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FIEC position paper

Revision on TEN-T Guidelines

21/02/2022

Key messages

- The continuous maintenance of existing infrastructure is necessary to ensure the uniform quality of the TEN-T network and can substantially contribute to a more circular economy by prolonging the lifetime of infrastructures and thereby reducing raw material consumption and generation of waste, as well as contributing to the reduction of CO_2 emissions
- The TEN-T should be a precursor for high-quality infrastructure by promoting innovative infrastructure.
- The further development of the core, extended core and comprehensive networks is dependent on the swift implementation of projects. The Commission should play an important role in addressing delays in starting or completing work on the entire TEN-T network.

The transition to cleaner, greener, and smarter mobility depends on the infrastructure we have already built, and we are building today. While the EU has one of the densest transport infrastructure networks in the world, a large part of this infrastructure is now ageing and coming under increasing pressure due to a rise in traffic. To add to the problem, the lack of proper level of investment in maintenance has led to the deterioration of transport infrastructure as demonstrated by the collapse or frequent closure of bridges or as observed in the poor state of some road surfaces.

Recognising the necessity of modernizing the EU's transport system, the European Commission adopted new transport proposals in December 2021, among which the proposal for the revised guidelines for the TEN-T network. The TEN-T revision is a positive step in terms of addressing the missing links in the trans-European transport network and upgrading it. As such, FIEC welcomes the Commission's proposal and calls for it to be as ambitious as possible, especially regarding the maintenance of the TEN-T infrastructure.

- **The continuous maintenance of existing infrastructure is necessary to ensure the uniform quality of the TEN-T network and can substantially contribute to a more circular economy by prolonging the lifetime of infrastructures and thereby reducing raw material consumption and generation of waste, as well as contributing to the reduction of CO_2 emissions.**

Ensuring that transport infrastructure of all kinds (be it, rail, road, etc.) is developed to the **highest possible levels of quality** should be the key focus of transport infrastructure policy at the EU level. While the completion of the TEN-T remains a priority, it is necessary to guarantee the quality of the parts that have already been constructed,[1] especially in regions that are lagging in terms of infrastructure quality. Uniform quality of the transport infrastructure, necessary for a functional, safe and sustainable European transport network, can only be achieved through the regular maintenance of its components.

While the maintenance of the quality of infrastructure is listed as a general priority in the TEN-T Regulation,[2] Member States have not taken sufficient action in this respect and no corrective action has been taken by the Commission. **The Commission's proposal introduces an article that obliges Member States to maintain the infrastructure of the TEN-T in a way that it provides the same level of service and safety during its lifetime**.[3] **FIEC considers the addition of this article to be a significant improvement to the 2013 Regulation** which lists maintenance only as a general priority but contains no concrete obligations on Member States to maintain existing parts of the network over time.[4] In addition, it should be guaranteed that maintenance is future-oriented, meeting the newest quality standards as this is vital not only to guarantee the safety of users across the entire transport network but is also a key activity in a circular economy.

In recent years, a lack of proper maintenance has led to the deterioration of the transport infrastructure in Europe putting its users at greater risk. This is none more evident than with the closure of bridges and tunnels. As essential connecting points, the Regulation should place greater emphasis on the structural health of these structures, be it for railway or road. Another major focus point should be the deterioration of road surfaces which plays an important role in the severity of

[1] ECA: The EU core road network: shorter travel times but network not yet functional. Special report. 2020
[2] Regulation 1315/2013 (TEN-T), Article 10(1)(e)
[3] Revised TEN-T Regulation COM (2021) 812, Article 48(1)
[4] Regulation 1315/2013 (TEN-T) Article 10(1)(e)

accidents.[5] In this respect, **FIEC fully supports obligations on Member States to maintain road infrastructure to the highest level of safety of traffic but also environmental protection**.[6]

Indeed, the maintenance deficit also has significant environmental impacts, particularly, in terms of CO_2 emissions but also raw material consumption and waste generation. The longer maintenance is neglected, the larger the scale of works needed to restore a structure's condition which entails using more new materials. These adverse effects can be mitigated through adequate investment aimed at **regularly maintaining** transport infrastructure **to the highest possible standards** to enhance the durability of its elements. However, assessments of the environmental impact of maintenance works should not constitute an obstacle to nor delay their implementation.

- **The TEN-T should be a precursor for high-quality infrastructure by promoting innovative infrastructure**.

The TEN-T can also be a precursor for high-quality and future-oriented infrastructure by promoting innovative infrastructure. In particular, innovative infrastructure is useful in terms of progressively adapting the TEN-T road infrastructure to new mobility patterns such as electrical vehicles. The TEN-T revision requires that alternative fuel infrastructure is deployed on the infrastructure of several modes of transport,[7] including roads,[8] which will facilitate the decarbonisation of all road users. Putting in place recharging and refuelling infrastructure for electric and hydrogen vehicles in the cities of the TEN-T network is also a key element of the new urban mobility framework, which complements the TEN-T revision.[9] Furthermore, the link between TEN-T and the Regulation on the deployment of alternative fuels infrastructure (AFIR) needs to be highlighted as regards the mobility outside the cities. The AFIR Regulation relies on the TEN-T Regulation for the geographical scope of the deployment of alternative fuel infrastructure and intelligent transport systems.

[5] European Parliament: EU Road Surfaces: Economic and Safety Impact of Lack of Regular Maintenance. 2014
[6] Revised TEN-T Regulation COM (2021) 812, Article 29(1)(b), (c)
[7] Revised TEN-T Regulation COM (2021) 812, Article 5(1)(c)
[8] Revised TEN-T Regulation COM (2021) 812, Article 29(1)(h)
[9] The New Urban Mobility Framework. COM(2021) 811 final

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FIEC advocates for the uptake of charging and fuelling points across the entire TEN-T network (inside and outside the cities) according to the Commission's proposal to meet the decarbonisation goals of the EU, including the decarbonisation of the construction process (e.g., trucks, machinery on sites, etc.), and securing an effective shift to green mobility.

- **The further development of the core, extended core and comprehensive networks is dependent on the swift implementation of projects. The Commission should play an important role in addressing delays in starting or completing work on the entire TEN-T network.**

While a strong focus should be on maintenance of the existing infrastructure, the TEN-T network is far from complete. The Commission's proposal introduces a new intermediary deadline of 2040 to advance the completion of extended core network ahead of the 2050 deadline that applies to the comprehensive network.[10] While a higher level of ambition is certainly necessary to address missing links in the network, including the urban nodes, problems of delays for several projects need to be addressed.

Strengthening the Commission's oversight of the implementation of the TEN-T, mainly by reinforcing relevant provisions, is vital to addressing problems of delays. In this respect, the proposal strengthens the Commission's competences to address delays significantly.[11] Importantly, the Commission will now be able to adopt a decision addressed to a Member State or a group of Member States finding that a significant delay is attributable to them without an objective justification. In these cases, the Member State(s) concerned will have six months to eliminate the delay.[12] In cases involving EU funding under direct management, a reduction of the amount of the grant or the termination of a grant agreement may be initiated.[13]

[10] Revised TEN-T Regulation COM (2021) 812, Article 11(2)

[11] "*In the event of significant delay in starting or completing work on the core network, the Commission may ask the Member States concerned to provide the reasons for the delay. Such reasons shall be provided by the Member States within three months. On the basis of the reply given, the Commission shall consult the Member States concerned in order to resolve the problem that has caused the delay*." Revised TEN-T Regulation COM (2021) 812, Article 62

[12] *Ibid*.

[13] *Ibid*.

FIEC considers that bolstering the Commission's competences contained in the provision is a positive step towards ensuring the infrastructure projects in the network are implemented swiftly and calls upon the Commission to make use of these competences whenever delays are observed. FIEC also calls upon the Commission to make use of its monitoring competences with respect to maintenance. The possibility of expanding the provisions of the proposal related to reporting[14] to obligate Member States to inform the Commission on progress made in maintaining existing infrastructure should be considered.

The estimated investment for the completion of the TEN-T will amount to €244.2 billion (expressed as present value) over 2021-2050,[15] and the lack of funding often plays a significant role in delays. As such, it is crucial to ensure the availability of sufficient financial resources at both the EU and national level for the implementation of infrastructure projects but also maintenance of existing parts of the network. The application of the user and polluter pays principle, i.e., charging for the use of infrastructures, has proven successful to guarantee funding resources in several EU Member States and, as such, should also be applied when implementing TEN-T projects.

[14] Revised TEN-T Regulation COM (2021) 812, Article 55
[15] Revised TEN-T Regulation COM (2021) 812, p. 11.