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Transport cohesion on the right track?

Post mid-term assessments on the implementation of OP Transport in four central and eastern European countries

This paper describes experiences with the EU funded Transport Operational Programmes (further referred to as OPTs) in four central and eastern European (CEE) countries: Bulgaria, the Czech Republic, Estonia and Poland. Individual country reports have been produced after 4 and a half years of the respective OPTs' implementation in the current EU budgetary period 2007-2013, and they identify the main facts, weak points and lessons learned in the process of preparation and implementation of the programmes.

While the situations and contexts in the individual countries vary, and the situations regarding the individual OPTs also varies, there are certain similarities that apply in all the cases examined in this research.

First, in Bulgaria, Poland and Estonia road transport has been significantly prioritised by the OPTs, while the railway sector has been neglected in terms of investments. This has also to a certain extent been the case in the Czech Republic, though in the latter country there are other more striking problems related to OPT implementation.

Second, Poland and the Czech Republic have both made unsuccessful attempts to reallocate money from railway priority axes to the construction of motorways. Third, Bulgaria and the Czech Republic share serious deficiencies in the preparation of the OPTs – including troublesome 'implementation' of the Partnership principle – as well as in their implementation, where on certain occasions business and political interests have succeeded in "privatising the public interest" and replacing it with their own. This has brought the implementation of the OPTs to the edge of collapse, and resetting them on a proper path will be challenging.

Fourth, environmental permitting remains troublesome in Bulgaria, the Czech Republic and Poland, though the impacts are different and in some cases even examples of positive solutions have been seen, e.g. the alternative routing of the Via Baltica motorway originally planned over the Rospuda valley in Poland, and promising developments related to the route of the so called "Kresna gorge motorway" in Bulgaria.

A failing common to all four countries is that numerous indicators, whose fulfillment should document the success of the individual OPTs, will not be met. Moreover, none of the OPTs contain an indicator that would measure the impacts of individual measures and projects on CO2 emissions or GHG emissions in general.

The European Environment Agency[1] considers the reduction of emissions and energy consumption in transport as a key issue, as transport is the only sector in Europe where emissions of GHGs are increasing rapidly. An EU Strategy for Sustainable Development[2] foresees the development of transport that is environmentally friendly and conducive to health. The strategy envisages, among other measures, infrastructure charging, the promotion of alternatives to road transport and vehicles which produce less pollution and use less energy. Such features are missing in the respective OPTs analysed in this paper.

The individual shadow reports herein contain recommendations on what to do given that the current OPTs will be concluded in just over two years from now and at the same time new programming is being phased in. Although derived from the experience of individual countries, a lot of the identified issues have general validity. We believe they are inspiring enough to stimulate further thinking on how to avoid serious deficiencies and to streamline programmes in order to achieve the most pressing targets that lie ahead of the EU transport sector over the next ten years.

Operational Programme Transport 2007-2013 in Bulgaria

The Operational Programme Transport 2007-2013 (OPT) is one of the seven operational programmes being conducted in Bulgaria, via financing from the Structural and the Cohesion Funds of the EU. The OPT is the operational programme with the largest budget in Bulgaria – over EUR 2 billion.

The goal of OPT is the development of railway, road and waterway infrastructure, as well as the stimulation of the development of combined transport in accordance with the EU's transport policy and the established requirements for development of the Trans-European transport network in order to achieve the stability of the Bulgarian transport system.

The general goal of the OPT is:

- Development of a stable transport system.

The specific goals of the programme are:

- Integration of the national transport system in the transport network of the EU;
- Achieving a balance between different types of transport.

The priority axes of the OPT and the respective beneficiaries are:

Priority axis I - Development of railway infrastructure along the major national and Pan-European transport axes – indicative budget of EUR 580 million (28.95%), with EUR 464 million coming from the Cohesion Fund. The beneficiary is the National Railway Infrastructure Company.

Priority axis II - Development of road infrastructure along the major national and Pan-European transport axes – indicative budget of EUR 990 million (49.39%), with EUR 792 million coming from the Cohesion Fund. The beneficiary is the Road Infrastructure Agency.

Priority axis III - Improvement of intermodality for passenger and freight – indicative budget of EUR 221 million (10.54%), with EUR 179.5 million coming from the European Regional Development Fund (ERDF). The beneficiaries are Sofia Municipality – "Metropolitan" JSC – and the National Railway Infrastructure Company;

Priority axis IV - Improvement of the maritime and inland-waterway navigation – indicative budget of EUR 156 million (7.83%), with EUR 133.2 coming from the ERDF. The beneficiaries are the Agency for Exploration and Maintenance of the Danube River and the Bulgarian Ports Infrastructure Company;

Priority axis V - Technical Assistance – indicative budget of EUR 66 million (3%), with EUR 56 million coming from the ERDF. The beneficiaries are the Managing authority of the OPT and all the above mentioned agencies.

There are 17 projects planned for implementation under the first four priority axes.

Problematic issues identified during the preparation and start of the OPT

The preparation of the OPT started in October 2004, with the apparent intention of implementing the partnership principle among the key ministries, non-governmental organisations, employers' organisations, socio-economic partners, academic circles, and regional and local authorities. The representatives of these bodies are all members of the Working Group, established with an Order of the Minister of Transport. The following is stated in the official documentation: "The separate chapters of the OPT were elaborated, discussed and agreed with the members of the Working Group during 11 working sessions."

In 2005 (almost a year after the start of the procedure), after a specific request from the network of environmental NGOs, NGO representatives were included in the Working Group.

Initially the representatives of environmental and other NGOs participated actively in the preparation of the general text and the clarification of the terminology, putting an emphasis on sustainable transport and the essential requirements for the Bulgarian transport system to be able "to contribute to achieving the priorities of the EU Sustainable Development Strategy in order to ensure better quality of human life, now and for generations to come, to foster the balanced and equitable economic development, to protect the environment and social justice." for a request to conduct a Strategic Environmental Assessment (SEA) of the OPT was made in due time together with the preparation of the document.

However after this period of partnership principle implementation, the Ministry of Finance rewrote the entire document in a non-transparent process, giving priority to road construction based on a long list of old motorways and road projects as some of these coincide with the EU transport axes and corridors.

Allocated funds of EUR 990 million are the biggest operation of the programme. Additionally, EUR 340 million from the OP Regional Development was allocated for the rehabilitation and reconstruction of second class roads, outside the Trans-European Transport Network (TEN-T), and third class roads.

The project selection was based mainly on the National Strategy for Integrated Development of Infrastructure of the Republic of Bulgaria for the Period 2006-2015, yet the document poorly considers environmental issues and underestimates the sustainability and balanced development of the country's transport sector. The Transport Master Plan for Bulgaria, which was supposed to be an essential part of the decision making on the OPT, was ready only in 2010 and its environmental assessment is approved with the condition of "balanced development of the transport modes with increasing of the railways share aiming at reduction of CO2 emissions".

With the allocation, therefore, of the above mentioned funds, road construction and rehabilitation becomes the primary expenditure of Bulgaria, locking the country in to an already existing dominant trend of carbon intensive economic development (data in the recently finalised Transport Master plan for Bulgaria shows that 89% of freight traffic is motor transport) and resource dependency on Russian oil, where the refinery of Lukoil Company in Burgas is the biggest – operating practically as a monopoly – supplier of petrol for Bulgaria.

At the same time, despite these massive investments, road safety has not been much improved. Recent data from the European Commission[3] shows that, even with a slight decrease, Bulgaria is one of the three EU countries with the biggest percentage of road accident casualties (102 per million). To some extent the problem is due to the lack of strict control, but it should be mentioned that Bulgaria is one of the countries that still has not transposed the Directive 2008/96/EC of the European Parliament and of the Council on road infrastructure safety management into Bulgarian legislation, and none of the ongoing motorway and road projects is assessed according the required road safety impact assessment and road safety audit.

This deviation from sustainable principles and the European targets has been identified in other member states, and the Communication of the European Commission from January 2011 (COM(2011) 17 final) [4] identifies the substantial funds still available under the current Cohesion Policy 2007-13 programming period and describes the best ways to use them.Concerning the transport sector, the European Commission is calling on the national managing authorities to give priority to projects that enhance the resource efficiency of transport:

> In the transport sector, more must be done to deliver investments in clean public transport and decarbonisation. In line with the latest EU recommendations, regions and cities are encouraged to exploit fully existing EU allocations to support a shift to more efficient modes of transport. Clean urban public transport, maximizing the use of clean and energy efficient vehicles and non-motorized transport are a priority, as is rail, where particular attention should be given to speeding up the implementation of the € 19 billion indicative EU allocation to TEN-T rail priorities.

In addition, the European Commission recommends that "Managing authorities should screen operational programmes and projects for their climate resilience and steer their investments towards the most resource efficient options" for better investment results. The partnership principle during the management of the EU funds is given prominence too: "Managing authorities need to broaden partnerships and reinforce the strategic content of the monitoring committee of programmes."

During the process a Bulgarian NGO coalition for sustainable use of the EU Funds issued a statement warning about the big gaps and inconsistency between the overall goal, the specific goals and the indicative projects of the OPT. The coalition has called for predominant use of the funds for sustainable and environmentally friendly forms of transport, forms that have been negelcted in the current document.

The hesitant behaviour of the Ministry of Environment and Waters regarding the SEA allowed the OPT to be approved without proper assessment of the potential negative impacts of the projects' implementation on the environment and brings about a significant increase of the carbon intensity of the transport sector in Bulgaria with the support of EU public money. The 2007 OPT Annual Report mentions the elaboration of a General plan for monitoring the environment and its implementation. The specific objective of this measure is to ensure ecological monitoring of the environment during the implementation of OPT for the avoidance, the mitigation or the fullest possible elimination of the potential negative impacts of the programme's implementation on the environment. Currently this General plan document remains not ready and the tender for it will be carried out perhaps in autumn 2011. The 2008 Annual Report finds the Environmental Impact Assessments (EIAs)for certain, mainly road, projects to be seriously problematic. Some of these problematic issues remain to be solved causing significant delay and the risk of non-implementation during the current period.

Although the 2007 Annual Report of the OPT declares in one sentence that "no significant problems have been identified so far", the defects that were set resulted in large scale scandals in 2008-2009 involving corruption practices, significant harm to the public interest and a number of public procurement violations at the National Agency for "Road Infrastructure". At the Fifth session (26.11.2008) of the Monitoring Committee of the OPT, Mr. Rasmussen from the European Commission's DG Regio stated that the Commission expects from the restructuring of the National Agency "Road Infrastructure": "entirely and categorically interruption with the traditions of the past regarding the presence of conflicts of interest and radical improvement of the project preparation efficiency".

These problems were so serious and the reaction of the responsible Bulgarian authorities so inadequate that the European Commission decided in 2009 to temporarily freeze European financing for the construction and maintenance of Bulgaria's motorway infrastructure. The situation was resolved at the end of 2009.

Throughout 2007, 2008 and 2009, the political priority of motorway construction in Bulgaria systematically dried up national co-financing resources for the other Priority Axes. The operational programme gives significant attention to the fact that railway transport has been in permanent decline over the last 10-15 years. Bulgaria is currently under the 35% target for railway's share of freight transport in the new member states, established in the EU White Paper. Bulgaria's passenger and freight rail transport has decreased threefold in the last 15 years and currently the country has one of the lowest shares of railway transport in central and eastern Europe. Despite this serious situation, the Bulgarian government has not pursued necessary reform (including the increase of the administrative capacity of EU funds absorption) and realisation of projects under the OPT, the result being that currently the railways sector is facing bankruptcy and the closure of existing lines.

The above-mentioned practices, together with the lack of reform of relevant institutions, has produced a programme subordinated to the interests of powerful professional lobbies and the ruling political parties over the period; long term national and European strategic goals have thus suffered as a result.

In real terms, the only environmentally friendly project within OPT which advanced up to 2010 was the Sofia metro, under the governance of the Sofia Municipality and using additional financial resources from loans.

Current status of the OPT

At the last Monitoring Committee of the OPT (7-8.06.2011), the reported status of the financial implementation up to 30.04.2011 is the following

	Total budget (EU plus national)		Contracted		Paid to beneficiaries		EU share	Certified expenditures	
	Amount	%	Amount (EU+nat.)	Percent	Amount paid (EU+nat.)	%	Amount	Amount	%
Total	2 003 481 166	100	1 074 117 092.67	53.61	195 326 122.80	9.75	1 624 479 623	72 752 829.29	4.48
PA1	640 000 000	31.94	498 439 760.74	77.88	54 898 902.27	8.58	512 000 000	5 055 639.93	0.99
PA2	929 587 365	46.40	360 178 690.03	38.75	35 769 367.29	3.85	743 669 892	0.00	0.00
PA3	211 093 801	10.54	185 449 446.94	87.85	95 762 630.80	45.36	179 429 731	64 267 764.80	35.82

PA4	156 850 000	7.83	0.00	0.00	0.00	0.00	133 322 500	0.00	0.00
PA5	65 950 000	3.29	30 049 194.96	45.56	8 895 222.44	13.49	56 057 500	3 429 424.56	6.12

As forecasted by the end of 2011

Expected value of investments submitted to Managing Authority AF up to the end of 2011.

Rate to OPT budget € 2 237 114 906,13 (111.66%)

- EU Share € 1 802 679 381,26 (110.97%)
- Cohesion Fund € 1 581 892 623,29 (125.89%)
- ERDF € 220 786 757,97 (59.86%)

According to updated data in LOTHAR system, expected value of completed tender procedures up to the end of 2011:

Rate to OPT budget € 1 600 433 684,94 (79.88%)

- EU Share € 1 292 120 912,94 (79.54%)
- Cohesion Fund € 1 091 963 502,07 (86.96%)
- ERDF € 200 157 410,88 (54.27%)

In 2010 and 2011 most of the above-mentioned problematic issues were resolved between the newly elected Bulgarian government and the European Commission. After the alarming position taken by European Commission representatives regarding the lack of administrative capacity at the two main beneficiaries, the Road Infrastructure Agency and the National Company "Railway Infrastructure", necessary administrative restructuring measures (including an internal audit system), the proper use of expert help from the World Bank, Jaspers, the European Investment Bank and other EU bodies, and balanced development of the Priority Axes have all been carried out. In 2010 the Compliance Assessment of the Bulgarian OPT was approved by the European Commission, thus allowing the first payment to be executed.

Of course, the significant delay in the implementation of the OPT caused by the string of problematic issues discussed above has put some of the OPT projects at risk of non-realisation within the current financing period.

In reaction to the difficult situation with the timing and the state of project realisation, the Managing authority of the OPT decided to reallocate EUR 60 million (EUR 48 million from the Cohesion Fund and EUR 12 million from national co-financing) from Priority Axes 2 "Road Infrastructure" to the Sofia metro project (for sections of the project not initially included in the indicative list).

One positive example that should be mentioned concerns the Struma Highway project, where there has been the establishment of a Monitoring committee for the Struma project's implementation. Initial steps for the Committee were made in 2007, but as of July 2011 the the body is functioning. The Committee comprises representation from all relevant institutions and environmental NGOs. The main goal is to closely monitor (via monthly meetings) the implementation of the project and the execution of all environmental requirements. This format is considered to be good practice which can be applied successfully in other major projects.

Conclusions and recommendations

The Partnership principle can be very well imitated by the state administration on paper, but effective input from NGOs does take place with real benefits for the Operational programme thus curtailed.

There is a need for a set of criteria to demonstrate effective public participation during the elaboration of the OPs and to indicate how much that input has been reflected in the OPs.

- The OPs can become a tool of short term political or powerful lobby interest, compromising the strategic goals of the EU and leading to misuse of the EU funds.

All essential studies and strategic assessments should be executed prior to the elaboration and the approval of the OPs. Any gaps in the process can drive EU funding in the wrong direction and, ultimately, lead to non-achievement of strategic goals.

- The principal rationale underpinning the OP allocations for Transport should be to achieve a clear shift of transport modes and balance towards ensuring a sustainable transport system with an emphasis on resource efficiency and decarbonisation.

The OPT should be screened primarily with reference to climate resilience and resource efficiency, with a proper set of criteria. The same should be applied to transport modes and projects. Any attempts to approve projects under the risk of "losing funds" with the justification that they are advanced in the design should be stopped.

On the level of practical implementation of the OPT in Bulgaria, the following recommendations should be taken into account:

1. Ensuring that the proposed beneficiaries have the necessary administrative capacity before the start of the period;
2. Part of the allocation should be provided for the preparation of the projects, because with the current set up the technical assistance is far from being enough and the other allocations are only for implementation – this aspect is resulting in a big gap in the process and causes significant delays in some cases.
3. Updating of the indicative financial allocations of the project list in order that they conform to the strategic goals of the EU.

Operational Programme Transport 2007-2013 in the Czech Republic

The Operational Programme Transport 2007-2013 (OPT) is expected to provide EUR 5.8 billion for transport projects in the Czech Republic. Its successful implementation is, however, being jeopardised. This is due to the quality of its preparation and implementation.

A great share of the responsibility for this lies with the problems in the OPT draft that stem from years of unsatisfactory work delivered by the Czech state administration in terms of transport construction strategic planning. Unfortunately this key deficiency persists, even though the OPT period reached its second half in 2010.

There were clear signals even at the preparatory stage that problems in the implementation of OPT would very probably appear. The deficiencies were clearly identified in Supreme Audit Office (SAO) reports dating from 2007[5].

The SAO, which audits the management of state property and the performance of the national budget, has repeatedly identified serious mistakes in multi-billion (measured in Czech crowns) transport investments in the Czech Republic over the years. It has repeatedly pointed out that key problems with transport infrastructure development in the Czech Republic are based on a lack of both economic insight and of a systematic approach, as well as increases in the costs of projects and, in some cases, dubious procurement procedures.[6] Already in 2005 SAO auditors recommended "*changes to the current decision-making system used in the Czech Republic for transport network development in order to ensure objective decision-making practices and reduce opportunities for biased and intuitive decisions regarding multi-billion investments*"[7].

Furthermore, the European Commission stated during negotiations in September 2007 that "there is still the problem of an unclear medium-term strategy, specifically its key and non-investment steps"[8].

The Ministry of Transport was further criticised for its unsystematic approach in relation to the CZK 830 billion (EUR 33 billion) transport investment schedule for 2007-2013 (known as the Timetable of Transport Infrastructure Construction)[9]. This schedule, approved in September 2007, failed to prioritise projects based on economic, transport, social and environmental criteria. The only factor considered in the document was whether each project was ready and had been discussed as required by the Construction Act. Since then the attitude to the spending has not changed and this is why in the middle of 2011 (the fourth year of OPT implementation) serious problems have acummulated to the point where they could result in the financial and operational collapse of the programme.

An indicative project list

The OPT includes an indicative list of projects to be financed from the EU funds. Numerous individual projects were added to the list without proper evaluation of possible alternatives, economic efficiency, transport relevance and environmental impact. There is no indication as to the priority of each project nor the sequence of project implementation.

The European Commission made it clear to the Czech side that the approval of the OPT does not imply that financing for any project present on the list can be taken as granted. On big (Cohesion Fund) projects the Commission decides on contributions for each project separately. Thus EU funding could be jeopardised if a project fails to meet EU requirements[10], which actually is the state of play as of June 2011, particularly in the TEN-T road priority axis.

In the course of the progress of the OPT, the so called Transport sectoral strategy should be created, as demanded by the EU. However, its first phase ended in Feb 2010 and the second phase, that should be based on project prioritisation, has not started yet and even if done will probably only be applicable for the next financing period.

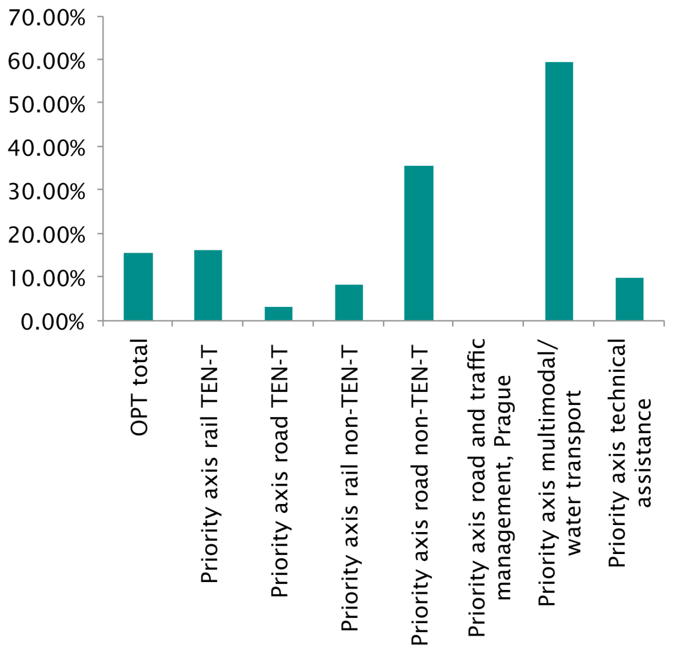
NGO concerns during the OPT's preparatory process

Czech NGOs have expressed their deep dissatisfaction with both the OPT preparatory process and the Strategic Environmental Assessment (SEA) process, and with the sidelining of the "Partnership principle". NGO comments on the OPT drafts were not responded to at all and the comments on the SEA documentation were also ignored. Only in later stages (autumn 2007) were these comments and formal responses to them selectively listed in the attachment to the OP, though the process itself had already been closed to the public for nearly a year.

The quality of the SEA assessment and its final conclusion was put into question as well[11], and a positive statement from the Czech Ministry of Environment on the SEA process for the OPT was considered to be unacceptable by Bankwatch Czech Republic. A more detailed complaint about the problems of the SEA/EIA processes and their links to the OP Transport was prepared by the Environmental Legal Service in early 2007[12].

As it follows from the Socio-economic Focus of the Assessment of the OPT (Annex 2 of the SEA on the OPT), the text of the OPT is insufficient. The document does not discuss the impacts of traffic, which will be induced by the newly built traffic infrastructures. Another key problem is the uncritical approach to assessing the impacts of transport investments on regional economies – these are viewed as an unquestionable positive for the development of the regions. The document lacks an integrated approach to transport planning, mainly on the regional level (the level close to the NUTS II level). In addition, the OPT fails to define criteria for the selection of various projects for funding. It does not give sufficiently clear priority to the reconstruction and upgrading of the existing road infrastructure (which is highly recommended in terms of environmental impacts and economic impacts, construction and maintenance costs).

Finally, the OPT fails to identify both the current as well as the planned level of CO2 emissions from the specific priority investment measures, referring only to a future analysis that will supposedly be done. As of mid 2011, this data is still missing in the progress reports of the OPT.



Graph - Level of the certified spendings in % in relation to the allocation of the priority axes by March 31, 2011; Source: Report on progress for the MC OPT meeting, Ministry of Transport, March 2011

The situation in June 2011 – four and a half years after OPT implementation

As of March 31, 2011, 131 projects (with total costs of EUR 6.8 billion) were approved nationally, with an expected EU share of 84.9%.

Of these, 33 are 'big' projects (over EUR 50m) and represent 82% of the planned OPT spendings.

In the course of the OPT, 69 projects were completed.

Payments for projects has so far reached EUR 3.9 billion (58% of the entire OPT allocation) and the expected EU share, pre-financed by the Czech state, reached EUR 3 billion (52% of the expected entire EU allocation).

Certification of the spendings by the European

Commission has so far reached EUR 897.1 million (15.5% of the entire projected allocation).

The certification of spendings is more advanced in some axes, like for example the priority axis 6 Multimodal and water transport (68.2%), or axis 4 – Non-TEN-T roads (35.8%). In other axes the level of certification remains very small.

The state of play with 'big' projects

As of 31 March 2011:

- 33 big projects approved nationally,
- 20 submitted to the European Commission,
- 6 approved by the European Commission (priority axes 1 and 3 – railways).

Under negotiation as of March 3 2011:

- 6 rail projects
- 8 motorway projects

The number of projects finished: 14 (PA Rail TEN-T – 7, PA Road TEN-T – 1, PA Rail Non TEN-T – 2, PA Road Non-TEN-T – 4).

The specific situation regarding 'big' road projects

- No PA2 (TEN-T motorway projects) have been approved by the European Commission so far; only 3.3% of spending in this axis has been certified so far.
- The pre-financing level on big road projects (nationally, with no European Commission approval so far) equaled approximately EUR 2.2 billion by March 31, 2011).
- Furthermore PA2 is over-allocated (with projects at the level of 137% of the allocation approved nationally), which represents an excessive burden on the national budget and leads to a lack of money in other axes.
- In spite of the over-allocation, and therefore the higher level of spending than planned, the indicators of this PA will not be met. For example, the indicator Length of the new TEN-T roads as listed in the decision 884/2004/EC: the plan is 50 km, the reality as of March 2011 is 0 km, and if approved projects to be finished by 2013 are taken into account, it is only 18.4 km. At the same time, while less will be constructed, time savings are expected to be higher then predicted (see the table below). These facts illustrate that the setting of the indicators was not done rigorously.
- Two of the projects that have been considered problematic by NGOs for many years – the D8-0805 (section Lovosice-Rehlovice) and I/52 (Brno urban"section of the Brno-Vienna motorway) – had fallen under the PILOT procedure that was initiated by the European Commission, which represents a significant time and administrative burden and puts the financing under threat[13]. The I/52 project, where EUR 32.5 million was spent on the maintenance, was withdrawn by the Czech authorities from the claims for EU financing in order to avoid further European Commission investigation. Moreover, the PAS audit was initiated on the project and an investigation into suspicions of discrepancies will take place.

Fullfilment of the OPT's indicators and other issues

Fulfillment of the indicators generally looks to be a problem for nearly all of the priority axes. If the fulfillment of the indicators, however imperfect they might be, is supposed to illustrate the success of the operational programmes, then already in 2011 we can say that the Czech OPT 2007-2013 is one big failure.

- PA3 (Rail Non-TEN-T) – only 40% of the allocation approved. No new projects submitted recently.
- PA4 (Road Non-TEN-T) – again, difficulties to fulfill the indicators. Audits of the European Court of Auditors found additional works that increased final costs on five projects.
- PA5 (Metro and Systems of the road traffic management in Prague) – in fact it contains the only project: the extension of the Prague metro line A (section Dejvicka-Motol). Despite the project's questionable effectiveness it is already under construction. The subsidy from the Cohesion Fund was expected to be approved by the national OPT authorities in 2011 and then submitted to the European Commission for approval.
- PA6 (Multimodal and Water transport) – again, problems with the fulfillment of indicators. Furthermore, three projects are experiencing difficulties due to the audit of the European Court of Auditors which identified major deficiencies, such as: division of tenders, use of discriminatory criteria in a bridge reconstruction project in Kolin, poor means of calculating Cost-Benefit ratio, overestimation of expected financial return. An investigation into suspected discrepancies has been initiated.

Accumulated indicators for the PA2 (Road TEN-T) projects approved at the national level by March 31, 2011

Code/Type of indicator	Name of indicator	Unit	Planned value of indicator	Value of indicator for projects approved	Achieved value of an indicator
37 00 20/ output core 14	Length of new roads – total	km	120	132,9	0
37 03 00/ output core 15	Length of ne w motorways, expressways and 1st class roads – TEN-T	km	120	132,9	0
37 03 01/ output	Length of new TEN-T roads listed in the Decision 884/2004/ES	km	50	18,4	0
37 12 00/ output	Equipment (length) of roads with telematic devices	km	800	278	0
37 01 00/ output core 13	Number of projects supporting transport and transport infrastructure	number	20	9	0
37 11 01/ output core 20	Value of the time savings in road transport	1000 EUR/annum	42 350	122 042	0

Summary of outstanding issues

Risks perceived by the Czech authorities:

- Long-running approval processes for big road projects due to clarifications of environmental aspects.[14]
- An insufficient number of projects lodged with the European Commission for approval causes complications in drawing money from the EIB framework loan for the co-financing of the OPT.
- The outcomes of audits from both national authorities and the European Commission and the European Court of Auditors.

Furthermore, there have been numerous audits carried out by DG Regio, where the Czech Steering Authority does not agree with the findings and these remain debated between the European Commission and the national authorities. Some audits carried out by the European Court of Auditors are still running. As a result the Czech transport ministry has “temporarily interrupted” requesting the European Commission to reimburse EU funds spent in constructing new motorways and waterways that in the past may have breached public procurement rules. Rail funding will not, however, be affected, though this step has also caused a side effect: the Czech authorities have stopped attempts to get the European Commission’s approval to reallocate up to EUR 400 million from the railway priority axes to the one focused on TEN-T road investments.

More generally, the evaluation of the “quality” of transport infrastructure planning and spending in the country is summarised by the Ministry of Local Development, which is in charge on the implementation and planning of the cohesion spending in the country:

> In the transport infrastructure sector the investment activity in the past was focused primarily on construction of motorways and 4-lane expressways and upgrade of transit railway corridors. Smaller scale bypasses of settlements were built and non-corridor railways upgraded, a small amount was also directed to the development of airports and waterways. In the field of road constructions, not always the real priority of individual projects was respected that would be given by their significance and location in European and national transport network and current and projected transport intensity. Problems are caused also by ineffective land use preparation of new constructions. The upgrade of the railway network is approached less flexibly; real and in the past two decades radically changed transport priorities in passenger and freight transport are not being considered. The Current denominator for both road and railway constructions is significant and often controversial cost (noise barriers etc.), unresolved linkage to the related infrastructure

> and above all significant preference for new constructions over the maintenance of stagnating or deteriorating rest of the network... The greatest deficit is in construction of multimodal terminals and above all in appropriately located public logistic centers that would enable a reduction in the current negative trend of increasing road freight transport.[15]

Bankwatch Czech Republic warns that irregularities in spending for motorway and waterway construction must be investigated and avoided in the future. It also warns that it is doubtful whether these financial resources under question can be recovered from European Commission reimbursements. If not, the state budget deficit will increase, and in order to decrease the gap cuts will hit various public sectors, with probable targets including regional mass transport like local railways and buses, or the maintenance of road and railway networks where the situation becomes increasingly critical year on year.

Conclusion

The planning of transport projects in the Czech Republic has suffered for decades from a lack of accountability and rationality.

The core of the problem lies first of all in the failure of a string of governments to conduct a strategy for the sector based on socio-economic needs that make sense.

Second, the cartels of the business and political interests in the country have succeeded in "privatising the public interest", and have replaced it with their own.

Third, control mechanisms and the rule of law are failing. Non-transparency and the secretive nature of key processes, coupled with ineffective courts and control institutions, have left a lot of wiggle room for the cartels to exploit.

Bad planning has clear negative impacts that among other things lead to problems with the financing of transport projects from the EU funds. This has already come to light during the approval process for the Czech OPT, that was criticised by the European Commission for projects' prioritisation. In order to avoid having to explain some of the weaknesses, some projects have already been withdrawn by the national authorities from the financing plans due to the lack of willingness to meet European Commission requirements.

NGOs working together in the Czech Transport federation (Hnuti DUHA and CDE – both Bankwatch CZ members – Environmental Law Service, Oziveni and Children of the Earth) recommend that the following measures be taken[16]:

1. Setting priorities strategically. The Czech transport ministry must create a strategy for the sector – based on real data – and identify both priorities and priority projects, for which a plan of financing can subsequently be clarified. The strategy will have no legitimacy if it does not cohere with legal requirements and if the public has no involvement in its formulation.
2. Financing based on real needs and data. There is a heated debate on how state transport plans are to be financed – the options include the State Transport Infrastructure Fund (incomes from fuel taxes and revenues from a freight toll system), EU funds, EIB loans, and postponed debt via PPP schemes. However, any decision about the financing model should only be arrived at after the debate on strategic priorities is concluded.
3. Transparent and effective financing. The system must guarantee that individual major projects will automatically undergo expert evaluation of the effectiveness of the technical solution chosen and the price/benefit ratio. The key issue is to increase the transparency of the public bidding procedures.
4. Safeguards and communication with the public. The current poor state of the legal environment and the lack of an effective control system provides sufficient space for cartel behaviour. There is a need to create an effective control mechanism to govern how public resources are being spent. The government should introduce a mechanism to ensure the increased impact of the findings of the Supreme Audit Office.

It is questionable whether the damage control of the failures in the current OPT will be fast and effective enough to prevent an overall debacle befalling the program. Nevertheless, even more disastrous would be the situation where no lessons are learned by the political representation and official authorities, and the practice for planning and implementing the transport infrastructure investments in the periods to come, including the 2014-2020 Cohesion period, would continue without profound changes based on the above-mentioned recommendations.

Operational Programme Transport (2007-2013) in Estonia

Transport investments in Estonia are guided by two priority axes of the operational programme 'Development of Economic Environment' (OP)[17]:

- Priority 3 (P3): Transport investments of strategic importance – financed from the Cohesion Fund;
- Priority 4 (P4): Development of regional transport infrastructure – financed from the European Regional Development Fund (ERDF).

In the OP it is noted several times that there are plenty of ways in which to reduce the negative impacts caused by transport infrastructure development projects, such as: developing public transport, selecting safer and more environment friendly solutions, following environmental requirements, making safe transport corridors for animals, etc.

But in fact the goals and indicators under P3 and P4 provide almost no proof as to how and to what extent these means are implemented or measured – the indicators just reflect road building as such (see Table 1). The OP also completely fails to identify current or planned levels of CO2 emissions.

Overview of goals and indicators under P3 and P4

P3: Transport investments of strategic importance	P4: Development of regional transport infrastructure
Goal 1: Maintaining public transportation percentage by increasing the percentage of environment friendly passenger traffic	Goal 1: Improving connections between islands and the mainland
Investments should increase the use of public transport and interlink different means of public transport. Indicators: trips made by public transport, decrease in travel time, and the number of railway projects.	The most important activities under this goal are aimed at improvement of ferry and airplane connections between the Estonian mainland and islands. Indicators: number of passengers in small ports and airports, also projects concerning small ports and airports.
Goal 2: Improving accessibility and road safety	Goal 2: Improving regional public transport system
OP includes a list of international traffic corridors (part of the TEN-T network) that should be developed. Indicators: decrease in fatal and injury causing road traffic accidents on reconstructed roads and junctions, the number of road projects, and the number of reconstructed TEN-T junctions.	The most important activities under this goal are aimed at the improvement of regional public transport, securing accessibility to the TEN-T network, and the abolishing of bottlenecks of transport connections. Indicators: reduction in travel time, the number of reconstructed passenger platforms on railways, and the number of connections linked to the TEN-T network.

Estonia's economic growth has been very transport-intensive. If this growth continues at the same rate Estonia's transport system will soon be one of the most energy-consuming among EU countries. Uneconomic new cars and the rapid price increases in sustainable transport modes (when compared to car-related costs) are also evidence of unsustainable attitudes and an unsustainable transport policy[18]. The current transport policy will not contribute to the implementation of international commitments, in particular management of transport energy consumption and decreases in greenhouse gas emissions by 2020. During the planning of transport investments (2007-2013), there have not been enough studies (which include external cost estimation, environmental impact evaluations, motor fuel prices and other aspects) made to determine the optimal structure of the transport modes.

Practice and problems so far (2007-2011)

The estimated total eligible investment cost is EUR 635.9 million[19], EUR 525.4 million is covered from the Cohesion Fund and EUR 110.5 million from the ERDF. The largest share is for strategically important transport investments and the smallest for investments in regional air traffic. Out of the total transport

investments, 64% is going to road investments, and 22.7% to railway investment. There is no financing being made available for public transport regulation. Over the last ten years there have been major changes in the location and density of settlement areas as a lot of people have moved from Estonian cities to new suburbs which have no or extremely poor public transport connection to the city for daily commuting. In different regions the public transport network is managed by different institutions, but the financial assistance to the public transport system is modest and due to the recession there have been several cutbacks. As a result the transport network does not meet inhabitants' real needs and there is no nationwide awareness of the current need for public transport.

There are nine road investment projects with a total cost of EUR 464 million (of which the maximum EU assistance is EUR 382 million). Three of these projects cover road building in Tallinn and its direct surroundings and absorb EUR 272.6 million, which is 59% of the total amount of structural funds earmarked for road building in the 2007-2013 period.

The total cost of railway projects is EUR 164 million (of which the maximum EU assistance is EUR 138 million). There are six railway projects. The biggest one is the purchase of electric railway rolling stock at a total cost of EUR 83 million, which is 50.6% of the total cost of railway projects. The strategically most important one – the reconstruction of the Tallinn-Tartu-Valga railway on the route of Rail Baltica (TEN-T) – absorbed EUR 41.6 million. Environmental NGO's have pointed out on several occasions that the reconstruction of tramlines in Tallinn was one of the major indicative projects in OPT, yet there is still no sign of this project being implemented.

There are six projects concerning ports with a total cost of EUR 81.2 million. The purpose of the biggest one is to improve the connection between the mainland and islands via the reconstruction of four small ports (with a total cost of EUR 30.7 million). Strangely enough, at the same time the Ministry of Economic Affairs and Communications is pushing for the Saaremaa fixed link project[20] which will quite likely be one of the major projects in the 2014-2020 OP as its construction is also foreseen in the Estonian government's programme[21]. There was one joint project for the reconstruction of existing small local airports (at a total cost of EUR 15.5 million).

According to the OPT the use of public transport should increase from 207.5 million trips in 2006 to 224 million in 2010. Statistics show, however, that trips made by public transport have actually decreased from 207.5 million in 2006 to 165.2 million in 2010[22].

Due to this regression, several bus lines were closed in the countryside (in areas far from the capital). Thus it's unlikely that the rate of public transport trips will rise in the coming years. The use of local sea transport during the same period has increased by 24% and the use of local air transport has decreased by 45%. This change took place during the economic collapse and can not therefore be connected to the use of structural funds. The latest figures indicate an increase in local flights taken as the Tallinn-Tartu airline was opened in the beginning of 2011.

A decrease in the overall number of fatal and injury causing road traffic accidents is included in the OPT as the other most important indicator. Statistics show that a notable decrease in these numbers did take place prior to the implementation of main road construction projects in 2008 and 2009 (2006 – 204; 2008 – 132). Environmental NGOs have expressed their positions in several strategic environmental assessment and environmental impact assessment processes and, amongst other things, have raised the question if implementing so costly measures for the aim of traffic safety is proportional, as in practice there are plenty of other cheaper, faster and environmentally friendlier measures to reach that goal.

Summary and suggestions for the next period

Of the total transport investments in Estonia's OPT 2007-2013, 64% are road investments, and 22.7% are railway investments. Both the EU's and Estonia's transport development goal is to increase the share of rail transport and reduce the burden of road traffic, therefore it is vital to consider options for correcting the investment ratio between roads and railways for the next programming period 2014-2020.

The division of transport investments between road and rail transport should take into account a comparison of their perspective, sustainability, economic efficiency, external costs and actual public transport needs. Only after this is done will it be possible to determine the optimal structure of the investments and the construction order of the projects. There is currently a lack of these kind of comparative calculations and figures in the present transport development and investment plans. In the next OPT period there should be firm measures included to support sustainable transport means and public transport development across Estonia.

Operational Programme Infrastructure & Environment 2007-2013 in Poland

Introduction

This paper examines EU funding for the transport sector under Poland's Operational Programme Infrastructure & Environment (OPIE). This programme has the largest budget in the history of the EU funds – EUR 37.6 billion in total, with EUR 27.9 billion of this deriving from the EU (the Cohesion Fund and the European Regional Development Fund). The majority of the EU allocation will support Poland's transport sector – EUR 19.4 billion. Other sectors funded within OPIE include environment, energy, higher education, culture and health care.

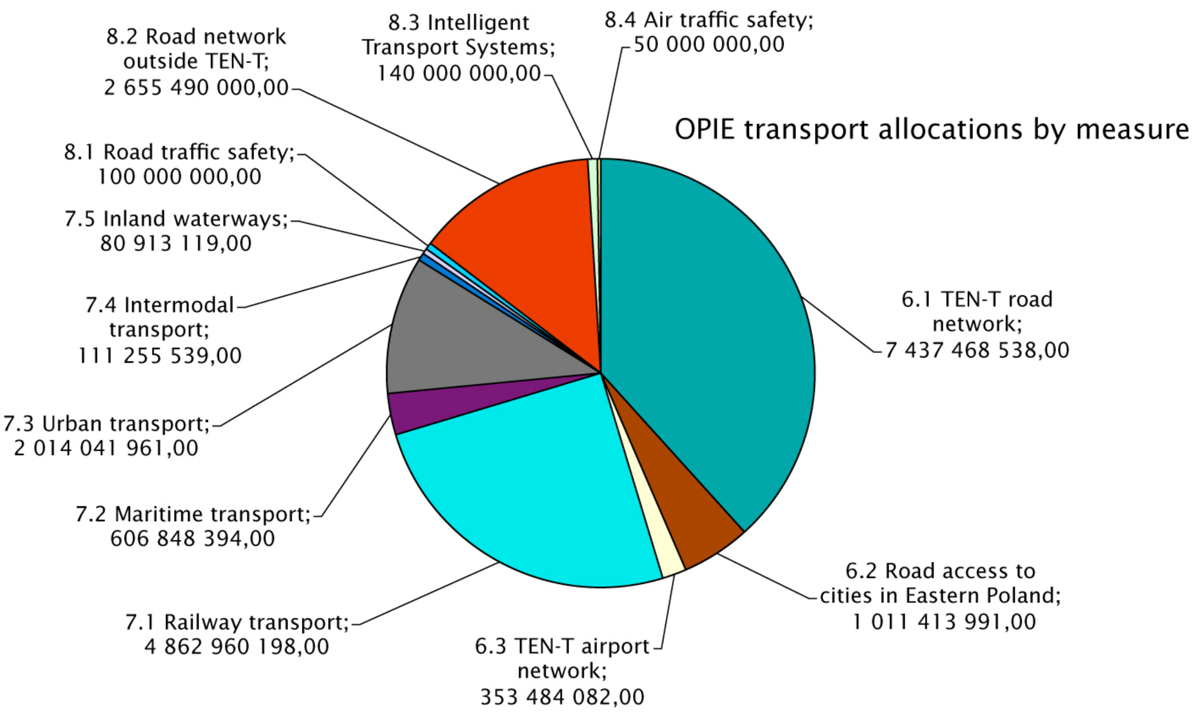
It should be noted that EU Cohesion Policy support for transport in Poland is also available under 16 Regional Operational Programmes (with EUR 4.5 billion from the EU funds) as well as Operational Programme Development of Eastern Poland (with EUR 1.06 billion from the EU funds), which are not included in this paper. The funding available there can be used for different modes of transport and in principle these are smaller projects of regional and local importance. From the point of view of environmental concerns, as well as economic viability, new regional airports financed under the Regional OPs are particularly sensitive investments, which will be the subject of a separate paper.

Overview of allocations – proportions between modes

The transport sector is supported under three priority axes in OPIE:

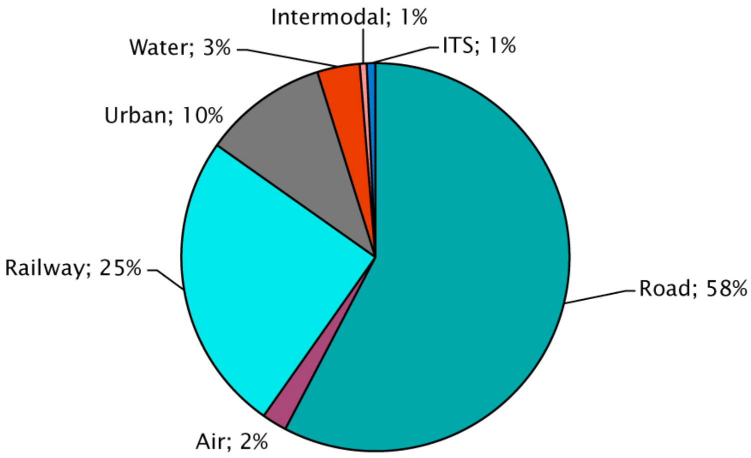
- Priority Axis VI: TEN-T road and air network – EUR 8.802 billion from the Cohesion Fund
- Priority Axis VII: Environment-friendly transport – EUR 7.676 billion from the Cohesion Fund
- Priority Axis VIII: Transport safety and national transport networks – EUR 2.945 billion from the European Regional Development Fund.

A detailed breakdown of allocations by measure can be seen in the graph below.



The next graph provides a breakdown of the available allocations by transport mode. Support for road and air transport amounts to 59% of the total allocation, which is likely to increase CO2 emissions from transport by reinforcing their growing share in the modal split.

OPIE transport allocations by transport mode



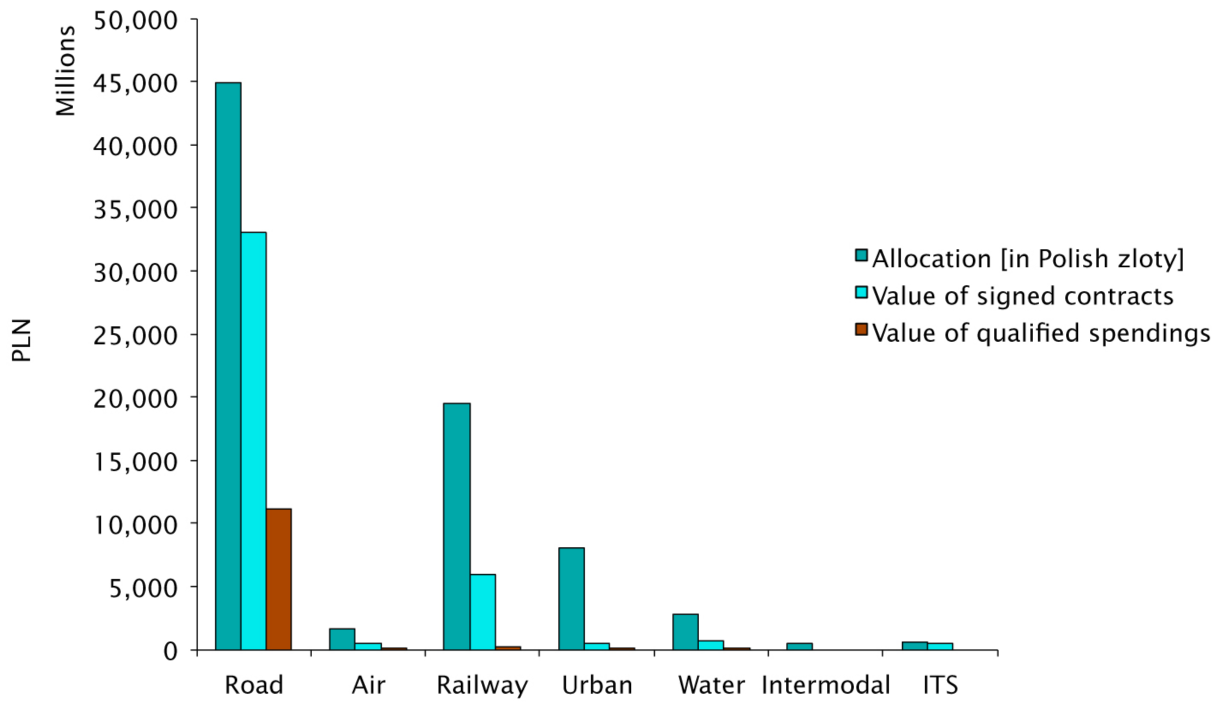
Absorption of funding – the situation in the rail sector

The absorption of the available funding for transport within OPIE has in general been slow during the first half of this EU budget period (2007-2013), especially when measured by money actually spent. To some extent this is natural, as the beginning of the period was used for submitting and reviewing project documentation. The most difficult aspects of project preparation and implementation seem to have been the obtaining of environmental decisions and the completion of tender procedures in line with all the requirements.

The graph below illustrates the rate of absorption in relation to the available allocation for each transport mode (figures are shown regarding the value of signed contracts and reported qualified spending).

The graph clearly illustrates that absorption in the road sector has been by far the most successful, with almost three quarters of the available money already assigned to concrete projects which successfully passed the application process (for the largest projects, concerning the TEN-T network, this figure is almost 90%). In terms of spending, the figure is roughly one quarter of the available allocation. The spending will accelerate in the next months as projects proceed and there seems to be no threat of problems with using the available funding.

Absorption of funds for transport in OPIE by mode



The situation looks completely different in the case of other modes. In particular, the slow absorption of funding by the rail sector is worrying. So far, the value of signed contracts is approximately 30% of the available allocation, but only around 1% of the money has been spent.

The reasons for the slow uptake of funds for the rail sector are numerous but in general they all are a consequence of many years of neglecting necessary reforms together with the low political priority assigned to the rail sector by a string of governments. As a result, the main beneficiary of railway line upgrade projects, the state-owned company PKP PLK S.A. which is responsible for managing the railway infrastructure, has not been able to prepare projects for EU funds in time due to the low capacity of its staff.

For example, at the beginning of the programming period the responsible departments had difficulties or were even unwilling to comply with EIA requirements. As a result, the project pipeline is progressing slowly and there is a real threat that the available allocation for 2007-2013 will not be used. This will furthermore improve the competitive position of road transport both for freight and passengers. Providing the necessary national co-financing has also been a challenge for the railway company. It took until 2011 before the Ministry of Finance gave guarantees to PKP PLK S.A., allowing it then to receive a loan from the EIB to cover the part of investments not financed from the EU funds. This again shows the low political importance of the railway sector in Poland.

In addition, strategic planning in the railway sector has been weak. The Master Plan up to 2030 for the railway sector was prepared only in 2008, and a medium-term strategy for the railway sector up to 2015 was developed only in 2010 and not at the beginning of the programming period. In terms of investments, the order of their implementation seems random and depends rather on the success in project preparation than on priority in terms of needs and results. Some railway lines which have been upgraded to 160 km/h are not heavily used (e.g. from Warsaw to the border with Belarus). On the other hand, many bottlenecks exist in the network on heavily used, priority railway lines where due to the poor state of infrastructure trains have to slow down, e.g. to 40 km/h, but there are no projects in line for EU funding to change this situation.

Review of the OP, changes in indicators and proposed reallocation of funds

A one-time major review of OPIE is taking place in 2011. The Polish government submitted its proposals for changes in the programme to the European Commission in June and the renegotiation process is supposed to be finalised by the end of the year. The changes were voted in a Monitoring Committee meeting on April 6.

One aspect of this review are the far-going modifications in indicators used in the OP, which applies especially to the transport sector (all modes). Practically everywhere the foreseen values (e.g. length of constructed roads) will not be met after the OP is implemented – they were unrealistic from the beginning. In many cases there are problems with measurement or the sense of using some indicators is questioned. All this is a lesson showing that the programming process did not result in trustworthy indicators for the results of spending these huge amounts of funds.

The most significant aspect of the OPIE review is connected to the planned reallocation of funds from the railways to roads. In January 2011, the government announced that an extra EUR 1.2 billion will be assigned for expressway construction, the sum being taken away from the EU Funds railway allocation. The reason given was the slow preparation of railway projects and the risk of losing the funds if they are not used by the end of programming period. After some media publications, speculations and even protests concerning railway upgrade projects which would be abandoned, the government changed its official messaging: the EUR 1.2 billion apparently would come from savings in the railway projects which were the result of lower prices offered by subcontractors after the tenders for construction works were run.

The planned reallocation met with protests from environmental NGOs but also from railway trade unions, passenger associations etc. The European Commission expressed many times its reluctance to agree to the proposed shift of funding, as it would be against EU transport policy, which favours sustainable modes such as rail. This view was expressed in informal meetings with Polish ministers, in the Monitoring Committee meeting and in official replies (both DG Move and DG Regio) to NGOs and other protesters. Moreover, the Polish plan to reallocate funds became an EU-level issue when the Transport Committee of the European Parliament expressed its negative opinion about the proposal in April (the leaders of all political groupings in the committee agreed about it) – a letter was sent to the European Commission by the chair of the committee.

Co-financing rates of projects versus revenues from user charges

In line with Art 55 of the Regulation 1083/2006, the funding gap analysis is applied to all revenue-generating projects funded by the EU. In simple terms, the projects which generate revenue, e.g. from charges applied to users of new infrastructure, receive a lower share of EU funds in the total budget (lower co-financing rate), depending on how much revenue is foreseen.

The beneficiary of EU money for motorways is an agency (the General Directorate for National Roads and Motorways), while a state-owned company which manages railway infrastructure implements EU-funded projects in that sector. Both in the financial plans for OPIE and in the lists of signed contracts (available on the website of the responsible agency, Centre for EU Transport Projects) it is clear that road projects receive the maximum possible co-financing rate which is 85%. This means that existing or potential user charges (from 1st July 2011 there is an electronic toll system for trucks replacing vignettes) are not taken into account as they do not benefit the General Directorate.

On the other hand, the funding gap analysis is applied fully to railway upgrade projects. The railway infrastructure manager, PKP PLK S.A., is a state owned company which charges railway operators for access to tracks, which is a solution preferred by the EU. These (discounted) future user charges are deducted from the EU share of financing the projects. As a result the effective co-financing rate for the projects is approximately 50-60%. This implies the need to secure more national co-financing, which in the case of railway projects has been problematic. Yet again the rail sector is disadvantaged in using EU money in relation to the road sector.

Bankwatch has raised this issue in Brussels in meetings with the European Commission and NGOs. There seems to be interest and understanding that future regulations on revenue-generating projects should not lead to such systematic failures, where the more sustainable transport mode is disadvantaged by receiving lower EU co-financing.

EIA and SEA practice – problems and improvements

As mentioned before, the Environmental Impact Assessment (EIA) process and related environmental permitting is widely seen as a major difficulty in the preparation and implementation of EU-funded transport projects. After very negative experiences at the start, during this 2007-2013 programming period a general improvement can be observed in the application of EIAs, including those regarding Natura 2000 sites.

The main aspects of this improvement include:

- New EIA legislation effective as of November 2008, fully transposing EU legislation, among other things gives more powers to environmental NGOs as parties in administrative procedures concerning environmental decisions;
- A new institutional setup for EIAs and Natura 2000 as of November 2008, when the General Directorate for Environmental Protection and 16 Regional Directorates for Environmental Protection were established to deal with these areas; the new setup was intended to facilitate absorption of EU funds in line with environmental legislation;
- Early consultation of potential conflict cases, with working contacts established between key NGOs and the General Directorate for National Roads and Motorways etc.

However, some problematic cases still persist. The S3 expressway Szczecin-Gorzow is an acute example of a failed application of EIA from the beginning, where no alternative variants which could avoid damage to Natura 2000 habitats were taken into account. The expressway has been finalised and a new environmental decision was issued in 2011 with numerous compensation measures. However, there is still an infringement procedure open by the European Commission and it seems questionable whether the investment will ever receive a positive EU funding decision. So far the project has been implemented with national financing.

In relation to the application of Strategic Environmental Assessment (SEA), the actual impact of this process on the shape of OPIE was minimal. However, a good precedent also exists related to the implementation of the programme.

After a long NGO campaign against construction of the Via Baltica expressway through valuable natural areas (Knyszyn and Augustow Forests, Biebrza and Rospuda river valleys), finally the results of a long SEA process for this pan-European transport corridor were taken into account. As many as 40 variants (four shortlisted for detailed analysis) were examined for the corridor linking central Poland with the Lithuanian border. The variant preferred by environmental NGOs proved to be the most favourable, and in 2009 the Ministry of Infrastructure changed a decree listing planned expressway investments accordingly. As a consequence, the S8 expressway project, section Bialystok – Lithuanian border was abandoned and taken off the indicative list of major projects in OPIE. This is the first case in Poland where an SEA process led to changes in actual investment plans in the transport sector.

Recommendations

- The European Commission should not approve the proposed reallocation of EUR 1.2 billion in favour of road transport.
- Environmentally friendly transport modes (rail, urban transport, intermodal infrastructure) should be given priority in the next programming period of EU Funds, and should receive the majority of the financial allocation.
- Barriers to the absorption of EU Funds in the railway sector (institutional issues, problems with securing national co-financing) should be resolved. Polish transport programs for the next EU budget period should not be approved before viable solutions are proposed and introduced.
- Environmentally friendly transport modes should receive higher co-financing rates than GHG-intensive modes like road transport.
- The introduction of user charges for EU-funded motorways should be an obligatory element of projects. The revenues should be taken into account when calculating the EU co-financing rate of projects.
- Strategic Environmental Assessments for transport networks should be the actual basis for choosing the optimal routes for entire transport corridors, taking into account economic, social and environmental issues.

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End notes

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5. The Supreme Audit Office is an independent body auditing the economic use of state-held assets and the performance of the state budget. Its latest report on the financing of Czech roads and motorways, including the use of money from structural funds through the OP Infrastructure, concluded that it took a very long time – eight years on average – to complete preparatory work on transport projects from zoning decision documentation to the issuing of a building permit. The audit focused on 435 projects developed between 2004 and 2007 and found that the estimated cost increased by CZK 76 billion, or 22 percent, and more than half of the projects had a 46 percent increase in estimated cost. Only 32 percent of projects stuck to their original completion dates. SOA audit no. 07/04: Funds for selected projects under road construction and renovation programmes, 2007.
6. "In the majority of cases, the programme financing system failed to provide an efficient, economic and meaningful use of funds. This resulted in financial problems for many projects, even beyond the preparatory stage. Project implementation had to be suspended or postponed or projects had to be divided into several phases". SAO audit no. 07/04: Funds for selected projects under road construction and renovation programmes, 2007.
7. SAO audit protocol No. 04/25: Traffic infrastructure development in Central Moravia and Ostrava cohesion regions, 2005.
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9. Timetable of Transport Infrastructure Construction in 2008-2013. Resolution of the government of the Czech Republic no. 1064 of September 19, 2007.
10. Record from negotiations about the draft document of the Operational Programme Transport between the European Commission and the Czech party, lead by the deputy minister of transport, September 20, 2007.
11. The OPT includes a detailed list of specific projects, with a number of them missing appropriate assessment, for example, on the densely populated areas lying near the planned Prague Ring Road; the planned route and interconnection of the D1, R43 and R52 motorways/expressways near densely populated areas in Brno; the R52 route via Mikulov, which would result in, among other impacts, excessive traffic generation in the Lednice-Valtice Landscape complex (a UNESCO World Heritage Site). Some other problematic projects were assessed by more specific SEA or EIA procedures, but often with poor quality, leading to serious objections from the public and in some cases even to court actions or other legal steps. At the same time the conclusion of the only systemic SEA on the transport network development that took place in 1999 was never taken into account in the Czech transport infrastructure plans.
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