The soundness of the financial package
- Socio-economic effects
- Environmental consequences and benefits
- The degree of contribution to the continuity and interoperability of the network, as well as to the optimisation of its capacity
- The degree of contribution to the improvement of service quality, safety and security
- The degree of contribution to the internal market and other priorities of the trans-European transport networks

¹⁴ Article 176(4) of the Implementing Rules for the Financial Regulation

- The degree of contribution to the re-balancing of transport modes in favor of the most environmentally friendly ones (reduction of environmental footprint)
- The complexity of the projects, for example due to the need to cross natural barriers
- Quality of the application
- (Specific criteria for the Motorways of the Sea and FABs projects will be set out in the text of the call for proposals, in accordance with the general award criteria set out in the TEN Regulation)
- Fulfilment of the requirements established by the Directive 2005/44/EC on harmonised River Information Services on inland waterways in the Community and of the technical specifications established hereunder
- The degree of interoperability and compatibility at project and at European level concerning RIS

9. MAXIMUM POSSIBLE RATE OF CO-FUNDING¹⁵

- for studies, 50 % of the eligible cost of studies, irrespective of the project of common interest concerned
- for works:
 - a maximum of 30 % for cross-border sections provided that the Member States concerned have given the Commission all the necessary guarantees regarding the financial viability of the project and the timetable for carrying it out
 - road, air, inland waterway, maritime traffic and coastal traffic management systems: a maximum of 20% of the eligible cost
 - start-up aid related to capital costs for cross-border sections of Motorways of the Sea projects: 30% of two years of depreciation of the eligible capital cost in accordance with Art. 15 (5) of the TEN Guidelines

10. INSTRUMENT FOR IMPLEMENTATION

The financial aid shall be covered by an individual financial decision adopted by the Commission.

¹⁵ Acc. to TEN Regulations Art. 6 (2)