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AK Position Paper

# Consultation on the future of the Trans-European Transport Network policy (TEN T)

## About us

**The Federal Chamber of Labour is by law representing the interests of about 3.2 million employees and consumers in Austria. It acts for the interests of its members in fields of social, educational, economical and consumer issues both, on the national and on the EU-level in Brussels. Furthermore the Austrian Federal Chamber of Labour is a part of the Austrian social partnership.**

**The AK EUROPA office in Brussels was established in 1991 to bring forward the interests of all its members directly vis-à-vis the European Institutions.**

### **Organisation and Tasks of the Austrian Federal Chamber of Labour**

The Austrian Federal Chamber of Labour is the umbrella organisation of the nine regional Chambers of Labour in Austria, which have together the statutory mandate to represent the interests of their members.

The Chambers of Labour provide their members a broad range of services, including for instance advice on matters of labour law, consumer rights, social insurance and educational matters.

Herbert Tumpel  
President

More than three quarters of the 2 million member-consultations carried out each year concern labour, social insurance and insolvency law. Furthermore the Austrian Federal Chamber of Labour makes use of its vested right to state its opinion in the legislation process of the European Union and in Austria in order to shape the interests of the employees and consumers towards the legislator.

All Austrian employees are subject to compulsory membership. The member fee is determined by law and is amounting to 0.5% of the members' gross wages or salaries (up to the social security payroll tax cap maximum). 560.000 – amongst others unemployed, persons on maternity (paternity) leave, community and military service – of the 3.2 million members are exempt from subscription payment, but are entitled to all services provided by the Austrian Federal Chambers of Labour.

Werner Muhm  
Director

## Executive Summary

The objective of the TEN is the creation of an integrated European transport system, which is better equipped to deal with the problems concerning environmental protection and climate change in connection with the Europe 2020 strategy.

In its current Consultation on the future of the Trans-European Transport Network policy, the EU Commission is asking for notes and proposals, including the working document of the Commission Departments „TEN-T policy - Background Papers“. The objective of the TEN and the TEN Revision respectively is the promotion of the creation of an integrated European transport system, which is better equipped to deal with the problems concerning environmental protection and climate change in connection with the Europe 2020 strategy.

According to the Commission, this working document summarizes the results of the Consultation in the Green Paper, published in February 2009 and names the most important conclusions.

In the opinion of the Austrian Federal Chamber of Labour (AK), the continuous reference to „some“, „a number“ or an „overwhelming majority“ used in the feedbacks provides a distorted picture regarding the actual extent of the approval of individual proposals of the Commission.

Particular precarious is the detailed representation of individual opinions without depicting their relative weight with regard to the entirety of statements. In the document, individual statements on whole paragraphs are frequently depicted in great detail; one should

bear in mind that an individual opinion in case of over 300 people asked, represents ca. 0.33 % of all feedback received. Based on this considerable share in the text, the reader gets the impression that these individual statements are very important, in particular given the fact that at the same time a detailed depiction of the majority of opinions on the respective subject is missing.

Details are also lacking with respect to how many participants are representing very important statements. For example, a formulation has been chosen with regard to using heavy vehicles and trains, according to which the opinion is stated that these would contribute to solving poor performance on certain corridors (Page 23). Who and how many contributions represent this opinion is not mentioned.

The same applies to PPP, where it says: „Regarding private-sector participation, a number of contributors made constructive proposals on how to encourage private involvement.“ (Page 16). Six individual contributions are named, which leads to the question, which opinion is represented by the over 290 other stakeholders.

At another point it is mentioned that one inland waterway transport participant states that the implementation of RIS had contributed to a higher efficiency of waterway transport - what

is not shown though is the fact that one of a total of 22 Consultation participants only represents 4.5 % of this sector.

These examples illustrate that on the one hand the depiction and selection of the Consultation contributions lead to very distorted assumptions of the actual weight of opinions in the feedbacks and that they leave many questions on the significance of the represented (individual) feedbacks unanswered.

In view of the ongoing Consultation, the AK points out that the procedures exist for evaluating qualitative data, which lead to considerably more objective findings than the depiction and account of individual contributions selected by the Commission. Providing at least some percentage figures, how many statements share a certain opinion, would be welcomed as it would make it easier for the reader to see the amount of weight these opinions carry. That way it could be ensured at a very early stage that the future TEN-T policy would follow a broadest possible consensus rather than depicting a patchwork of non-transparent individual interests.

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# The AK position in detail

## **Block of questions 1 (Page 9-10):**

- 1. Are the principles and criteria for planning the core network appropriate and practicable? What strengths and weaknesses do you see and which additional aspects could be considered?**
- 2. To what extent do the additional infrastructure measures contribute to the targets of a future-oriented transport system? Do options exist to increase their effectiveness?**
- 3. What particular role could TEN-T planning generally play in strengthening the contribution of the transport sector to the aims of the Europe 2020 strategy?**

### **To Question 1 - Block of questions 1:**

With regard to the criteria selected, the AK emphatically criticises that the transfer of transport of environmentally friendly modes of transport, after all a long-term target of the EU, is no longer mentioned. The co-modality, which has been forced instead, is surely not in a position to ensure sustainable transport development to the same extent.

Due to the lack of internalisation of the external costs concerning the modes of transport, any TEN-T planning, which is just oriented towards the principle of co-modality, inevitably

fails to achieve the EU leading initiative „Resource efficient Europe“. Hence, in terms of financing TEN projects, it would be logical to favour the modes of transport rail and water.

If one wants to reconcile long-term targets of the EU (such as the Lisbon Strategy, sustainable transport) with TEN-T planning, one should consider the following criteria in addition to the aspects mentioned by the EC:

- Prioritization of rail over road;
- Improvement of real costs in traffic
- Consideration of occupational health and safety: it must be the aim of the EU to establish uniform, legally binding and controllable regulations with regard to mental and physical requirements, in particular on security-related personnel, in the area of training as well as with regard to service, work and rest periods. This also includes the provision of a sufficient number of rest stops for complying with driving time and rest periods in the transport business.
- No restriction of the priorities concerning a core network; planning must include both feeder roads and alternative routes;
- Extending the infrastructure must also include its usage. For example, if capital cities are defined as important centres or junctions

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(Page 7) they should provide passenger transport services. The fact is that the number of direct rail connections between cities and overnight trains has declined in the past. For example, there are no direct trains to Brussels, Paris or Amsterdam from Vienna. Hence, extending the infrastructure alone is not the decisive criterion for sustainable transport development and the transfer to more environmentally friendly modes of transport.

In any case, it has to be welcomed that the Commission calls spatial planning a „requirement to be considered“. Unfortunately, the targets do not take regional planning into account. This is in so far difficult to understand as measures of regional planning can substantially influence traffic volume and thereby traffic avoidance. The AK is well aware of the fact that regional planning is subject to the subsidiarity principle. Nevertheless, the EU Commission could at least make some recommendations.

Concerning the importance of the overall network, the AK supports the opinion of the Commission, according to which the future overall network should guarantee the accessibility of the core network as well as concrete access to it and contribute to the internal cohesion of the Union as well as to the realisation of the internal market. Nevertheless, in view of the overriding interests, the relationship between the development of the long-distance infrastructure, cohesion and regional

development objectives is not yet fully clarified.

TEN-T planning is confronted with many uncertainties with regard to factors, which influence demand: economic and population development, energy prices, pricing and lack of charging external costs within the transport sector, development of urban and rural Structures, behavioural changes and technological developments.

From the point of view of the AK, the new infrastructure should therefore not only be examined with regard to how „climate proof “ it is (as suggested in the Green Paper) but also with respect to what kind of problems would emerge in case of economic crises. Hence, from this point of view it is also an important question whether and how the operation of existing structures can be guaranteed in times of crisis. Scenarios, however, do not only include economic factors, but also the availability of raw materials and above all of energy sources, which have to be imported by the EU and as a result lead to dependencies. The AK would like to point out that rail traffic even now makes the European transport market more independent of the fluctuation of fuel prices, for example when, as it is the case in Austria, railways are mainly operated with electricity from renewable energy sources.

The EC writes in its Consultation Paper (Page 6) that planning a core network should not result in a new infrastructure programme of enormous dimen-

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sions. *„It should rather form the basis for an efficient, less carbon-intensive, secure transport system, which is protected against dangers, whereby the continuity of ongoing projects is ensured, the removal of important bottlenecks is given the necessary attention and where any development is to a great extent based on existing infrastructures“.* From this policy consideration too, any departure from preferring rail and waterways must be regarded as a break in continuity.

For the sake of completeness we would to use the opportunity to once again emphasize that we regard it as vital that the Corridor No 17, railway axle Paris-Strasbourg-Stuttgart-Munich-Vienna-Bratislava goes via Salzburg.

We have also noticed that with regard to the rail projects the railway axle Prague-Linz - in contrast to earlier TEN programmes - is no longer shown as a high-performance railway line. This line is still very important for freight transport and has, if priorities are set in the right way, an enormous high potential for the future. After all, this connection is a major part of the railway axle Prague-Budejovice-Linz-Graz-Maribor with direct connections to the ports of Trieste and Koper with a not to be underestimated feeder road function to the Rhine-Main-Danube Canal, a mode of transport with little energy consumption and low environmental pollution. In view of the fact that the Pyhrn line as part of this Trans-European rail connection, however, is part of the programme, it is from our point of view also vital to include the Sum-

merauer line to Budejovice and the further section to Prague to avoid the development of a bottleneck.

The AK would like to point out that the intended connection of the „old and new Member States“ cannot only - as currently planned - be achieved by better connections from east to west. We refer to the geographical and political conditions of the continent (compare among others the location of the central points Prague and Ljubljana). The same importance can be attached to the north-south connections between „old“ and „new“ Member States as well as to relations within Central and Eastern European states.

Additional priority north-south connections would take the changed freight transport flows far better into account than a restriction to east-west relations. We refer to the sharp increase in traffic volume between Austria and the new Member States in the north, east and south of the country. In addition, these relations also meet the requirements of the new European growth poles (so-called growth banana) and represent the hinterland transport to important ports (such as Tallinn, Liepaja, Riga, Gdansk, Koper, Trieste) and thereby to the motorways of the sea. Numerous Member States have already recognized this infrastructural deficiency and ordered plans on their own account. Some have already started constructions works, partly without financial assistance from Europe. We refer to the Austrian Southern Railway and to the connection Budapest-Ljubljana respectively.

Very important for Europe is hereby the so-called Baltic-Adriatic Corridor, which has already been partly covered by Priority Project 23 (Gdansk-Vienna). The Priority Project 27 (Warszawa - Tallinn) establishes the connection to the Baltic states. Not yet sufficiently taken into account have been the sections between Vienna and the Adriatic (Koper, Trieste) although construction work has already started at some routes, such as the Koralm Tunnel. A continuous north-south connection between der Baltic Sea and the Adriatic to optimise European traffic flows is currently not possible because of a bottleneck concerning the Austrian Southern Railway. The AK therefore proposes to strengthen the Baltic-Adriatic Corridor, prior to extending the Semmering bottleneck (Semmering Tunnel) and to incorporate the Southern Railway into the planned priority project list. Only then, the important north-south connection can be guaranteed and the bottleneck between Vienna, Adriatic and Ljubljana be removed. In addition, the Adriatic and Baltic sea ports will become more attractive and an intelligent integration of the candidate countries of the Balkans (Croatia, Montenegro, Albania, Serbia, Bosnia and Herzegovina) can be anticipated.

The AK misses a clear concept for high speed transport, which, at least in accordance with the Communication of the EC on the future of transport 2020, should play a more significant role in future. For example, in Slovenia the routes Ljubljana - Jesenice and Pragersko - Hodos, in contrast to the

criteria for the core network (Page 5: Removal of dead ends and isolated lines), which have been described in the working document, have been depicted in form of island solutions, without a link to extended lines for high speed transport.

The concept of the TEN-T networks should also orientate itself on the requirements of the Lisbon Strategy. The criteria, listed on Page 6 have to be supplemented by integrating the comprehensive improvement of working conditions for workers in the transport sector. Only then it is possible to guarantee service quality and security. Of course, issues concerning health protection as well as noise pollution and the protection of residents must also be integrated.

The AK reaffirms its demand that the compliance with the required driving time and rest periods by professional drivers has to be ensured by sufficient resting facilities on all TEN road sections, both in the overall network as well as in the planned core network. this infrastructure component must be a mandatory consideration during the planning stages. Both the existing TEN overall network and the planned core network should be subject to monitoring procedures, which assess existing resting places and their requirement. The current lack of parking and resting facilities can only be eased by ITS applications (e.g. Intelligent Truck Parking within the scope of EasyWay); without infrastructure measures, however, they cannot be removed. Financing of HGV parking spaces along the TEN

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network has to be provided for; after all, there is an enormous need for catching up. The AK supports an information system concerning the capacity utilization of HGV rest stops, which provides the lorry driver with information on TEN roads and by other media.

In order to achieve the goals of the European transport policy, it is vital to develop new technologies and to use ITS. The implementation of new technologies and information systems requires new professions and the adjustment of existing ones, which leads to qualification requirements with relevant vocational and advanced training measures. TEN-T planning should therefore also take into account that a sufficient number of personnel to maintain and improve the transport network will be needed in the near future. Apart from the project, mentioned by the Commission the issue of employees with relevant qualifications and the work structure in these sectors should be addressed at an early stage.

In its working document „TEN-T policy - Background Papers“, the Commission describes the prioritization of national transportation projects as a significant point for the poor implementation of Trans-European transport services (Page 27). The AK would like to point out that cross-border transport services already exists. However, they are made more difficult by different legal framework conditions than by an inadequate infrastructure. It should be the objective to harmonise working conditions, qualifications and qualification requirements, as related

obstacles often represent far greater restrictions for cross-border transport than insufficient technical interoperability or a lack of infrastructure.

Looking further into the future it becomes obvious that future TEN-T planning will no longer prioritize the creation of new infrastructures. As a result, one should already at this point begin to increasingly integrate quality aspects of TEN networks into the TEN-T policy. These include - apart from standards for servicing and maintenance - in particular also the training of staff as well as occupational health and safety and Consumer protection.

The AK is of the opinion that it is also in the interest of social and economic cohesion if TEN-T planning also takes aspects of occupational health and safety and of vocational and advanced training into account. In order to make the TEN-T policy succeed, it should be ensured that traffic planning does not only take technical harmonisation into account. If the European transport networks are to provide a high level of quality and security it has to be made sure that the quality of jobs as well as of vocational and advanced training have to be of a very high standard.

#### **To Question 2 - Block of questions 1:**

To increase the overall efficiency of the networks, the EC proposes to separate rail passenger and freight transport services. The de-facto suspension of the European mixed networks (i.e. operating freight and passenger transport services on the same infrastruc-

ture) only makes sense if both types of transport show an appropriate high frequency and when separate infrastructures are made available. The AK would like to point out that this - because of financial and geographical restrictions - is highly unlikely. It appears to be more sensible to adapt the existing networks and to strengthen and intelligently expand regional links for traffic diversions. The proposal „to bypass natural obstacles, populated areas and ecologically sensible areas“ seems to be somewhat out of touch with reality, at least with regard to the area of Central Europe.

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The AK is critical of restricting the priorities to a core network. On the one hand, any prospect of co-financing by the European Union will just focus on investments in main routes. In view of the situation of public sector budgets, this applies above all to Central and Eastern European countries that do not have the necessary funds for maintaining and extending their regional routes. On the other hand, the feeder roads to the core network are normally not taken into account. The AK notices that the main routes, provided one does not want to reduce traffic to point-to-point traffic services between conurbations, are dependent on their feeder roads.

The proposal, made in the working document to extend the mandate of the European coordinators for major cross-border projects to „parcels of smaller infrastructure and operation-related measures“ (see Page 10), should be developed. The AK points

out that the promotion of railroad sidings in case of production sites could make a valuable contribution to resource efficient transport in TEN corridors.

In its evaluation of the TEN-T policy (TEN-T policy - Background Papers, page 27), the Commission describes some success of its current transport policy - among others concerning the completion of the PBKAL network (France, Belgium, Germany, The Netherlands, UK): ...[it] „marked a breakthrough of a new generation of railway traffic across borders; it has also allowed citizens and business travelers to experience the benefits of free movement within Europe.“ The EC has clearly recognised that a range of public transport facilities, which is regarded as being beneficial, is an important step forward in European transport policy. Reducing this assessment to a very small group of users does not appear to be sufficient evaluation of the current success. The AK therefore requests the introduction of scientifically sound analyses of the ecological, economic and social impact of the completion of the project to be able to ascertain the social benefit on the one hand and improvements for future political decisions on the other.

### To Question 3 - Block of questions 1:

The AK shares the opinion that intelligent transport systems, innovation and new technologies are an important aspect of European transport networks, also in view of the targets of the Europe 2020 strategy. Intelligent trans-

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port systems should continue to promote efficient infrastructure utilisation. The AK, however, also points out that this point of view alone is not suited to answer questions on the efficiency of the transport system. Any strategic planning must come before efficiency evaluations. For example, apart from the necessity of technological innovation, the Green Paper also talks about organisational innovation; the latter, however, is not explained or specified in more detail and is subsequently ignored in later Commission papers. The AK concludes that traffic avoidance is basically the most effective method to achieve EU sustainability targets. We miss the ascertainment that traffic avoidance, in particular the reduction of all kinds of road traffic (transport, private transport) is able to solve a wide range of problems of the current transport policy, quickly and in many cases without long-term investments. Traffic avoidance leads immediately to a reduction of energy consumption and CO<sub>2</sub> emissions, to less dependency on fossil fuels as well as to fewer accidents and less noise. Successful regional initiatives should be promoted within the meaning of a best-practice approach and widely implemented to ensure that these achievements are able to become part of a sustainable transport policy and regional planning beyond the project status.

Concerning the development of alternative automotive drive technologies, the AK is warning against raising high hopes with regard to the environment. Motorised private transport (MIV) is and will, even with alternative drive

technologies (provided these will be comprehensively used in the near future), continue to be confronted with scarce space (parking problem, competing with other participants in public places, such as businesses, people looking for relaxation, children etc), noise (apart from engine noise also other noise emissions such as rolling and turbulence noises), accidents and congestion problems at peak times. That is why the AK is in favour of environmentally friendly transport modes, i.e. public transport, cycle and pedestrian traffic as a cost-effective approach for a sustainable transport, in particular in urban conurbations.

The objectives of the EU concerning data protection and data security have to be considered within the context of using intelligent transport systems. Data protection and security requirements should be integrated in standards, best practices, technical specifications and systems.

TEN-T planning should clearly make a contribution to the EU Leading initiative „Resource efficient Europe“ to decouple economic growth from resource utilisation by introducing low-carbon technologies, the intensified use of renewable energies, the modernisation of our transport system and by promoting energy efficiency.

**Block of questions 2 (Page 12):**

4. **How can the various financial sources der EU be better coordinated and/or combined so that TEN-T projects can be implemented faster and the objectives of the TEN-T policy can be achieved more quickly?**
5. **How, within the scope of an EU financing strategy, can the various financial sources of the EU and the Member States as well as public and private funds be coordinated and/or combined?**
6. **Would the establishment of a European financing framework be an appropriate measure to make up the implementation backlog in respect of TEN-T projects and the targets of the TEN-T policy?**

**To Question 4 - Block of questions 2:**

The EC has recognised that the coordination between individual funding sources are in need of improvement. The AK suggests to adopt the WSA proposal from 11.08.2009. It says that in order to use funds more effectively than previously a joint committee should be set up to coordinate the application of funds. From the point of view of the AK, this committee would be well suited to coordinate the various funding projects (various regional and structural funds, TEN funds).

The AK shares the opinion of the EC that the condition for this would be the development of fair, transparent and efficient criteria for ascertaining

the projects to be funded on the basis of their European added value wäre. What is lacking, however, is a definition of the European added value by the EC. With regard to environmental requirements, a formula for ascertaining a European added value could be: „How much CO2 can be avoided for each Euro spent?“. Another important criterion for the „European added value“ should definitely be the creation of sustainable employment.

At this point one should also refer to the fact that the completion of numerous projects of the TEN-T policy will be delayed not least because of massive cost increases compared to the original financing framework. In its working paper, the Commission mentions the among others difficult geological conditions, challenging technical solutions and problems with the implementation due to a lack of acceptance of the population concerned as reasons for the cost explosion of the TEN-T implementation. From the point of view of the AK, these explanations illustrate the necessity of both **excellent planning and the inclusion of regional stakeholders** at an early stage of planning and implementation. To be recommended in this context are improvements in the tendering practice (e.g. new EC Regulations) in order to reduce the gap between originally estimated costs and later overall expenses. What is also be desirable is an improved communication via best-practice examples. That way it can be ensured that innovative solutions become standard.

**To Question 5 - Block of questions 2:**

The AK supports a policy, which drives the complete internalisation of external costs for all modes of transport forward, starting with heavy goods vehicle traffic - because of its outstanding importance. Due to the current work at the Eurovignette Directive, however, one can see already that real costs will only be achieved to a minor extent. It is not least because of this fact that the AK demands to fundamentally reconsider the principle of co-modality in case of infrastructure investment decisions, as also in future, decisions concerning transport services will be made on the basis of incorrect price signals. The clear preference of the ecological modes of transport rail and waterway transport must therefore be retained. From the point of view of the AK it is with regard to TEN financing therefore necessary in this context to fully exhaust the possibilities of a toll system (Eurovignette), in particular with regard to road freight transport.

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Public Private Partnership or PPP - hence the mobilisation of private capital to fulfil governmental tasks - is praised especially in the sector of public (transport) infrastructure as a way out of the crisis of public budgets. Thereby, the experiences with many projects show in practice, that these can turn out to be very expensive. Only a careful assessment of all economic and political risks is able to optimise the respective advantages of the public sector and private partners within the scope of PPP projects. What is a problem however, is that in the political discussion, PPP models are

too easily used as a patent remedy against empty public coffers. Through the definition ‚partnership of two apparently equally important partners‘, the term PPP creates similar associations as the term ‚win-win‘. However, both European and Austrian experiences show that comprehensive evaluations are often missing and that in many cases there can be no question of a win-win situation, but that the gain of the private economic project partner is either at the expense of public households or at the expense of employees and consumers.

In view of the method of network planning, the Commission in its Consultation Paper (Page 8) refers to recommendations of the group of experts 1.

This concerns the problem of considering effects, which cannot be evaluated financially, such as cohesion, improved accessibility or spatial integration but also calculable effects on the economy, the environment and the society in the planning, whereby the weight of the individual factors is still to be determined to be able to compare competing targets.

On the one hand, the Commission is also aiming at taking non-monetary factors into account with regard to planning the TEN-T networks; on the other hand increasingly more Public-Private Partnerschaften (PPP) should be involved in financing. The AK identifies basic questions of integrating PPPs in such planning approaches of the European transport network, because there can be no doubt that private investors give priority to projects in

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accordance with monetary cost-benefit aspects, whereby non-monetary advantages of extending the infrastructure are left to the public sector. For that reason the AK warns against splitting the European transport network in two parts: a privatised monetary profitable partial network and a „non-material“ beneficial, but financially unproductive partial network of the public sector.

Overall, according to the evaluation of the AK, the financing costs of private investors are normally higher than those of the state. In addition, PPP projects generate exorbitant high transaction and control costs so that any possible advantages can only be realised if all risks are considered over the entire contractual term or lifespan.

Experiences, which support the deficiencies of PPP models described, could already be collected because an Austrian traffic project has already been financed and set up that way and audited by the audit court. The objective of the audit by the audit court of the Republic of Austria was the analysis of the strengths and weaknesses of the PPP motorway concession model in Austria (A5, S1, S2). The result was anything but positive: *„Compared to conventional procurement, the first time construction of motorway and carriageway sections as a PPP concession model did not show any major advantages for ASFINAG or the public sector.... Due to the structure of the concession agreement and the already announced additional cost*

*claims there is a high possibility that ASFINAG will incur additional costs“.*

Behind the demand for Public-Private Partnerships is often the wish to privatise public services or for reducing social benefits and wages. From the point of view of the taxpayer and the affected workforce in this sector, this development must be clearly rejected. The public sector must continue to commit itself to developing and financing the transport infrastructure as a central responsibility of the state and a long-term democratic control over the services of general interest must be guaranteed.

#### **To Question 6 - Block of questions 2:**

With regard to the questions raised in the EU working paper, concerning the financing of the TEN, we once again refer to creation of real costs between the modes of transport, which has been demanded by the AK on several occasions. In this context, we expressly welcome the idea included in the working paper, to involve all financial instruments of the EU for funding the Trans-European transport networks, The rural development funds should also be used for this project. In Austria, these funds are in any case almost exclusively (mis)understood as agricultural subsidies. In future, the Council must consider a paradigm shift following the long-term financial scope after 2013.

<sup>1</sup> Audit court report Series Bund 2010/2  
Presentation of 10th February 2010: Implementation of the PPP concession model Eastern region, Parcel 1

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**Question 7 - Block of questions 3:  
How can the legal instruments and provisions mentioned above benefit the TEN-T policy?**

The option, stated on Page 10, concerning the ability to ask Member States to conclude relevant agreements, needs an additional explanation. Any obligation by the Member States to have to accept supranational planning directives must be prevented.

On Page 12, the Commission talks about examining the concept a new regulation with exact determination of targets, content, area of application and the duration of delegating the powers pursuant to Article 290 AEUV to the Commission, so that it is unable to supplement or change important elements of the regulation, which makes it easier to react to certain developments and to achieve the flexibility target. In this context, the AK states that infrastructure policy will continue to be formulated only in agreement with the Member States.

For further information please contact:

**Thomas Hader**

(expert of AK Vienna)  
T +43 (0) 1 501 65 2668  
thomas.hader@akwien.at

**as well as**

**Frank Ey**

(in our Brussels Office)  
T +32 (0) 2 230 62 54  
frank.ey@akeuropa.eu

**Bundesarbeitskammer Österreich**

Prinz-Eugen-Strasse, 20-22  
A-1040 Vienna, Austria  
T +43 (0) 1 501 65-0  
F +43 (0) 1 501 65-0

**AK EUROPA**

Permanent Representation to the EU  
Avenue de Cortenberg, 30  
B-1040 Brussels, Belgium  
T +32 (0) 2 230 62 54  
F +32 (0) 2 230 29 73